

**Fifty-fifth Legislative Assembly, State of North Dakota, begun in the
Capitol in the City of Bismarck, on Monday, the sixth day of January,
one thousand nine hundred and ninety-seven**

SENATE BILL NO. 2014
(Appropriations Committee)
(At the request of the Governor)

AN ACT to provide an appropriation for defraying the expenses of the children's services coordinating committee; to create and enact a new section to chapter 54-56 of the North Dakota Century Code, relating to regional and tribal children's services coordinating committees; to amend and reenact sections 54-56-01, 54-56-03, and 54-56-04 of the North Dakota Century Code, relating to the membership and duties of the children's services coordinating committee; and to repeal section 54-56-05 of the North Dakota Century Code, relating to the children's services coordinating committee receiving and spending funds.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. APPROPRIATION. The funds provided in this section, or so much of the funds as may be necessary, are hereby appropriated from special funds derived from federal funds and other income to the children's services coordinating committee for the purpose of defraying the expenses of its various divisions, for the biennium beginning July 1, 1997, and ending June 30, 1999, as follows:

Salaries and wages	\$ 66,243
Operating expenses	83,757
Grants	<u>5,479,756</u>
Total special funds appropriation	\$5,629,756

SECTION 2. GRANTS. Of the \$5,479,756 appropriated in the grants line item in section 1 of this Act, the children's services coordinating committee shall provide a grant of \$150,000 to the partnership project that is providing services to children with serious emotional disorders in human service regions number two (Minot), five (Fargo), and seven (Bismarck) during the biennium beginning July 1, 1997, and ending June 30, 1999. Any other statewide grants distributed by the committee, unless specifically approved by the legislative assembly, are subject to budget section approval.

SECTION 3. ADDITIONAL INCOME. All income of the children's services coordinating committee in excess of the estimated income line item appropriated in section 1 of this Act is hereby appropriated to the children's services coordinating committee for the biennium beginning July 1, 1997, and ending June 30, 1999, and may be spent only upon authorization of the emergency commission.

SECTION 4. LEGISLATIVE INTENT - FUNCTION OF REGIONAL AND TRIBAL CHILDREN'S SERVICES COORDINATING COMMITTEES. It is the intent of the legislative assembly that each regional and tribal children's services coordinating committee function as a regional planning committee to monitor and coordinate children's services in each region and that the regional and tribal children's services coordinating committees do not directly provide services or programs.

SECTION 5. LEGISLATIVE INTENT - PARTICIPATING ENTITIES. It is the intent of the legislative assembly that the department of human services inform eligible organizations that are not currently participating in "refinancing" activities of the benefits and the opportunity to participate in the program for the biennium beginning July 1, 1997, and ending June 30, 1999.

SECTION 6. LEGISLATIVE INTENT - REGIONAL CONSOLIDATION - REPORT TO BUDGET SECTION. It is the intent of the legislative assembly that because of relatively high administrative expenses as compared to income of some regional and tribal children's services coordinating committees, the Children's Services Coordinating Committee conduct an analysis and develop a plan to reduce, by consolidation, the administrative costs of the regional and tribal

committees during the biennium beginning July 1, 1997, and ending June 30, 1999. The committee shall present its report and recommendations to the budget section by October 1, 1998.

SECTION 7. CHILDREN'S PROGRAMS - ACTION IF FEDERAL FUNDS ARE DISCONTINUED. A state agency administering a program affecting children which is anticipated to receive federal funds for the program for the 1995-97 biennium shall discontinue providing services of the program to the extent that federal funds are not available for the program for the biennium beginning July 1, 1997, and ending June 30, 1999, unless the legislative assembly has specifically identified funds to replace the federal funds.

SECTION 8. FEDERAL FUND ALLOCATIONS. Of the \$6,000,000 of federal funds estimated to be generated as a result of participating entities claiming federal administrative cost reimbursements through the department of human services, the following allocations are made for the biennium beginning July 1, 1997, and ending June 30, 1999:

AGENCY/ORGANIZATION	ALLOCATION
Department of human services	10 percent
Children's services coordinating committee - Administration	2.5 percent
Children's services coordinating committee - Grants to regional and tribal children's services coordinating committees for administrative costs	\$1,080,000 (estimated at 18 percent)
Regional and tribal children's services coordinating committees - Grants, including those to participating entities	62 percent, includes 20 percent that is returned to participating entities
Children's services coordinating committee - Statewide grants	7.5 percent

If less than \$6,000,000 is generated as a result of participating entities claiming federal administrative cost reimbursements for the 1997-99 biennium, the children's services coordinating committee shall proportionately reduce the percentage allocations for statewide grants and regional and tribal children's services coordinating committee grants to generate the funds necessary to provide a total of \$1,080,000 for the 1997-99 biennium for grants to regional and tribal committees for administrative costs under this section. Any federal funds received by the state as a result of participating entities claiming federal administrative cost reimbursements through the department of human services in excess of \$6,000,000 for the biennium beginning July 1, 1997, and ending June 30, 1999, must be distributed, subject to emergency commission approval, as follows:

