

SENATE BILL NO. 23

INTRODUCED BY CHRISTIAENS, KENNEDY, COBB, WATERMAN,
PIPINICH, BIANCHI, BERGSAGEL, PECK, KEATING, BURNETT,
KASTEN, ECK, SWANSON, KLAMPE, SHEA, WINSLOW, J. RICE,
WANZENRIED, GRINDE, HERTEL, SMITH, BROOKE, S. RICE,
WEEDING, WILSON, HOCKETT, RYE, SWIFT, HAGER
BY REQUEST OF THE DEPARTMENT OF FAMILY SERVICES

IN THE SENATE

DECEMBER 1, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON FINANCE & CLAIMS.
	FIRST READING.
DECEMBER 7, 1993	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
	PRINTING REPORT.
	SECOND READING, DO PASS.
	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 49; NOES, 0.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

DECEMBER 8, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON APPROPRIATIONS.
	FIRST READING.
DECEMBER 14, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
DECEMBER 15, 1993	SECOND READING, CONCURRED IN.
	THIRD READING, CONCURRED IN. AYES, 97; NOES, 0.
DECEMBER 16, 1993	RETURNED TO SENATE.

IN THE SENATE

DECEMBER 16, 1993	RECEIVED FROM HOUSE
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SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Senate* BILL NO. *23*
2 INTRODUCED BY *W. L. ...*
3 BY REQUEST OF THE DEPARTMENT OF FAMILY SERVICES
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT THE
5 YEARLY CLOTHING ALLOWANCE FOR FOSTER CHILDREN MAY NOT EXCEED
6 AN APPROPRIATION FOR THAT PURPOSE; AMENDING SECTION
7 41-3-1103, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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

10 "41-3-1103. Powers and duties of department. (1) The
11 department shall:

12 (a) administer all state and federal funds allocated to
13 the department for youth foster homes, youth group homes,
14 and child-care agencies for youth in need of care, youth in
15 need of supervision, and delinquent youth, as defined in
16 41-5-103;

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

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

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

1 (e) in cooperation with youth care facility providers,
2 develop and implement standards for youth care facilities;

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

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

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

10 (iii) the type and level of care of services provided by
11 each facility;

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

14 (v) a profile of public institutional placements; and

15 (g) administer all funds allocated to the department
16 for residential alcohol and drug abuse treatment for
17 indigent youths in need of care, indigent youths in need of
18 supervision, and indigent delinquent youths who require such
19 treatment.

20 (2) The department may:

21 (a) enter into contracts with nonprofit corporations or
22 associations or private organizations to provide substitute
23 care for youth in need of care, youth in need of
24 supervision, and delinquent youth in youth care facilities;

25 (b) accept gifts, grants, and donations of money and

1 property from public and private sources to initiate and
2 maintain community-based services to youth;

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

5 (3) The department shall pay for room, board, clothing,
6 personal needs, transportation, and treatment in youth
7 foster care homes and youth group homes for youths committed
8 to the department who need to be placed in ~~such the~~
9 facilities. Payments for the clothing of a child placed in a
10 youth foster home must be provided to the extent the child
11 needs a basic wardrobe or has a special clothing need.
12 ~~However,--payments--for---clothing~~ Payments under this
13 subsection may not exceed \$300---a--year--per--child
14 appropriations for the purposes of this subsection."

15 NEW SECTION. **Section 2.** Effective date. [This act] is
16 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 SB0023, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION: An act providing that the yearly clothing allowance for foster children may not exceed an appropriation for that purpose.

ASSUMPTIONS:

1. The purpose of the bill is to correct a technical oversight from the 1993 regular session. Funds were added to the foster care budget to raise the maximum clothing allowance to \$400 per foster child, but the \$300 reference in 41-3-1103, MCA, was not amended. This bill will allow DFS to pay up to a \$400 maximum clothing allowance.
2. The appropriation for the clothing allowance is included in the total appropriated to DFS for foster care services in the general appropriations act.
3. The bill eliminates the maximum clothing allowance amount allowed in 41-3-1103(3), MCA, (\$300), but it does not require an increase or decrease in the amount DFS expends for clothing allowances for foster children. There is no fiscal impact.
4. It is assumed, with the removal of the clothing allowance limit, that legislative intent will be expressed in the general appropriations act in future legislative sessions.

FISCAL IMPACT: None

 12-4

DAVID LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning



B.F. "CHRIS" CHRISTIAENS, PRIMARY SPONSOR DATE
Fiscal Note for SB0023, as introduced

CA 23

APPROVED BY COMM. ON
FINANCE AND CLAIMS

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