

HOUSE BILL NO. 579

INTRODUCED BY RUSSELL, SCHYE, BROOKE, BOHLINGER

IN THE HOUSE

FEBRUARY 10, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON APPROPRIATIONS.
	FIRST READING.
MARCH 10, 1993	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
MARCH 11, 1993	PRINTING REPORT.
MARCH 13, 1993	ON MOTION, CONSIDERATION PASSED FOR THE DAY.
MARCH 15, 1993	ON MOTION, CONSIDERATION PASSED FOR THE DAY.
MARCH 17, 1993	SECOND READING, DO PASS AS AMENDED.
MARCH 18, 1993	ENGROSSING REPORT.
MARCH 19, 1993	THIRD READING, PASSED. AYES, 81; NOES, 18.
MARCH 22, 1993	TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 22, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON FINANCE & CLAIMS.
	FIRST READING.
APRIL 5, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
APRIL 6, 1993	SECOND READING, CONCURRED IN.
APRIL 7, 1993	THIRD READING, CONCURRED IN. AYES, 32; NOES, 17.
	RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 14, 1993

SECOND READING, AMENDMENTS  
CONCURRED IN.

APRIL 15, 1993

THIRD READING, AMENDMENTS  
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 579  
 2 INTRODUCED BY Russell Lehigh Beale  
 3 Bohlinger  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A MONTANA  
 5 STUDENT VOLUNTEER PROGRAM; ESTABLISHING A SPECIAL REVENUE  
 6 FUND IN WHICH TO DEPOSIT FUNDS FROM PRIVATE AND CORPORATE  
 7 DONORS AND FOUNDATIONS AND FROM FEDERAL GRANT PROGRAMS;  
 8 USING THE FUND TO PROVIDE LIVING ALLOWANCES AND TO PROVIDE  
 9 TUITION VOUCHERS OR PARTIAL STUDENT LOAN REPAYMENTS FOR  
 10 INDIVIDUALS PERFORMING FULL-TIME VOLUNTEER WORK FOR PRIVATE  
 11 NONPROFIT HUMAN AND SOCIAL SERVICE ORGANIZATIONS;  
 12 STATUTORILY APPROPRIATING THE FUND; CREATING A MONTANA  
 13 STUDENT VOLUNTEER PROGRAM COMMITTEE TO IMPLEMENT THE  
 14 PROGRAM; AMENDING SECTION 17-7-502, MCA; AND PROVIDING AN  
 15 IMMEDIATE EFFECTIVE DATE."

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 17 STATEMENT OF INTENT

18 A statement of intent is required for this bill because  
 19 [section 9] grants rulemaking authority to the department of  
 20 commerce.

21 It is the intent of the legislature that the department  
 22 of commerce have authority to adopt rules to implement  
 23 [sections 7 and 8], including specific authority to adopt  
 24 rules regarding:

25 (1) determination of funding sources;

1 (2) policies and procedures for solicitation of funds;  
 2 (3) application of the criteria set forth in [sections  
 3 1 through 9] to the process of determining worksite  
 4 eligibility;  
 5 (4) application of the criteria set forth in [sections  
 6 1 through 9] to the process of determining eligibility of  
 7 applicants for selection as volunteers;  
 8 (5) criteria and procedures for determination of the  
 9 types (i.e., student loan repayment, tuition voucher, living  
 10 allowance, etc.) and amounts of awards to be disbursed to  
 11 program participants; and  
 12 (6) policies and procedures for making the public aware  
 13 of the program's existence, its components, its policies,  
 14 and its purpose.

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

17 NEW SECTION. Section 1. Short title. [Sections 1  
 18 through 9] may be cited as the "Heritage of Montana  
 19 Enterprise Act".

20 NEW SECTION. Section 2. Purposes -- program. (1) The  
 21 purposes of [sections 1 through 9] are to facilitate public  
 22 service and to encourage Montana's college students to  
 23 remain in Montana to pursue their education. These purposes  
 24 are addressed by establishing a fund to solicit, collect,  
 25 and administer money gathered from private and corporate

donors, foundations, and the federal government to be used to provide tuition vouchers or partial student loan repayments and to provide living expense allowances to individuals who perform full-time volunteer work for private nonprofit human and social service organizations in Montana's communities.

