CHAPTER NO. 677

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HOUSE BILL NO. 868

INTRODUCED BY WALDRON, REGAN

IN THE HOUSE

February 17, 1979	Introduced and referred to Committee on Appropriations.
March 24, 1979	Intent statement attached.
	Committee recommend bill do pass as amended. Report adopted.
March 26, 1979	Printed and placed on members' desks.
	Second reading, do pass as amended.
March 27, 1979	Correctly engrossed.
:	Third reading, passed. Transmitted to second house.
IN THE SEN	IATE
March 27, 1979	Introduced and referred to Committee on Finance and Claims.
April 9, 1979	Committee recommend bill be not concurred in. Report not adopted.
	On motion placed on second reading.
April 10, 1979	Second reading, concurred in.
April 12, 1979	Third reading, concurred in.

IN THE HOUSE

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April	13,	1979				Returned from second house. Concurred in. Sent to enrolling.
April	17,	1979				Correctly enrolled.
						Signed by President.
						Signed by Speaker.
April	18,	1979				Delivered to Governor.
April	19,	1979				Returned from Governor with recommended amendments.
April	20,	1979				On motion Governor's amend- ments placed on second reading this day.
						Second reading, amendments rejected.
						Transmitted to second house.
			IN	THE	SENA	ATE
April	20,	1979				Returned from House.
						Governor's recommendation for amendments submitted to the Senate.
						On motion Governor's recom- mendation for amendments be accepted and a Free Conference Committee requested and appointed. Motion adopted. Bill returned to House.
			IN	THE	HOUS	SE
April	20,	1979				Returned from second house.
						On motion Free Joint Con- ference Committee requested and appointed.

April 20, 1979

Free Joint Conference Committee reported. Second reading, adopted. Third reading, adopted. Adopted by second house. Sent to enrolling. Reported correctly enrolled.

مؤفرين بمعجب بمريده

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LC 0850/01

 1
 Introduced by Walken Bill No. 868

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 INTRODUCED BY Walken Bill No. 868

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 4
 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A BATTERED

 5
 SPOUSES AND DOMESTIC VIOLENCE GRANT PROGRAM ADMINISTERED BY

 5
 THE DEPARTMENT OF SOCIAL AND REHABILITATION SCRVICES;

 7
 PROVIDING A SOURCE OF FUNDING; PROVIDING AN APPROPRIATION;

 8
 AND AMENDING SECTION 40-1-202, MCA."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 <u>NEW_SECTION</u>. Section 1. Battered spouses and domestic 12 violence grant program. There is a grant program established 13 within the department of social and rehabilitation services 14 for the allocation of grant money to local battered spouses 15 and domestic violence programs.

15 <u>NEW SECTION</u> Section 2. Funding. (1) Revenue from the 17 marriage license fee is the primary source of funding for 18 the battered spouses and domestic violence program. One 19 dollar of the marriage license fee is to be retained by the 20 county in which the fee is collected to defray the county 21 costs of administration and \$14 of the marriage license fee 22 is to be deposited in the general fund.

(2) Twenty percent of the operational costs of a
 battered spouses and domestic violence program must come
 from the local community served by the program. The local

1 contribution may include in-kind contributions.

NEW SECTION. Section 3. Authorized 2 grantees 3 criteria for grants. (1) The department of social and rehabilitation services must award battered spouses and 4 5 domestic violence grants only to local domestic abuse programs that are locally controlled. Grants may be awarded 6 7 to deveragental or nongovernmental agencies or persons-8 (2) Battered spouses and domestic violence grants are 9 to be awarded on the following basis: 10 (a) demonstrated need; 11 (b) project merit: 12 (c) administrative design: and 13 (d) efficiency of administration. 14 NEW SECTION. Section 4. Authorized services of battered spouses and domestic violence programs. Local 15 battered spouses and domestic violence programs may provide 15 services that include but are not limited to the following: 17

