

HOUSE BILL NO. 632

INTRODUCED BY SIVERTSEN

BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS

IN THE HOUSE

February 4, 1981	Introduced and referred to Committee on Human Services.
February 12, 1981	Committee recommend bill do pass. Report adopted.
February 13, 1981	Bill printed and placed on members' desks.
February 14, 1981	Second reading, do pass.
February 16, 1981	Considered correctly engrossed.
February 17, 1981	Third reading, passed. Ayes, 97; Noes, 3. Transmitted to Senate.

IN THE SENATE

February 18, 1981	Introduced and referred to Committee on Public Health, Welfare, and Safety.
March 14, 1981	Committee recommend bill be concurred in. Report adopted.
March 16, 1981	Motion pass consideration.
March 17, 1981	Second reading, concurred in.
March 19, 1981	Third reading, concurred in. Ayes, 47; Noes, 0.

IN THE HOUSE

March 20, 1981 Returned from Senate.
Concurred in. Sent to
enrolling.

March 23, 1981 Correctly enrolled.

March 24, 1981 Signed by Speaker.

March 25, 1981 Signed by President.

 Delivered to Governor.

March 31, 1981 Returned from Governor with
recommended amendments.

April 9, 1981 Second reading, Governor's
amendments concurred in.

 On motion rules suspended
and bill placed on third
reading this day.

 Third reading, Governor's
amendments concurred in.
Ayes, 85; Noes, 7.
Transmitted to Senate.

IN THE SENATE

April 10, 1981 Bill returned from House.

April 13, 1981 Second reading, Governor's
amendments concurred in.

April 14, 1981 Third reading, Governor's
amendments concurred in.
Ayes, 46; Noes, 1.

IN THE HOUSE

April 15, 1981 Returned from Senate. Con-
curred in. Sent to enrolling.

 Reported correctly enrolled.

HOUSE BILL NO. 632

INTRODUCED BY Switzer

BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS

A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE FORMULATION OF A COUNTY ALCOHOL TREATMENT AND PREVENTION PLAN ANNUALLY; AMENDING SECTION 53-24-211, MCA."

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

Section 1. Section 53-24-211, MCA, is amended to read:

"53-24-211. County plan to be submitted to department.

(1) By January 1~~y-1988~~ of each year, each county must submit to the department a comprehensive countywide plan for the treatment, rehabilitation, and prevention of alcoholism.

(2) The plan must have been approved by the board of county commissioners and must contain information regarding existing nonprofit and local government programs within the county. The plan must also contain information regarding the current and future needs of the county for the treatment, rehabilitation, and prevention of alcoholism.

(3) The department shall approve, or disapprove the countywide plan. If the department disapproves a plan, the county may submit another plan to the department. In distributing funds to approved programs in a county, the department shall give consideration to the county plan.

(4) (a) After December 31~~y-1979~~ of each year, no money may be distributed to a county by the department for the treatment, rehabilitation, and prevention of alcoholism if the county has not submitted a plan as required by subsection (1).

(b) After June 30~~y-1988~~ of each year, no money may be distributed to a county by the department for the treatment, rehabilitation, and prevention of alcoholism if a county plan has not been approved by the department.

(5) The department may adopt rules regarding the submission, approval, and disapproval of plans."

-End-

Approved by Comm. On Human Services

1 HOUSE BILL NO. 632
2 INTRODUCED BY Smuts
3 BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE FORMULATION
6 OF A COUNTY ALCOHOL TREATMENT AND PREVENTION PLAN ANNUALLY;
7 AMENDING SECTION 53-24-211, MCA."
8

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

10 Section 1. Section 53-24-211, MCA, is amended to read:

11 "53-24-211. County plan to be submitted to department.

12 (1) By January 1, ~~1980~~ of each year, each county must submit
13 to the department a comprehensive countywide plan for the
14 treatment, rehabilitation, and prevention of alcoholism.

15 (2) The plan must have been approved by the board of
16 county commissioners and must contain information regarding
17 existing nonprofit and local government programs within the
18 county. The plan must also contain information regarding the
19 current and future needs of the county for the treatment,
20 rehabilitation, and prevention of alcoholism.

21 (3) The department shall approve, or disapprove the
22 countywide plan. If the department disapproves a plan, the
23 county may submit another plan to the department. In
24 distributing funds to approved programs in a county, the
25 department shall give consideration to the county plan.

1 (4) (a) After December 31, ~~1979~~ of each year, no money
2 may be distributed to a county by the department for the
3 treatment, rehabilitation, and prevention of alcoholism if
4 the county has not submitted a plan as required by
5 subsection (1).

6 (b) After June 30, ~~1980~~ of each year, no money may be
7 distributed to a county by the department for the treatment,
8 rehabilitation, and prevention of alcoholism if a county
9 plan has not been approved by the department.

10 (5) The department may adopt rules regarding the
11 submission, approval, and disapproval of plans."

-End-

-2- SECOND READING
HB 632

1 HOUSE BILL NO. 632
2 INTRODUCED BY Swintan

3 BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE FORMULATION
6 OF A COUNTY ALCOHOL TREATMENT AND PREVENTION PLAN ANNUALLY;
7 AMENDING SECTION 53-24-211, MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 53-24-211, MCA, is amended to read:

11 "53-24-211. County plan to be submitted to department.

12 (1) By January 1~~y~~ of each year, each county must submit
13 to the department a comprehensive countywide plan for the
14 treatment, rehabilitation, and prevention of alcoholism.

15 (2) The plan must have been approved by the board of
16 county commissioners and must contain information regarding
17 existing nonprofit and local government programs within the
18 county. The plan must also contain information regarding the
19 current and future needs of the county for the treatment,
20 rehabilitation, and prevention of alcoholism.