(2) To carry out the purposes provided in subsection (1), there is created a Montana student volunteer program. The program must commence in the summer of 1994.

**NEW SECTION. Section 3. Montana student volunteer program fund.** There is a Montana student volunteer program trust fund account in the state special revenue fund. Funds deposited in the account must be used solely for the purposes of the Montana student volunteer program. The funds in the account are statutorily appropriated, as provided in 17-7-502, to the Montana student volunteer program committee.

**NEW SECTION. Section 4. Gifts and grants to program.** The Montana student volunteer program committee may accept contributions, gifts, and grants, in money or otherwise, on behalf of the Montana student volunteer program. Upon receipt, contributions, monetary gifts, and grants must be deposited into the Montana student volunteer program trust fund account established by [section 3].

**NEW SECTION. Section 5. Montana student volunteer**

**program committee -- terms of office.** (1) There is a Montana student volunteer program committee.

(2) The committee consists of seven members, appointed as follows:

(a) a representative of the department of commerce, appointed by the director;

(b) a representative of the department of family services, appointed by the director;

(c) a member of the board of regents, appointed by majority vote of the board;

(d) a representative from either a participating or an eligible worksite, appointed by the governor;

(e) a full-time student enrolled in any unit of the Montana university system, appointed by the commissioner of higher education; and

(f) two representatives of the private sector, appointed by the governor.

(3) At least one member of the committee must be a Native American.

(4) A vacancy on the committee is for the unexpired term and must be filled in the same manner as the original appointment.

(5) The committee shall elect a presiding officer and a vice presiding officer.

(6) The committee shall meet at least twice yearly,

once in July and once in January, beginning in July 1993. Additional meetings may be called by the presiding officer or the vice presiding officer.

(7) Members of the board serve without pay but are entitled to reimbursement for travel, meals, and lodging pursuant to 2-18-501 through 2-18-503.

NEW SECTION. Section 6. Term of office. Committee members serve staggered 2-year terms beginning on January 1 of the year following their appointment.

NEW SECTION. Section 7. Powers and duties of committee. (1) The Montana student volunteer program committee shall solicit donations from private and corporate donors, foundations, the federal government, and any other funding sources it considers appropriate to fund the program's initial planning and organization, as well as its operation. Donations must be deposited in the Montana student volunteer program trust fund account.

(2) The committee shall review applications for prospective worksites. Worksite applicants must be designated as eligible or ineligible. Eligible worksites must, at minimum, be private, nonprofit, nongovernmental, and nonsectarian human or social service agencies whose principal mission is to provide free or at-cost services to underprivileged individuals and families in Montana's communities. In determining the eligibility of worksites,

the committee shall consider each worksite's potential for:

(a) enabling volunteers to perform meaningful and worthwhile work of value to the community and the state; and

(b) providing a meaningful and worthwhile experience to the volunteers, including evidence of the worksite's ability and willingness to provide supervision, support, guidance, and evaluation to volunteers. The committee shall maintain and publish a record of all eligible worksites.

(3) The committee shall review and accept or reject applications for participation in the program. To be eligible a candidate shall, at minimum:

(a) be a Montana resident;

(b) have completed at least 2 years of postsecondary education;

(c) be 18 years of age or older prior to commencement of actual volunteer service;

(d) be selected by an eligible worksite; and

(e) demonstrate the interest, willingness, and ability necessary to perform the services required by the prospective worksite.

(4) Eligible worksites may conduct interviews of potential volunteers and, in accordance with criteria submitted to the committee, select volunteers that will, in their estimation, best suit their needs.

NEW SECTION. Section 8. Determination of awards. (1)

1 Each volunteer must receive a periodic allowance to help  
2 defray living expenses incurred during the volunteer  
3 assignment. The amounts to which volunteers are entitled  
4 under this section must be determined and adjusted  
5 periodically by the committee.

