SENATE BILL NO. 180

INTRODUCED BY VAN VALKENBURG, RAPP-SVRCEK

IN THE SENATE

January 22, 1985	Introduced and referred to Committee on Local Government.
February 8, 1985	Committee recommend bill do pass. Report adopted.
February 9, 1985	Bill printed and placed on members' desks.
February 11, 1985	Second reading, do pass.
February 12, 1985	Considered correctly engrossed.
February 13, 1985	Third reading, passed. Ayes, 50; Noes, 0.
	Transmitted to House.
IN TH	E HOUSE
February 27, 1985	Introduced and referred to Committee on Local Government.
March 15, 1985	Committee recommend bill be concurred in. Report adopted.
March 19, 1985	Second reading, concurred in.
March 21, 1985	Third reading, concurred in.
	Returned to Senate.
IN TH	E SENATE
March 21, 1985	Received from House.
	Sent to enrolling.

Reported correctly enrolled.

INTRODUCED BY

LC 0481/01

Smalle BILL NO. 180 A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING THE NAME OF

THE COUNTY PRELIMINARY BUDGET TO THE COUNTY PROPOSED BUDGET: 5 6 CHANGING THE DATES FOR PREPARATION OF A COUNTY PROPOSED BUDGET; INCREASING THE NUMBER OF TIMES IT MUST BE PUBLISHED; 7 DELETING THE REQUIREMENT THAT IT MUST BE TRANSMITTED TO THE 8 9 DEPARTMENTS OF COMMERCE AND REVENUE; AMENDING SECTIONS 7-6-2315, 7-6-2316, 7-6-2351, AND 53-2-322, 10 MCA: AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." 11

12

1

2

3

4

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

14 Section 1. Section 7-6-2315, MCA, is amended to read: "7-6-2315. Consideration of tabulation by county 15 commissioners ---preparation-of-preliminary-budget. (1) The 16 tabulation shall be submitted to the county commissioners by 17 18 the county clerk and recorder on or before the first third 19 Monday of July.

(2) Upon receipt thereof, the board of county 20 commissioners shall immediately consider the budget in 21 detail and shall, on or before the second fourth Monday of 22 July, make any revisions, reductions, additions, or changes 23 24 that they consider advisable. The tabulation, with any revisions, reductions, additions, or changes, is the 25

1 preliminary county proposed budget for the fiscal year which 2 it is intended to cover. 3 +31--Upon--completion--of--the-budgetz-the-county-clerk 4 shall-immediately-transmit-one-copy-of-it-to-the--department 5 of-commerce-and-one-copy-to-the-department-of-revenue." 6 Section 2. Section 7-6-2316, MCA, is amended to read: 7 "7-6-2316. Notice of hearing on preliminary county 8 proposed budget. (1) The board of county commissioners shall q then have a notice published stating that: 10 (a) the board has completed its preliminary county 11 proposed budget for the current fiscal year; 12 (b) the budget is open to inspection in the office of 13 the county clerk and recorder; 14 (c) the board will meet on the Wednesday before the 15 second Monday in August to fix the final budget and make 16 appropriations, stating the time and place of the meeting; 17 and 18 (d) any taxpayer or resident of the county may appear 19 and be heard for or against any part of the budget. 20 (2) The notice shall be published at-least-one-time 21 two times, once each week, in a newspaper of general 22 circulation in the county."

23 Section 3. Section 7-6-2351, MCA, is amended to read: 24 "7-6-2351. District court budget. (1) As soon as the 25 preliminary county proposed budget provided for in 7-6-2315

INTRODUCED BILL -2-SR 180

has been agreed upon by the governing body, a copy shall be transmitted to the district court. At any time before the final adoption of the budget, the district court may make recommendations for changes in any part of the budget relating to the court considered necessary for the court to discharge its obligations under the law.

7 (2) No part of the district court fund may be used for
8 any purpose other than the costs and expenses described in
9 7-6-2511, and no part may be used for the construction or
10 improvement of any county building."

11 Section 4. Section 53-2-322, MCA, is amended to read: "53-2-322. County to levy taxes, budget, and make 12 expenditures for public assistance activities. (1) The board 13 14 of county commissioners in each county shall levy 13.5 mills for the county poor fund as provided by law or so much 15 thereof as may be necessary. Counties transferring public 16 assistance and protective services responsibilities to the 17 department of social and rehabilitation services under part 18 8 of this chapter may not levy more than the difference 19 between 13.5 mills and the state levy pursuant to 53-2-813. 20 (2) The board shall budget and expend so much of the 21 funds in the county poor fund for public assistance purposes 22 as will enable the county welfare department to pay the 23 general relief activities of the county and to reimburse the 24 department of social and rehabilitation services for the 25

LC 0481/01

county's proportionate share of the administrative costs of
 the county welfare department and of all public assistance
 and its proportionate share of any other public assistance
 activity that may be carried on jointly by the state and the
 county.

