HB 531 INTRODUCED BY ELLISON

ALLOW CURTAILED COUNTY SERVICES AND OFFICE HOURS FOR BUDGETARY REASONS

- 1/29 INTRODUCED
- 1/29 REFERRED TO LOCAL GOVERNMENT
- 2/04 HEARING
- 2/09 COMMITTEE REPORT--BILL NOT PASSED AS AMENDED
- 2/10 REREFERRED TO LOCAL GOVERNMENT
- 2/14 COMMITTEE REPORT--BILL PASSED AS AMENDED
- 2/17 2ND READING PASSED
- 2/18 3RD READING PASSED 65 25

72 21

TRANSMITTED TO SENATE

- 2/19 REFERRED TO LOCAL GOVERNMENT
- 3/17 HEARING
- 3/21 ADVERSE COMMITTEE REPORT ADOPTED 39 2
- 3/23 RETURNED TO HOUSE NOT CONCURRED

LC 0701/01

House BILL NO. 531 1 INTRODUCED BY E. Ulism 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING BOARDS OF 4 COUNTY COMMISSIONERS TO CLOSE COUNTY OFFICES AND CURTAIL 5 COUNTY SERVICES FOR CERTAIN PERIODS IF THEY DETERMINE THE 6 COUNTY HAS INSUFFICIENT FUNDS FOR THEIR ADEQUATE OPERATION; 7 AUTHORIZING AN EXEMPTION FOR EMERGENCY SERVICES EMPLOYEES; 8 PROVIDING PRO RATA SALARY REDUCTIONS FOR ELECTED COUNTY 9 OFFICERS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." 10 11

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

13 Section 1. Closure of county offices and reduction in county services -- lack of adequate funding. (1) If the 14 15 board of county commissioners finds that it is in the best interest of the county because funds are insufficient to 16 adequately operate county functions, they may by resolution 17 provide for a reduction in the number of hours county 18 offices remain open and a reduction in the amount of 19 services a county provides. The board may require that a 20 county office be open or services be provided for only a 21 specified number of hours a day or a specified number of 22 days a week or month. 23

24 (2) A resolution enacted pursuant to subsection (1)
25 may provide that county employees be relieved of duties

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because of a lack of funds and a lack of work. County
 employees may be relieved of duties through a reduction in
 the number of hours they may work in each work period.

4 (3) The board may separate emergency services from 5 ordinary county services or functions and exempt employees 6 of specified emergency services from work reduction 7 requirements or they may establish different requirements 8 for their number of hours of employment.

9 (4) An elected county officer shall receive a pro rata 10 reduction in compensation based upon the reduction in the 11 time his office is open or the service he supervises is 12 provided.

13 (5) The board may amend or repeal a resolution enacted
14 pursuant to this section if they consider such actions
15 necessary based upon their determination of the fiscal
16 condition of the county.

17 Section 2. Effective date. This act is effective on18 passage and approval.

-End-

-2- INTRODUCED BILL H8 531

50th Legislature

HB 0531/02 Re-Reffered and Approved by comm. On local government

Montana Legislative Council

1	HOUSE BILL NO. 531
2	INTRODUCED BY ELLISON
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING BOARDS OF
5	COUNTY COMMISSIONERS TO CLOSE COUNTY OFFICES AND OR CURTAIL
6	COUNTY SERVICES FOR CERTAIN PERIODS IF THEY DETERMINE THE
7	COUNTY HAS INSUFFICIENT FUNDS FOR THEIR ADEQUATE OPERATION;
8	AUTHORIZING AN EXEMPTION FOR EMERGENCY SERVICES EMPLOYEES;
9	PROVIDING PRO RATA SALARY REDUCTIONS FOR ELECTED COUNTY
10	OFFICERS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
11	
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13	Section 1. Closure of county offices and reduction in
14	county services lack of adequate funding. (1) If the
15	board of county commissioners, PURSUANT TO A RESOLUTION
15	MEETING THE CRITERIA SET FORTH IN SUBSECTION (2), finds that
17	<pre>itisin-the-best-interest-of-the-county because funds are</pre>
18	insufficient to adequately operate county functions, they IT
19	may by-resolution provide for a reduction in the number of
20	hours county offices remain open and OR a reduction in the
21	amount of services a county provides, OR BOTH A REDUCTION IN
22	HOURS AND SERVICES. The board may require that a county
23	office be open or services be provided for only a specified
24	number of hours a day or a specified number of days a week
25	or month.