6 (2) In addition, each volunteer may choose:

7 (a) to receive a tuition voucher; or

8 (b) to have a portion of outstanding student loans  
9 repaid by the program in an amount equal to one-half the  
10 value of the tuition voucher to which the volunteer would be  
11 entitled.

12 NEW SECTION. Section 9. Rulemaking authority. The  
13 department of commerce, in consultation with the Montana  
14 student volunteer program committee, shall adopt rules to  
15 implement [sections 7 and 8].

16 NEW SECTION. Section 10. Transition. In order to  
17 provide for staggered terms, members initially appointed to  
18 the Montana student volunteer program committee pursuant to  
19 [section 5(2)(a) through (2)(c)] shall hold office for a  
20 period of 3 years.

21 **Section 11.** Section 17-7-502, MCA, is amended to read:

22 "17-7-502. Statutory appropriations -- definition --  
23 requisites for validity. (1) A statutory appropriation is an  
24 appropriation made by permanent law that authorizes spending  
25 by a state agency without the need for a biennial

1 legislative appropriation or budget amendment.

2 (2) Except as provided in subsection (4), to be  
3 effective, a statutory appropriation must comply with both  
4 of the following provisions:

5 (a) The law containing the statutory authority must be  
6 listed in subsection (3).

7 (b) The law or portion of the law making a statutory  
8 appropriation must specifically state that a statutory  
9 appropriation is made as provided in this section.

10 (3) The following laws are the only laws containing  
11 statutory appropriations: 2-9-202; 2-17-105; 2-18-812;  
12 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111;  
13 15-23-706; 15-25-123; 15-31-702; 15-36-112; 15-37-117;  
14 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411;  
15 17-3-212; 17-5-404; 17-5-424; 17-5-704; 17-5-804; 17-6-409;  
16 17-7-304; 19-5-404; 19-6-709; 19-8-504; 19-9-702; 19-9-1007;  
17 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513;  
18 19-11-606; 19-12-301; 19-13-604; 19-15-101; 20-4-109;  
19 20-6-406; 20-8-111; 20-9-361; 20-26-1503; 22-3-811;  
20 23-5-136; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-631;  
21 23-7-301; 23-7-402; 27-12-206; 37-43-204; 37-51-501;  
22 39-71-2504; 44-12-206; 44-13-102; 53-6-150; 53-24-206;  
23 61-5-121; 67-3-205; 75-1-1101; 75-5-507; 75-5-1108;  
24 75-11-313; 76-12-123; 77-1-808; 80-2-103; 80-11-310;  
25 82-11-136; 82-11-161; 85-1-220; 90-3-301; 90-4-215;

1 90-6-331; 90-7-220; [section 3]; and 90-9-306.

2 (4) There is a statutory appropriation to pay the  
3 principal, interest, premiums, and costs of issuing, paying,  
4 and securing all bonds, notes, or other obligations, as due,  
5 that have been authorized and issued pursuant to the laws of  
6 Montana. Agencies that have entered into agreements  
7 authorized by the laws of Montana to pay the state  
8 treasurer, for deposit in accordance with 17-2-101 through  
9 17-2-107, as determined by the state treasurer, an amount  
10 sufficient to pay the principal and interest as due on the  
11 bonds or notes have statutory appropriation authority for  
12 the payments. (In subsection (3): pursuant to sec. 7, Ch.  
13 567, L. 1991, the inclusion of 19-6-709 terminates upon  
14 death of last recipient eligible for supplemental benefit;  
15 and pursuant to sec. 18, Ch. 748, L. 1991, the inclusion of  
16 22-3-811 terminates June 30, 1993.)"

17 NEW SECTION. Section 12. Effective date. [This act] is  
18 effective on passage and approval.

-End-

## STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0579, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act creating a Montana student volunteer program; establishing a special revenue fund in which to deposit funds from private and corporate donors and foundations and from federal grant programs. Statutorily appropriating the fund; creating a Montana student volunteer program committee to implement the program.

