

SENATE BILL NO. 187

INTRODUCED BY ECK, R. JOHNSON
BY REQUEST OF THE DEPARTMENT OF FAMILY SERVICES

IN THE SENATE

JANUARY 18, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, WELFARE, & SAFETY. FIRST READING.
JANUARY 26, 1993	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 27, 1993	PRINTING REPORT. SECOND READING, DO PASS.
JANUARY 28, 1993	ENGROSSING REPORT. THIRD READING, PASSED. AYES, 45; NOES, 0. TRANSMITTED TO HOUSE.

IN THE HOUSE

JANUARY 30, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON HUMAN SERVICES & AGING. FIRST READING.
FEBRUARY 11, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 2, 1993	SECOND READING, CONCURRED IN.
MARCH 5, 1993	THIRD READING, CONCURRED IN. AYES, 79; NOES, 20. RETURNED TO SENATE.

IN THE SENATE

MARCH 8, 1993	RECEIVED FROM HOUSE. SENT TO ENROLLING. REPORTED CORRECTLY ENROLLED.
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Senate BILL NO. 187

INTRODUCED BY Eck

BY REQUEST OF THE DEPARTMENT OF FAMILY SERVICES

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE STATE YOUTH SERVICES COUNCIL AND THE YOUTH SERVICES ADVISORY COUNCILS; RENAMING THE STATE COUNCIL AS THE "STATE FAMILY SERVICES COUNCIL"; REQUIRING THE GOVERNOR TO APPOINT MEMBERS TO THE STATE COUNCIL; REQUIRING THAT CERTAIN PEOPLE SERVE ON THE STATE COUNCIL; ASSIGNING SPECIFIC DUTIES TO THE STATE COUNCIL; RENAMING THE ADVISORY COUNCILS AS "FAMILY SERVICES ADVISORY COUNCILS"; ALLOWING FOR AN INCREASE IN THE NUMBER OF MEMBERS ON THE ADVISORY COUNCILS; REQUIRING THAT MEMBERS OF BOTH THE STATE COUNCIL AND THE ADVISORY COUNCILS HAVE KNOWLEDGE IN SPECIFIC AREAS RELATING TO FAMILY SERVICES; AMENDING SECTIONS 52-1-103, 52-1-202, 52-1-203, AND 52-2-704, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 52-1-103, MCA, is amended to read:

"52-1-103. Powers and duties of department. The department shall:

(1) administer and supervise all forms of child and adult protective services;

(2) act as the lead agency in coordinating and planning

services to children with multiagency service needs;

(3) provide funding for and place youth alleged or adjudicated to be delinquent or in need of supervision who are referred or committed to the department;

(4) provide the following functions, as necessary, for youth in need of care:

(a) intake, investigation, case management, and client supervision;

(b) placement in youth care facilities;

(c) contracting for necessary services;

(d) protective services day care; and

(e) adoption;

(5) administer youth correctional facilities;

(6) provide supervision, care, and control of youth released from a state youth correctional facility;

(7) license youth care facilities, child-placing agencies, day-care facilities, community homes for developmentally disabled persons, community homes for severely disabled persons, and adult foster care facilities;

(8) act as lead agency in implementing and coordinating child-care programs and services under the Montana Child Care Act;

(9) administer interstate compacts for children and delinquent youth;

(10) (a) administer child abuse prevention services

1 funded through child abuse grants and the Montana children's
2 trust fund provided for in Title 41, chapter 3, part 7; and

3 (b) administer elder abuse prevention services;

4 (11) (a) make a written evaluation of each plan
5 developed by the local youth family services advisory
6 councils, as provided in 52-1-203, indicating those portions
7 of each plan that will be implemented by the department,
8 those portions that will not be implemented, and the reasons
9 for not implementing those portions;

10 (b) develop a statewide youth services and resources
11 plan that takes into consideration local needs as reflected
12 in plans developed by the local youth family services
13 advisory councils;

14 (12) administer services to the aged;

15 (13) provide consultant services to:

16 (a) facilities providing care for needy, indigent,
17 handicapped, or dependent adults; and

