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EXECUTIVE ORDER TRANSFERRING CERTAIN FUNCTIONS  
OF THE DEPARTMENTS OF  
INSTITUTIONS AND SOCIAL AND REHABILITATION SERVICES  
TO THE DEPARTMENT OF FAMILY SERVICES

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WHEREAS, Section 117 Chapter 609, Laws of 1987, provides that the "governor may by executive order assign to the department of family services in a manner consistent with this act functions allocated to the department of social and rehabilitation services, county welfare offices or departments, the department of institutions, or the youth court of the district court by the 50th Legislature and not transferred by this act"; and

WHEREAS, the 50th Legislature passed and I signed the following bills:

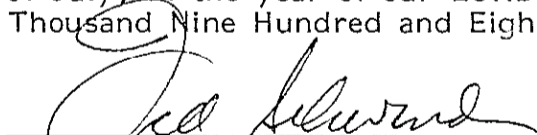
1. HB 627, now Ch. 630, L. 1987, which requires the Department of Institutions to provide for additional youth evaluation programs, subject to available funding, to replace similar programs performed at state institutions;
2. HB 679, now Ch. 553, L. 1987, which provides that a portion of the revenue from fines for the commission of the criminal offense of domestic abuse and other crimes shall be allocated to the Department of Social and Rehabilitation Services for use in the battered spouses and domestic violence grant program created by section 40-2-401, MCA;
3. HB 740, now Ch. 557, L. 1987, which provides that a portion of the fines, penalties and forfeitures collected by justices of the peace shall be distributed to the Department of Social and Rehabilitation Services for the battered spouses and domestic violence grant program;
4. SB 214, now Ch. 225, L. 1987, which requires the consent of the Department of Social and Rehabilitation Services or a licensed adoption agency before a parental relinquishment may be executed to that department or a licensed adoption agency;

5. SB 226, now Ch. 475, L. 1987, which requires the Department of Institutions to make rules governing the licensing procedures for regional and county youth detention facilities;
6. SB 256, now Ch. 624, L. 1987, which allows the Department of Social and Rehabilitation Services to charge a fee for custody investigations in contested child custody proceedings;
7. SB 367, now Ch. 181, L. 1987, which classifies family day care homes and group day care homes registered by the Department of Social and Rehabilitation Services as a residential use of property for purposes of zoning.


NOW, THEREFORE, I, TED SCHWINDEN, in accordance with the authority vested in me as Governor by the Constitution and the laws of the State of Montana, and more specifically pursuant to section 2-7-103, MCA, and Ch. 609, L. 1987, do hereby transfer, effective immediately, to the Department of Family Services as those functions assigned to the Department of Social and Rehabilitation Services or the Department of Institutions by Chapters 225, 475, 624 and 630, Montana Session Laws of 1987, and do hereby transfer, retroactive to July 1, 1987, those functions and any related revenues assigned to the Department of Social and Rehabilitation Services by Chapters 181, 553 and 557, Montana Session Laws of 1987.

This Order is effective immediately.

GIVEN under my hand and the GREAT SEAL of the State of Montana, this 22<sup>nd</sup> day of July, in the year of our LORD, One Thousand Nine Hundred and Eighty-Seven.

  
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TED SCHWINDEN, Governor

ATTEST:

  
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JIM WALTERMIRE, Secretary of State