

HOUSE BILL NO. 742
INTRODUCED BY S. WEISS

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE MONTANA SUMMER YOUTH TOBACCO PREVENTION PROGRAM; ESTABLISHING ELIGIBILITY CRITERIA; PROVIDING FOR PARTICIPANT ASSESSMENT; PROVIDING FOR ADMINISTRATION BY THE DEPARTMENT OF LABOR AND INDUSTRY THROUGH THE LOCAL WORKFORCE INVESTMENT BOARDS; PROVIDING AN APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Short title -- purpose.** [Sections 1 through 6] may be cited as the "Montana summer youth tobacco prevention program", established pursuant to the Workforce Investment Act of 1998, 29 U.S.C. 2801, et seq., and Article XII, section 4, of the Montana constitution, for the purpose of providing local youth community-based organization grants to provide training and tobacco prevention programs.

NEW SECTION. **Section 2. Goals.** With the creation of the Montana summer youth tobacco prevention program, the legislature intends to:

(1) provide to as many eligible youth as possible a quality summer experience to assist them in achieving an understanding of the health risks of tobacco use, including a variety of options for improving educational and work-related activities that will expose the youth to the health risks, medical costs, and human suffering that results from the use of tobacco products;

(2) provide opportunities for education and training services to eligible youth, with emphasis on the 14- to 17-year-old age group;

(3) provide opportunities for eligible youth to participate in activities related to leadership development, decisionmaking, citizenship, and community service; and

(4) ensure ongoing community opportunities for eligible youth to participate in tobacco prevention programs.

NEW SECTION. **Section 3. Eligibility -- exceptions.** (1) To participate in the Montana summer youth tobacco prevention program, a youth must:

- (a) be 14 through 17 years of age; and
- (b) be economically disadvantaged or must:
 - (i) have been determined to meet the eligibility requirements for reduced or free meals under the National School Lunch Act during the most recent school year;
 - (ii) be participating in a compensatory education program under Chapter 1 of Title I of the Elementary and Secondary Education Act of 1965, 20 U.S.C. 6301, et seq.; or
 - (iii) be a foster child.
- (2) Local workforce investment boards shall develop eligibility determination verification guidelines, including but not limited to verification of:
 - (a) age;
 - (b) income;
 - (c) citizenship;
 - (d) residency;
 - (e) participation in a reduced or free lunch program; and
 - (f) attendance in a Title I compensatory education program.

NEW SECTION. Section 4. Authorized services. The authorized services provided under the Montana summer youth tobacco prevention program include but are not limited to:

- (1) educational programs designed to instruct the youth in the dangers of tobacco use;
- (2) linkages with county and state health departments for continuing educational opportunities;
- (3) linkages with appropriate health and medical facilities to provide access to educational and training opportunities at those facilities, including but not limited to:
 - (a) onsite visits to hospitals, respiratory therapy facilities, physicians' offices, and city, county, and state public health offices for the purpose of learning about and witnessing the consequences and health costs related to tobacco use; and
 - (b) the exploration of job opportunities in the health care industries and in law enforcement agencies.

NEW SECTION. Section 5. Program operation period -- participant selection -- performance. (1) Except as provided in subsection (2), the Montana summer youth tobacco prevention program must be conducted during the school vacation period occurring during the summer months.

- (2) In circumstances in which the local education agency operates a school on a year-round, full-time

basis, Montana summer youth tobacco prevention program activities may be offered to participants during periods that are the equivalent to a school summer vacation period.

(3) The selection of youth for participation in the Montana summer youth tobacco prevention program must be coordinated with the youth providers of the Workforce Investment Act of 1998, 29 U.S.C. 2801, et seq., local school districts, alternative high schools, juvenile justice programs, foster care programs, faith-based organizations, and other local community-based organizations.

(4) The core indicator of performance success for the Montana summer youth tobacco prevention program is the rate of successful completion by a participant of the program objectives.

NEW SECTION. Section 6. Administration. The Montana summer youth tobacco prevention program must be administered by the local workforce investment boards as identified under the Workforce Investment Act of 1998 and as designated by the governor. Local workforce investment boards shall provide funds in the form of grants to local community-based organizations to implement the program. Oversight of the program must be provided by the statewide workforce programs bureau of the workforce services division of the department of labor and industry.

NEW SECTION. Section 7. Appropriation. The following is appropriated from the tobacco settlement trust fund established in Article XII, section 4, of the Montana constitution, to the statewide workforce programs bureau in the department of labor and industry to fund the Montana summer youth tobacco prevention program:

Fiscal year 2004	\$500,000
Fiscal year 2005	\$500,000

NEW SECTION. Section 8. Codification instruction. [Sections 1 through 6] are intended to be codified as an integral part of Title 39, and the provisions of Title 39 apply to [sections 1 through 6].

NEW SECTION. Section 9. Two-thirds vote required. Because [section 7] appropriates money from the tobacco settlement trust fund, Article XII, section 4(1), of the Montana constitution requires a vote of two-thirds of the members of each house of the legislature for passage.

NEW SECTION. Section 10. Effective date. [This act] is effective May 1, 2003.

NEW SECTION. **Section 11. Termination.** [This act] terminates September 15, 2004.

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