18 (b) youth care facilities;

19 (14) utilize at maximum efficiency the resources of
20 state government in a coordinated effort to:

21 (a) provide for children in need of temporary
22 protection or correctional services; and

23 (b) coordinate and apply the principles of modern
24 institutional administration to the institutions in the
25 department;

1 (15) subject to the functions of the department of
2 administration, lease or purchase lands for use by
3 institutions in the department and classify those lands to
4 determine which are of such character as to be most
5 profitably used for agricultural purposes, taking into
6 consideration:

7 (a) the needs of all institutions in the department for
8 the food products that can be grown or produced on the
9 lands; and

10 (b) the relative value of agricultural programs in the
11 treatment or rehabilitation of the persons confined in the
12 institutions in the department;

13 (16) utilize the staff and services of other state
14 agencies and units of the Montana university system, within
15 their respective statutory functions, to carry out its
16 functions under this title;

17 (17) propose programs with specific goals and objectives
18 to the legislature to meet the projected long-range needs of
19 institutions in the department, including programs and
20 facilities for the diagnosis, treatment, care, and aftercare
21 of persons placed in institutions in the department;

22 (18) contract, as necessary, with the county board of
23 welfare for administration of child and adult protection
24 services for that county; and

25 (19) adopt rules necessary to carry out the purposes of

41-3-1126, 41-5-527 through 41-5-529, and this chapter."

Section 2. Section 52-1-202, MCA, is amended to read:

"52-1-202. State youth family services council -- membership. (1) (a) The governor may shall appoint a presiding officer and up to three other members to 2-year terms on the state planning--and--advisory family services council or--designate--an--existing--council to advise the director on policies relating to services to children--and youth and families.

(b) The governor may also appoint the presiding officers of legislative committees that are related to youth and family services to serve as members of the council.

(c) Presiding officers of the local family services advisory councils representing each of the department's regional service areas shall serve on the state council.

(2) The council shall:

(a) develop a strategic plan for the department;

(b) advise the governor, the department, and other state agencies on local needs and services for youth and families;

(c) advocate for youth and families; and

(d) coordinate and communicate with local communities and councils.

(2)(3) A member of the council must have knowledge of and experience in at least one of the following areas:

~~(a)--services-to:~~

~~(i)--youth-in-need-of-care;~~

~~(ii)--youth-in-need-of-supervision;~~

~~(iii)--delinquent-youth;~~

~~(iv)--emotionally-disturbed-youth;-or~~

~~(v)--chemically-dependent-youth;-or~~

~~(b)--domestic-violence-issues-~~

(a) reservation and urban Indian issues;

(b) methods of prevention and treatment to minimize risk for abuse and neglect;

(c) juvenile corrections; or

(d) parent or family issues.

~~(3)(4)~~ Membership of the council must include as many of these areas of expertise as possible.

~~(4)(5)~~ Members must be compensated and reimbursed as provided for in 2-15-122."

Section 3. Section 52-1-203, MCA, is amended to read:

"52-1-203. Local youth family services advisory councils. (1) The department shall establish a local youth family services advisory council within each local service area to ensure a broad-based community plan for children-and youth and family services within the area. A local youth family services advisory council may act in an advisory capacity only. Each local advisory council consists of at least seven 7 members and not more than 13 members. The

1 director shall appoint members to each local advisory
 2 council. At least two members must be nominated by the
 3 county commissioners within the area, ~~and at least two~~
 4 ~~members must be nominated by district court judges within~~
 5 ~~the area.~~ Members of the local advisory councils must be
 6 broadly representative of the local service area and may not
 7 be employed by or under contract to the department or the
 8 youth court. A member of the local council must have
 9 knowledge of at least one of the following areas:

- 10 (a) reservation and urban Indian issues;
- 11 (b) methods of prevention and treatment to minimize
- 12 risk for abuse and neglect;
- 13 (c) juvenile corrections; or
- 14 (d) parent or family issues.

15 (2) The department shall provide technical assistance
 16 to the local advisory councils as necessary.

