

SENATE BILL NO. 346—COMMITTEE ON HUMAN RESOURCES
AND FACILITIES

(ON BEHALF OF DEPARTMENT OF MOTOR VEHICLES
AND PUBLIC SAFETY)

MARCH 10, 1999

Referred to Committee on Human Resources and Facilities

SUMMARY—Revises composition and duties of commission on substance abuse education, prevention, enforcement and treatment. (BDR 40-497)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: Yes.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to the commission on substance abuse education, prevention, enforcement and treatment; revising the composition and duties of the commission; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE
AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** NRS 458.380 is hereby amended to read as follows:
2 458.380 1. The commission on substance abuse education,
3 prevention, enforcement and treatment is hereby created within the
4 department of motor vehicles and public safety.
5 2. The governor shall appoint ~~{ }~~ ***as voting members of the***
6 ***commission:***
7 (a) Three members who represent ~~{law-enforcement}~~ ***the criminal***
8 ***justice system*** and are knowledgeable in the areas of the ~~{penal-system,}~~
9 ***enforcement of laws relating to drugs,*** parole and probation and the
10 judicial system ~~{ }~~ ***, at least one of whom is a peace officer;***
11 (b) Three members who represent ~~{the state board of education, local~~
12 ~~*school districts, teachers and*~~ ***education and are knowledgeable about***
13 programs for the prevention of abuse of drugs and alcohol ~~{ }~~ ***, at least one***
14 ***of whom is a licensed employee of a local school district;***

(c) Three members who ~~are managers of programs which are~~ *represent programs and organizations for the rehabilitation of persons who abuse drugs and alcohol, at least one of whom is a manager of a program*

accredited by the state to treat persons who abuse drugs and alcohol; ~~and~~
~~—(d) Four~~

(d) *One member who is employed by the bureau and has experience in matters concerning budgeting and experience in working with the programs of the bureau;*

(e) *One member who is employed by the division of mental health and developmental services of the department of human resources who has relevant experience, which may include, without limitation, experience in matters concerning budgeting and experience in working with programs of the division of mental health and developmental services of the department of human resources;*

(f) *One member who represents the interests of private businesses concerning substance abuse in the workplace; and*

(g) *Three members who represent the general public ~~and~~, one of whom is the parent of a child who has a mental illness or who has or has had a problem with substance abuse.*

3. At least three of the *voting* members of the commission must be representatives of northern Nevada, three must be representatives of southern Nevada and three must be representatives of rural Nevada.

4. *The legislative commission shall appoint one member of the senate and one member of the assembly to serve as nonvoting members of the commission. Such members must be appointed with appropriate regard for their experience with and knowledge of matters relating to substance abuse education, prevention, enforcement and treatment.*

5. The director of the department of human resources, the superintendent of public instruction, the director of the department of employment, training and rehabilitation, *the director of the department of prisons*, the attorney general and the director of the department of motor vehicles and public safety are ex officio nonvoting members of the commission. An ex officio member may designate a representative to serve in his place on the commission or to attend a meeting of the commission in his place. Each ex officio member or his representative shall attend each meeting of the commission and provide any information which the commission requests.

~~5.1~~ 6. The term of office of each ~~appointed~~ *voting* member of the commission is 2 years.

~~6.1~~ 7. The governor shall appoint one member who is not an elected official to serve as chairman of the commission.

1 ~~[7.]~~ 8. Each member of the commission is entitled to receive the per
2 diem allowance and travel expenses provided for state officers and
3 employees generally.

4 *9. Except during a regular or special session of the legislature, each*
5 *legislative member of the commission is entitled to receive the*
6 *compensation provided for a majority of the members of the legislature*
7 *during the first 60 days of the preceding regular session for each day or*
8 *portion of a day during which he attends a meeting of the commission or*
9 *is otherwise engaged in the business of the commission. The salaries and*
10 *expenses of the legislative members of the commission must be paid from*
11 *the legislative fund.*

12 **Sec. 2.** NRS 458.390 is hereby amended to read as follows:

13 458.390 1. The commission shall meet at least quarterly or by a call
14 of the chairman or majority of the members of the commission.

15 2. ~~{Seven}~~ *Eight voting* members of the commission, including at least
16 one member who is a representative of southern Nevada, one member who
17 is a representative of northern Nevada and one member who is a
18 representative of rural Nevada, constitute a quorum.

19 3. A quorum may exercise all of the powers conferred on the
20 commission.

21 4. The chairman of the commission may divide the commission into
22 subcommittees. The commission may delegate one or more of the powers
23 conferred on the commission to a subcommittee of the commission.

24 5. The commission shall prescribe rules for its own management and
25 government.

26 **Sec. 3.** NRS 458.400 is hereby amended to read as follows:

27 458.400 1. The commission may accept gifts, grants, appropriations
28 and donations if its acceptance does not reduce, limit or cause it to be in
29 competition for money normally available to local agencies and community
30 programs, unless otherwise provided by a specific statute.

