SENATE COMMITTEE AMENDMENTS

2017 Regular Session

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 66 by Senator Barrow

1 AMENDMENT NO. 1

2 On page 1, delete lines 2 and 3 and insert the following:

3 "To amend and reenact R.S. 36:4(B)(8) and R.S. 46:2402(3) and (6), 2403(A), (D)(1) and

- 4 (E), 2404(A), (B)(1) and (2) and (G), 2405, 2406(A), (B), (D), (E), (F) and (G), 2407,
- 5 2605(A)(6) and 2607, to enact R.S. 46:2404(H), 2603(A)(7) and 2605(A)(7), and to repeal
- 6 R.S. 36:478(F) and (K) and 802.9 and R.S. 46:450.4 and 2801, relative to the Children's
- 7 Cabinet; to provide for extension of"

8 AMENDMENT NO. 2

- 9 On page 1, line 5, after "Louisiana;" insert "to provide for the transfer of the Children's Trust 10 Fund to the Children's Cabinet; to provide for duties of the Children's Cabinet relative to the
- 11 Children's Trust Fund; to provide for Children's Trust Fund staff reallocation;"
- 12 AMENDMENT NO. 3
- 13 On page 1, delete lines 8 and 9 and insert the following:
- 14 "Section 1. R.S. 36:4(B)(8) is hereby amended and reenacted to read as follows:
- 15 §4. Structure of executive branch of state government
- 16 * *
- 17 B.
- 18 * *
- (8) The Children's Cabinet and the Children's Cabinet Advisory Board, as
 more specifically provided in R.S. 46:2601 through 2607, <u>the Children's Trust</u>
 Fund, as more specifically provided in R.S. 46:2401 through 2407, and the
 Council on the Status of Grandparents Raising Grandchildren, as more specifically
 provided in R.S. 46:2605.1 through 2605.3, shall be placed within the office of the
 governor.
- 25 * * *
- Section 2. R.S. 46:2402(3) and (6), 2403(A), (D)(1) and (E), 2404(A), (B)(1) and (2) and
 (G), 2405, 2406(A), (B), (D), (E), (F) and (G), 2407, 2605(A)(6) and 2607 are hereby
 amended and reenacted and R.S. 46:2404(H), 2603(A)(7) and 2605(A)(7) are hereby enacted
 to read as follows:

30 31	§2402. Definitions Except where the context clearly indicates otherwise, in this Chapter:
32	* * *
33	(3) "Department" means the Department of Children and Family Services.
34	"Cabinet" means the Children's Cabinet, as provided for in R.S. 46:2601 et seq.
35	* * *