17 (3) Each local advisory council shall:

18 (a) make an annual written review and evaluation of
 19 needs and services within the local service area and provide
 20 a copy of the review and evaluation to the state planning
 21 and advisory council;

22 (b) advise the department, other state agencies,
 23 councils, local governments, and private organizations on
 24 programs for services to ~~the children and youth~~ and families
 25 within the local service area; and

1 (c) develop a plan with specific goals and objectives
 2 for a system of community-based services for ~~the children~~
 3 and youth and families within the local service area and
 4 provide a copy of the plan to the state planning and
 5 advisory council.

6 (4) Members must be compensated and reimbursed as
 7 provided for in 2-15-122."

8 **Section 4.** Section 52-2-704, MCA, is amended to read:

9 "52-2-704. Lead agency -- duties of department. (1) The
 10 department is designated as the lead agency for the purposes
 11 of planning, implementing, and coordinating programs under
 12 the Montana Child Care Act.

13 (2) The department shall:

14 (a) assess child-care needs and resources within the
 15 state;

16 (b) develop a state child-care plan after consultation
 17 with the local youth family services advisory councils
 18 established under 52-1-203 and the child-care advisory
 19 council established in 52-2-705;

20 (c) coordinate child-care programs administered by the
 21 department and the departments of social and rehabilitation
 22 services, health and environmental sciences, and labor and
 23 industry;

24 (d) issue licenses to persons to receive children into
 25 a day-care center on a regular basis;

1 (e) prescribe the conditions and publish minimum
2 standards upon which licenses and registration certificates
3 are issued;

4 (f) adopt rules for day-care facilities consistent with
5 the purposes of this part; and

6 (g) issue registration certificates to a person or
7 persons to receive children into a family day-care home or
8 group day-care home on a regular basis.

9 (3) The department may:

10 (a) enter into interagency agreements to administer and
11 coordinate child-care programs;

12 (b) accept any federal funds made available for the
13 improvement or promotion of child-care services within the
14 state;

15 (c) administer any state and federal funds that may be
16 appropriated for the purposes of the part."

17 NEW SECTION. **Section 5.** Code commissioner instruction.

18 The code commissioner shall change any reference to a "youth
19 services advisory council" that appears in legislation
20 enacted by the 53rd legislature to "family services advisory
21 council".

22 NEW SECTION. **Section 6.** Effective date. [This act] is
23 effective July 1, 1993.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0187, as introduced.

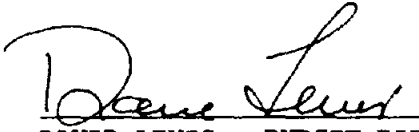
DESCRIPTION OF PROPOSED LEGISLATION: This bill revises the State Youth Services Council and Youth Services Advisory Council; requires the Governor to appoint members to the state council; renames the state council as the State Family Services Council; requires members of the council to have certain areas of knowledge.

ASSUMPTIONS:

1. There will be six (6) meetings a year of the State Family Services Council.
2. The cost for a council meeting averages \$2,000.
3. There would be no new revenue generated by this bill.
4. The Department of Family Services will not have any additional costs for the operation of the council.

FISCAL IMPACT:

None.

 1-23-93
DAVID LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

 1-24-93
DOROTHY ECK, PRIMARY SPONSOR DATE

Fiscal Note for SB0187, as introduced

SB 187

APPROVED BY COMMITTEE
ON PUBLIC HEALTH, WELFARE
& SAFETY

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INTRODUCED BY ECK, R. JOHNSON

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9 lands; and

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11 treatment or rehabilitation of the persons confined in the
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14 agencies and units of the Montana university system, within
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18 to the legislature to meet the projected long-range needs of
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20 facilities for the diagnosis, treatment, care, and aftercare
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22 (18) contract, as necessary, with the county board of
23 welfare for administration of child and adult protection
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(c) Presiding officers of the local family services advisory councils representing each of the department's regional service areas shall serve on the state council.

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(b) methods of prevention and--treatment to minimize risk for abuse and neglect;

(c) juvenile corrections; or

(d) parent or family issues;

(E) EMOTIONALLY DISTURBED YOUTH; OR

(F) TREATMENT AND CARE OF ABUSED AND NEGLECTED CHILDREN.

