

SECOND REGULAR SESSION

SENATE BILL NO. 698

89TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MAXWELL.

Read 1st time January 12, 1998, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S3058.02I

AN ACT

To amend chapter 37, RSMo, by adding thereto two new sections relating to community based family services.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 37, RSMo, is amended by adding thereto two new sections, to be known as section 37.560 and 37.565, to read as follows:

37.560. As used in section 37.565, the following terms shall mean:

(1) "Caring Communities", the collaboration between community partnerships and the trust to enhance the health, safety and welfare of Missouri's children, youth and families;

(2) "Charter", a contract between a community partnership and the trust whereby the community partnership agrees to carry out the objectives of the family investment trust;

(3) "Community Partnership", a local organization that is formed to network public and private resources to respond to the community's identified needs for its children, youth and families;

(4) "Family Investment Trust" or "trust", a body corporate and politic consisting of a public-private partnership.

37.565. 1. There is hereby created the "Family Investment Trust" within the state treasury and assigned to the office of administration. The trust shall provide leadership to measurably improve the condition of Missouri's children, youth and families through the establishment of greater cooperation among agencies by building and strengthening comprehensive community-based family and child support systems in collaboration with community partnerships. The trust shall also coordinate its efforts with other statewide boards that advise the governor and the general assembly

on statewide work force development goals and objectives needed to implement the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, as amended.

2. The trust shall be governed by a board that shall include the directors of the departments of corrections, elementary and secondary education, health, labor and industrial relations, economic development, mental health and social services, and up to seven members from the private sector with knowledge of community support systems and the needs of children, youth and families. The private sector members shall be appointed by the governor with the advice and consent of the senate and, of those first appointed, four shall be appointed for four years and three shall be appointed for three years. Thereafter, members shall be appointed for terms of four years and any person appointed to fill a vacancy shall serve for the remainder of the vacant term. The governor may appoint additional nonvoting members to the trust as deemed appropriate by the governor and trust board. At its first meeting in each calendar year, the board shall select from its voting members a chairman and a vice chairman. A quorum shall consist of seven voting members. A concurrence of a majority of voting members in attendance at a meeting where a quorum is present shall be required to determine any matter before the board.

3. The "Family Investment Trust Fund" is hereby created in the state treasury to support the provisions of this section. The fund shall be supported by gifts, grants, contributions, money, property, facilities and services from any other source for the purpose of providing technical support and training for state agencies and community partnerships. Moneys in the family investment trust fund that are not required to meet or augment the family investment trust funding requirements of the state shall be invested by the state treasurer in the same manner as other surplus funds are invested. Interest, dividends and moneys earned on such investments shall be credited to the family investment trust fund. The provisions of section 33.080, RSMo, to the contrary notwithstanding, moneys in the fund shall not lapse to general revenue.

4. All expenses incurred by the office of administration relevant to the provisions of this section, including the reimbursement of actual and necessary expenses of board members in the performance of their duties and compensation of employees of the departments who directly support the board may be paid from the family investment trust fund subject to appropriation by the general assembly.

5. The trust shall have the following powers and duties:

(1) To do all things necessary or convenient to carry out the powers and duties of the board as expressly provided in this section, including, but not limited to, adopting, altering or repealing its own by-laws or making and executing contracts and other agreements;

(2) To receive, accept and utilize grants, donations, contributions, money, property, facilities and services, with or without consideration, from any person, firm, corporation, foundation or other entity, or from this state or any agency, instrumentality or political subdivision thereof, or from the United States government or any agency or instrumentality thereof, which funds shall be used, upon appropriation, for providing technical support and training for state agencies, staff and communities;

(3) To recognize geographically appropriate community partnerships to implement caring communities throughout the state, with which charters can be executed;

(4) To create a strategic plan, in collaboration with community partnerships and state agencies, that incorporates interagency and community strategies to accomplish the following objectives:

(a) Broad-based representation of community partnership members that includes business, political subdivision leadership, private citizens and other collaborative bodies;

(b) Active community involvement in community partnership decisions;

(c) Identification of statewide outcomes that are responsive to community needs developed in collaboration with community partnerships, state agencies and the general assembly;

(d) Development of statewide, regional and local methods to improve the state's delivery system for children and families through greater collaboration among state agencies;

(e) Establishment of specific measurable objectives by which outcomes and methods of the trust and its chartered community partnerships will be analyzed and evaluated to ensure accountability for results.

6. In addition to its other powers and duties the trust shall:

(1) Advise the governor and general assembly on state budget or policy changes necessary to:

(a) Deliver services closer to where families live and children attend school; and

(b) Enhance accountability of state agencies and community partnerships;

(c) Enhance the flexibility of use of funds to effectively meet community needs;

and

(2) Advise and assist communities in developing community partnerships that meet the qualifications for being chartered by the trust.

7. Qualifications for charter as a community partnership shall be identified by the board and promulgated by rule by the commissioner of administration. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is

promulgated under the authority delegated in this section shall become effective only if it has been promulgated pursuant to the provisions of chapter 536, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

8. The trust shall annually report to the governor and the general assembly. Reports shall include detailed information on the structure, operation and financial status of the trust, and such other information as the governor or general assembly may request. Such reports shall also provide an accounting of the number of community partnerships chartered during the year, the financial assistance made by state agencies in support of community partnerships and an assessment of the effectiveness of these partnerships in achieving the objectives of the trust's strategic plan.

9. The trust shall hold at least two public meetings annually and shall be subject to the provisions of chapter 610, RSMo.

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