

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 72 21
2/18 3RD READING PASSED 65 25

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

1 House BILL NO. 531
2 INTRODUCED BY E. Ellison

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING BOARDS OF
5 COUNTY COMMISSIONERS TO CLOSE COUNTY OFFICES AND 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 finds that it is in the best
16 interest of the county because funds are insufficient to
17 adequately operate county functions, they may by resolution
18 provide for a reduction in the number of hours county
19 offices remain open and a reduction in the amount of
20 services a county provides. The board may require that a
21 county office be open or services be provided for only a
22 specified number of hours a day or a specified number of
23 days a week or month.

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

1 because of a lack of funds and a lack of work. County
2 employees may be relieved of duties through a reduction in
3 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 on
18 passage and approval.

-End-



-2- INTRODUCED BILL
HB 531

HOUSE BILL NO. 531
INTRODUCED BY ELLISON

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING BOARDS OF COUNTY COMMISSIONERS TO CLOSE COUNTY OFFICES AND OR CURTAIL COUNTY SERVICES FOR CERTAIN PERIODS IF THEY DETERMINE THE COUNTY HAS INSUFFICIENT FUNDS FOR THEIR ADEQUATE OPERATION; AUTHORIZING AN EXEMPTION FOR EMERGENCY SERVICES EMPLOYEES; PROVIDING PRO RATA SALARY REDUCTIONS FOR ELECTED COUNTY OFFICERS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Closure of county offices and reduction in county services -- lack of adequate funding. (1) If the board of county commissioners, PURSUANT TO A RESOLUTION MEETING THE CRITERIA SET FORTH IN SUBSECTION (2), finds that ~~it--is--in-the-best-interest-of-the-county~~ because funds are insufficient to adequately operate county functions, they IT may ~~by-resolution~~ provide for a reduction in the number of hours county offices remain open and OR a reduction in the amount of services a county provides, OR BOTH A REDUCTION IN HOURS AND SERVICES. The board may require that a county office be open or services be provided for only a specified number of hours a day or a specified number of days a week or month.

(2) FOR THE PURPOSES OF THIS SECTION, THE RESOLUTION MUST BE ADOPTED BY A UNANIMOUS VOTE OF THE BOARD OF COUNTY COMMISSIONERS AND MUST CONTAIN:

(A) A FINDING BY THE BOARD OF INSUFFICIENT FUNDS TO ADEQUATELY OPERATE COUNTY FUNCTIONS;

(B) AN EXPLANATION OF THE NATURE OF THE FINANCIAL EMERGENCY;

(C) AN ESTIMATE OF THE AMOUNT OF FUNDING SHORTFALL EXPECTED BY THE COUNTY;

(D) A STATEMENT THAT APPLICABLE FUND BALANCES ARE OR BY THE END OF THE FISCAL YEAR WILL BE DEPLETED;

(E) A FINDING THAT THERE ARE NO ALTERNATIVE SOURCES OF REVENUE;

(F) A SUMMARY OF THE ALTERNATIVES THAT THE BOARD HAS CONSIDERED;

(G) A STATEMENT OF THE NEED FOR THE REDUCTION IN HOURS OR SERVICES; AND

(H) THE COUNTY PLAN FOR IMPLEMENTATION OF A REDUCTION IN THE HOURS OFFICES ARE OPEN AND REDUCTIONS IN HOURS OF EMPLOYMENT.

~~(2)~~(3) (A) A EXCEPT AS PROVIDED IN SUBSECTION (3)(B), A resolution enacted pursuant to subsection (1) may provide that county employees be relieved of duties 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



1 hours they may work in each work period.

2 (B) REDUCTIONS MADE PURSUANT TO THIS SECTION ARE
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
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
10 EFFECTUATING THE PURPOSES OF THIS SECTION.

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.

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