~~(3)(4)~~ Membership of the council must include as many of these areas of expertise as possible.

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1 family services advisory council may act in an advisory
 2 capacity only. Each local advisory council consists of at
 3 least seven 7 members and not more than 13 members. The
 4 director shall appoint members to each local advisory
 5 council. At least two members must be nominated by the
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 7 ~~members must be nominated by district court judges within~~
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 22 to the local advisory councils as necessary.

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24 (a) make an annual written review and evaluation of
 25 needs and services within the local service area and provide

1 a copy of the review and evaluation to the state planning
 2 and advisory council;

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 5 programs for services to ~~the children and~~ youth and families
 6 within the local service area; and

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 9 and youth and families within the local service area and
 10 provide a copy of the plan to the state planning and
 11 advisory council.

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 13 provided for in 2-15-122."

14 **Section 4.** Section 52-2-704, MCA, is amended to read:

15 "52-2-704. **Lead agency -- duties of department.** (1) The
 16 department is designated as the lead agency for the purposes
 17 of planning, implementing, and coordinating programs under
 18 the Montana Child Care Act.

19 (2) The department shall:

20 (a) assess child-care needs and resources within the
 21 state;

22 (b) develop a state child-care plan after consultation
 23 with the local youth family services advisory councils
 24 established under 52-1-203 and the child-care advisory
 25 council established in 52-2-705;

(c) coordinate child-care programs administered by the department and the departments of social and rehabilitation services, health and environmental sciences, and labor and industry;

(d) issue licenses to persons to receive children into a day-care center on a regular basis;

(e) prescribe the conditions and publish minimum standards upon which licenses and registration certificates are issued;

(f) adopt rules for day-care facilities consistent with the purposes of this part; and

(g) issue registration certificates to a person or persons to receive children into a family day-care home or group day-care home on a regular basis.

(3) The department may:

(a) enter into interagency agreements to administer and coordinate child-care programs;

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NEW SECTION. **Section 5.** Code commissioner instruction.

The code commissioner shall change any reference to a "youth services advisory council" that appears in legislation

enacted by the 53rd legislature to "family services advisory council".

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(v) ~~emotionally-disturbed youth; or~~

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1 family services advisory council may act in an advisory
 2 capacity only. Each local advisory council consists of at
 3 least seven 7 members and not more than 13 members. The
 4 director shall appoint members to each local advisory
 5 council. At least two members must be nominated by the
 6 county commissioners within the area;--and--at-least-two
 7 ~~members-must-be-nominated-by-district--court--judges--within~~
 8 ~~the--area.~~ Members of the local advisory councils must be
 9 broadly representative of the local service area and-may-not
 10 ~~be-employed-by-or-under-contract-to-the--department--or--the~~
 11 ~~youth--court.~~ A member of the local council must have
 12 knowledge of at least one of the following areas:

- 13 (a) reservation and urban Indian issues;
- 14 (b) methods of prevention and--treatment to minimize
 15 risk for abuse and neglect;
- 16 (c) juvenile corrections; or
- 17 (d) parent or family issues;
- 18 (E) EMOTIONALLY DISTURBED YOUTH; OR
- 19 (F) TREATMENT AND CARE OF ABUSED AND NEGLECTED
 20 CHILDREN.

21 (2) The department shall provide technical assistance
 22 to the local advisory councils as necessary.

23 (3) Each local advisory council shall:

24 (a) make an annual written review and evaluation of
 25 needs and services within the local service area and provide

1 a copy of the review and evaluation to the state planning
 2 and advisory council;

3 (b) advise the department, other state agencies,
 4 councils, local governments, and private organizations on
 5 programs for services to the-children-and youth and families
 6 within the local service area; and

7 (c) develop a plan with specific goals and objectives
 8 for a system of community-based services for the--children
 9 and youth and families within the local service area and
 10 provide a copy of the plan to the state planning and
 11 advisory council.

12 (4) Members must be compensated and reimbursed as
 13 provided for in 2-15-122."

