

SENATE BILL NO. 121

INTRODUCED BY NORMAN, FULLER, JACOBSON,
BENGTSON, J. BROWN, KEENAN, PISTORIA,
BERGENE, O'CONNELL, WALDRON, SPAETH,
DRISCOLL, HIMSL, HARPER, KRUEGER, REGAN

BY REQUEST OF THE DEPARTMENT OF SOCIAL
AND REHABILITATION SERVICES

IN THE SENATE

January 18, 1985	Introduced and referred to Committee on Public Health, Welfare and Safety.
January 21, 1985	Fiscal Note requested.
January 25, 1985	Fiscal Note returned.
February 2, 1985	Committee recommend bill do pass as amended. Report adopted.
	Statement of Intent attached.
February 4, 1985	Bill printed and placed on members' desks.
February 5, 1985	Motion pass consideration.
February 6, 1985	Second reading, do pass.
February 7, 1985	Considered correctly engrossed.
February 8, 1985	Third reading, passed. Ayes, 50; Noes, 0.
	Transmitted to House.

IN THE HOUSE

February 27, 1985

Introduced and referred to
Committee on Human Services
and Aging.

March 12, 1985

Committee recommend bill be
concurrent in. Report adopted.

March 14, 1985

Second reading, concurred in.

March 16, 1985

Third reading, concurred in.

Returned to Senate.

IN THE SENATE

March 16, 1985

Received from House.

March 18, 1985

Sent to enrolling.

Reported correctly enrolled.

1 *Senate* BILL NO. *121*
 2 INTRODUCED BY *Norman Fuller*
 3 *J. Brown* BY REQUEST OF THE DEPARTMENT OF SOCIAL *Walter*
 4 *Bergine* AND REHABILITATION SERVICES *Blair*
 5 *Walton Smith* *Orsiol* *Stinal* *Ray* *Keyser*

6 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE
 7 DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO
 8 ADMINISTER ALL FUNDS ALLOCATED TO THE DEPARTMENT FOR
 9 RESIDENTIAL ALCOHOL AND DRUG TREATMENT FOR INDIGENT YOUTHS
 10 IN NEED OF CARE, YOUTHS IN NEED OF SUPERVISION, AND
 11 DELINQUENT YOUTHS; AMENDING SECTION 41-3-1103, MCA; AND
 12 PROVIDING AN EFFECTIVE DATE."

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

15 Section 1. Section 41-3-1103, MCA, is amended to read:
 16 "41-3-1103. Powers and duties of department. (1) The
 17 department shall:

18 (a) administer all state and federal funds allocated
 19 to the department for youth foster homes, youth group homes,
 20 and child-care agencies for youth in need of care, youth in
 21 need of supervision, and delinquent youth;

22 (b) exercise licensing authority over all youth foster
 23 homes, youth group homes, and child-care agencies;

24 (c) collect and disseminate information relating to
 25 youth in need of care, youth in need of supervision, and

1 delinquent youth;

2 (d) provide for training of program personnel
 3 delivering services;

4 (e) in cooperation with the department of institutions
 5 and youth care facility providers, develop and implement
 6 standards for youth care facilities;

7 (f) apportion and allocate placement budgets to all
 8 judicial districts;

9 (g) seek public input on the plan prior to its
 10 adoption and implementation; and

11 (h) maintain adequate data on placements it funds in
 12 order to keep the legislature properly informed of the
 13 following:

14 (i) the breakdown of youth in need of care, youth in
 15 need of supervision, and delinquent youth by category in
 16 out-of-home care facilities;

17 (ii) the cost per facility for services rendered;

18 (iii) the type and level of care of services provided
 19 by each facility;

20 (iv) a profile of out-of-home care placements by level
 21 of care; and

22 (v) a profile of public institutional placements; and
 23 (i) administer all funds allocated to the department
 24 for residential alcohol and drug abuse treatment for
 25 indigent youths in need of care, youths in need of



1 supervision, and delinquent youths who require such
2 treatment.

3 (2) The department may:

4 (a) enter into contracts with nonprofit corporations
5 or associations to provide facilities and services for youth
6 in need of care, youth in need of supervision, and
7 delinquent youth;

8 (b) accept gifts, grants, and donations of money and
9 property from public and private sources to initiate and
10 maintain community-based services to youth;

11 (c) adopt rules to carry out the administration and
12 purposes of this part.

13 (3) The department shall pay for room, board,
14 clothing, personal needs, transportation, and treatment in
15 district youth guidance homes, shelter care programs, and
16 foster care homes for youths committed to the department of
17 institutions who need to be placed in such facilities.
18 Youths committed to the department of institutions and
19 placed in residential facilities other than those described
20 above shall not be the financial responsibility of the
21 department of social and rehabilitation services unless such
22 placements have been approved in advance by the department
23 of social and rehabilitation services."

24 NEW SECTION. Section 2. Extension of authority. Any
25 existing authority of the department of social and

1 rehabilitation services to make rules on the subject of the
2 provisions of this act is extended to the provisions of this
3 act.

