

SENATE BILL NO. 18

INTRODUCED BY PINSONEAULT

BY REQUEST OF THE COMMITTEE ON INDIAN AFFAIRS

IN THE SENATE

JANUARY 5, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON PUBLIC HEALTH, WELFARE & SAFETY.

JANUARY 15, 1987 COMMITTEE RECOMMEND BILL
DO PASS. REPORT ADOPTED.

JANUARY 16, 1987 PRINTING REPORT.

JANUARY 19, 1987 ON MOTION, TAKEN FROM SECOND READING
AND HELD IN ABEYANCE AT THE DISCRETION
OF THE PRESIDING OFFICER, TO BE HEARD
JOINTLY WITH SB NO. 17.

FEBRUARY 6, 1987 ON MOTION, PLACED ON SECOND READING
THE 34TH LEGISLATIVE DAY.

FEBRUARY 12, 1987 SECOND READING, DO PASS.

FEBRUARY 13, 1987 ENGROSSING REPORT.

FEBRUARY 14, 1987 THIRD READING, PASSED.
AYES, 44; NOES, 4.

TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 18, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON HUMAN SERVICES & AGING.

MARCH 5, 1987 COMMITTEE RECOMMEND BILL BE
CONCURRED IN AS AMENDED. REPORT
ADOPTED.

MARCH 7, 1987 SECOND READING, CONCURRED IN.

MARCH 9, 1987

THIRD READING, CONCURRED IN.
AYES, 77; NOES, 18.

RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

MARCH 20, 1987

RECEIVED FROM HOUSE.

SECOND READING, AMENDMENTS
CONCURRED IN.

MARCH 21, 1987

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

1 SENATE BILL NO. 18
 2 INTRODUCED BY PINSONEAULT
 3 BY REQUEST OF THE COMMITTEE ON INDIAN AFFAIRS
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5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING APPOINTMENT
 6 OF A PERSON KNOWLEDGEABLE ABOUT INDIAN CULTURAL AND FAMILY
 7 MATTERS TO CERTAIN FOSTER CARE REVIEW COMMITTEES; AMENDING
 8 SECTION 41-3-1115, MCA."
 9

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

11 Section 1. Section 41-3-1115, MCA, is amended to read:

12 "41-3-1115. Foster care review committee. (1) In every
 13 judicial district the youth court judge, in consultation
 14 with the department, shall appoint a foster care review
 15 committee. The members of the committee must be willing to
 16 act without compensation. The committee shall be composed of
 17 not less than five or more than seven members. The members
 18 shall include:

- 19 (a) a representative of the department;
- 20 (b) a representative of the youth court;
- 21 (c) someone knowledgeable in the needs of children in
 22 foster care placements who is not employed by the department
 23 or the youth court;
- 24 (d) a representative of a local school district; and
- 25 (e) if the judicial district encompasses a county with

1 an Indian population of 400 or more according to the latest
 2 federal decennial census, someone, preferably an Indian
 3 person, knowledgeable about Indian cultural and family
 4 matters; and

5 ~~(e)~~(f) if there is one, the foster parent of the child
 6 whose care is under review. The foster parent's appointment
 7 is effective only for and during that review.

8 (2) When a child is in foster care under the
 9 supervision of the department or the youth court or if
 10 payment for care is made pursuant to 41-3-1122 or
 11 41-3-1121(2), the committee shall conduct a review of the
 12 foster care status of the child. The review must be
 13 conducted within a time limit established by the department.
 14 The time limit must comply with federal law and may not be
 15 later than the 12-month anniversary date of the child's
 16 placement into foster care.

17 (3) The department shall provide the committee with
 18 guidelines for operation of the committee. Within 30 days of
 19 the foster care review, the committee shall provide the
 20 youth court and the department a written report of its
 21 findings and recommendations for further action by the youth
 22 court or the department.

23 (4) The department shall adopt rules necessary to
 24 carry out the purposes of this section.

25 (5) Because of the individual privacy involved,



LC 0063/01

1 meetings of the committee, reports of the committee, and
2 information on individuals' cases shared by committee
3 members is confidential and subject to the confidentiality
4 requirements of the department.

5 (6) The committee is subject to the call of the youth
6 court judge to meet and confer with him on all matters
7 pertaining to the foster care of a child before the youth
8 court."

-End-

APPROVED BY COMMITTEE
ON PUBLIC HEALTH, WELFARE
& SAFETY

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25 (e) ~~if the judicial-district-encompasses-a-county-with~~

1 ~~CHILD WHOSE CARE UNDER REVIEW IS an Indian population-of-400~~
2 ~~or--more--according--to--the--latest--federal--decennial--census,~~
3 ~~someone, preferably an Indian person, knowledgeable about~~
4 ~~Indian cultural and family matters WHO IS APPOINTED~~
5 ~~EFFECTIVE ONLY FOR AND DURING THAT REVIEW; and~~

6 ~~(e)(f)~~ if there is one, the foster parent of the child
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-End-

STANDING COMMITTEE REPORT

HOUSE

MARCH 5, 19 87

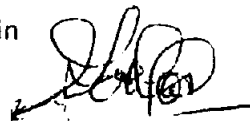
Mr. Speaker: We, the committee on HUMAN SERVICES AND AGING

report SENATE BILL NO. 18

do pass
 do not pass

be concurred in
 be not concurred in

as amended
 statement of intent attached



REP. R. BUDD GOULD,

Chairman

1. Page 1, line 25.

Strike: "judicial district encompasses a county with"

Insert: "child who's care under review is"

2. Page 2, lines 1 and 2.

Strike: "population" on line 1 through "census" on line 2

3. Page 2, line 4.

Following: "matters"

Insert: "who is appointed effective only for and during that review"



REP. RUSSELL WILL CARRY THIS BILL IN THE HOUSE OF REPRESENTATIVES

THIRD reading copy (BLUE)
color