14 **Section 4.** Section 52-2-704, MCA, is amended to read:

15 **"52-2-704. Lead agency -- duties of department.** (1) The
 16 department is designated as the lead agency for the purposes
 17 of planning, implementing, and coordinating programs under
 18 the Montana Child Care Act.

19 (2) The department shall:

20 (a) assess child-care needs and resources within the
 21 state;

22 (b) develop a state child-care plan after consultation
 23 with the local youth family services advisory councils
 24 established under 52-1-203 and the child-care advisory
 25 council established in 52-2-705;

1 (c) coordinate child-care programs administered by the
2 department and the departments of social and rehabilitation
3 services, health and environmental sciences, and labor and
4 industry;

5 (d) issue licenses to persons to receive children into
6 a day-care center on a regular basis;

7 (e) prescribe the conditions and publish minimum
8 standards upon which licenses and registration certificates
9 are issued;

10 (f) adopt rules for day-care facilities consistent with
11 the purposes of this part; and

12 (g) issue registration certificates to a person or
13 persons to receive children into a family day-care home or
14 group day-care home on a regular basis.

15 (3) The department may:

16 (a) enter into interagency agreements to administer and
17 coordinate child-care programs;

18 (b) accept any federal funds made available for the
19 improvement or promotion of child-care services within the
20 state;

21 (c) administer any state and federal funds that may be
22 appropriated for the purposes of the part."

23 NEW SECTION. Section 5. Code commissioner instruction.

24 The code commissioner shall change any reference to a "youth
25 services advisory council" that appears in legislation

1 enacted by the 53rd legislature to "family services advisory
2 council".

3 NEW SECTION. Section 6. Effective date. [This act] is
4 effective July 1, 1993.

-End-

1 SENATE BILL NO. 187

2 INTRODUCED BY ECK, R. JOHNSON

3 BY REQUEST OF THE DEPARTMENT OF FAMILY SERVICES

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE
6 STATE YOUTH SERVICES COUNCIL AND THE YOUTH SERVICES ADVISORY
7 COUNCILS; RENAMING THE STATE COUNCIL AS THE "STATE FAMILY
8 SERVICES COUNCIL"; REQUIRING THE GOVERNOR TO APPOINT MEMBERS
9 TO THE STATE COUNCIL; REQUIRING THAT CERTAIN PEOPLE SERVE ON
10 THE STATE COUNCIL; ASSIGNING SPECIFIC DUTIES TO THE STATE
11 COUNCIL; RENAMING THE ADVISORY COUNCILS AS "FAMILY SERVICES
12 ADVISORY COUNCILS"; ALLOWING FOR AN INCREASE IN THE NUMBER
13 OF MEMBERS ON THE ADVISORY COUNCILS; REQUIRING THAT MEMBERS
14 OF BOTH THE STATE COUNCIL AND THE ADVISORY COUNCILS HAVE
15 KNOWLEDGE IN SPECIFIC AREAS RELATING TO FAMILY SERVICES;
16 AMENDING SECTIONS 52-1-103, 52-1-202, 52-1-203, AND
17 52-2-704, MCA; AND PROVIDING AN EFFECTIVE DATE."

18
19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:20 **Section 1.** Section 52-1-103, MCA, is amended to read:21 "52-1-103. Powers and duties of department. The
22 department shall:23 (1) administer and supervise all forms of child and
24 adult protective services;

25 (2) act as the lead agency in coordinating and planning

1 services to children with multiagency service needs;

2 (3) provide funding for and place youth alleged or
3 adjudicated to be delinquent or in need of supervision who
4 are referred or committed to the department;5 (4) provide the following functions, as necessary, for
6 youth in need of care:7 (a) intake, investigation, case management, and client
8 supervision;

9 (b) placement in youth care facilities;

10 (c) contracting for necessary services;

11 (d) protective services day care; and

12 (e) adoption;

13 (5) administer youth correctional facilities;

14 (6) provide supervision, care, and control of youth
15 released from a state youth correctional facility;16 (7) license youth care facilities, child-placing
17 agencies, day-care facilities, community homes for
18 developmentally disabled persons, community homes for
19 severely disabled persons, and adult foster care facilities;20 (8) act as lead agency in implementing and coordinating
21 child-care programs and services under the Montana Child
22 Care Act;23 (9) administer interstate compacts for children and
24 delinquent youth;