4 NEW SECTION. Section 3. Effective date. This act is
5 effective July 1, 1985.

-End-

STATE OF MONTANA

FISCAL NOTE

REQUEST NO. FNN 143-85

Form BD-15

In compliance with a written request received January 21, 19 85, there is hereby submitted a Fiscal Note for S.B. 121 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.

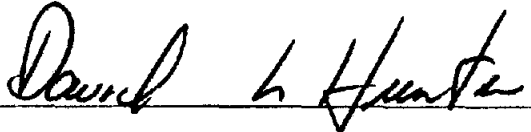
DESCRIPTION OF PROPOSED LEGISLATION:

Senate Bill 121 authorizes the Department of Social and Rehabilitation Services to administer all funds allocated to the department for residential alcohol and drug treatment for indigent youths in need of care, youths in need of supervision and delinquent youths.

FISCAL IMPACT:

The bill stipulates only that SRS may administer the funds that are appropriated to it for residential alcohol and drug treatment for indigent youth.

The funding level would be determined by the legislative appropriation. The level requested in the Executive Budget is \$266,520 per year (biennium total of \$533,040) all from the general fund.



BUDGET DIRECTOR
Office of Budget and Program Planning

Date: JAN 25, 1985

SB/21

APPROVED BY COMMITTEE
ON PUBLIC HEALTH, WELFARE
& SAFETY

1 STATEMENT OF INTENT

2 SENATE BILL 121

3 Senate Public Health, Welfare and Safety Committee

4
5 A statement of intent is desirable for this bill to
6 clarify the existing rulemaking authority granted to the
7 department of social and rehabilitation services under
8 section 41-3-1103(2)(c), MCA, as it applies to the proposed
9 amendment to section 41-3-1103(1), MCA.

10 The department of social and rehabilitation services
11 may adopt rules to carry out the administration of all funds
12 appropriated and allocated to the department to pay for
13 residential alcohol and drug treatment for indigent youths
14 in need of care, youths in need of supervision, and
15 delinquent youths who require such treatment.

16 It is contemplated that the rules shall address the
17 following:

18 (1) criteria for determining whether residential
19 treatment for alcohol and drug abuse is necessary and
20 appropriate in each case;

21 (2) criteria for determining whether the youth's
22 family is indigent; and

23 (3) procedures for administering the funds.

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

Section 1. Section 41-3-1103, MCA, is amended to read:

"41-3-1103. Powers and duties of department. (1) The department shall:

(a) administer all state and federal funds allocated to the department for youth foster homes, youth group homes, and child-care agencies for youth in need of care, youth in need of supervision, and delinquent youth;

(b) exercise licensing authority over all youth foster

homes, youth group homes, and child-care agencies;

(c) collect and disseminate information relating to youth in need of care, youth in need of supervision, and delinquent youth;

(d) provide for training of program personnel delivering services;

(e) in cooperation with the department of institutions and youth care facility providers, develop and implement standards for youth care facilities;

(f) apportion and allocate placement budgets to all judicial districts;

(g) seek public input on the plan prior to its adoption and implementation; and

(h) maintain adequate data on placements it funds in order to keep the legislature properly informed of the following:

(i) the breakdown of youth in need of care, youth in need of supervision, and delinquent youth by category in out-of-home care facilities;

(ii) the cost per facility for services rendered;

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(iv) a profile of out-of-home care placements by level of care; and

(v) a profile of public institutional placements; and

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 2 for residential alcohol and drug abuse treatment for
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 8 or associations OR PRIVATE ORGANIZATIONS to provide
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 10 need of supervision, and delinquent youth;

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 12 property from public and private sources to initiate and
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 15 purposes of this part.

16 (3) The department shall pay for room, board,
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 23 above shall not be the financial responsibility of the
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2 NEW SECTION. Section 2. Extension of authority. Any
 3 existing authority of the department of social and
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 5 provisions of this act is extended to the provisions of this
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7 NEW SECTION. Section 3. Effective date. This act is
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HOUSE

STANDING COMMITTEE REPORT

March 11 19 85
Page 1 of 2

March 11 19 85
Page 2 of 2

Human Services and Aging Committee
Senate Bill No. 121

MR. Speaker

We, your committee on Human Services and Aging

having had under consideration Senate Bill No. 121

third reading copy (blue color)

SRS to administer youth alcohol and drug abuse treatment funds

Respectfully report as follows: That Senate Bill No. 121

SEE ATTACHED STATEMENT OF INTENT

STATEMENT OF INTENT

A statement of intent is desirable for this bill to clarify the existing rulemaking authority granted to the department of social and rehabilitation services under section 41-3-1103(2)(c), MCA, as it applies to the proposed amendment to section 41-3-1103(1), MCA.

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KH
SK
3/13

BE CONCURRED IN
WITH STATEMENT OF INTENT

RELEASE
2-3/8

Rep Keenan
Chairman

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Chairman

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