- 18 (1) counseling for victims or their spouses;
- 19 (2) shelters or safe homes for victims;
- 20 (3) advocacy programs that assist victims in obtaining
- 21 services and information; and

22 (4) educational programs relating to battered spouses 23 and domestic violence designed for both the community at 24 large and specialized groups such as hospital personnel and 25 law enforcement officials. HPB368

-2-INTRODUCED BILL

LC 0850/01

Section 5. Section 40-1-202, MCA, is amended to read: 1 2 #40-1-202. License issuance. When а marriage 3 application has been completed and signed by both parties to 4 a prospective marriage and at least one party has appeared 5 before the clerk of the district court and paid the marriage 6 license fee of \$15 \$30, the clerk of the district court 7 shall issue a license to marry and a marriage certificate 8 form upon being furnished:

9 (1) satisfactory proof that each party to the marriage 10 will have attained the age of 18 years at the time the 11 marriage license is effective or will have attained the age 12 of 16 years and has obtained judicial approval as provided 13 in 40-1-213;

14 (2) satisfactory proof that the marriage is not 15 prohibited; and

16 (3) a certificate of the results of any medical 17 examination required by the laws of this state."

NEW SECTION. Section 6. Appropriation. There 18 is appropriated from the general fund to the department of 19 social and rehabilitation services for the battered spouses 20 21 and domestic violence grant program the following amounts: For the fiscal year ending June 30, 1980 \$112,000 22 For the fiscal year ending June 30, 1981 \$112,000 23 -End-

-3-

1	STATEMENT OF INTENT RE: HB 868
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4	House Bill 868, as amended, which establishes a grant
5	program for locally controlled battered spouses and domestic
6	violence programs, delegates rulemaking authority to the
7	department of social and rehabilitation services for
8	administration of the act.
9	The rules necessary to effectuate this act include
10	those:
11	(1) establishing criteria for a project's eligibility
12	to receive grants according to section 3;
13	(2) establishing criteria for services to be included
14	in the program under section 4;
15	(3) providing procedures for application for grants;
16	(4) providing for distribution of grant funds.

46th Legislature

HB 0868/02

Approved by Comm. on Appropriations

1	HOUSE BILL NO. 868
2	INTRODUCED BY WALDRON, REGAN
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A BATTERED
5	SPOUSES AND DOMESTIC VIOLENCE GRANT PROGRAM ADMINISTERED BY
6	THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES;
7	PROVIDING A SOURCE OF FUNDING; PROVIDING AN APPROPRIATION;
8	AND AMENDING SECTION 40-1-202, MCA."
9	
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11	<u>NEW_SECTION</u> . Section 1. Battered spouses and domestic
12	violence grant program. There is a grant program established
13	within the department of social and rehabilitation services
14	for the allocation of grant money to local battered spouses
15	and domestic violence programs.
16	NEW_SECTION. Section 2. Funding. (1) Revenue from the
17	marriage license fee is the primary source of funding for
18	the battered spouses and domestic violence program. One
19	dollar of the marriage license fee is to be retained by the
20	county in which the fee is collected to defray the county
21	costs of administration and \$14 of the marriage license fee
22	is to be deposited in the general fund.
23	(2) Twenty percent of the operational costs of a

24 battered spouses and domestic violence program must come 25 from the local community served by the program. The local

1	contribution may include in-kind contributions.
2	NEW_SECTION. Section 3. Authorized grantees
3	criteria for grants. (1) The department of social and
4	rehabilitation services must award battered spouses and
5	domestic violence grants only to local domestic abuse
6	programs that are locally controlled. Grants may be awarded
7	to governmental or nongovernmental agencies or persons.
8	(2) Battered spouses and domestic violence grants are
9	to be awarded on the following basis:
10	(a) demonstrated need;
11	<pre>{b) project merit;</pre>
12	(c) administrative design; and
13	(d) efficiency of administration.
14	<u>NEW_SECTION</u> . Section 4. Authorized services of
15	battered spouses and domestic violence programs. Local
16	battered spouses and domestic violence programs may provide
17	services that include but are not limited to the following:
18	(1) counseling for victims or their spouses;
19	(2) shelters or safe homes for victims;
20	(3) advocacy programs that assist victims in obtaining
21	services and information; and
22	(4) educational programs relating to battered spouses
23	and domestic violence designed for both the community at

large and specialized groups such as hospital personnel and

25 law enforcement officials.

