

SENATE BILL NO. 421
INTRODUCED BY D. GRIMES

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING AN OFFICE OF DRUG CONTROL AND SUBSTANCE ABUSE PREVENTION AND TREATMENT; TEMPORARILY AMENDING THE MEMBERSHIP OF THE BOARD OF CRIME CONTROL; ELIMINATING THE INTERAGENCY COORDINATING COUNCIL FOR STATE PREVENTION PROGRAMS; AMENDING SECTION 2-15-2006, MCA; REPEALING SECTION 2-15-225, MCA; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

WHEREAS, there is a statewide multifaceted problem of alcohol and drug abuse and a need to expand prevention, intervention, and treatment solutions to the problem; and

WHEREAS, methamphetamine abuse exemplifies the many issues involved, including extreme addiction, the dangers to people created by the production of drugs, such as ingredients and residues, and the broad range of public health issues, ranging from child endangerment and abandonment to infectious diseases, violence, imprisonment, and death; and

WHEREAS, addictions involving alcohol, drugs, and tobacco often overlap for the same person and may interact with mental illness or other forms of dependency; and

WHEREAS, an effective review of many of these problems has been undertaken by Governor Martz's and Attorney General McGrath's Alcohol, Tobacco, and Other Drug Control Policy Task Force resulting in numerous proposals to the 58th Legislature, including a proposal for a drug czar or advisory committee; and

WHEREAS, a planned and coordinated response by federal, state, and local governments, the criminal justice system, the education system, prevention and treatment agencies, and citizen coalitions is essential to effectively address and reduce substance abuse problems in Montana communities; and

WHEREAS, there is an immediate need to coordinate a state-level response to the problems of substance abuse through prevention, treatment, and enforcement programs in order to promote public safety and healthy families and communities in Montana.

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

NEW SECTION. **Section 1. Purpose.** (1) It is the purpose of [sections 1 and 2] to:

(a) improve the coordination of the state's drug control, prevention, and treatment programs;

- (b) enhance interagency planning and cooperation;
- (c) encourage the sharing of information and resources; and
- (d) improve law enforcement responses to substance abuse, while at the same time improving the provision of youth prevention services and the provision of treatment services to individuals and families suffering from substance abuse and dependency.

(2) The first phase of this effort will concentrate on issues and programs operated at the state level in the departments of justice, corrections, and public health and human services and in the office of public instruction.

NEW SECTION. Section 2. Office of drug control and substance abuse prevention and treatment.

(1) There is an office of drug control and substance abuse prevention and treatment. The office is allocated to the department of justice for administrative purposes only as prescribed in 2-15-121. However, the office may hire its own personnel, and 2-15-121(2)(d) does not apply. The office is attached to the board of crime control, and the board shall, to the extent resources are available, provide secretarial services to the office.

(2) The governor shall appoint the director of the office of drug control and substance abuse prevention and treatment.

(3) The purpose of the office of drug control and substance abuse prevention and treatment is to:

(a) promote an increased cooperation and coordination between the major agencies of state government that have responsibilities for substance abuse enforcement, education, prevention, and treatment programs;

(b) work with the departments of justice, corrections, and public health and human services and the office of public instruction to identify and assess substance abuse enforcement, prevention, and treatment programs to:

(i) provide leadership and advocacy for a balanced and comprehensive approach to address the substance abuse and crime issues of the state;

(ii) assist in the development of a comprehensive drug control plan that includes coordinated prevention, treatment, and law enforcement systems;

(iii) assist agencies to implement uniform standards for establishing measurable program benchmarks and outcomes that are aligned with the strategies in the comprehensive drug control plan;

(iv) explore ways to improve planning, management, coordination, and information and resource sharing;

(v) explore integrated approaches to the administration of programs;

(vi) coordinate standards for delivery of services; and

(vii) examine innovative approaches to the coordination of services.

(4) The office of drug control and substance abuse prevention and treatment shall report progress and any problems encountered on a quarterly basis to the board of crime control and to the governor.

Section 3. Section 2-15-2006, MCA, is amended to read:

"2-15-2006. Board of crime control -- composition -- allocation. (1) There is a board of crime control.

(2) The board is allocated to the department for administrative purposes only as prescribed in 2-15-121. However, the board may hire its own personnel, and 2-15-121(2)(d) does not apply.

(3) The board is composed of ~~48~~ 23 members appointed by the governor in accordance with 2-15-124 or as provided in subsection (4), and any special requirements of Title I of the Omnibus Crime Control and Safe Streets Act, as amended. The board shall be representative of state and local law enforcement and criminal justice agencies, including agencies directly related to the prevention and control of juvenile delinquency, units of general local government, and public agencies maintaining programs to reduce and control crime and shall include representatives of citizens and professional and community organizations, including organizations directly related to delinquency prevention.

(4) The board shall include the director of the office of drug control and substance abuse prevention and treatment, the director of the department of public health and human services, the superintendent of public instruction, and two representatives appointed by the governor that represent professional and community organizations directly related to substance abuse prevention and treatment services."

NEW SECTION. **Section 4. Repealer.** Section 2-15-225, MCA, is repealed.

NEW SECTION. **Section 5. Codification instruction.** [Sections 1 and 2] are intended to be codified as an integral part of Title 44, chapter 4, part 3, and the provisions of Title 44, chapter 4, part 3, apply to [sections 1 and 2].

NEW SECTION. **Section 6. Effective date.** [This act] is effective July 1, 2003.

NEW SECTION. **Section 7. Termination.** [Sections 1 through 3] terminate June 30, 2007.

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