

HOUSE BILL NO. 733

2/08 Introduced
2/08 Referred to Human Services & Aging
2/08 Fiscal Note Requested
Cancelled
2/15 Hearing
2/22 Committee Report-Bill Pass As Amended
2/22 Statement of Intent Attached
2/25 Fiscal Note Requested
2/26 Fiscal Note Received
2/27 2nd Reading Do Not Pass
2/27 Bill Killed

HOUSE BILL NO. 733

INTRODUCED BY

J. Brown, Tucker, Hand, Connolly, Mike Waldron, Vincent

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING AND FUNDING A CHILD ABUSE AND JUVENILE DELINQUENCY PREVENTION PROGRAM; PROVIDING FOR A CHILDREN'S TRUST FUND BOARD AND GRANTING THE BOARD RULEMAKING AUTHORITY."

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

Section 1. Children's trust fund account. There is a children's trust fund account in the state special revenue fund in the state treasury. The money in the account is allocated to the children's trust fund board for funding services and activities under and payment of administrative costs of the child abuse and juvenile delinquency prevention program provided for in [section 3]. At least 50% of the money deposited in the account each year must remain in the fund and may not be allocated until the fund reaches \$1,000,000. At that time all money generated by or deposited in the account each year may be allocated, but the \$1,000,000 must remain in the fund.

Section 2. Children's trust fund board. (1) There is a children's trust fund board attached to the department of social and rehabilitation services for administrative purposes only as provided in 2-15-121. The board has seven

members, two chosen by the president of the senate, two chosen by the speaker of the house of representatives, two chosen by the governor, and one chosen by the director of the department of social and rehabilitation services. The members chosen by the president of the senate and the speaker of the house may not be legislators. The persons chosen must be interested in child development. The legislators' appointees serve 2-year terms, the governor's appointees serve 3-year terms, and the department appointee serves a 1-year term. A member may be removed only for good cause relating to the functions of the office. Any vacancy must be filled for the unexpired term only and in the same manner as the original appointment.

(2) The board must elect a chairman, hire a secretary, and meet as often as necessary at the call of the chairman, but not less than twice a year.

(3) Unless he is a full-time salaried officer or employee of this state or of a political subdivision of this state, each member is entitled to be paid \$50 for each day in which he is actually and necessarily engaged in the performance of board duties, and he is also entitled to be reimbursed for travel expenses, as provided for in 2-18-501 through 2-18-503, incurred while in the performance of board duties. Members who are full-time salaried officers or employees of this state or of a political subdivision of



1 this state are not entitled to be compensated for their
 2 service as members but are entitled to be reimbursed for
 3 travel expenses as provided for in 2-18-501 through
 4 2-18-503.

5 (4) A majority of the membership constitutes a quorum
 6 to do business. A favorable vote of at least a majority of
 7 all members of a board is required to adopt any resolution,
 8 motion, or other decision, unless otherwise provided by law.

9 Section 3. Child abuse and juvenile delinquency
 10 prevention program. (1) The children's trust fund board
 11 shall use the money in the children's trust fund account
 12 established by [section 1] to fund services and activities
 13 operated by nonprofit community-based educational and
 14 service organizations attempting to prevent child abuse and
 15 juvenile delinquency.

16 (2) A single organization's activities may not be
 17 funded for more than 4 years under one application, but the
 18 organization may reapply for funds.

19 (3) In administering the program the board shall:

20 (a) develop a state plan, priorities for funded
 21 services and activities, and criteria for the receipt of
 22 program funds;

23 (b) monitor the expenditure of funds by organizations
 24 receiving funds;

25 (c) evaluate the effectiveness of services and

1 activities funded; and

2 (d) adopt rules necessary to implement this section
 3 and [sections 4 and 5].

4 Section 4. Gifts and grants to program. The children's
 5 trust fund board may accept contributions, gifts, and
 6 grants, in money or otherwise, to the child abuse and
 7 juvenile delinquency prevention program. Monetary gifts,
 8 contributions, and grants must, upon receipt, be paid into
 9 the children's trust fund account established by [section
 10 1].

11 Section 5. Program costs. The costs incurred by the
 12 children's trust fund board in administering the child abuse
 13 and juvenile delinquency prevention program must be paid for
 14 with money from the children's trust fund account
 15 established by [section 1].

-End-

STATE OF MONTANA
FISCAL NOTE

REQUEST NO. FNN 375-85

Form BD-15

In compliance with a written request received February 25, 19 85, there is hereby submitted a Fiscal Note for House Bill 733 as amended 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 733 establishes and funds a child abuse and juvenile delinquency prevention program, providing for a Children's Trust Fund Board and granting the Board rule making authority.

