

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2081 Session of
2005

INTRODUCED BY MUNDY, BEBKO-JONES, CALTAGIRONE, COHEN, CORNELL, CRAHALLA, CURRY, DeWEESE, FABRIZIO, FRANKEL, FREEMAN, GERGELY, GOODMAN, GRUITZA, HASAY, HENNESSEY, JAMES, JOSEPHS, LEVDANSKY, MANN, MARKOSEK, McILHATTAN, O'NEILL, PISTELLA, RUBLEY, SEMMEL, SIPTROTH, STABACK, STETLER, SOLOBAY, SURRA, E. Z. TAYLOR, THOMAS, TIGUE, TRUE, WOJNAROSKI, YOUNGBLOOD, YUDICHAK AND WATSON, OCTOBER 19, 2005

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, OCTOBER 19, 2005

AN ACT

1 Amending the act of December 15, 1988 (P.L.1235, No.151),
2 entitled "An act providing for the establishment of the
3 Children's Trust Fund, for a governing board and for the
4 powers and duties of the board; and prescribing the powers
5 and duties of certain State agencies," further providing for
6 the Children's Trust Fund Board, for powers and duties of the
7 board and for powers and duties of the Department of Public
8 Welfare.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Section 4(a) of the act of December 15, 1988
12 (P.L.1235, No.151), known as the Children's Trust Fund Act, is
13 amended to read:

14 Section 4. Children's Trust Fund Board.

15 (a) Board created.--The Children's Trust Fund Board is
16 created in [the Office of Children, Youth and Families of] the
17 Department of Public Welfare. The board shall administer the
18 program and award grants. The department shall perform

1 budgetary, accounting, procurement and other support services.

2 * * *

3 Section 2. Section 5 of the act, amended March 30, 1994
4 (P.L.122, No.13) and December 3, 1998 (P.L.942, No.123), is
5 amended to read:

6 Section 5. Powers and duties of board.

7 The board has the following powers and duties:

8 (1) Develop, within one year of its establishment and
9 biennially thereafter, a State plan for the availability and
10 coordination of programs and for the distribution of funds
11 from the trust fund. In developing the plan, the board shall
12 review existing programs and shall assure that an equal
13 opportunity exists for the establishment of programs and the
14 receipt of trust fund money among all geographic areas in
15 this Commonwealth and shall encourage the development of new
16 and innovative programs. The board shall notify the Governor
17 and the General Assembly that the plan is available.

18 (2) Provide for the coordination and exchange of
19 information on the establishment and maintenance of programs.

20 (3) Promulgate regulations providing for the criteria
21 for the granting of trust fund money to eligible programs and
22 provide for publicizing such criteria.

23 (4) Publicize programs in order to solicit funding from
24 private sources.

25 (5) Administer and award trust fund money and monitor
26 the expenditure of trust fund money by eligible programs.
27 Funds shall be awarded to programs deemed eligible by the
28 board if the organization or agency sponsoring the program
29 meets the following criteria:

30 (i) The organization or agency demonstrates the

1 ability to match, through money or in-kind services,
2 trust fund money received. In-kind services may not
3 exceed 50% of the required match. In the first year the
4 organization receives trust fund money, it must be able
5 to match at least 25%; in the second year and every year
6 thereafter, it must be able to match 50%. The money match
7 may be derived from either private or local government
8 sources.

9 (ii) The organization or agency demonstrates the
10 willingness and ability to provide program models and
11 consultation to other organizations and the community
12 regarding program development and maintenance.

13 (iii) The organization or agency demonstrates that
14 it has consulted with the county children and youth
15 agency. County children and youth agencies may directly
16 apply for funds under this act.

17 (6) Prepare and submit by May 1 each year an annual
18 report to the Governor and the General Assembly, including
19 recommendations for legislative action and regulatory change
20 when needed and appropriate.

21 (7) Accept any of the following, either directly or
22 indirectly through a nonprofit corporation:

23 (i) Federal funds[, directly or through a nonprofit
24 corporation formed by the board, granted by Congress, as
25 well as gifts]

26 (ii) Gifts and donations from individuals, private
27 organizations or foundations. Funds received shall be
28 transmitted to the State Treasurer for deposit in the
29 trust fund. Federal funds accepted under this paragraph
30 may not be used to provide a match for other Federal

1 funds.

2 (8) Provide for the formation of a nonprofit
3 corporation, the purposes of which shall be to solicit funds,
4 make application for, receive and manage Federal and private
5 funds and to otherwise serve as the financial intermediary
6 between the board and the Federal Government and contracted
7 entities.

8 Section 3. Section 6 of the act is amended to read:

9 Section 6. Powers and duties of Department of Public Welfare.

10 The [Deputy] Secretary of [the Office of Children, Youth and
11 Families of the Department of] Public Welfare or his designee
12 shall serve as executive director to the board and shall carry
13 out the duties and responsibilities assigned by the board
14 through staff employed by the office. The executive director
15 shall receive no compensation for carrying out the duties and
16 responsibilities assigned by the board. There shall be employed
17 by the office sufficient staff to carry out the activities of
18 the board.

19 Section 4. This act shall take effect in 60 days.