31 2. All money received by the commission must be deposited in the
32 fund for substance abuse education, prevention, enforcement and treatment
33 which is hereby created as a special revenue fund.

34 3. The money in the fund may be used only to:

35 (a) Make grants *pursuant* to ~~{programs for substance abuse education,~~
36 ~~prevention, enforcement and treatment;}~~ *subsection 5 of NRS 458.420;* and

37 (b) Carry out the provisions of NRS 458.370 to 458.420, inclusive.

38 4. All claims against the fund must be paid as other claims against the
39 state are paid.

40 5. Any money received by the commission on the condition that it be
41 expended for a specific purpose must be accounted for separately in the
42 fund.

1 **Sec. 4.** NRS 458.420 is hereby amended to read as follows:

2 458.420 The commission shall:

3 1. Develop , ~~and~~ coordinate *and adopt* a state master plan . ~~that~~
4 ~~must~~ *The plan:*

5 (a) *May* include, without limitation ~~:~~

6 ~~—(a) All existing and future~~ , *any* plans and reports developed by state
7 and local agencies, task forces, councils, committees and community
8 programs for substance abuse education, prevention, enforcement and
9 treatment . ~~;~~

10 (b) *Must include:*

11 (1) A summary of the current activities of the commission;

12 ~~[(c)]~~ (2) The goals and objectives of the commission;

13 ~~[(d)]~~ (3) The order of priority concerning the efforts required to achieve
14 the goals and objectives of the commission; and

15 ~~[(e) A statement of the roles of state and local governmental agencies~~
16 ~~and the private sector in the achievement of the goals and objectives of the~~
17 ~~commission.]~~

18 (4) *Suggestions and advice to the bureau concerning the programs*
19 *of the bureau.*

20 2. Prepare and deliver to the governor on or before ~~September~~ *July* 1
21 of each *even-numbered* year a report that summarizes the status of the state
22 master plan and of the efforts of the commission to achieve its goals and
23 objectives.

24 3. Hold and coordinate public hearings throughout the state as are
25 necessary to receive information from the public relating to education
26 concerning the abuse of drugs and alcohol, prevention and treatment of the
27 abuse of drugs and alcohol and the enforcement of laws relating to drugs
28 and alcohol.

29 4. ~~Encourage the creation of state and local task forces, councils and~~
30 ~~committees relating to education concerning the abuse of drugs and~~
31 ~~alcohol, prevention and treatment of the abuse of drugs and alcohol and~~
32 ~~enforcement of laws relating to drugs and alcohol and develop procedures~~
33 ~~to receive information and recommendations from the task forces, councils~~
34 ~~and committees on a regular basis.~~

35 ~~—5.]~~ Recommend to the governor ~~in its annual report~~ *annually* any
36 proposed legislation relating to education concerning the abuse of drugs
37 and alcohol, prevention and treatment of the abuse of drugs and alcohol and
38 enforcement of laws relating to drugs and alcohol.

39 5. *Make grants of available money to programs that provide*
40 *substance abuse education, prevention, enforcement and treatment and*
41 *to organizations that evaluate such programs.*

- 1 6. Collect, evaluate and disseminate information concerning ~~{the}~~ :
- 2 ~~(a)~~ *The* performance of the programs for ~~{substance}~~ *drug* abuse
- 3 education, prevention, enforcement and treatment ~~{~~
- 4 ~~—7.— Disseminate information concerning any new developments in~~
- 5 ~~research or programs for substance} ; and~~
- 6 ~~(b)~~ *Proposed legislation relating to drug* abuse education, prevention,
- 7 enforcement and treatment.
- 8 ~~{8.}~~ *7.* Establish a program to recognize publicly persons and programs
- 9 that have helped to prevent and treat the abuse of drugs and alcohol and
- 10 enforce laws relating to drugs and alcohol in this state.
- 11 ~~{9.— Disseminate information concerning the provisions of NRS 62.2255~~
- 12 ~~to 62.227, inclusive, with the assistance of the department of employment,~~
- 13 ~~training and rehabilitation, the department of motor vehicles and public~~
- 14 ~~safety, and the superintendent of public instruction.}~~
- 15 **Sec. 5.** NRS 458.410 is hereby repealed.
- 16 **Sec. 6.** This act becomes effective on July 1, 1999.

TEXT OF REPEALED SECTION

458.410 Recommendation of policies and priorities for use of federal money; grants. The commission shall:

1. Recommend policies and priorities for the use of the money which the state receives from the United States Department of Justice, United States Department of Education or United States Department of Health and Human Services for programs for substance abuse education, prevention, enforcement and treatment.
2. Make grants of available money to programs for substance abuse education, prevention, enforcement and treatment.