(2) FOR THE PURPOSES OF THIS SECTION, THE RESOLUTION 1 MUST BE ADOPTED BY A UNANIMOUS VOTE OF THE BOARD OF COUNTY 2 COMMISSIONERS AND MUST CONTAIN: 3 (A) A FINDING BY THE BOARD OF INSUFFICIENT FUNDS TO 4 ADEQUATELY OPERATE COUNTY FUNCTIONS; 5 (B) AN EXPLANATION OF THE NATURE OF THE FINANCIAL 6 7 EMERGENCY; (C) AN ESTIMATE OF THE AMOUNT OF FUNDING SHORTFALL 8 EXPECTED BY THE COUNTY; 9 10 (D) A STATEMENT THAT APPLICABLE FUND BALANCES ARE OR 11 BY THE END OF THE FISCAL YEAR WILL BE DEPLETED; 12 (E) A FINDING THAT THERE ARE NO ALTERNATIVE SOURCES OF **REVENUE;** 13 14 (F) A SUMMARY OF THE ALTERNATIVES THAT THE BOARD HAS 15 CONSIDERED; (G) A STATEMENT OF THE NEED FOR THE REDUCTION IN HOURS 16 17 OR SERVICES; AND (H) THE COUNTY PLAN FOR IMPLEMENTATION OF A REDUCTION 18 19 IN THE HOURS OFFICES ARE OPEN AND REDUCTIONS IN HOURS OF 20 EMPLOYMENT. 21 (2) (A) A EXCEPT AS PROVIDED IN SUBSECTION (3)(B), 22 A resolution enacted pursuant to subsection (1) may provide 23 that county employees be relieved of duties because of a

- 24 lack of funds and-a-lack-of-work. County employees may be
- 25 relieved of duties through a reduction in the number of

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SECOND READING

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hours they may work in each work period. 1 (B) REDUCTIONS MADE PURSUANT TO THIS SECTION ARE 2 3 SUBJECT TO ANY COLLECTIVE BARGAINING AGREEMENTS ENTERED INTO 4 BY THE COUNTY AND ITS EMPLOYEES. IF THERE ARE SUCH 5 COLLECTIVE BARGAINING AGREEMENTS, THE BOARD OF COUNTY COMMISSIONERS MUST GIVE EACH BARGAINING UNIT AT LEAST 15 6 7 DAYS' NOTICE OF ITS INTENTION TO ADOPT THE RESOLUTION. THE BOARD AND COLLECTIVE BARGAINING UNITS MAY RENEGOTIATE 8 COLLECTIVE BARGAINING AGREEMENTS FOR THE PURPOSE OF 9 EFFECTUATING THE PURPOSES OF THIS SECTION. 10

11 (3)(4) The board may separate emergency services from 12 ordinary county services or functions and exempt employees 13 of specified emergency services from work reduction 14 requirements or they may establish different requirements 15 for their number of hours of employment.

16 (4)(5) An elected county officer shall MAY ELECT TO 17 receive a pro rata reduction in compensation based upon the 18 reduction in the time his office is open or the service he 19 supervises is provided.

20 (5)(6) The board may amend or repeal a resolution
21 enacted pursuant to this section if they consider such
22 actions necessary based upon their determination of the
23 fiscal condition of the county.