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-2-SECOND READING HB 868

<u>NEW_SECTION</u> Section 5. Administrative duties of
 department. The department of social and rehabilitation
 services:

4 (1) shall adopt rules necessary to carry out the
5 purposes of [this act];

6 (2) may spend no more than 5% of the appropriated
7 funds for administrative costs of the program;

8 (3) shall accept federal funds that may be available
9 for use in carrying out the provisions of [this act];

10 (4) may use state funds as a match for federal funds11 if required; and

12 (5) may conduct research and compile statistics13 relating to battered spouses and domestic violence.

Section 6. Section 40-1-202. MCA. is amended to read: 14 #40-1-202. License 15 issuance. When a marriage 16 application has been completed and signed by both parties to 17 a prospective marriage and at least one party has appeared before the clerk of the district court and paid the marriage 18 19 license fee of \$15 \$30, the clerk of the district court 20 shall issue a license to marry and a marriage certificate form upon being furnished: 21

(1) satisfactory proof that each party to the marriage
will have attained the age of 18 years at the time the
marriage license is effective or will have attained the age
of 16 years and has obtained judicial approval as provided

1 in 40-1-213;

2 (2) satisfactory proof that the marriage is not
 3 prohibited; and

4 (3) a certificate of the results of any medical
5 examination required by the laws of this state."

NEW_SECTION. Section 7. Appropriation. There i s 6 appropriated from the general fund to the department of 7 social and rehabilitation services for the battered spouses 8 9 and domestic violence grant program the following amounts: For the fiscal year ending June 30, 1980 \$112,000 10 \$112,000 11 For the fiscal year ending June 30, 1981 -End-

1	STATEMENT OF INTENT RE: HB 868
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4	House Bill 868, as amended, which establishes a grant
5	program for locally controlled battered spouses and domestic
6	violence programs, delegates rulemaking authority to the
7	department of social and rehabilitation services for
8	administration of the act.
9	The rules necessary to effectuate this act include
10	those:
11	(1) establishing criteria for a project*s eligibility
12	to receive grants according to section 3;
13	(2) establishing criteria for services to be included
14	in the program under section 4;
15	(3) providing procedures for application for grants;
16	(4) providing for distribution of grant funds.

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1	STATEMENT OF INTENT RE: HB 868
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3	
4	House Bill 868, as amended, which establishes a grant
5	program for locally controlled battered spouses and domestic
6	violence programs, delegates rulemaking authority to the
7	department of social and rehabilitation services for
8	administration of the act.
9	The rules necessary to effectuate this act include
10	those:
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12	to receive grants according to section 3;
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14	in the program under section 4;
15	(3) providing procedures for application for grants;
16	(4) providing for distribution of grant funds.

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HOUSE BILL ND. 868 Introduced by Waldron, Regan

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A BATTERED 5 SPOUSES AND DOMESTIC VIOLENCE GRANT PROGRAM ADMINISTERED BY 6 THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES; 7 PROVIDING A SOURCE OF FUNDING; PROVIDING AN APPROPRIATION; 8 AND AMENDING SECTION 40-1-202+ MCA."

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

11 <u>NEW_SECTION</u>. Section 1. Battered spouses and domestic 12 violence grant program. There is a grant program established 13 within the department of social and rehabilitation services 14 for the allocation of grant money to local battered spouses 15 and domestic violence programs.

