

HOUSE BILL NO. 659

INTRODUCED BY J. JENSEN, JACOBSON, MENAHAN,
BERGENE, VINCENT, MCBRIDE, CONNELLY, HAPPEY,
ADDY, NORDTVEDT, HANNAH, HEMSTAD, SHONTE, WALDRON,
KADAS, ECK, R. MANNING, CRIPPEN, GRAHAM, METCALF,
QUILICI, HARRINGTON, KITSELMAN, J. BROWN, THOMAS,
WALLIN, DOZIER, WILLIAMS, RAMIREZ, CONOVER,
VAN VALKENBURG, SANDS, HART, PISTORIA, MARBUT,
HOLLIDAY, KEENAN, KOEHNKE, ZABROCKI, NORMAN,
BENGTSON, ROUSH, J. HAMMOND, REAM, DRISCOLL,
VELEBER, WALDRON, HANSEN, LYBECK, KENNERLY,
HALLIGAN

IN THE HOUSE

February 5, 1983	Introduced and referred to Committee on Appropriations.
February 21, 1983	Committee recommend bill do pass as amended. Report adopted.
February 22, 1983	Bill printed and placed on members' desks.
February 23, 1983	Second reading, do pass as amended.
	Correctly engrossed.
	Third reading, passed. Transmitted to Senate.

IN THE SENATE

March 1, 1983	Introduced and referred to Committee on Finance and Claims.
March 9, 1983	Committee recommend bill be concurrred in. Report adopted.
March 11, 1983	Second reading, concurrred in.
March 14, 1983	Third reading, concurrred in. Ayes, 49; Noes, 0.

IN THE HOUSE

March 14, 1983

Returned to House.

March 15, 1983

Sent to enrolling.

Reported correctly enrolled.

1 *Connelly* *House* BILL NO. *659* *Progre Vincent*
2 INTRODUCED BY *J. JENSEN J. Jackson Mendenhall*
3 *Hoffy Kelly Woytweh Henson United St Waldron*
4 *Keder Erik Richard Manning*
5 A BILL FOR AN ACT ENTITLED "AN ACT PROVIDING FOR STATE USE *Thompson*
6 AND DISTRIBUTION OF FEDERAL COMMUNITY SERVICES BLOCK GRANT *Wachin*
7 FUNDS; DEFINING "HUMAN RESOURCE DEVELOPMENT COUNCIL"; *Dez*
8 PROVIDING FOR THE ADMINISTRATION OF FISCAL AND PROGRAM *Williams*
9 CONTROLS TO COMPLY WITH FEDERAL LAW; AND PROVIDING AN *Ramirez*
10 EFFECTIVE DATE." *Immod Ream*
11 *Langston Vought Hapner Kennedy*
12 *Walt Waldron S. Hansen Lylich Kallgren Sanders*
13 WHEREAS, the federal Community Services Block Grant is *M. West*
14 a federal program designed to ameliorate the causes of *Betters*
15 poverty in communities within each state; and *Mahrt*
16 WHEREAS, Human Resource Development Councils are
17 nonprofit community organizations that have served
18 multicounty areas of the state in the process of helping
19 low-income persons; and
20 WHEREAS, it is the basic purpose of Human Resource
21 Development Councils to stimulate a better allocation of
22 available local, state, private, and federal resources
23 toward the goal of enabling low-income families and
24 low-income individuals of all ages, in rural and urban
25 areas, to attain skills, knowledge, and motivation and to
26 secure the opportunities needed for them to become
27 self-sufficient; and

1 WHEREAS, it is recognized that these needs can be best
2 achieved by encouraging the participation of the private
3 sector in these efforts; and

4 WHEREAS, to achieve these goals it is necessary to
5 strengthen local community capabilities for planning and
6 coordinating federal, state, and other resources so that
7 duplication is eliminated whenever possible through the
8 efforts of local officials, organizations, and interested
9 and affected citizens.

10 THEREFORE, this act is intended to achieve a better
11 allocation of available federal and state resources.

12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 Section 1. Definitions. As used in [this act], the
15 following definitions apply:

16 (1) "Block grant" means the federal community services
17 block grant established under 42 U.S.C. section 9901, et
18 seq. (95 Stat. 511, et seq.).

19 (2) "Department" means the department of social and
20 rehabilitation services provided for in 2-15-2201.

21 (3) "Human resource development council" means a
22 nonprofit public or private community organization serving
23 low-income persons in a multicounty area that has the same
24 boundaries as one or more substate planning districts
25 established by executive order of the governor.

Section 2. Allocation of federal community services block grant funds. The department shall allocate the state's share of the block grant funds as follows:

(1) The department may retain not more than 5% of the block grant funds for administration of the block grant if federal law authorizes such retention.

