

SENATE BILL NO. 385

INTRODUCED BY KEATING
BY REQUEST OF THE DEPARTMENT
OF FAMILY SERVICES

IN THE SENATE

FEBRUARY 14, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON FINANCE & CLAIMS.

 FIRST READING.

MARCH 7, 1991 COMMITTEE RECOMMEND BILL
DO PASS. REPORT ADOPTED.

MARCH 8, 1991 PRINTING REPORT.

 SECOND READING, DO PASS.

MARCH 9, 1991 ENGROSSING REPORT.

 THIRD READING, PASSED.
AYES, 48; NOES, 0.

 TRANSMITTED TO HOUSE.

IN THE HOUSE

MARCH 9, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON APPROPRIATIONS.

MARCH 11, 1991 FIRST READING.

APRIL 4, 1991 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

APRIL 6, 1991 SECOND READING, CONCURRED IN.

 ON MOTION, RULES SUSPENDED. BILL
PLACED ON THIRD READING THIS DAY.

 THIRD READING, CONCURRED IN.
AYES, 91; NOES, 6.

 RETURNED TO SENATE.

IN THE SENATE

APRIL 9, 1991 RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Senate* BILL NO. *385*
 2 INTRODUCED BY *Leitzinger*
 3 BY REQUEST OF THE DEPARTMENT
 4 OF FAMILY SERVICES

6 A BILL FOR AN ACT ENTITLED: "AN ACT TO ESTABLISH INDUSTRIES
 7 PROGRAMS AT STATE YOUTH CORRECTIONAL FACILITIES; TO GRANT
 8 THE DEPARTMENT OF FAMILY SERVICES RULEMAKING AUTHORITY; AND
 9 PROVIDING AN EFFECTIVE DATE."

11 STATEMENT OF INTENT

12 A statement of intent is required for this bill because
 13 [section 2] grants the department of family services
 14 authority to adopt rules necessary for administration of the
 15 youth industries programs authorized in [section 1].

16 It is the intent of the legislature that the department
 17 adopt rules that may include but are not limited to rules on
 18 the subjects specified in [section 2].

19 In addition, it is intended that in adopting rules, the
 20 department examine the policies governing administration of
 21 state prison industries programs, and that the department
 22 design youth industries programs to provide training and
 23 rehabilitation of youth committed to state youth
 24 correctional facilities.

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

2 NEW SECTION. **Section 1.** Youth industries programs. The
 3 department of family services may:

4 (1) establish industries programs in state youth
 5 correctional facilities that:

6 (a) assist in the training and rehabilitation of
 7 residents at state youth correctional facilities; and

8 (b) provide the production or manufacture of products
 9 and the rendering of services that may be needed by:

10 (i) a department or agency of the state of Montana or a
 11 unit of local government;

12 (ii) an agency of the federal government; or

13 (iii) an office or agency of another state or a
 14 political subdivision of another state;

15 (2) contract with private industry for the sale of
 16 goods produced or manufactured at state youth correctional
 17 facilities; and

18 (3) fix the purchase price for goods and services
 19 available under the industries program established in
 20 subsection (1).

21 NEW SECTION. **Section 2.** Rulemaking authority. The
 22 department of family services may adopt rules necessary for
 23 administration of industries programs authorized in [section
 24 1]. Rules adopted by the department may include rules
 25 regarding:



LC 1207/01

- 1 (1) requirements for participation of youth in
- 2 industries programs;
- 3 (2) the type of training and experience to be provided
- 4 to youth under these programs;
- 5 (3) the type of goods and services to be sold under the
- 6 industries programs;
- 7 (4) contracts with private industry for the sale of
- 8 goods produced or manufactured at state youth correctional
- 9 facilities; and
- 10 (5) payment of wages to youth working in industries
- 11 programs.

12 NEW SECTION. **Section 3.** Codification instruction.

13 [Sections 1 and 2] are intended to be codified as an

14 integral part of Title 53, chapter 30, part 2, and the

15 provisions of Title 53, chapter 30, part 2, apply to

16 [sections 1 and 2].

17 NEW SECTION. **Section 4.** Effective date. [This act] is

18 effective July 1, 1991.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0385, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to establish industries programs at state youth correctional facilities; to grant the Department of Family Services rulemaking authority; and providing an effective date.


ASSUMPTIONS:

1. The proposed law amount is included in the executive budget recommendation as a modification.
2. Expenditures are estimated amounts for materials to be used in the program. Revenue is the estimated income from sales of products.

FISCAL IMPACT:


Department of Family Services:

	FY 92			FY 93		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
<u>Expenditures:</u>						
Operating Costs	0	6,000	6,000	0	6,000	6,000
<u>Funding:</u>						
State Special (02)	0	6,000	6,000	0	6,000	6,000
<u>Revenue:</u>						
Industry Product Sales (02)	0	6,000	6,000	0	6,000	6,000



 ROD SUNDSTED, BUDGET DIRECTOR DATE
 Office of Budget and Program Planning

2-19-91



 THOMAS F. KEATING, PRIMARY SPONSOR DATE
 Fiscal Note for SB0385, as introduced **SB 385**

2/20/91

APPROVED BY COMM. ON
FINANCE AND CLAIMS

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PROGRAMS AT STATE YOUTH CORRECTIONAL FACILITIES; TO GRANT
THE DEPARTMENT OF FAMILY SERVICES RULEMAKING AUTHORITY; AND
PROVIDING AN EFFECTIVE DATE."

STATEMENT OF INTENT

A statement of intent is required for this bill because
[section 2] grants the department of family services
authority to adopt rules necessary for administration of the
youth industries programs authorized in [section 1].

It is the intent of the legislature that the department
adopt rules that may include but are not limited to rules on
the subjects specified in [section 2].

In addition, it is intended that in adopting rules, the
department examine the policies governing administration of
state prison industries programs, and that the department
design youth industries programs to provide training and
rehabilitation of youth committed to state youth
correctional facilities.

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(b) provide the production or manufacture of products
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(i) a department or agency of the state of Montana or a
unit of local government;

(ii) an agency of the federal government; or

(iii) an office or agency of another state or a
political subdivision of another state;

(2) contract with private industry for the sale of
goods produced or manufactured at state youth correctional
facilities; and

(3) fix the purchase price for goods and services
available under the industries program established in
subsection (1).

NEW SECTION. **Section 2.** Rulemaking authority. The

department of family services may adopt rules necessary for
administration of industries programs authorized in [section
1]. Rules adopted by the department may include rules
regarding:



LC 1207/01

1 (1) requirements for participation of youth in
2 industries programs;

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4 to youth under these programs;

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8 goods produced or manufactured at state youth correctional
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13 [Sections 1 and 2] are intended to be codified as an
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