16 <u>NEW_SECTION</u> Section 2. Funding. (1) Revenue from the 17 marriage license fee is the primary source of funding for 18 the battered spouses and domestic violence program. One 19 dollar of the marriage license fee is to be retained by the 20 county in which the fee is collected to defray the county 21 costs of administration and \$14 of the marriage license fee 22 is to be deposited in the general fund.

(2) Twenty percent of the operational costs of a
 battered spouses and domestic violence program must come
 from the local community served by the program. The local

1 contribution may include in-kind contributions.

2 <u>NEW SECTION</u>. Section 3. Authorized grantees --3 criteria for grants. (1) The department of social and
4 rehabilitation services must award battered spouses and
5 domestic violence grants only to local domestic abuse
6 programs that are locally controlled. Grants may be awarded
7 to governmental or nongovernmental agencies or persons.

6 {2} Battered spouses and domestic violence grants are
9 to be awarded on the following basis:

10 (a) demonstrated need;

11 (b) project merit;

12 (c) administrative design; and

13 (d) efficiency of administration.

14NEW_SECTION:Section 4. Authorizedservicesof15battered spouses and domestic violence programs.Local16battered spouses and domestic violence programs may provide17services that include but are not limited to the following:

18 (1) counseling for victims or their spouses;

19 (2) shelters or safe homes for victims;

20 (3) advocacy programs that assist victims in obtaining

21 services and information; and

(4) educational programs relating to battered spouses
 and domestic violence designed for both the community at
 large and specialized groups such as hospital personnel and
 law enforcement officials.

HB 868 Third Reading

H8 868

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1 NEW SECTION. Section 5. Administrative duties of 2 department. The department of social and rehabilitation 3 services:

4 (1) shall adopt rules necessary to carry out the purposes of [this act]; 5

6 (2) may spend no more than 5% of the appropriated 7 funds for administrative costs of the program;

8 (3) shall accept federal funds that may be available 9 for use in carrying out the provisions of [this act];

10 (4) may use state funds as a match for federal funds 11 if required; and

12 (5) may conduct research and compile statistics 13 relating to battered spouses and domestic violence.

Section 6. Section 40-1-202, MCA, is amended to read: 14 15 #40-1-202. License issuance. When a marriage 16 application has been completed and signed by both parties to 17 a prospective marriage and at least one party has appeared 18 before the clerk of the district court and paid the marriage 19 license fee of 515 538 525, the clerk of the district court 20 shall issue a license to marry and a marriage certificate 21 form upon being furnished:

(1) satisfactory proof that each party to the marriage 22 23 will have attained the age of 18 years at the time the marriage license is effective or will have attained the age 24 of 16 years and has obtained judicial approval as provided 25

-3-

1 in 40-1-213: (2) satisfactory proof that the marriage is not 2 3 prohibited; and (3) a certificate of the results of any medical 4 5 examination required by the laws of this state." NEW_SECTION. Section 7. Appropriation. There 6 appropriated from the general fund to the department of 7 8 social and rehabilitation services for the battered spouses and domestic violence grant program the following amounts: 9 \$112y000 For the fiscal year ending June 30, 1980 10

For the fiscal year ending june 30, 1981 5112+000 12 5_12,000 13

-End-

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HB 0868/04

1 HOUSE BILL NO. 868 2 INTRODUCED BY WALDRON, REGAN 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A BATTERED SPOUSES AND DOMESTIC VIOLENCE GRANT PROGRAM ADMINISTERED BY 5 THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES; 6 PROVIDING A SOURCE OF FUNDING: PROVIDING AN APPROPRIATION: 7 AND AMENDING SECTION 40-1-202, MCA." 8 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 NEW SECTION. Section 1. Battered spouses and domestic 11 violence grant program. There is a grant program established 12 13 within the department of social and rehabilitation services for the allocation of grant money to local battered spouses 14 and domestic violence programs. 15 NEW SECTION. Section 2. Funding. (1) Revenue from the 16 marriage license fee is the primary source of funding for 17 the battered spouses and domestic violence program. One 18 dollar of the marriage license fee is to be retained by the 19 county in which the fee is collected to defray the county 20 costs of administration and \$14 of the marriage license fee 21 is to be deposited in the general fund. 22

23 (2) Twenty percent of the operational costs of a battered spouses and domestic violence program must come 24 25 from the local community served by the program. The local contribution may include in-kind contributions.

