

**FIRST ENGROSSMENT
with House Amendments**

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	83,757
16 Grants	<u>5,479,756</u>
17 Total special funds appropriation	\$5,629,756

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.

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

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

12 **SECTION 5. LEGISLATIVE INTENT - PARTICIPATING ENTITIES.** It is the intent of
13 the legislative assembly that the department of human services inform eligible organizations
14 that are not currently participating in "refinancing" activities of the benefits and the opportunity
15 to participate in the program for the biennium beginning July 1, 1997, and ending June 30,
16 1999.

17 **SECTION 6. LEGISLATIVE INTENT - REGIONAL CONSOLIDATION - REPORT TO**
18 **BUDGET SECTION.** It is the intent of the legislative assembly that because of relatively high
19 administrative expenses as compared to income of some regional and tribal children's services
20 coordinating committees, the Children's Services Coordinating Committee conduct an analysis
21 and develop a plan to reduce, by consolidation, the administrative costs of the regional and
22 tribal committees during the biennium beginning July 1, 1997, and ending June 30, 1999. The
23 committee shall present its report and recommendations to the budget section by October 1,
24 1998.

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

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

5 AGENCY/ORGANIZATION	ALLOCATION
6 Department of human services	10 percent
7 Children's services coordinating committee - 8 Administration	2.5 percent
9 Children's services coordinating committee - 10 Grants to regional and tribal children's services 11 coordinating committees for administrative costs	\$1,080,000 (estimated at 18 percent)
12 Regional and tribal children's services 13 coordinating committees - Grants, 14 including those to participating entities	62 percent, includes 15 percent that is returned to participating entities
15 Children's services coordinating committee - 16 Statewide grants	7.5 percent

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

27 AGENCY/ORGANIZATION	ALLOCATION
28 Regional and tribal children's services 29 coordinating committees - Grants, including 30 those to participating entities	90 percent, includes 15 percent that is returned to participating entities
31 Children's services coordinating committee - 32 Statewide grants	10 percent

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

3 **54-56-01. Children's services coordinating committee - Membership.** The
4 children's services coordinating committee ~~is hereby established and~~ consists of the governor
5 or a designee of the governor, the attorney general or a designee of the attorney general, ~~the~~
6 ~~commissioner of the board of higher education or a designee of the commissioner, the~~
7 ~~superintendent of public instruction, a representative of the North Dakota association of school~~
8 ~~administrators, a representative of juvenile courts appointed by the chief justice of the supreme~~
9 ~~court, a health district representative appointed by the governor, the executive director of the~~
10 ~~department of human services, the state health officer, the executive director of job service~~
11 ~~North Dakota or a designee of the executive director, the director of the department of~~
12 ~~corrections and rehabilitation, or a designee of the director of the department of corrections and~~
13 ~~rehabilitation, the director of the office of management and budget, or a designee of the director~~
14 ~~of the office of management and budget, the director of vocational and technical education, the~~
15 ~~chairperson of the governor's committee on children and youth or that chairperson's designee,~~
16 ~~and a representative of the Indian affairs commission, a designee of the chief justice, and a~~
17 ~~member at large to be appointed by the governor.~~ The governor or the governor's designee
18 shall act as chairperson.

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

21 **54-56-03. Functions.**

- 22 1. The committee ~~shall~~ may:
- 23 a. Plan for and coordinate delivery of services to children and adolescents who
24 are abused, neglected, emotionally disturbed, mentally ill, medically disabled,
25 runaways, homeless, deprived, school dropouts, school-age parents,
26 chemical or alcohol abusers, unruly, or delinquent.
- 27 b. Foster ~~preventive strategies and early intervention to strengthen families in~~
28 ~~their capacity to parent children~~ primary prevention ideas and strategies and
29 present those ideas and strategies to regional or tribal children's services
30 coordinating committees.

- 1 2. The committee ~~may coordinate, sponsor, or oversee interagency or~~
2 intergovernmental projects and programs for children, or projects and programs
3 that require the participation of both governmental and private entities shall:
4 a. Distribute funds due to regional or tribal committees within five days of
5 receiving the funds.
6 b. Distribute its grant funds appropriated or authorized by the legislative
7 assembly to children's services organizations and programs, subject to
8 specific approval by the legislative assembly or the budget section. No funds,
9 grants, gifts, or services of an organization receiving funds distributed by the
10 committee may be used for the purposes of direct provision of contraception
11 services, abortion, or abortion referrals to minors.

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

14 **54-56-04. Charter public corporations - Duties.** The children's services coordinating
15 committee may ~~charter public corporations or~~ designate up to twelve organizations to serve as
16 regional and tribal children's services coordinating committees to ~~implement programs for the~~
17 ~~classes of children and programs described in section 54-56-03~~ distribute grants received from
18 the children's services coordinating committee. The committee shall prescribe conditions for
19 the creation, continuance, and duration of those ~~corporations or~~ designations. The committee
20 shall discontinue the designation of regional and tribal committees if grant funds are not
21 available for distribution to the regional and tribal committees.

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

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

- 29 1. Recruit local organizations to become participating entities to claim federal
30 administrative cost reimbursements through the department of human services.

- 1 2. Expend administrative funding received from the state children's services
2 coordinating committee only for costs associated with salaries and benefits,
3 mileage and travel, meals, conferences and workshops, contract services,
4 telephone, office supplies, marketing, printing, postage, dues and subscriptions,
5 and room rent.
- 6 3. Reimburse a committee member only for expenses that are not reimbursed by the
7 organization or entity that the member is representing on the regional or tribal
8 committee.
- 9 4. Submit all claims received from its participating entities claiming federal
10 administrative cost reimbursements to the department of human services within
11 ninety days of the end of each calendar quarter.
- 12 5. Distribute fifteen percent of the federal funds generated as a result of a
13 participating entity claiming federal administrative cost reimbursements through the
14 department of human services to the participating entity that generated the federal
15 administrative cost reimbursement.
- 16 6. Distribute funds due to participating entities within twenty days of receiving the
17 funds.
- 18 A regional or tribal committee may not maintain an unobligated fund balance, excluding income
19 received during the final thirty days of each fiscal year that exceeds fifty thousand dollars or
20 twenty percent of annual gross income, whichever is less, at the end of each fiscal year.
- 21 **SECTION 13. REPEAL.** Section 54-56-05 of the North Dakota Century Code is
22 repealed.