25 (10) (a) administer child abuse prevention services

1 funded through child abuse grants and the Montana children's
 2 trust fund provided for in Title 41, chapter 3, part 7; and
 3 (b) administer elder abuse prevention services;
 4 (11) (a) make a written evaluation of each plan
 5 developed by the local youth family services advisory
 6 councils, as provided in 52-1-203, indicating those portions
 7 of each plan that will be implemented by the department,
 8 those portions that will not be implemented, and the reasons
 9 for not implementing those portions;
 10 (b) develop a statewide youth services and resources
 11 plan that takes into consideration local needs as reflected
 12 in plans developed by the local youth family services
 13 advisory councils;
 14 (12) administer services to the aged;
 15 (13) provide consultant services to:
 16 (a) facilities providing care for needy, indigent,
 17 handicapped, or dependent adults; and
 18 (b) youth care facilities;
 19 (14) utilize at maximum efficiency the resources of
 20 state government in a coordinated effort to:
 21 (a) provide for children in need of temporary
 22 protection or correctional services; and
 23 (b) coordinate and apply the principles of modern
 24 institutional administration to the institutions in the
 25 department;

1 (15) subject to the functions of the department of
 2 administration, lease or purchase lands for use by
 3 institutions in the department and classify those lands to
 4 determine which are of such character as to be most
 5 profitably used for agricultural purposes, taking into
 6 consideration:
 7 (a) the needs of all institutions in the department for
 8 the food products that can be grown or produced on the
 9 lands; and
 10 (b) the relative value of agricultural programs in the
 11 treatment or rehabilitation of the persons confined in the
 12 institutions in the department;
 13 (16) utilize the staff and services of other state
 14 agencies and units of the Montana university system, within
 15 their respective statutory functions, to carry out its
 16 functions under this title;
 17 (17) propose programs with specific goals and objectives
 18 to the legislature to meet the projected long-range needs of
 19 institutions in the department, including programs and
 20 facilities for the diagnosis, treatment, care, and aftercare
 21 of persons placed in institutions in the department;
 22 (18) contract, as necessary, with the county board of
 23 welfare for administration of child and adult protection
 24 services for that county; and
 25 (19) adopt rules necessary to carry out the purposes of

1 41-3-1126, 41-5-527 through 41-5-529, and this chapter."

2 **Section 2.** Section 52-1-202, MCA, is amended to read:

3 "52-1-202. State youth family services council --
4 membership. (1) (a) The governor ~~may~~ shall appoint a
5 presiding officer and up to three other members to 2-year
6 terms on the state planning--and--advisory family services
7 council or--designate--an--existing--council to advise the
8 director on policies relating to services to children--and
9 youth and families.

10 (b) The governor may also appoint the presiding
11 officers of legislative committees that are related to youth
12 and family services to serve as members of the council.

13 (c) Presiding officers of the local family services
14 advisory councils representing each of the department's
15 regional service areas shall serve on the state council.

16 (2) The council shall:

17 (a) develop a strategic plan for the department;

18 (b) advise the governor, the department, and other
19 state agencies on local needs and services for youth and
20 families;

21 (c) advocate for youth and families; and

22 (d) coordinate and communicate with local communities
23 and councils.

24 {2}{3} A member of the council must have knowledge of
25 and experience in at least one of the following areas:

1 {a)--services-to:

2 {i)--youth-in-need-of-care;

3 {ii)--youth-in-need-of-supervision;

4 {iii)--delinquent-youth;

5 {iv)--emotionally-disturbed-youth;-or

6 {v)--chemically-dependent-youth;-or

7 {b)--domestic-violence-issues;

8 (a) reservation and urban Indian issues;

9 (b) methods of prevention and--treatment to minimize
10 risk for abuse and neglect;

11 (c) juvenile corrections; or

12 (d) parent or family issues;

13 (E) EMOTIONALLY DISTURBED YOUTH; OR

14 (F) TREATMENT AND CARE OF ABUSED AND NEGLECTED
15 CHILDREN.