NEW_SECTION. Section 3. Authorized grantees criteria for grants. (1) The department of social and rehabilitation services must award battered spouses and domestic violence grants only to local domestic abuse programs that are locally controlled. Grants may be awarded to governmental or nongovernmental agencies or persons.

- (2) Battered spouses and domestic violence grants are to be awarded on the following basis:
- (a) demonstrated need:
- (b) project merit;
- (c) administrative design; and
- (d) efficiency of administration.

NEW_SECTION. Section 4. Authorized services of battered spouses and domestic violence programs. Local battered spouses and domestic violence programs may provide services that include but are not limited to the following:

- (1) counseling for victims or their spouses;
- (2) shelters or safe homes for victims:

(3) advocacy programs that assist victims in obtaining services and information; and

(4) educational programs relating to battered spouses and domestic violence designed for both the community at 23 24 large and specialized groups such as hospital personnel and 25 law enforcement officials.

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REFERENCE BILL

HB 868

<u>NEW_SECTION</u> Section 5. Administrative duties of
 department. The department of social and rehabilitation
 services:

4 (1) shall adopt rules necessary to carry out the
 5 purposes of [this act];

6 {2} may spend no more than 5% of the appropriated
7 funds for administrative costs of the program;

8 (3) shall accept federal funds that may be available
9 for use in carrying out the provisions of (this act);

10 (4) may use state funds as a match for federal funds 11 if required; and

12 (5) may conduct research and compile statistics 13 relating to bettered spouses and domestic violence.

14 Section 6. Section 40-1-202, NCA, is amended to read: 15 #40-1-202. License issuance. When a marriage 16 application has been completed and signed by both parties to a prospective marriage and at least one party has appeared 17 18 before the clerk of the district court and paid the marriage license fee of 415 424 125. the clerk of the district court 19 shall issue a license to marry and a marriage certificate 20 21 form upon being furnished:

22 (1) satisfactory proof that each party to the marriage 23 will have attained the age of 18 years at the time the 24 marriage license is effective or will have attained the age 25 of 16 years and has obtained judicial approval as provided

-3-

1 in 40-1-213;

2 (2) satisfactory proof that the marriage is not
 3 prohibited; and

4 (3) a certificate of the results of any medical
5 examination required by the laws of this state."

6 NEW SECTION. Section 7. Appropriation. There is 7 appropriated from the general fund to the department of 8 social and rehabilitation services for the battered spouses 9 and domestic violence grant program the following amounts: 10 For the fiscal year ending june 30, 1980 \$112+088 11 \$ 72.000 12 For the fiscal year ending June 30, 1981 ******* 13 1 12.000

-End-

HB 0868/04

1	STATEMENT OF INTENT RE: H8 868
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4	House Bill 668, as amended, which establishes a grant
5	program for locally controlled battered spouses and domestic
6	violence programs, delegates rulemaking authority to the
7	department of social and rehabilitation services for
8	administration of the act.
9	The rules necessary to effectuate this act include
10	those:
11	 establishing criteria for a project's eligibility
12	to receive grants according to section 3;
13	(2) establishing criteria for services to be included
14	in the program under section 4;
15	(3) providing procedures for application for grants;
16	(4) providing for distribution of grant funds.