6 (3) The amounts set up in the budget for the reimbursements to the department of 7 social and R rehabilitation services shall be sufficient to make all of 9 these reimburgements in full. The budget shall make separate 10 provision for each one of these public assistance 11 activities, and proper accounts shall be established for the 12 funds for all such activities.

13 (4) As soon as the preliminary county proposed budget provided for in 7-6-2315 has been agreed upon, a copy 14 thereof shall without delay be mailed to the department of 15 16 social and rehabilitation services, and at any time before the final adoption of the budget, the department shall make 17 18 such recommendations with regard to changes in any part of the budget relating to the county poor fund as considered 19 necessary in order to enable the county to discharge its 20 21 obligations under the public assistance laws.

(5) The department of social and rehabilitation
services shall promptly examine the preliminary county
proposed budget in order to ascertain if the amounts
provided for reimbursements to the department are likely to

be sufficient and shall notify the county clerk of its
 findings. The board shall make such changes in the amounts
 provided for reimbursements, if any are required, in order
 that the county will be able to make the reimbursements in
 full.

6 (6) The board of county commissioners may not make any 7 transfer from the amounts budgeted for reimbursing the 8 department of social and rehabilitation services without 9 having first obtained a statement in writing from the 10 department to the effect that the amount to be transferred 11 will not be required during the fiscal year for the purposes 12 for which the amounts were provided in the budget.

13 (7) No part of the county poor fund, irrespective of the source of any part thereof, may be used directly or 14 15 indirectly for the erection or improvement of any county building so long as the fund is needed for general relief 16 17 expenditures by the county or is needed for paying the 18 county's proportionate share of public assistance or its proportionate share of any other public assistance activity 19 that may be carried on jointly by the state and the county. 20 21 Expenditures for improvement of any county buildings used directly for care of the poor, except a county hospital or 22 23 county nursing home, may be made out of any moneys in the 24 county poor fund, whether such moneys are produced by the 13.5-mill levy provided for in subsection (1) of this 25

section or from any additional levy authorized or to be authorized by law. Such expenditure shall be authorized only when any county building used for the care of the poor must be improved in order to meet legal standards required for such buildings by the department of health and environmental sciences and when such expenditure has been approved by the department of social and rehabilitation services."

8 NEW SECTION. Section 5. Effective date. This act is

9 effective on passage and approval.

-End-

-5-

49th Legislature

LC 0481/01

7

APPROVED BY COMM. ON LOCAL GOVERNMENT

1	BILL NO. 180
2	INTRODUCED BY the children Keys Jour
3	0 ''
4	A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING THE NAME OF
5	THE COUNTY PRELIMINARY BUDGET TO THE COUNTY PROPOSED BUDGET;
6	CHANGING THE DATES FOR PREPARATION OF A COUNTY PROPOSED
7	BUDGET; INCREASING THE NUMBER OF TIMES IT MUST BE PUBLISHED;
8	DELETING THE REQUIREMENT THAT IT MUST BE TRANSMITTED TO THE
9	DEPARTMENTS OF COMMERCE AND REVENUE; AMENDING SECTIONS
10	7-6-2315, 7-6-2316, 7-6-2351, AND 53-2-322, MCA; AND
11	PROVIDING AN IMMEDIATE EFFECTIVE DATE."

12

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

Section 1. Section 7-6-2315, MCA, is amended to read: "7-6-2315. Consideration of tabulation by county commissioners ---preparation-of-preliminary-budget. (1) The tabulation shall be submitted to the county commissioners by the county clerk and recorder on or before the first third Monday of July.

20 (2) Upon receipt thereof, the board of county 21 commissioners shall immediately consider the budget in 22 detail and shall, on or before the second <u>fourth</u> Monday of 23 July, make any revisions, reductions, additions, or changes 24 that they consider advisable. The tabulation, with any 25 revisions, reductions, additions, or changes, is the

Montana Legislative Council

1 preliminary county proposed budget for the fiscal year which
2 it is intended to cover.

