

HOUSE BILL NO. 255

1/18 Introduced
1/18 Referred to Local Government
1/26 Fiscal Note Received
2/09 Hearing
2/11 Adverse Committee Report
2/12 Bill Killed

HOUSE BILL NO. 255

INTRODUCED BY Spencer

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING COUNTY PUBLIC ASSISTANCE PERSONNEL TO BE PAID THE MILEAGE ALLOTMENT RATE OF THE UNITED STATES INTERNAL REVENUE SERVICE FOR THE PRECEDING YEAR FOR EACH MILE TRAVELED; AMENDING SECTION 53-2-304, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-2-304, MCA, is amended to read:

"53-2-304. Staff personnel of county department. (1) Each county board shall select and appoint from a list of qualified persons furnished by the department of social and rehabilitation services such staff personnel as are necessary. The staff personnel in each county shall consist of at least one qualified staff worker (or investigator) and such clerks and stenographers as may be decided necessary. If conditions warrant, the county board, with the approval of the department of social and rehabilitation services, may appoint some fully qualified person listed by the department as supervisor of its staff personnel. The staff personnel of each county department are directly responsible to the county board, but the department of social and rehabilitation services may supervise such county employees

in respect to the efficient and proper performance of their duties. The county board of public welfare may not dismiss any member of the staff personnel without the approval of the department of social and rehabilitation services, but the department may request the county board to dismiss any member of the staff personnel for inefficiency, incompetence, or similar cause.

(2) Public assistance staff personnel attached to the county board shall be paid from state public assistance funds both their salaries and their travel expenses as provided for in 2-18-501 through 2-18-503 when away from the county seat in the performance of their duties, except that they shall be paid a rate equal to the mileage allotment allowed by the United States internal revenue service for the preceding year for each mile traveled when they are using a privately owned vehicle because a government-owned or leased vehicle is not available or the use is in the best interest of the county. but However, the county board of public welfare shall reimburse the department of social and rehabilitation services from county poor funds the full amount of the salaries and travel expenses not reimbursed to the department by the federal government and the full amount of the department's administrative costs which are allocated by the department to the county for the administration of county welfare programs and not reimbursed to the department



1 by the federal government. Under circumstances prescribed by
2 the department of social and rehabilitation services, the
3 reimbursement by the county board of public welfare may be
4 less than the county share as prescribed above. All other
5 administrative costs of the county department shall also be
6 paid from county poor funds.

7 (3) On or before the 20th day of the month following
8 the month for which the payments to the public assistance
9 staff personnel of the county were made, the department of
10 social and rehabilitation services shall present to the
11 county department of public welfare a claim for the required
12 reimbursements. The county board shall make such
13 reimbursements within 20 days after the presentation of the
14 claim, and the department of social and rehabilitation
15 services shall credit (add) all such reimbursements to its
16 account for administrative costs.

17 (4) If a county has transferred its public assistance
18 and protective services responsibilities to the department
19 of social and rehabilitation services under part 8 of this
20 chapter, the department shall select, appoint, and supervise
21 all necessary public assistance and protective services
22 personnel, including if necessary a supervisor of staff
23 personnel. All such personnel are directly responsible to
24 the department."

-End-

STATE OF MONTANA

REQUEST NO. FNN 152-85

FISCAL NOTE

Form BD-15

In compliance with a written request received January 21 19 85, there is hereby submitted a Fiscal Note for H.B. 255 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 255 allows county public welfare office employees in those counties which have not opted for state assumption to be reimbursed at \$.205 per mile for miles travelled in excess of 1000 per month rather than the \$.175 mile authorized in Section 2-18-503, MCA.

ASSUMPTIONS:

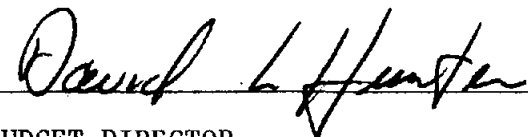
1. That this bill does not pertain to workers in counties which have opted for state assumption.
2. That no additional counties will opt for state assumption during FY86 and FY87.
3. That there will be no significant increase or decrease in affected counties, staff and miles travelled.
4. That number of employees travelling in excess of 1000 miles per month will remain static.

FISCAL IMPACT:

	<u>FY 86</u>	<u>FY 87</u>	<u>Total Biennium</u>
Increased Cost:			
General Fund	\$ 138	\$ 138	\$ 276
Federal & Private Special Revenue	1,239	1,239	2,478
County Funds	275	275	550
Total Increased Cost	<u>\$1,652</u>	<u>\$1,652</u>	<u>\$ 3,304</u>

TECHNICAL OR MECHANICAL DEFECTS OR CONFLICTS WITH EXISTING LEGISLATION:

Sections 2-18-503, MCA sets the mileage allowance at "a rate equal to the mileage allotment allowed by the United States Internal Revenue Service for the preceding year shall be paid for the first 1000 miles and 3 cents per mile less for all miles thereafter travelled within a given calendar month." The proposed legislation appears to conflict with the above quoted statute.



BUDGET DIRECTOR
Office of Budget and Program Planning

Date: JAN 25, 1985
HB 255