HOUSE BILL NO. 868 1 1 contribution may include in-kind contributions. INTRODUCED BY WALDRON, REGAN NEW_SECTION. Section 3. Authorized 2 2 grantees 3 з criteria for grants. (1) The department of social and A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A BATTERED rehabilitation services must award battered spouses and 4 4 SPOUSES AND DOMESTIC VIOLENCE GRANT PROGRAM ADMINISTERED BY 5 domestic violence grants only to local domestic abuse 5 THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES; programs that are locally controlled. Grants may be awarded 6 6 PROVIDING A SOURCE OF FUNDING; PROVIDING AN APPROPRIATION; 7 to governmental or nongovernmental agencies or persons. 7 AND AMENDING SECTION 40-1-202, MCA." 8 (2) Battered spouses and domestic violence grants are 8 to be awarded on the following basis: 9 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 (a) demonstrated need; 10 NEW SECTION. Section 1. Battered spouses and domestic 11 {b} project merit; 11 violence grant program. There is a grant program established 12 (c) administrative design; and 12 within the department of social and rehabilitation services 13 (d) efficiency of administration. 13 for the allocation of grant money to local battered spouses 14 NEW SECTION: Section 4. Authorized services of 14 battered spouses and domestic violence programs. Local and domestic violence programs. 15 15 NEW SECTION. Section 2. Funding. (1) Revenue from the battered spouses and domestic violence programs may provide 16 16 marriage license fee is the primary source of funding for 17 17 services that include but are not limited to the following: the battered spouses and domestic violence program. One (1) counseling for victims or their spouses; 18 18 dollar SIXTEEN DOLLARS of the marriage license fee is to be 19 19 shelters or safe homes for victims; (2) retained by the county in which the fee is collected to 20 (3) advocacy programs that assist victims in obtaining 20 defray the county costs of administration and \$14 59 of the 21 21 services and information: and marriage license fee is to be deposited in the general fund. 22 22 (4) educational programs relating to battered spouses (2) Twenty percent of the operational costs of a 23 23 and domestic violence designed for both the community at battered spouses and domestic violence program must come 24 24 large and specialized groups such as hospital personnel and from the local community served by the program. The local 25 25 law enforcement officials. **REFERENCE BILL:** Includes Free Joint -2-Conference Committee Report Dated <u>4/20/99</u> HB 868

of

1 NEW SECTION. Section 5. Administrative duties 2 department. The department of social and rehabilitation services: 3 (1) shall adopt rules necessary to carry out the 4 5 purposes of [this act]; 6 (2) may spend no more than 5% of the appropriated 7 funds for administrative costs of the program; 8 (3) shall accept federal funds that may be available for use in carrying out the provisions of [this act]; 9 (4) may use state funds as a match for federal funds 10 If required; and 11

(5) may conduct research and compile statistics 12 relating to battered spouses and domestic violence. 13

Section 6. Section 40-1-202, MCA, is amended to read: 14 15 #40-1-202. License issuance. When a marriage 16 application has been completed and signed by both parties to 17 a prospective marriage and at least one party has appeared 18 before the clerk of the district court and paid the marriage 19 license fee of #15 538 525, the clerk of the district court shall issue a license to marry and a marriage certificate 20 21 form upon being furnished:

22 (1) satisfactory proof that each party to the marriage 23 will have attained the age of 18 years at the time the 24 marriage license is effective or will have attained the age 25 of 16 years and has obtained judicial approval as provided

-3-

HB 868

in 40-1-213; 1

(2) satisfactory proof that the marriage is not 2 3 prohibited; and

(3) a certificate of the results of any medical 4 examination required by the laws of this state." 5

NEW SECTION. Section 7. Appropriation. There is 6 appropriated from the general fund to the department of 7 social and rehabilitation services for the battered spouses 8 and domestic violence grant program the following amounts: 9 For the fiscal year ending June 30, 1980 \$112v000 10 \$ 72.000 11 For the fiscal year ending June 30, 1981 \$112v000 12 13 \$ 72.000

~End~

PROPOSED GOVERNOR'S AMENDMENTS TO HOUSE BILL NO. 868

1. Page 1, line 21.
Following: "and"
Strike: "\$14"
Insert: "\$24"