3 (3)--Upon--completion-of--the-budget;-the-county-clerk
 4 shall-immediately-transmit-one-copy-of-it-to-the-department
 5 of-commerce-and-one-copy-to-the-department-of-revenue;"

6 Section 2. Section 7-6-2316, MCA, is amended to read:

"7-6-2316. Notice of hearing on preliminary county

8 proposed budget. (1) The board of county commissioners shall 9 then have a notice published stating that:

10 (a) the board has completed its preliminary county 11 proposed budget for the current fiscal year;

12 (b) the budget is open to inspection in the office of13 the county clerk and recorder;

14 (c) the board will meet on the Wednesday before the 15 second Monday in August to fix the final budget and make 16 appropriations, stating the time and place of the meeting; 17 and

18 (d) any taxpayer or resident of the county may appear19 and be heard for or against any part of the budget.

(2) The notice shall be published at-least-one-time
 two times, once each week, in a newspaper of general
 circulation in the county."

Section 3. Section 7-6-2351, MCA, is amended to read:
"7-6-2351. District court budget. (1) As soon as the
preliminary county proposed budget provided for in 7-6-2315

~2-

SECOND READING

has been agreed upon by the governing body, a copy shall be transmitted to the district court. At any time before the final adoption of the budget, the district court may make recommendations for changes in any part of the budget relating to the court considered necessary for the court to discharge its obligations under the law.

7 (2) No part of the district court fund may be used for
8 any purpose other than the costs and expenses described in
9 7-6-2511, and no part may be used for the construction or
10 improvement of any county building."

11 Section 4. Section 53-2-322, MCA, is amended to read: 12 "53-2-322. County to levy taxes, budget, and make expenditures for public assistance activities. (1) The board 13 14 of county commissioners in each county shall levy 13.5 mills 15 for the county poor fund as provided by law or so much 16 thereof as may be necessary. Counties transferring public 17 assistance and protective services responsibilities to the 18 department of social and rehabilitation services under part 19 8 of this chapter may not levy more than the difference 20 between 13.5 mills and the state levy pursuant to 53-2-813. 21 (2) The board shall budget and expend so much of the 22 funds in the county poor fund for public assistance purposes 23 as will enable the county welfare department to pay the general relief activities of the county and to reimburse the 24 department of social and rehabilitation services for the 25

county's proportionate share of the administrative costs of
 the county welfare department and of all public assistance
 and its proportionate share of any other public assistance
 activity that may be carried on jointly by the state and the
 county.

6 (3) The amounts set up in the budget for the 7 reimbursements to the department of social and 8 rehabilitation services shall be sufficient to make all of these reimbursements in full. The budget shall make separate 9 10 provision for each one of these public assistance 11 activities, and proper accounts shall be established for the 12 funds for all such activities.

13 (4) As soon as the preliminary county proposed budget 14 provided for in 7-6-2315 has been agreed upon, a copy 15 thereof shall without delay be mailed to the department of 16 social and rehabilitation services, and at any time before 17 the final adoption of the budget, the department shall make such recommendations with regard to changes in any part of 18 19 the budget relating to the county poor fund as considered 20 necessary in order to enable the county to discharge its 21 obligations under the public assistance laws.

(5) The department of social and rehabilitation services shall promptly examine the preliminary county proposed budget in order to ascertain if the amounts provided for reimbursements to the department are likely to

-3-

*.

LC 0481/01

be sufficient and shall notify the county clerk of its
 findings. The board shall make such changes in the amounts
 provided for reimbursements, if any are required, in order
 that the county will be able to make the reimbursements in
 full.

6 (6) The board of county commissioners may not make any 7 transfer from the amounts budgeted for reimbursing the 8 department of social and rehabilitation services without 9 having first obtained a statement in writing from the 10 department to the effect that the amount to be transferred 11 will not be required during the fiscal year for the purposes 12 for which the amounts were provided in the budget.

13 (7) No part of the county poor fund, irrespective of 14 the source of any part thereof, may be used directly or 15 indirectly for the erection or improvement of any county building so long as the fund is needed for general relief 16 expenditures by the county or is needed for paying the 17 county's proportionate share of public assistance or its 18 19 proportionate share of any other public assistance activity that may be carried on jointly by the state and the county. 20 21 Expenditures for improvement of any county buildings used 22 directly for care of the poor, except a county hospital or county nursing home, may be made out of any moneys in the 23 24 county poor fund, whether such moneys are produced by the 25 13.5-mill levy provided for in subsection (1) of this

section or from any additional levy authorized or to be authorized by law. Such expenditure shall be authorized only when any county building used for the care of the poor must be improved in order to meet legal standards required for such buildings by the department of health and environmental sciences and when such expenditure has been approved by the department of social and rehabilitation services."