ASSUMPTIONS:Department of Commerce:

1. Grants and donations are statutorily appropriated to the Montana student volunteer program committee for operating costs, tuition vouchers, student loan repayments & living expense allowances for student volunteers funded by the committee.
2. 25 pages of rules will be adopted in FY94 and 5 pages of rules will be adopted in FY95.
3. Publicity and advertising for the program will cost \$1,000 per year.
4. The committee will hold 3 meetings in FY94 and 3 meetings in FY95.
5. Grants will be made starting in the summer of 1994.
6. Secretarial contract will be required each year in the amount \$480.

Montana University System:

1. The Montana student volunteer program would be responsible for the board members expenses.
2. The Montana student volunteer program would transfer from its funds to the Montana University System the full value of the tuition vouchers.
3. The Montana student volunteer program would use funds from its account to pay lenders half the value of tuition vouchers used to repay student loans.

FISCAL IMPACT:Department of Commerce:

	FY '94			FY '95		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
<u>Expenditures:</u>						
Operating	0	4,539	4,639	0	3,939	3,939
Grants	0	5,361	5,361	0	11,061	11,061
Total	0	10,000	10,000	0	15,000	15,000
<u>Funding:</u>						
Special Revenue	0	10,000	10,000	0	15,000	15,000
(continued)						

*David Lewis* 3-17-93  
 DAVID LEWIS, BUDGET DIRECTOR DATE  
 Office of Budget and Program Planning

*Angela Russell* 2/18/93  
 ANGELA RUSSELL, PRIMARY SPONSOR DATE  
 Fiscal Note for HB0579, as introduced  
 HB 579



Fiscal Note Request, HB0579, as introduced  
Form BD-15 page 2  
(continued)

FISCAL IMPACT:

Montana University System: None

TECHNICAL NOTES:

1. The "committee" does not appear to be attached to an agency of state government as required by law.
2. This program fits with the more comprehensive Montana Community Service Act [LC 1573] which proposes living allowances and vouchers for students be administered through the Montana University System, pursuant to the National and Community Service Act of 1990 (P.L. 101-610, as amended). Coordination of the two measures may be beneficial.

APPROVED BY COMMITTEE  
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3 Bokling  
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(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

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3 principal, interest, premiums, and costs of issuing, paying,  
4 and securing all bonds, notes, or other obligations, as due,  
5 that have been authorized and issued pursuant to the laws of  
6 Montana. Agencies that have entered into agreements  
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17 NEW SECTION. **Section 12.** Effective date. [This act] is  
18 effective on passage and approval.

-End-

## HOUSE BILL NO. 579

INTRODUCED BY RUSSELL, SCHYE, BROOKE, BOHLINGER

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A MONTANA STUDENT VOLUNTEER PROGRAM; ESTABLISHING A SPECIAL REVENUE FUND IN WHICH TO DEPOSIT FUNDS FROM PRIVATE AND CORPORATE DONORS AND FOUNDATIONS AND FROM FEDERAL GRANT PROGRAMS; USING THE FUND TO PROVIDE LIVING ALLOWANCES AND TO PROVIDE TUITION VOUCHERS OR PARTIAL STUDENT LOAN REPAYMENTS FOR INDIVIDUALS PERFORMING FULL-TIME VOLUNTEER WORK FOR PRIVATE NONPROFIT HUMAN AND SOCIAL SERVICE ORGANIZATIONS; STATUTORILY APPROPRIATING THE FUND; CREATING A MONTANA STUDENT VOLUNTEER PROGRAM COMMITTEE TO IMPLEMENT THE PROGRAM; AMENDING SECTION 17-7-502, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

## STATEMENT OF INTENT

A statement of intent is required for this bill because [section 9] grants rulemaking authority to the department of commerce.

It is the intent of the legislature that the department of commerce have authority to adopt rules to implement [sections 7 and 8], including specific authority to adopt rules regarding:

- (1) determination of funding sources;

- (2) policies and procedures for solicitation of funds;
- (3) application of the criteria set forth in [sections 1 through 9] to the process of determining worksite eligibility;
- (4) application of the criteria set forth in [sections 1 through 9] to the process of determining eligibility of applicants for selection as volunteers;
- (5) criteria and procedures for determination of the types (i.e., student loan repayment, tuition voucher, living allowance, etc.) and amounts of awards to be disbursed to program participants; and
- (6) policies and procedures for making the public aware of the program's existence, its components, its policies, and its purpose.