AGENCY/ORGANIZATION	ALLOCATION
Regional and tribal children's services coordinating committees - Grants, including those to participating entities	90 percent, includes 20 percent that is returned to participating entities
Children's services coordinating committee - Statewide grants	10 percent

SECTION 9. AMENDMENT. Section 54-56-01 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-56-01. Children's services coordinating committee - Membership. The children's services coordinating committee ~~is hereby established and consists of the governor or a designee of the governor, the attorney general or a designee of the attorney general, the commissioner of the board of higher education or a designee of the commissioner, the superintendent of public instruction, a representative of juvenile courts appointed by the chief justice of the supreme court, the executive director of the department of human services, the state health officer, the executive director of job service North Dakota or a designee of the executive director, the director of the department of corrections and rehabilitation, or a designee of the director of the department of corrections and rehabilitation, the director of the office of management and budget, or a designee of the director of the office of management and budget, the director of vocational and technical education, the chairperson of~~

~~the governor's committee on children and youth or that chairperson's designee, and a representative of the Indian affairs commission, a designee of the chief justice, and a member at large to be appointed by the governor. The governor or the governor's designee shall act as chairperson.~~

SECTION 10. AMENDMENT. Section 54-56-03 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-56-03. Functions.

1. The committee ~~shall~~ may:
 - a. Plan for and coordinate delivery of services to children and adolescents who are abused, neglected, emotionally disturbed, mentally ill, medically disabled, runaways, homeless, deprived, school dropouts, school-age parents, chemical or alcohol abusers, unruly, or delinquent.
 - b. ~~Foster preventive strategies and early intervention to strengthen families in their capacity to parent children~~ primary prevention ideas and strategies and present those ideas and strategies to regional or tribal children's services coordinating committees.
2. The committee ~~may coordinate, sponsor, or oversee interagency or intergovernmental projects and programs for children, or projects and programs that require the participation of both governmental and private entities~~ shall:
 - a. Distribute funds due to regional or tribal committees within five days of receiving the funds.
 - b. Distribute its grant funds appropriated or authorized by the legislative assembly to children's services organizations and programs, subject to specific approval by the legislative assembly or the budget section. No funds, grants, gifts, or services of an organization receiving funds distributed by the committee may be used for the purposes of direct provision of contraception services, abortion, or abortion referrals to minors.

SECTION 11. AMENDMENT. Section 54-56-04 of the 1995 Supplement to the North Dakota Century Code is amended and reenacted as follows:

54-56-04. Charter public corporations - Duties. The children's services coordinating committee ~~may charter public corporations or designate up to twelve organizations to serve as regional and tribal children's services coordinating committees to implement programs for the classes of children and programs described in section 54-56-03~~ distribute grants received from the children's services coordinating committee. The committee shall prescribe conditions for the creation, continuance, and duration of those corporations or designations. The committee shall discontinue the designation of regional and tribal committees if grant funds are not available for distribution to the regional and tribal committees.

SECTION 12. A new section to chapter 54-56 of the North Dakota Century Code is created and enacted as follows:

Regional or tribal children's services coordinating committee - Functions. A regional or tribal children's services coordinating committee, if established, must be composed of community volunteers and must maintain its own records. To foster and nurture the broadest base of community support and participation, at least one-third of regional or tribal committee members must be from the private sector. A regional or tribal committee shall:

1. Recruit local organizations to become participating entities to claim federal administrative cost reimbursements through the department of human services.
2. Expend administrative funding received from the state children's services coordinating committee only for costs associated with salaries and benefits, mileage and travel, meals,

conferences and workshops, contract services, telephone, office supplies, marketing, printing, postage, dues and subscriptions, and room rent.

3. Reimburse a committee member only for expenses that are not reimbursed by the organization or entity that the member is representing on the regional or tribal committee.
4. Submit all claims received from its participating entities claiming federal administrative cost reimbursements to the department of human services within ninety days of the end of each calendar quarter.
5. Distribute twenty percent of the federal funds generated as a result of a participating entity claiming federal administrative cost reimbursements through the department of human services to the participating entity that generated the federal administrative cost reimbursement.
6. Distribute funds due to participating entities within twenty days of receiving the funds.

A regional or tribal committee may not maintain an unobligated fund balance, excluding income received during the final thirty days of each fiscal year, which exceeds fifty thousand dollars or twenty percent of annual gross income, whichever is less, at the end of each fiscal year.

SECTION 13. REPEAL. Section 54-56-05 of the North Dakota Century Code is repealed.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-fifth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2014.

Senate Vote: Yeas 45 Nays 0 Absent 4

House Vote: Yeas 73 Nays 18 Absent 6

Secretary of the Senate

Received by the Governor at _____ M. on _____, 1997.

Approved at _____ M. on _____, 1997.

Governor

Filed in this office this _____ day of _____, 1997,
at _____ o'clock _____ M.

Secretary of State