8 <u>NEW SECTION.</u> Section 5. Effective date. This act is
 9 effective on passage and approval.

-End-

LC 0481/01

THIRD READING

lking Lepp South 1 INTRODUCED BY 2 З A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING THE NAME OF 4 5 THE COUNTY PRELIMINARY BUDGET TO THE COUNTY PROPOSED BUDGET; CHANGING THE DATES FOR PREPARATION OF A COUNTY PROPOSED 6 BUDGET; INCREASING THE NUMBER OF TIMES IT MUST BE PUBLISHED; 7 8 DELETING THE REQUIREMENT THAT IT MUST BE TRANSMITTED TO THE 9 DEPARTMENTS OF COMMERCE AND REVENUE; AMENDING SECTIONS 7-6-2315, 7-6-2316, 7-6-2351, AND 53-2-322, MCA: AND 10 PROVIDING AN IMMEDIATE EFFECTIVE DATE." 11 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 13 Section 1. Section 7-6-2315, MCA, is amended to read: 14 "7-6-2315. Consideration of tabulation by county 15 commissioners --- preparation-of-preliminary-budget. (1) The 16 tabulation shall be submitted to the county commissioners by 17 the county clerk and recorder on or before the first third 18 19 Monday of July. (2) Upon receipt thereof, the board of county 20 commissioners shall immediately consider the budget in 21 detail and shall, on or before the second fourth Monday of 22 July, make any revisions, reductions, additions, or changes 23 that they consider advisable. The tabulation, with any 24 revisions, reductions, additions, or changes, is the 25

1 preliminary county proposed budget for the fiscal year which 2 it is intended to cover.

3 (3)--Upon--completion--of--the-budget7-the-county-clerk
 4 shall-immediately-transmit-one-copy-of-it-to-the-department
 5 of-commerce-and-one-copy-to-the-department-of-revenue;"

6 Section 2. Section 7-6-2316, MCA, is amended to read:
7 "7-6-2316. Notice of hearing on preliminary county
8 proposed budget. (1) The board of county commissioners shall
9 then have a notice published stating that:

10 . (a) the board has completed its preliminary county
11 proposed budget for the current fiscal year;

12 (b) the budget is open to inspection in the office of13 the county clerk and recorder;

14 (c) the board will meet on the Wednesday before the
15 second Monday in August to fix the final budget and make
16 appropriations, stating the time and place of the meeting;
17 and

18 (d) any taxpayer or resident of the county may appear19 and be heard for or against any part of the budget.

(2) The notice shall be published at-least-one-time
 two times, once each week, in a newspaper of general
 circulation in the county."

23 Section 3. Section 7-6-2351, MCA, is amended to read:
24 "7-6-2351. District court budget. (1) As soon as the
25 preliminary county proposed budget provided for in 7-6-2315

-2-

ntana Legislative Council

has been agreed upon by the governing body, a copy shall be transmitted to the district court. At any time before the final adoption of the budget, the district court may make recommendations for changes in any part of the budget relating to the court considered necessary for the court to discharge its obligations under the law.

7 (2) No part of the district court fund may be used for
8 any purpose other than the costs and expenses described in
9 7-6-2511, and no part may be used for the construction or
10 improvement of any county building."

Section 4. Section 53-2-322, MCA, is amended to read: 11 "53-2-322. County to levy taxes, budget, and make 12 expenditures for public assistance activities. (1) The board 13 of county commissioners in each county shall levy 13.5 mills 14 for the county poor fund as provided by law or so much 15 thereof as may be necessary. Counties transferring public 16 assistance and protective services responsibilities to the 17 department of social and rehabilitation services under part 18 8 of this chapter may not levy more than the difference 19 between 13.5 mills and the state levy pursuant to 53-2-813. 20

21 (2) The board shall budget and expend so much of the 22 funds in the county poor fund for public assistance purposes 23 as will enable the county welfare department to pay the 24 general relief activities of the county and to reimburse the 25 department of social and rehabilitation services for the county's proportionate share of the administrative costs of
 the county welfare department and of all public assistance
 and its proportionate share of any other public assistance
 activity that may be carried on jointly by the state and the
 county.