21 (3) The department shall approve, or disapprove the
22 countywide plan. If the department disapproves a plan, the
23 county may submit another plan to the department. In
24 distributing funds to approved programs in a county, the
25 department shall give consideration to the county plan.

1 (4) (a) After December 31~~y~~ of each year, no money
2 may be distributed to a county by the department for the
3 treatment, rehabilitation, and prevention of alcoholism if
4 the county has not submitted a plan as required by
5 subsection (1).

6 (b) After June 30~~y~~ of each year, no money may be
7 distributed to a county by the department for the treatment,
8 rehabilitation, and prevention of alcoholism if a county
9 plan has not been approved by the department.

10 (5) The department may adopt rules regarding the
11 submission, approval, and disapproval of plans."

-End-

HB 632

1 HOUSE BILL NO. 632
 2 INTRODUCED BY SIVERTSEN
 3 BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS
 4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE FORMULATION
 6 OF A COUNTY ALCOHOL TREATMENT AND PREVENTION PLAN ANNUALLY;
 7 AMENDING SECTION 53-24-211, MCA."
 8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 Section 1. Section 53-24-211, MCA, is amended to read:
 11 "53-24-211. County plan to be submitted to department.
 12 (1) By January 1~~7~~¹ of each year, each county must submit
 13 to the department a comprehensive countywide plan for the
 14 treatment, rehabilitation, and prevention of alcoholism.
 15 (2) The plan must have been approved by the board of
 16 county commissioners and must contain information regarding
 17 existing nonprofit and local government programs within the
 18 county. The plan must also contain information regarding the
 19 current and future needs of the county for the treatment,
 20 rehabilitation, and prevention of alcoholism.
 21 (3) The department shall approve or disapprove the
 22 countywide plan. If the department disapproves a plan, the
 23 county may submit another plan to the department. In
 24 distributing funds to approved programs in a county, the
 25 department shall give consideration to the county plan.

1 (4) (a) After December 31~~7~~¹ of each year, no money
 2 may be distributed to a county by the department for the
 3 treatment, rehabilitation, and prevention of alcoholism if
 4 the county has not submitted a plan as required by
 5 subsection (1).
 6 (b) After June 30~~7~~¹ of each year, no money may be
 7 distributed to a county by the department for the treatment,
 8 rehabilitation, and prevention of alcoholism if a county
 9 plan has not been approved by the department.
 10 (5) The department may adopt rules regarding the
 11 submission, approval, and disapproval of plans."

-End-

March 30, 1981

PROPOSED GOVERNOR'S AMENDMENTS TO HOUSE BILL NO. 632;
REFERENCE COPY, AS FOLLOWS:

1. Page 2, Line 1
Following: "after"
Delete: "December 31"
Insert: "January 1"

1 HOUSE BILL NO. 632

2 INTRODUCED BY SIVERTSEN

3 BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE FORMULATION
6 OF A COUNTY ALCOHOL TREATMENT AND PREVENTION PLAN ANNUALLY;
7 AMENDING SECTION 53-24-211, MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 53-24-211, MCA, is amended to read:

11 "53-24-211. County plan to be submitted to department.

12 (1) By January 1~~980~~ of each year, each county must submit
13 to the department a comprehensive countywide plan for the
14 treatment, rehabilitation, and prevention of alcoholism.

15 (2) The plan must have been approved by the board of
16 county commissioners and must contain information regarding
17 existing nonprofit and local government programs within the
18 county. The plan must also contain information regarding the
19 current and future needs of the county for the treatment,
20 rehabilitation, and prevention of alcoholism.

21 (3) The department shall approve or disapprove the
22 countywide plan. If the department disapproves a plan, the
23 county may submit another plan to the department. In
24 distributing funds to approved programs in a county, the
25 department shall give consideration to the county plan.

1 (4) (a) After ~~December--31~~ JANUARY 1~~979~~ of each
2 year, no money may be distributed to a county by the
3 department for the treatment, rehabilitation, and prevention
4 of alcoholism if the county has not submitted a plan as
5 required by subsection (1).

6 (b) After June 30~~980~~ of each year, no money may be
7 distributed to a county by the department for the treatment,
8 rehabilitation, and prevention of alcoholism if a county
9 plan has not been approved by the department.

10 (5) The department may adopt rules regarding the
11 submission, approval, and disapproval of plans."

-End-



TED SCHWINDEN
GOVERNOR

State of Montana
Office of the Governor
Helena 59620

March 30, 1981

The Honorable Jean A. Turnage
President of the Senate
State Capitol
Helena, Montana 59620

The Honorable Robert L. Marks
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Senator Turnage and Representative Marks:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 632, "AN ACT TO REQUIRE FORMULATION OF A COUNTY ALCOHOL TREATMENT AND PREVENTION PLAN ANNUALLY; AMENDING SECTION 53-24-211, MCA," without my signature and recommend the attached amendment for the following reasons.

House Bill 632, as adopted, allows a county to submit an alcohol treatment and prevention plan to the Department of Institutions by January 1 of each year. In Section 4 of the bill, the Department is prohibited from distributing money to a county after December 31, if the county has not submitted its plan. The use of December 31, in Section 4, creates an uncertainty in the bill since it does not coincide with the January 1 date.

It appears that the inclusion of the December 31 date in the original law was necessary from an accounting standpoint which is no longer applicable.

The uncertainty created by the continued use of the December 31 date can be eliminated by changing that date to January 1.

I urge your concurrence in this amendment.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ted Schwinden".

TED SCHWINDEN
Governor