1	(6) "Office" means the office of children and family services <u>the governor</u> .
2	* * *
3	§2403. Creation of the Children's Trust Fund
4	A. There is hereby established a special fund in the state treasury to be known
5	as the "Children's Trust Fund", consisting of monies provided by the legislature and
6	
	monies received from any other sources, including funds derived from donations of
7	income tax refunds as provided in R.S. 47:120.33 47:120.35 and funds derived from
8	fees as provided in Subsection B hereof. The legislature shall make yearly
9 10	appropriations to the fund for the purposes set forth in this Chapter to the extent that state funds are available.
11	* * *
12	D.(1) The monies in the fund shall be used solely for programs designed to
13	prevent the physical and sexual abuse and gross neglect of children. Disbursement
14	of the amount appropriated each year shall be made as determined by the Children's
15	<u>Cabinet with consideration of recommendations made</u> by the Children's Trust
16	Fund Board. All unexpended and unencumbered monies in this fund at the end of the
17	fiscal year shall remain to the credit of the fund.
18	* * *
19	E. The board Children's Cabinet shall determine the eligibility of programs
20	to receive funding based upon a nonbiased scoring system by a volunteer grant
21	reviewer and recommendations by the Children's Trust Fund Board, and the
22	administration of the fund shall be exercised by the office of children and family
23	services of the Department of Children and Family Services the governor in
24	accordance with the directives of the board <u>cabinet</u> and the provisions of R.S.
25	36:802.9 <u>36:4(B)(8)</u> and R.S. 46:2407.
26	§2404. Louisiana Children's Trust Fund Board; created; membership
27	A. There is hereby established the Louisiana Children's Trust Fund Board
28	within the office of the governor, which shall serve as a subcommittee of the
29	Children's Cabinet children and family services of the Department of Children and
30	Family Services.
31	B. The Louisiana Children's Trust Fund Board shall be composed of fifteen
32	members as follows:
33	(1) The secretary of the Department of Children and Family Services, or his
34	designee. The executive director of the Children's Cabinet, or his designee.
35	(2) The assistant secretary of the office of children and family services of the
36	Department of Children and Family Services, or his designee.
37	* * *
38	G. The board shall make recommendations to the Children's Cabinet on
39	the following:
40	(1) Promulgate rules Rules and regulations necessary to implement the
41	provisions of this Chapter.
42	(2) Review, evaluate, adopt, coordinate, and revise the <u>The</u> comprehensive
43	state plan for child abuse prevention, as provided in R.S. 46:2406 and funded
44	through the Children's Trust Fund.
45	(3) Have the authority to contract, in accordance with applicable provisions
46	of state law, for the provision of services needed to coordinate, develop, and write
40	a comprehensive state plan for child abuse prevention.
48	(4) Review, evaluate, and award grants Funding amounts of grant
48 49	proposals from the fund for child abuse and neglect prevention programs as
49 50	proposals nom the fund for child abuse and negrect prevention programs as provided in R.S. 46:2407.
50 51	±
	(5) Prepare and submit an annual report to the legislature and to the governor
52	sixty days prior to each regular legislative session.

1	(6) (4) Adopt the budget request Budget requests for the board that if
2	approved by the cabinet shall be presented by the executive director of the
3	cabinet to the and present it to the office of children and family services, the
4	governor and the executive budget office, and the Joint Legislative Committee on
5	the Budget.
6	(7) (5) Monitor, evaluate, and review the The development and quality of
7	services and child abuse prevention programs funded through the Children's Trust
8	Fund.
9	(8) Develop, implement, and administer a community-based family center
10	program in accordance with R.S. 46:450.4.
11	H. The board shall prepare and submit to the cabinet for review an
12	annual report regarding the status of the fund that, once approved by the
13	cabinet, shall be submitted to the legislature sixty days prior to each regular
14	legislative session.
15	§2405. Louisiana Children's Trust Fund Board; staff; duties
16	A. The board, with the approval of the secretary of the department executive
17	director of the Children's Cabinet, shall appoint an executive director a
18	coordinator for the board who shall be in the unclassified service and who shall
10	report to the executive director of the Children's Cabinet.
20	B. The commissioner of administration shall make available one additional
20	position to the table of organization of the office of children and family services <u>the</u>
22	governor in order to provide for the position of executive director Children's Trust
23	Fund coordinator.
24	C. The director coordinator shall perform duties and functions as
25	required by the board and under the direction of the executive director of the
26	cabinet.:
20 27	(1) Prepare the annual budget request for the board for adoption by the board.
28	(1) I repare the annual budget request for the board for adoption by the board. (2) Act as agent for the board in the performance of its duties and subject to
20 29	its direction and serve as secretary of the board.
2)	is direction and serve as secretary of the board.
30	§2406. Comprehensive state plan for child abuse prevention
31	A. The board shall review and adopt make recommendations to the cabinet
32	regarding the comprehensive state plan and any revision thereof, prior to transmittal
33	of the plan as provided in this Section.
34	B. On or before January 1, 1989, the board <u>The cabinet</u> shall transmit the
35	comprehensive state plan for child abuse prevention programs funded through the
36	Children's Trust Fund to the governor, the president of the Senate, and the speaker
37	of the House of Representatives every five years beginning on January 1, 2018,
38	and shall be reviewed for necessary changes by the cabinet annually.
50	and shan be reviewed for necessary changes by the cabinet annuany.
39	* * *
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40	D. The board shall <u>recommend by rule</u> <u>rules to the cabinet that</u> establish
40 41	procedures for preparation and adoption of the plan.
42	E. Prior to adoption of the state plan, the board <u>cabinet</u> shall submit the plan
43	it proposes to adopt to the Committees on Health and Welfare of the Senate and
44	House of Representatives for their approval as provided in R.S. 49:968. The
45	comprehensive state plan shall be subject to approval as provided in R.S. 49:968.
46	F. The board shall review the state plan at least biennially and the board shall
40 47	adopt make recommendations to the cabinet regarding any needed revision.
48	G. The Department of Children and Family Services, the Department of
48 49	Public Safety and Corrections, and the Department of Education shall participate and
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50 51	cooperate in the development of the state plan <u>as deemed necessary by the cabinet</u> .
	\$2407 Funding of children's truct fund near sugar
52 53	§2407. Funding of children's trust fund programs A. The board in its annual budget request, cabinet shall identify the amount
53 54	
54 55	of funds necessary for the implementation of this Chapter. B. Monies appropriated or otherwise made available to the board <u>cabinet</u> to
55 56	implement the provisions of this Chapter shall be disbursed as follows:
50	imprement the provisions of this Chapter shall be disputsed as follows.