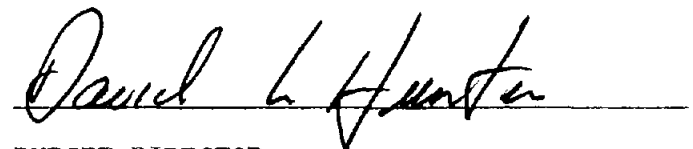
ASSUMPTIONS:

1. Department of Health will issue 17,000 certified copies per year, producing \$51,000/yr. in revenue.
2. The \$3.00 charge is in addition to the current \$5.00 charge currently collected under MCA 5-15-111.
3. No estimate available on Clerk and Recorder collection of 3 additional dollars per copy.
4. 50% of the funds collected, less administrative costs, must not be spent but remain in the account.
5. Seven board members would receive \$50/day plus travel and per diem.
6. There would be at least three (3) meetings a year.
7. Contributions would be minimal.
8. Clerical would be contracted out instead of having a full time person.
9. Social and Rehabilitation Services will administer the program.

FISCAL IMPACT:

<u>Expenditures:</u>	<u>1986</u>	<u>1987</u>
Board Operating Expenses	\$ 7,550	\$ 6,640
Grants and Contracts	<u>21,725</u>	<u>22,180</u>
TOTAL EXPENDITURES	<u>\$29,275</u>	<u>\$28,820</u>

<u>Revenue:</u>		
Projected Revenue	\$51,000	\$51,000
Revenue Used For Expenditures	29,275	28,820
Revenue To Remain In Account	<u>21,725</u>	<u>21,180</u>



BUDGET DIRECTOR
Office of Budget and Program Planning

Date: Feb 26, 1985

HB 733

AFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

It is not known how many certified copies are issued by the local Clerk and Recorders.

TECHNICAL OR MECHANICAL DEFECTS OR CONFLICTS WITH EXISTING LEGISLATION:

"State Department of Statistics" should be "State Department of Health and Environmental Sciences."
Page 5, line 4, "Registrar" should read "Clerk and Recorder".

A \$5.00 fee for birth certificate copies is currently charged under 5-15-111 MCA. To avoid a conflict with this statute language could be amended to read "... shall collect a \$3.00 fee in addition to the fee collected under 5-15-111 from the person...."

STATE OF MONTANA
FISCAL NOTE

REQUEST NO. Revised
FNN 375-85

Form BD-15

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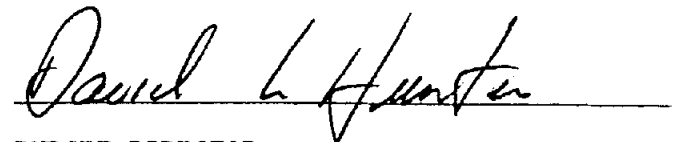
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BUDGET DIRECTOR
Office of Budget and Program Planning

Date: Feb 26, 1985

HB 733 - Revised

Request No. FNN375-85 AMENDED
Form BD-15 Page 2

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APPROVED BY COMM. ON
HUMAN SERVICES AND AGING

1 STATEMENT OF INTENT
2 HOUSE BILL 733
3 House Human Services and Aging Committee
4
5 Section 3 requires the children's trust fund board to
6 adopt rules implementing the child abuse and juvenile
7 delinquency prevention program.
8 The rules should:
9 (1) provide for an overall state plan for the program;
10 (2) develop criteria for the receipt of program funds;
11 (3) establish priorities among funded services and
12 activities;
13 (4) provide a method of monitoring the effectiveness
14 of funded services and activities and the expenditure of
15 funds from the children's trust fund account; and
16 (5) address other matters necessary to implementation
17 of the program.



SECOND READING
HB 733

1 HOUSE BILL NO. 733

2 INTRODUCED BY HANSEN, FRITZ, J. BROWN, KADAS, HAND,

3 CONNELLY, MILES, WALDRON, SPAETH, VINCENT

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING AND
6 FUNDING A CHILD ABUSE AND JUVENILE DELINQUENCY PREVENTION
7 PROGRAM; PROVIDING FOR A CHILDREN'S TRUST FUND BOARD AND
8 GRANTING THE BOARD RULEMAKING AUTHORITY; AMENDING SECTION
9 50-15-201, MCA."