24 Section 2. Effective date. This act is effective on25 passage and approval.

-End-

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(2) FOR THE PURPOSES OF THIS SECTION, THE RESOLUTION 1 HOUSE BILL NO. 531 1 MUST BE ADOPTED BY A UNANIMOUS VOTE OF THE BOARD OF COUNTY 2 INTRODUCED BY ELLISON 2 COMMISSIONERS AND MUST CONTAIN: 3 ٦ (A) A FINDING BY THE BOARD OF INSUFFICIENT FUNDS TO 4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING BOARDS OF ADEQUATELY OPERATE COUNTY FUNCTIONS; S COUNTY COMMISSIONERS TO CLOSE COUNTY OFFICES AND OR CURTAIL 5 (B) AN EXPLANATION OF THE NATURE OF THE FINANCIAL COUNTY SERVICES FOR CERTAIN PERIODS IF THEY DETERMINE THE 6 6 EMERGENCY; COUNTY HAS INSUFFICIENT FUNDS FOR THEIR ADEQUATE OPERATION: 7 7 (C) AN ESTIMATE OF THE AMOUNT OF FUNDING SHORTFALL AUTHORIZING AN EXEMPTION FOR EMERGENCY SERVICES EMPLOYEES: 8 8 9 EXPECTED BY THE COUNTY; PROVIDING PRO RATA SALARY REDUCTIONS FOR ELECTED COUNTY 9 10 (D) A STATEMENT THAT APPLICABLE FUND BALANCES ARE OR OFFICERS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." 10 11 BY THE END OF THE FISCAL YEAR WILL BE DEPLETED; 11 12 (E) A FINDING THAT THERE ARE NO ALTERNATIVE SOURCES OF BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 12 REVENUE; 13 Section 1. Closure of county offices and reduction in 13 14 (F) A SUMMARY OF THE ALTERNATIVES THAT THE BOARD HAS county services -- lack of adequate funding. (1) If the 14 CONSIDERED; 15 board of county commissioners, PURSUANT TO A RESOLUTION 15 16 (G) A STATEMENT OF THE NEED FOR THE REDUCTION IN HOURS MEETING THE CRITERIA SET FORTH IN SUBSECTION (2), finds that 16 OR SERVICES; AND 17 tt--is--in-the-best-interest-of-the-county because funds are 17 (H) THE COUNTY PLAN FOR IMPLEMENTATION OF A REDUCTION 18 insufficient to adequately operate county functions, they IT 18 IN THE HOURS OFFICES ARE OPEN AND REDUCTIONS IN HOURS OF 19 may by-resolution provide for a reduction in the number of 19 20 EMPLOYMENT. hours county offices remain open and OR a reduction in the 20 21 (2) (3) (A) A EXCEPT AS PROVIDED IN SUBSECTION (3) (B), amount of services a county provides, OR BOTH A REDUCTION IN 21 22 A resolution enacted pursuant to subsection (1) may provide HOURS AND SERVICES. The board may require that a county 22 that county employees be relieved of duties because of a 23 office be open or services be provided for only a specified 23 lack of funds and-a-lack-of-work. County employees may be 24 number of hours a day or a specified number of days a week 24 25 relieved of duties through a reduction in the number of 25 or month.



THIRD READING

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1 hours they may work in each work period.

2 (B) REDUCTIONS MADE PURSUANT TO THIS SECTION ARE SUBJECT TO ANY COLLECTIVE BARGAINING AGREEMENTS ENTERED INTO 3 4 BY THE COUNTY AND ITS EMPLOYEES. IF THERE ARE SUCH 5 COLLECTIVE BARGAINING AGREEMENTS, THE BOARD OF COUNTY 6 COMMISSIONERS MUST GIVE EACH BARGAINING UNIT AT LEAST 15 7 DAYS' NOTICE OF ITS INTENTION TO ADOPT THE RESOLUTION. THE 8 BOARD AND COLLECTIVE BARGAINING UNITS MAY RENEGOTIATE 9 COLLECTIVE BARGAINING AGREEMENTS FOR THE PURPOSE OF EFFECTUATING THE PURPOSES OF THIS SECTION. 10

11 (3)(4) The board may separate emergency services from 12 ordinary county services or functions and exempt employees 13 of specified emergency services from work reduction 14 requirements or they may establish different requirements 15 for their number of hours of employment.

16 (4)(5) An elected county officer shall MAY ELECT TO
17 receive a pro rata reduction in compensation based upon the
18 reduction in the time his office is open or the service he
19 supervises is provided.

20 (5)(6) The board may amend or repeal a resolution
21 enacted pursuant to this section if they consider such
22 actions necessary based upon their determination of the
23 fiscal condition of the county.

24 Section 2. Effective date. This act is effective on25 passage and approval.

-End--3-

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