(2) The balance of the block grant funds after any retention pursuant to subsection (1) must be distributed to human resource development councils that are eligible to receive such funding under [section 3] as follows:

(a) \$500,000, or if the balance of the block grant funds is less than \$500,000, then the entire balance of the block grant funds, must be equally divided among the eligible human resource development councils; and

(b) except as provided under [section 4(2)], the balance of the block grant funds after distribution under subsections (1) and (2)(a) must be divided among eligible human resource development councils as follows:

(i) one-half based upon the population residing within the areas of human resource development councils; and

(ii) one-half based upon the low-income population, as that population may be determined under the provisions of the block grant, residing within the areas of the human resource development councils.

Section 3. Eligible human resource development

councils. The department may not distribute block grant funds unless the human resource development council:

(1) meets the eligibility requirements set forth in 42 U.S.C. section 9904, including composition of the board; and

(2) has complied with federal and state fiscal control requirements and agrees to comply with all fiscal and program requirements of federal law.

Section 4. Block grant plan -- county and state approval. (1) A human resource development council shall prepare a plan for use of block grant funds. The planned use must be in compliance with block grant requirements, and the plan must be made to further the goals stated in the block grant.

(2) The human resource development council shall submit the plan to the county governing bodies within its multicounty area. A county governing body may approve or disapprove the plan. If a plan is disapproved by a county governing body, the department shall disregard the population and the low-income population statistics of the disapproving county in determining the human resource development council's allocation under [section 2(2)(b)].

(3) The plan must be submitted to the department for approval prior to distribution by the department of block grant funds allocated to the human resource development council. The department may disapprove a plan, in whole or

1 In part, only if the plan conflicts with a federal law or
2 regulation. A disapproved plan may be amended and
3 resubmitted to the department.

4 Section 5. Fiscal and program responsibility. The
5 department shall ensure state compliance in fiscal
6 accountability and program integrity relating to block grant
7 funds and services. The department shall audit the human
8 resource development councils as may be required by state
9 and federal law.

10 Section 6. Effective date. This act is effective July
11 1, 1983.

-End-

STATE OF MONTANA

REQUEST NO. 354-83

FISCAL NOTE

Form BD-15

In compliance with a written request received February 8, , 19 83 , there is hereby submitted a Fiscal Note for House Bill 659 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

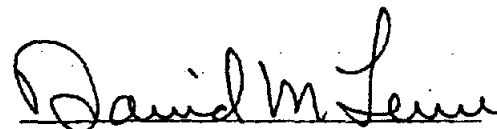
House Bill 659 provides for state use and distribution of federal Community Services Block Grant Funds.

FISCAL IMPACT:

The proposal requires distribution of Community Services Block Grant funds to Human Resource Development Councils (HRDC's) which is consistent with current federal requirements. The proposal also limits the determination for what purpose the funds shall be expended to HRDC's and county governing bodies.

The proposal does not increase nor decrease revenue or expenditures. The only discernible fiscal impact is that which could result from the state being unable to determine the specific purpose for expenditure of funds.

FISCAL NOTE 12:X/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-11-83

Approved by Comm.
on Appropriations

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR STATE USE
AND DISTRIBUTION OF FEDERAL COMMUNITY SERVICES BLOCK GRANT
FUNDS; DEFINING "HUMAN RESOURCE DEVELOPMENT COUNCIL";
PROVIDING FOR THE ADMINISTRATION OF FISCAL AND PROGRAM
CONTROLS TO COMPLY WITH FEDERAL LAW; AND PROVIDING AN
EFFECTIVE DATE."

WHEREAS, the federal Community Services Block Grant is
a federal program designed to ameliorate the causes of
poverty in communities within each state; and

WHEREAS, Human Resource Development Councils are
nonprofit community organizations that have served

multicounty areas of the state in the process of helping
low-income persons; and

WHEREAS, it is the basic purpose of Human Resource
Development Councils to stimulate a better allocation of
available local, state, private, and federal resources
toward the goal of enabling low-income families and
low-income individuals of all ages, in rural and urban
areas, to attain skills, knowledge, and motivation and to
secure the opportunities needed for them to become
self-sufficient; and

WHEREAS, it is recognized that these needs can be best
achieved by encouraging the participation of the private
sector in these efforts; and

WHEREAS, to achieve these goals it is necessary to
strengthen local community capabilities for planning and
coordinating federal, state, and other resources so that
duplication is eliminated whenever possible through the
efforts of local officials, organizations, and interested
and affected citizens.

THEREFORE, this act is intended to achieve a better
allocation of available federal and state resources.

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following definitions apply:

(1) "Block grant" means the federal community services block grant established under 42 U.S.C. section 9901, et seq. (95 Stat. 511, et seq.).

(2) "Department" means the department of social and rehabilitation services provided for in 2-15-2201.

(3) "Human resource development council" means a nonprofit public or private community organization serving low-income persons in a multicounty area that has the same boundaries as one or more substate planning districts established by executive order of the governor.