16 {3}{4} Membership of the council must include as many
17 of these areas of expertise as possible.

18 {4}{5} Members must be compensated and reimbursed as
19 provided for in 2-15-122."

20 **Section 3.** Section 52-1-203, MCA, is amended to read:

21 "52-1-203. Local youth family services advisory
22 councils. (1) The department shall establish a local youth
23 family services advisory council within each local service
24 area to ensure a broad-based community plan for children--and
25 youth and family services within the area. A local youth

1 family services advisory council may act in an advisory
 2 capacity only. Each local advisory council consists of at
 3 least seven 7 members and not more than 13 members. The
 4 director shall appoint members to each local advisory
 5 council. At least two members must be nominated by the
 6 county commissioners within the area; ~~and at least two~~
 7 ~~members must be nominated by district court judges within~~
 8 ~~the area.~~ Members of the local advisory councils must be
 9 broadly representative of the local service area ~~and may not~~
 10 ~~be employed by or under contract to the department or the~~
 11 ~~youth court.~~ A member of the local council must have
 12 knowledge of at least one of the following areas:

- 13 (a) reservation and urban Indian issues;
- 14 (b) methods of prevention and treatment to minimize
- 15 risk for abuse and neglect;
- 16 (c) juvenile corrections; or
- 17 (d) parent or family issues;
- 18 (E) EMOTIONALLY DISTURBED YOUTH; OR
- 19 (F) TREATMENT AND CARE OF ABUSED AND NEGLECTED
- 20 CHILDREN.

21 (2) The department shall provide technical assistance
 22 to the local advisory councils as necessary.

23 (3) Each local advisory council shall:

24 (a) make an annual written review and evaluation of
 25 needs and services within the local service area and provide

1 a copy of the review and evaluation to the state planning
 2 and advisory council;

3 (b) advise the department, other state agencies,
 4 councils, local governments, and private organizations on
 5 programs for services to ~~the children and youth~~ and families
 6 within the local service area; and

7 (c) develop a plan with specific goals and objectives
 8 for a system of community-based services for ~~the children~~
 9 ~~and youth~~ and families within the local service area and
 10 provide a copy of the plan to the state planning and
 11 advisory council.

12 (4) Members must be compensated and reimbursed as
 13 provided for in 2-15-122."

14 **Section 4.** Section 52-2-704, MCA, is amended to read:

15 **"52-2-704. Lead agency -- duties of department.** (1) The
 16 department is designated as the lead agency for the purposes
 17 of planning, implementing, and coordinating programs under
 18 the Montana Child Care Act.

19 (2) The department shall:

20 (a) assess child-care needs and resources within the
 21 state;

22 (b) develop a state child-care plan after consultation
 23 with the local youth family services advisory councils
 24 established under 52-1-203 and the child-care advisory
 25 council established in 52-2-705;

1 (c) coordinate child-care programs administered by the
2 department and the departments of social and rehabilitation
3 services, health and environmental sciences, and labor and
4 industry;

5 (d) issue licenses to persons to receive children into
6 a day-care center on a regular basis;

7 (e) prescribe the conditions and publish minimum
8 standards upon which licenses and registration certificates
9 are issued;

10 (f) adopt rules for day-care facilities consistent with
11 the purposes of this part; and

12 (g) issue registration certificates to a person or
13 persons to receive children into a family day-care home or
14 group day-care home on a regular basis.

15 (3) The department may:

16 (a) enter into interagency agreements to administer and
17 coordinate child-care programs;

18 (b) accept any federal funds made available for the
19 improvement or promotion of child-care services within the
20 state;

21 (c) administer any state and federal funds that may be
22 appropriated for the purposes of the part."

23 NEW SECTION. Section 5. Code commissioner instruction.

24 The code commissioner shall change any reference to a "youth
25 services advisory council" that appears in legislation

1 enacted by the 53rd legislature to "family services advisory
2 council".

3 NEW SECTION. Section 6. Effective date. [This act] is
4 effective July 1, 1993.

-End-