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

NEW SECTION. **Section 1.** Short title. [Sections 1 through 9] may be cited as the "Heritage of Montana Enterprise Act".

NEW SECTION. **Section 2.** Purposes -- program. (1) The purposes of [sections 1 through 9] are to facilitate public service and to encourage Montana's college students to remain in Montana to pursue their education. These purposes are addressed by establishing a fund to solicit, collect, and administer money gathered from private and corporate

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**NEW SECTION. Section 4.** Gifts and grants to program. The Montana student volunteer program committee may accept contributions, gifts, and grants, in money or otherwise, on behalf of the Montana student volunteer program. Upon receipt, contributions, monetary gifts, and grants must be deposited into the Montana student volunteer program trust fund account established by [section 3].

**NEW SECTION. Section 5.** Montana student volunteer

program committee -- terms of office. (1) There is a Montana student volunteer program committee.

(2) The committee consists of seven members, appointed as follows:

(a) a representative of the department of commerce, appointed by the director;

(b) a representative of the department of family services, appointed by the director;

(c) a member of the board of regents, appointed by majority vote of the board;

(d) a representative from either a participating or an eligible worksite, appointed by the governor;

(e) a full-time student enrolled in any unit of the Montana university system, appointed by the commissioner-of higher-education UNIVERSITY SYSTEM STUDENT BODY GOVERNMENTS; and

(f) two representatives of the private sector, appointed by the governor.

(3) At least one member of the committee must be a Native American.

(4) A vacancy on the committee is for the unexpired term and must be filled in the same manner as the original appointment.

(5) The committee shall elect a presiding officer and a vice presiding officer.



(6) The committee shall meet at least twice yearly, once in July and once in January, beginning in July 1993. Additional meetings may be called by the presiding officer or the vice presiding officer.

(7) Members of the board serve without pay but are entitled to reimbursement for travel, meals, and lodging pursuant to 2-18-501 through 2-18-503.

NEW SECTION. Section 6. Term of office. Committee members serve staggered 2-year terms beginning on January 1 of the year following their appointment.

NEW SECTION. Section 7. Powers and duties of committee. (1) The Montana student volunteer program committee shall solicit donations from private and corporate donors, foundations, the federal government, and any other funding sources it considers appropriate to fund the program's initial planning and organization, as well as its operation. Donations must be deposited in the Montana student volunteer program trust fund account.

(2) The committee shall review applications for prospective worksites. Worksite applicants must be designated as eligible or ineligible. Eligible worksites must, at minimum, be private, nonprofit, nongovernmental, and nonsectarian human or social service agencies whose principal mission is to provide free or at-cost services to underprivileged individuals and families in Montana's

communities. In determining the eligibility of worksites, the committee shall consider each worksite's potential for:

(a) enabling volunteers to perform meaningful and worthwhile work of value to the community and the state; and

(b) providing a meaningful and worthwhile experience to the volunteers, including evidence of the worksite's ability and willingness to provide supervision, support, guidance, and evaluation to volunteers. The committee shall maintain and publish a record of all eligible worksites.

(3) The committee shall review and accept or reject applications for participation in the program. To be eligible a candidate shall, at minimum:

(a) be a Montana resident;

(b) have completed at least 2 years of postsecondary education;

(c) be 18 years of age or older prior to commencement of actual volunteer service;

(d) be selected by an eligible worksite; and

(e) demonstrate the interest, willingness, and ability necessary to perform the services required by the prospective worksite.

(4) Eligible worksites may conduct interviews of potential volunteers and, in accordance with criteria submitted to the committee, select volunteers that will, in their estimation, best suit their needs.

