

Fifty-fifth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2014

Introduced by

Appropriations Committee

(At the request of the Governor)

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

8 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

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

14 Salaries and wages	\$ 66,243
15 Operating expenses	97,445
16 Grants	<u>5,479,756</u>
17 Total all funds	\$5,643,444

18 **SECTION 2. GRANTS.** Of the \$5,479,756 appropriated in the grants line item in
19 section 1 of this Act, the children's services coordinating committee shall provide a grant of
20 \$150,000 to the partnership project that is providing services to children with serious emotional
21 disorders in human service regions number two (Minot), five (Fargo), and seven (Bismarck)
22 during the biennium beginning July 1, 1997, and ending June 30, 1999. Any other statewide
23 grants distributed by the committee, unless specifically approved by the legislative assembly,
24 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. 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 6. 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
Regional and tribal children's services coordinating committees - Administration	18 percent
Regional and tribal children's services coordinating committees - Grants, including those to participating entities	59.5 percent, includes 25 percent that is returned to participating entities
Children's services coordinating committee -	10 percent

1 Statewide grants
2 Any federal funds received by the state as a result of participating entities claiming federal
3 administrative cost reimbursements through the department of human services in excess of
4 \$6,000,000 for the biennium beginning July 1, 1997, and ending June 30, 1999, must be
5 distributed, subject to emergency commission approval, as follows:

6 AGENCY/ORGANIZATION	ALLOCATION
7 Children's services coordinating committee -	2.5 percent
8 Administration	
9 Regional and tribal children's services	83.5 percent, includes
10 coordinating committees - Grants, including	25 percent that is returned
11 those to participating entities	to participating entities
12 Children's services coordinating committee -	14 percent
13 Statewide grants	

14 **SECTION 7. AMENDMENT.** Section 54-56-01 of the 1995 Supplement to the North
15 Dakota Century Code is amended and reenacted as follows:

16 **54-56-01. Children's services coordinating committee - Membership.** The
17 children's services coordinating committee ~~is hereby established and~~ consists of the governor
18 or a designee of the governor, ~~the attorney general or a designee of the attorney general, the~~
19 ~~commissioner of the board of higher education or a designee of the commissioner, the~~
20 ~~superintendent of public instruction~~ a representative of the North Dakota association of school
21 administrators, a representative of juvenile courts appointed by the chief justice of the supreme
22 court, a health district representative appointed by the governor, the executive director of the
23 department of human services, the state health officer, ~~the executive director of job service~~
24 ~~North Dakota or a designee of the executive director, the director of the department of~~
25 ~~corrections and rehabilitation, or a designee of the director of the department of corrections and~~
26 ~~rehabilitation, the director of the office of management and budget, or a designee of the director~~
27 ~~of the office of management and budget, the director of vocational and technical education, the~~
28 ~~chairperson of the governor's committee on children and youth or that chairperson's designee,~~
29 and a representative of the Indian affairs commission, a designee of the chief justice, and a
30 ~~member at large to be appointed by the governor.~~ The governor or the governor's designee
31 shall act as chairperson.

SECTION 8. 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 9. 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 up to twelve public corporations ~~or designate 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.

1 **SECTION 10.** A new section to chapter 54-56 of the North Dakota Century Code is
2 created and enacted as follows:

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

- 8 1. Recruit local organizations to become participating entities to claim federal
9 administrative cost reimbursements through the department of human services.
- 10 2. Expend administrative funding received from the state children's services
11 coordinating committee only for costs associated with salaries and benefits,
12 mileage and travel, meals, conferences and workshops, contract services,
13 telephone, office supplies, marketing, printing, postage, dues and subscriptions,
14 and temporary room rent.
- 15 3. Reimburse a committee member only for expenses that are not reimbursed by the
16 organization or entity that the member is representing on the regional or tribal
17 committee.
- 18 4. Submit all claims received from its participating entities claiming federal
19 administrative cost reimbursements to the department of human services within
20 ninety days of the end of each calendar quarter.
- 21 5. Distribute twenty-five percent of the federal funds generated as a result of a
22 participating entity claiming federal administrative cost reimbursements through the
23 department of human services to the participating entity that generated the federal
24 administrative cost reimbursement.
- 25 6. Distribute funds due to participating entities within five days of receiving the funds.

26 A regional or tribal committee may not maintain an unobligated fund balance that exceeds
27 twenty-two thousand five hundred dollars at the end of each fiscal year.

28 **SECTION 11. REPEAL.** Section 54-56-05 of the North Dakota Century Code is
29 repealed.