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

12 NEW SECTION. Section 1. Children's trust fund
13 account. There is a children's trust fund account in the
14 state special revenue fund in the state treasury. The money
15 in the account is allocated to the children's trust fund
16 board for funding services and activities under and payment
17 of administrative costs of the child abuse and juvenile
18 delinquency prevention program provided for in [section 3].

19 At least 50% of the money deposited in the account each year
20 must remain in the fund and may not be allocated until the
21 fund reaches \$1,000,000. At that time all money generated by
22 or deposited in the account each year may be allocated, but
23 the \$1,000,000 must remain in the fund.

24 NEW SECTION. Section 2. Children's trust fund board.

25 (1) There is a children's trust fund board attached to the

1 department of social and rehabilitation services for
2 administrative purposes only as provided in 2-15-121. The
3 board has seven members, two chosen by the president of the
4 senate, two chosen by the speaker of the house of
5 representatives, two chosen by the governor, and one chosen
6 by the director of the department of social and
7 rehabilitation services. The members chosen by the president
8 of the senate and the speaker of the house may not be
9 legislators. The persons chosen must be interested in child
10 development. The legislators' appointees serve 2-year
11 terms, the governor's appointees serve 3-year terms, and the
12 department appointee serves a 1-year term. A member may be
13 removed only for good cause relating to the functions of the
14 office. Any vacancy must be filled for the unexpired term
15 only and in the same manner as the original appointment.

16 (2) The board must elect a chairman, hire a secretary,
17 and meet as often as necessary at the call of the chairman,
18 but not less than twice a year.

19 (3) Unless he is a full-time salaried officer or
20 employee of this state or of a political subdivision of this
21 state, each member is entitled to be paid \$50 for each day
22 in which he is actually and necessarily engaged in the
23 performance of board duties, and he is also entitled to be
24 reimbursed for travel expenses, as provided for in 2-18-501
25 through 2-18-503, incurred while in the performance of board

1 duties. Members who are full-time salaried officers or
 2 employees of this state or of a political subdivision of
 3 this state are not entitled to be compensated for their
 4 service as members but are entitled to be reimbursed for
 5 travel expenses as provided for in 2-18-501 through
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7 (4) A majority of the membership constitutes a quorum
 8 to do business. A favorable vote of at least a majority of
 9 all members of a board is required to adopt any resolution,
 10 motion, or other decision, unless otherwise provided by law.

11 NEW SECTION. Section 3. Child abuse and juvenile
 12 delinquency prevention program. (1) The children's trust
 13 fund board shall use the money in the children's trust fund
 14 account established by [section 1] to fund services and
 15 activities operated by nonprofit community-based educational
 16 and service organizations ~~attempting-to-prevent-child--abuse~~
 17 ~~and---juvenile---delinquency~~ OR INCORPORATED NONPROFIT
 18 ORGANIZATIONS THAT ADDRESS CHILD ABUSE PREVENTION ISSUES.

19 (2) A single organization's activities may not be
 20 funded for more than 4 years under one application, but the
 21 organization may reapply for funds.

22 (3) In administering the program the board shall:

23 (a) develop a state plan, priorities for funded
 24 services and activities, and criteria for the receipt of
 25 program funds;

1 (b) monitor the expenditure of funds by organizations
 2 receiving funds;

3 (c) evaluate the effectiveness of services and
 4 activities funded; and

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 6 and [sections 4 and 5].

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 8 The children's trust fund board may accept contributions,
 9 gifts, and grants, in money or otherwise, to the child abuse
 10 and juvenile delinquency prevention program. Monetary gifts,
 11 contributions, and grants must, upon receipt, be paid into
 12 the children's trust fund account established by [section
 13 1].

14 NEW SECTION. Section 5. Program costs. The costs
 15 incurred by the children's trust fund board in administering
 16 the child abuse and juvenile delinquency prevention program
 17 must be paid for with money from the children's trust fund
 18 account established by [section 1].

19 SECTION 6. SECTION 50-15-201, MCA, IS AMENDED TO READ:

20 "50-15-201. Birth certificate to be filed -- fee. (1)
 21 Within the time prescribed by the department, a birth
 22 certificate shall be filed with the local registrar of the
 23 district in which the birth occurred by:

24 ~~{†}~~(a) the physician, midwife, or other legally
 25 authorized person if the birth is attended;

1 ~~(2)~~(b) one of the parents if the birth is unattended.
2 (2) The local registrar shall collect a \$10 fee from
3 the person filing the birth certificate. Fees collected must
4 be transmitted every 3 months by the registrar to the state
5 treasurer for deposit in the children's trust fund account
6 established by [section 1]."

-End-