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(1) ~~The department may retain not more than 5% of the block grant funds for administration of the block grant if federal law authorizes such retention 5% FOR ADMINISTRATIVE COSTS AND 5% FOR SPECIAL PROJECTS.~~

(2) The balance of the block grant funds after any retention pursuant to subsection (1) must be distributed to human resource development councils that are eligible to receive such funding under [section 3] as follows:

(a) \$500,000, or if the balance of the block grant funds is less than \$500,000, then the entire balance of the block grant funds, must be equally divided among the eligible human resource development councils; and

(b) except as provided under [section 4(2)], the balance of the block grant funds after distribution under subsections (1) and (2)(a) must be divided among eligible human resource development councils as follows:

(i) one-half based upon the population residing within the areas of human resource development councils; and

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Section 3. Eligible human resource development councils. The department may not distribute block grant funds unless the human resource development council:

(1) meets the eligibility requirements set forth in 42 U.S.C. section 9904, including composition of the board; and

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(2) The human resource development council shall

1 submit the plan to the county governing bodies within its
2 multicounty area. A county governing body may approve or
3 disapprove ~~OR DEFEER AMENDMENTS TO~~ the plan. If ~~a plan is~~
4 ~~disapproved by a~~ THE county governing body ~~AND THE HUMAN~~
5 ~~RESOURCES DEVELOPMENT COUNCILS CANNOT AGREE AS TO THE PLAN'S~~
6 ~~COMPONENTS~~, the department shall disregard the population
7 and the low-income population statistics of the disapproving
8 county in determining the human resource development
9 council's allocation under [section 2(2)(b)].

10 (3) The plan must be submitted to the department for
11 approval prior to distribution by the department of block
12 grant funds allocated to the human resource development
13 council. The department may disapprove a plan, in whole or
14 in part, only if the plan conflicts with a federal law or
15 regulation. A disapproved plan may be amended and
16 resubmitted to the department.

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18 department shall ensure state compliance in fiscal
19 accountability and program integrity relating to block grant
20 funds and services. The department shall audit the human
21 resource development councils as may be required by state
22 and federal law.

23 Section 6. Effective date. This act is effective July
24 1, 1983.

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WHEREAS, the federal Community Services Block Grant is a federal program designed to ameliorate the causes of poverty in communities within each state; and

WHEREAS, Human Resource Development Councils are nonprofit community organizations that have served

multicounty areas of the state in the process of helping low-income persons; and

WHEREAS, it is the basic purpose of Human Resource Development Councils to stimulate a better allocation of available local, state, private, and federal resources toward the goal of enabling low-income families and low-income individuals of all ages, in rural and urban areas, to attain skills, knowledge, and motivation and to secure the opportunities needed for them to become self-sufficient; and

WHEREAS, it is recognized that these needs can be best achieved by encouraging the participation of the private sector in these efforts; and

WHEREAS, to achieve these goals it is necessary to strengthen local community capabilities for planning and coordinating federal, state, and other resources so that duplication is eliminated whenever possible through the efforts of local officials, organizations, and interested and affected citizens.

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1 submit the plan to the county governing bodies within its
 2 multicounty area. A county governing body may approve or
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 4 disapproved by a THE county governing body ~~AND THE HUMAN~~
 5 ~~RESOURCES DEVELOPMENT COUNCILS CANNOT AGREE AS TO THE PLAN'S~~
 6 ~~COMPONENTS~~, the department shall disregard the population
 7 and the low income population statistics of the disapproving
 8 county in determining the human resource development
 9 council's allocation under [section 2(2)(b)]. PREPARE AND
 10 APPROVE A PLAN FOR SUCH COUNTY. THE DEPARTMENT SHALL THEN
 11 ALLOCATE BLOCK GRANT FUNDS TO THE APPROPRIATE HUMAN RESOURCE
 12 DEVELOPMENT COUNCIL TO ADMINISTER ACCORDING TO THE PLAN
 13 APPROVED FOR SUCH COUNTY BY THE DEPARTMENT.

14 (3) The plan must be submitted to the department for
 15 approval prior to distribution by the department of block
 16 grant funds allocated to the human resource development
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 5 ~~RESOURCES DEVELOPMENT COUNCILS COUNCIL CANNOT AGREE AS TO~~
 6 ~~THE PLAN'S COMPONENTS~~, the department shall disregard ~~the~~
 7 ~~population--and--the--low--income--population--statistics--of--the~~
 8 ~~disapproving--county--in--determining--the--human--resource~~
 9 ~~development--council's--allocation--under--[section-2(2)(b)]~~
 10 ~~PREPARE AND APPROVE A PLAN FOR SUCH COUNTY. THE DEPARTMENT~~
 11 ~~SHALL THEN ALLOCATE BLOCK GRANT FUNDS TO THE APPROPRIATE~~
 12 ~~HUMAN RESOURCE DEVELOPMENT COUNCIL TO ADMINISTER ACCORDING~~
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