6 amounts set up in the budget for the (3) The 7 reimbursements to the department of social and rehabilitation services shall be sufficient to make all of 8 these reimbursements in full. The budget shall make separate ç 10 provision for each one of these public assistance 11 activities, and proper accounts shall be established for the 12 funds for all such activities.

13 (4) As soon as the preliminary county proposed budget 14 provided for in 7-6-2315 has been agreed upon, a copy thereof shall without delay be mailed to the department of 15 social and rehabilitation services, and at any time before 16 17 the final adoption of the budget, the department shall make such recommendations with regard to changes in any part of 18 19 the budget relating to the county poor fund as considered 20 necessary in order to enable the county to discharge its 21 obligations under the public assistance laws.

22 (5) The department of social and rehabilitation 23 services shall promptly examine the preliminary county 24 proposed budget in order to ascertain if the amounts 25 provided for reimbursements to the department are likely to

LC 0481/01

-3-

-4-

1

2

3

4

5

6

7

be sufficient and shall notify the county clerk of its
 findings. The board shall make such changes in the amounts
 provided for reimbursements, if any are required, in order
 that the county will be able to make the reimbursements in
 full.

6 (6) The board of county commissioners may not make any 7 transfer from the amounts budgeted for reimbursing the 8 department of social and rehabilitation services without 9 having first obtained a statement in writing from the 10 department to the effect that the amount to be transferred 11 will not be required during the fiscal year for the purposes 12 for which the amounts were provided in the budget.

13 (7) No part of the county poor fund, irrespective of 14 the source of any part thereof, may be used directly or indirectly for the erection or improvement of any county 15 building so long as the fund is needed for general relief 16 expenditures by the county or is needed for paying the 17 county's proportionate share of public assistance or its 18 proportionate share of any other public assistance activity 19 that may be carried on jointly by the state and the county. 20 Expenditures for improvement of any county buildings used 21 directly for care of the poor, except a county hospital or 22 county nursing home, may be made out of any moneys in the 23 county poor fund, whether such moneys are produced by the 24 13.5-mill levy provided for in subsection (1) of this 25

-5-1

section or from any additional levy authorized or to be authorized by law. Such expenditure shall be authorized only when any county building used for the care of the poor must be improved in order to meet legal standards required for such buildings by the department of health and environmental sciences and when such expenditure has been approved by the department of social and rehabilitation services."

8 <u>NEW SECTION.</u> Section 5. Effective date. This act is
9 effective on passage and approval.

-End-

-6-

1	preliminary county proposed budget for the fiscal year which
2	it is intended to cover.
3	<pre>t3;Uponcompletionofthe-budget;-the-county-clerk</pre>
4	shall-immediately-transmit-one-copy-of-it-to-thedepartment
5	of-commerce-and-one-copy-to-the-department-of-revenue."
6	Section 2. Section 7-6-2316, MCA, is amended to read:
7	"7-6-2316. Notice of hearing on preliminary county
8	proposed budget. (1) The board of county commissioners shall
9	then have a notice published stating that:
10	(a) the board has completed its pretiminary county
11	proposed budget for the current fiscal year;
12	(b) the budget is open to inspection in the office of
13	the county clerk and recorder;
14	(c) the board will meet on the Wednesday before the
15	second Monday in August to fix the final budget and make
16	appropriations, stating the time and place of the meeting;
17	and
18	(d) any taxpayer or resident of the county may appear
19	and be heard for or against any part of the budget.

(2) The notice shall be published at-least-one-time
 two times, once each week, in a newspaper of general
 circulation in the county."

23 Section 3. Section 7-6-2351, MCA, is amended to read:
 24 "7-6-2351. District court budget. (1) As soon as the
 25 preliminary county proposed budget provided for in 7-6-2315

-2- SB 180 REFERENCE BILL

SENATE BILL NO. 180 1 2^{******} INTRODUCED BY VAN VALKENBURG, RAPP-SVRCEK 3 A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING THE NAME OF 4 THE COUNTY PRELIMINARY BUDGET TO THE COUNTY PROPOSED BUDGET; 5 CHANGING THE DATES FOR PREPARATION OF A COUNTY PROPOSED 6 BUDGET: INCREASING THE NUMBER OF TIMES IT MUST BE PUBLISHED; 7 8 DELETING THE REQUIREMENT THAT IT MUST BE TRANSMITTED TO THE DEPARTMENTS OF COMMERCE AND REVENUE; AMENDING SECTIONS 9 7-6-2315, 7-6-2316, 7-6-2351, AND 53-2-322, MCA; 10 AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." 11 12

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 Section 1. Section 7-6-2315, MCA, is amended to read:
 "7-6-2315. Consideration of tabulation by county
 commissioners ---preparation-of-preliminary-budget. (1) The
 tabulation shall be submitted to the county commissioners by

18 the county clerk and recorder on or before the first third
19 Monday of July.