**NEW SECTION. Section 8. Determination of awards. (1)**

Each volunteer must receive a periodic allowance to help defray living expenses incurred during the volunteer assignment. The amounts to which volunteers are entitled under this section must be determined and adjusted periodically by the committee.

(2) In addition, each volunteer may choose:

(a) to receive a tuition voucher; or

(b) to have a portion of outstanding student loans repaid by the program in an amount equal to one-half the value of the tuition voucher to which the volunteer would be entitled.

**NEW SECTION. Section 9. Rulemaking authority. The**

department of commerce, in consultation with the Montana student volunteer program committee, shall adopt rules to implement [sections 7 and 8].

**NEW SECTION. Section 10. Transition. In order to**

provide for staggered terms, members initially appointed to the Montana student volunteer program committee pursuant to [section 5(2)(a) through (2)(c)] shall hold office for a period of 3 years.

**Section 11. Section 17-7-502, MCA, is amended to read:**

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending

by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111; 15-23-706; 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-704; 17-5-804; 17-6-409; 17-7-304; 19-5-404; 19-6-709; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 19-15-101; 20-4-109; 20-6-406; 20-8-111; 20-9-361; 20-26-1503; 22-3-811; 23-5-136; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-631; 23-7-301; 23-7-402; 27-12-206; 37-43-204; 37-51-501; 39-71-2504; 44-12-206; 44-13-102; 53-6-150; 53-24-206; 61-5-121; 67-3-205; 75-1-1101; 75-5-507; 75-5-1108; 75-11-313; 76-12-123; 77-1-808; 80-2-103; 80-11-310;

1 82-11-136; 82-11-161; 85-1-220; 90-3-301; 90-4-215;  
2 90-6-331; 90-7-220; [section 3]; and 90-9-306.

3 (4) There is a statutory appropriation to pay the  
4 principal, interest, premiums, and costs of issuing, paying,  
5 and securing all bonds, notes, or other obligations, as due,  
6 that have been authorized and issued pursuant to the laws of  
7 Montana. Agencies that have entered into agreements  
8 authorized by the laws of Montana to pay the state  
9 treasurer, for deposit in accordance with 17-2-101 through  
10 17-2-107, as determined by the state treasurer, an amount  
11 sufficient to pay the principal and interest as due on the  
12 bonds or notes have statutory appropriation authority for  
13 the payments. (In subsection (3): pursuant to sec. 7, Ch.  
14 567, L. 1991, the inclusion of 19-6-709 terminates upon  
15 death of last recipient eligible for supplemental benefit;  
16 and pursuant to sec. 18, Ch. 748, L. 1991, the inclusion of  
17 22-3-811 terminates June 30, 1993.)"

18 NEW SECTION. **Section 12.** Effective date. [This act] is  
19 effective on passage and approval.

-End-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1  
April 3, 1993

MR. PRESIDENT:

We, your committee on Finance and Claims having had under consideration House Bill No. 579 (third reading copy -- blue), respectfully report that House Bill No. 579 be amended as follows and as so amended be concurred in.

Signed: Judy H. Jacobson  
Senator Judy H. Jacobson, Chair

That such amendments read:

1. Page 9, line 18.

Following: line 17

Insert: "NEW SECTION. Section 12. Coordination instruction. If House Bill No. 660 is passed and approved and if it creates an office of community service, then all references to the department of commerce in [this act] are changed to references to the office of community service."