(1) The board <u>cabinet</u> shall adopt a formula <u>based on a recommendation</u> <u>by the board</u> for the distribution of funds from the Children's Trust Fund for programs and services for child abuse prevention which shall provide for the allocation of funds in each state planning district based upon the percentage of the total state reported cases of abuse and neglect reported in the state planning district and the percentage of the total state population under the age of eighteen years and upon the service and program needs of the district, and after January 1, 1989, the comprehensive state plan.

(2) Any funds which are not utilized within a state planning district shall be reallocated to the remaining districts in accordance with the formula required by Paragraph (1) of this Subsection.

(3) Ten percent of the amount appropriated to the **board <u>cabinet</u>** may be used for administrative costs <u>of the board</u>. This ten percent limitation shall not apply to costs for plan development and shall include provisions for staff support.

C. Appropriations made for distribution by the **board <u>cabinet</u>** for programs and services shall be deposited in the fund and shall be disbursed by the office <u>of the</u> <u>governor</u> in accordance with directives of the <u>board</u> <u><u>cabinet</u>.</u>

D. The board shall develop and, <u>once approved by the cabinet</u>, publish solicitations for grant proposals for grants to be funded from the Louisiana Children's Trust Fund for child abuse prevention programs and services which are designed to meet identified priorities.

(1) After January 1, 1989, these priorities **<u>Priorities</u>** shall be based upon information contained in the comprehensive state plan.

(2) A priority ranking shall be made based upon the extent to which a proposal meets identified needs, criteria for cost effectiveness, an evaluation component providing outcome data, and a determination that the proposal provides a mechanism for coordinating and integrating preventive services with other services deemed necessary for working effectively with families who are at risk of child abuse or neglect. Priority shall be given to primary and secondary prevention programs and services.

E. The office board shall review and evaluate all proposals submitted for grants for children's trust fund programs <u>funding</u> and services <u>and make</u> recommendations to the cabinet regarding grant awards. The cabinet will make the final approval on grant awards.

F. On and after January 1, 1989, all <u>All</u> budget requests submitted by any private nonprofit agency to the legislature for funding of programs related to child abuse prevention shall conform to the comprehensive state plan <u>application process</u> and any subsequent revision of the plan adopted pursuant to the provisions of this Chapter. The services and programs of the Department of Children and Family Services or any other public agency shall not be subject to the provisions of this Subsection.

- 42 * *
- 43 §2603. Children's Cabinet; powers and duties
 44 A. In order to carry out the purposes of this Chapter and the purposes for
 45 which it is created, the Children's Cabinet shall:
- 46 * *
- 47
 (7) Administer the Children's Trust Fund provided for in R.S. 46:2401

 48
 et seq.

 49
 * * * *"
- 51 <u>AMENDMENT NO. 4</u>

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52 On page 2, delete line 15 and insert:

53 "Section 3. R.S. 36:478(F) and (K) and 802.9 and R.S. 46:450.4 and 2801 are hereby
 54 repealed."