20 (2) Upon receipt thereof, the board of county 21 commissioners shall immediately consider the budget in 22 detail and shall, on or before the second <u>fourth</u> Monday of 23 July, make any revisions, reductions, additions, or changes 24 that they consider advisable. The tabulation, with any 25 revisions, reductions, additions, or changes, is the



SB 0180/02

SB 0180/02

has been agreed upon by the governing body, a copy shall be transmitted to the district court. At any time before the final adoption of the budget, the district court may make recommendations for changes in any part of the budget relating to the court considered necessary for the court to discharge its obligations under the law.

7 (2) No part of the district court fund may be used for
8 any purpose other than the costs and expenses described in
9 7-6-2511, and no part may be used for the construction or
10 improvement of any county building."

Section 4. Section 53-2-322, MCA, is amended to read: 11 "53-2-322. County to levy taxes, budget, and make 12 expenditures for public assistance activities. (1) The board 13 14 of county commissioners in each county shall levy 13.5 mills for the county poor fund as provided by law or so much 15 thereof as may be necessary. Counties transferring public 16 17 assistance and protective services responsibilities to the department of social and rehabilitation services under part 18 8 of this chapter may not levy more than the difference 19 20 between 13.5 mills and the state levy pursuant to 53-2-813.

(2) The board shall budget and expend so much of the
funds in the county poor fund for public assistance purposes
as will enable the county welfare department to pay the
general relief activities of the county and to reimburse the
department of social and rehabilitation services for the

SB 0180/02

county's proportionate share of the administrative costs of
 the county welfare department and of all public assistance
 and its proportionate share of any other public assistance
 activity that may be carried on jointly by the state and the
 county.

6 (3) The amounts set up in the budget for the department of 7 reimbursements to the social and rehabilitation services shall be sufficient to make all of 8 9 these reimbursements in full. The budget shall make separate 10 provision for each one of these public assistance 11 activities, and proper accounts shall be established for the 12 funds for all such activities.

13 (4) As soon as the preliminary county proposed budget provided for in 7-6-2315 has been agreed upon, a copy 14 15 thereof shall without delay be mailed to the department of social and rehabilitation services, and at any time before 16 17 the final adoption of the budget, the department shall make 18 such recommendations with regard to changes in any part of 19 the budget relating to the county poor fund as considered 20 necessary in order to enable the county to discharge its 21 obligations under the public assistance laws.

(5) The department of social and rehabilitation
services shall promptly examine the preliminary county
proposed budget in order to ascertain if the amounts
provided for reimbursements to the department are likely to

-3-

SB 180

-4-

SB 180

SB 0180/02

SB 180

be sufficient and shall notify the county clerk of its 1 findings. The board shall make such changes in the amounts 2 provided for reimbursements, if any are required, in order 3 4 that the county will be able to make the reimbursements in 5 full.

6 (6) The board of county commissioners may not make any 7 transfer from the amounts budgeted for reimbursing the department of social and rehabilitation services without 8 having first obtained a statement in writing from the 9 department to the effect that the amount to be transferred 10 11 will not be required during the fiscal year for the purposes for which the amounts were provided in the budget. 12

13 (7) No part of the county poor fund, irrespective of 14 the source of any part thereof, may be used directly or indirectly for the erection or improvement of any county 15 16 building so long as the fund is needed for general relief 17 expenditures by the county or is needed for paying the county's proportionate share of public assistance or its 18 proportionate share of any other public assistance activity 19 that may be carried on jointly by the state and the county. 20 Expenditures for improvement of any county buildings used 21 22 directly for care of the poor, except a county hospital or county nursing home, may be made out of any moneys in the 23 county poor fund, whether such moneys are produced by the 24 25 13.5-mill levy provided for in subsection (1) of this

section or from any additional levy authorized or to be 1 2 authorized by law. Such expenditure shall be authorized only when any county building used for the care of the poor must 3 4 be improved in order to meet legal standards required for such buildings by the department of health and environmental 5 6 sciences and when such expenditure has been approved by the 7 department of social and rehabilitation services." 8

- NEW SECTION. Section 5. Effective date. This act is
- 9 effective on passage and approval.

-End-

SB 0180/02

-6-

-5-