Renumber: subsequent section

-END-

M Amd. Coord.  
W Sec. of Senate

Jacobson  
Senator Carrying Bill

SENATE  
HB 579  
751225SC.Sma

## 1 HOUSE BILL NO. 579

2 INTRODUCED BY RUSSELL, SCHYE, BROOKE, BOHLINGER

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A MONTANA  
5 STUDENT VOLUNTEER PROGRAM; ESTABLISHING A SPECIAL REVENUE  
6 FUND IN WHICH TO DEPOSIT FUNDS FROM PRIVATE AND CORPORATE  
7 DONORS AND FOUNDATIONS AND FROM FEDERAL GRANT PROGRAMS;  
8 USING THE FUND TO PROVIDE LIVING ALLOWANCES AND TO PROVIDE  
9 TUITION VOUCHERS OR PARTIAL STUDENT LOAN REPAYMENTS FOR  
10 INDIVIDUALS PERFORMING FULL-TIME VOLUNTEER WORK FOR PRIVATE  
11 NONPROFIT HUMAN AND SOCIAL SERVICE ORGANIZATIONS;  
12 STATUTORILY APPROPRIATING THE FUND; CREATING A MONTANA  
13 STUDENT VOLUNTEER PROGRAM COMMITTEE TO IMPLEMENT THE  
14 PROGRAM; AMENDING SECTION 17-7-502, MCA; AND PROVIDING AN  
15 IMMEDIATE EFFECTIVE DATE."

16  
17 STATEMENT OF INTENT

18 A statement of intent is required for this bill because  
19 [section 9] grants rulemaking authority to the department of  
20 commerce.

21 It is the intent of the legislature that the department  
22 of commerce have authority to adopt rules to implement  
23 [sections 7 and 8], including specific authority to adopt  
24 rules regarding:

25 (1) determination of funding sources;

1 (2) policies and procedures for solicitation of funds;

2 (3) application of the criteria set forth in [sections  
3 1 through 9] to the process of determining worksite  
4 eligibility;

5 (4) application of the criteria set forth in [sections  
6 1 through 9] to the process of determining eligibility of  
7 applicants for selection as volunteers;

8 (5) criteria and procedures for determination of the  
9 types (i.e., student loan repayment, tuition voucher, living  
10 allowance, etc.) and amounts of awards to be disbursed to  
11 program participants; and

12 (6) policies and procedures for making the public aware  
13 of the program's existence, its components, its policies,  
14 and its purpose.

15  
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

17 NEW SECTION. Section 1. Short title. [Sections 1  
18 through 9] may be cited as the "Heritage of Montana  
19 Enterprise Act".

20 NEW SECTION. Section 2. Purposes -- program. (1) The  
21 purposes of [sections 1 through 9] are to facilitate public  
22 service and to encourage Montana's college students to  
23 remain in Montana to pursue their education. These purposes  
24 are addressed by establishing a fund to solicit, collect,  
25 and administer money gathered from private and corporate

donors, foundations, and the federal government to be used to provide tuition vouchers or partial student loan repayments and to provide living expense allowances to individuals who perform full-time volunteer work for private nonprofit human and social service organizations in Montana's communities.

(2) To carry out the purposes provided in subsection (1), there is created a Montana student volunteer program. The program must commence in the summer of 1994.

**NEW SECTION. Section 3.** Montana student volunteer program fund. There is a Montana student volunteer program trust fund account in the state special revenue fund. Funds deposited in the account must be used solely for the purposes of the Montana student volunteer program. The funds in the account are statutorily appropriated, as provided in 17-7-502, to the Montana student volunteer program committee.

**NEW SECTION. Section 4.** Gifts and grants to program. The Montana student volunteer program committee may accept contributions, gifts, and grants, in money or otherwise, on behalf of the Montana student volunteer program. Upon receipt, contributions, monetary gifts, and grants must be deposited into the Montana student volunteer program trust fund account established by [section 3].

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4 principal, interest, premiums, and costs of issuing, paying,  
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15 death of last recipient eligible for supplemental benefit;  
16 and pursuant to sec. 18, Ch. 748, L. 1991, the inclusion of  
17 22-3-811 terminates June 30, 1993.)"

18 NEW SECTION. SECTION 12. COORDINATION INSTRUCTION. IF  
19 HOUSE BILL NO. 660 IS PASSED AND APPROVED AND IF IT CREATES  
20 AN OFFICE OF COMMUNITY SERVICE, THEN ALL REFERENCES TO THE  
21 DEPARTMENT OF COMMERCE IN [THIS ACT] ARE CHANGED TO  
22 REFERENCES TO THE OFFICE OF COMMUNITY SERVICE.

23 NEW SECTION. Section 13. Effective date. [This act] is  
24 effective on passage and approval.

-End-