

HSB 565

JUDICIARY

Succeeded By
SF (HF) 2/53

Sunderbruch, Chair
Thomson
Shoultz

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CHAIRPERSON LARSON)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to drug policy coordination, including
2 establishment of a drug policy coordinator, the governor's
3 office of drug control policy, and a drug policy advisory
4 council.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 80E.1, subsection 1, Code 1999, is
2 amended to read as follows:

3 1. A drug ~~enforcement-and-abuse-prevention~~ policy
4 coordinator shall be appointed by the governor, subject to
5 confirmation by the senate, and shall serve at the pleasure of
6 the governor. The governor shall fill a vacancy in the office
7 in the same manner as the original appointment was made. The
8 coordinator shall be selected primarily for administrative
9 ability. The coordinator shall not be selected on the basis
10 of political affiliation and shall not engage in political
11 activity while holding the office. The salary of the
12 coordinator shall be fixed by the governor.

13 Sec. 2. Section 80E.1, subsection 2, paragraph a, Code
14 1999, is amended to read as follows:

15 a. Coordinate Direct the governor's office of drug control
16 policy, and coordinate and monitor all statewide narcotics
17 enforcement efforts, coordinate and monitor all state and
18 federal substance abuse treatment grants and programs,
19 coordinate and monitor all statewide substance abuse
20 prevention and education programs in communities and schools,
21 and engage in such other related activities as required by
22 law. The coordinator shall work in coordinating the efforts
23 of the department of corrections, the department of education,
24 the Iowa department of public health, the department of public
25 safety, and the department of human services. The coordinator
26 shall assist in the development and implementation of local
27 and community strategies to fight substance abuse, including
28 local law enforcement, education, and treatment activities.

29 Sec. 3. Section 80E.2, subsection 1, Code 1999, is amended
30 to read as follows:

31 1. An Iowa drug ~~abuse-prevention-and-education~~ policy
32 advisory council is established which shall consist of the
33 following ~~nine~~ fourteen members:

34 a. The drug ~~enforcement-and-abuse-prevention~~ policy
35 coordinator, who shall serve as chairperson of the council.

- 1 b. The director of the department of corrections, or the
- 2 director's designee.
- 3 c. The director of the department of education, or the
- 4 director's designee.
- 5 d. The director of the Iowa department of public health,
- 6 or the director's designee.
- 7 e. The commissioner of public safety, or the
- 8 commissioner's designee.
- 9 f. The director of the department of human services, or
- 10 the director's designee.
- 11 ff. The director of the division of criminal and juvenile
- 12 justice planning, in the department of human rights, or the
- 13 division director's designee.
- 14 g. A prosecuting attorney.
- 15 h. A licensed substance abuse treatment specialist.
- 16 i. A law-enforcement-officer certified substance abuse
- 17 prevention specialist.
- 18 j. A justice of the Iowa supreme court, or judge, as
- 19 designated by the Iowa supreme court.
- 20 k. A member representing the Iowa association of chiefs of
- 21 police and peace officers.
- 22 l. A member representing the Iowa state police
- 23 association.
- 24 m. A member representing the Iowa state sheriffs' and
- 25 deputies' association.
- 26 The prosecuting attorney, licensed substance abuse
- 27 treatment specialist, certified substance abuse prevention
- 28 specialist, member representing the Iowa association of chiefs
- 29 of police and peace officers, member representing the Iowa
- 30 state police association, and law-enforcement-officer the
- 31 member representing the Iowa state sheriffs' and deputies'
- 32 association shall be appointed by the governor, subject to
- 33 senate confirmation, for four-year terms beginning and ending
- 34 as provided in section 69.19. A vacancy on the council shall
- 35 be filled for the unexpired term in the same manner as the

1 original appointment was made.

2 Sec. 4. Section 80E.2, subsection 2, Code 1999, is amended
3 to read as follows:

4 2. The council shall make policy recommendations to the
5 appropriate departments concerning the administration,
6 development, and coordination of programs related to substance
7 abuse education, prevention, and treatment, and enforcement.

8 Sec. 5. Section 232.190, subsection 1, Code 1999, is
9 amended to read as follows:

10 1. A community grant fund is established in the state
11 treasury under the control of the division of criminal and
12 juvenile justice planning of the department of human rights
13 for the purposes of awarding grants under this section. The
14 criminal and juvenile justice planning advisory council and
15 the juvenile justice advisory council shall assist the
16 division in administering grants awarded under this section.
17 The departments of education, human services, public health,
18 and public safety, and the governor's ~~alliance-on-substance~~
19 abuse office of drug control policy shall advise the division
20 on grant application and selection criteria and performance
21 measures for the programs. Not more than five percent of the
22 moneys appropriated to the fund shall be used for
23 administrative purposes.

24 Sec. 6. Section 235C.2, subsection 13, Code Supplement
25 1999, is amended to read as follows:

26 13. A representative from the governor's ~~alliance-on~~
27 substance-abuse office of drug control policy selected by the
28 alliance office.

29 Sec. 7. Section 256.41, subsection 9, Code 1999, is
30 amended to read as follows:

31 9. The drug ~~enforcement-and-abuse-prevention~~ policy
32 coordinator shall serve as an ex officio and nonvoting member.

33 Sec. 8. Section 80E.3, Code 1999, is repealed.

34 EXPLANATION

35 This bill changes the name of the drug enforcement and

SB 565

1 abuse prevention coordinator to the drug policy coordinator.
2 In addition, the bill provides that the coordinator shall
3 direct the governor's office of drug control policy. Current
4 law referring to the governor's alliance on substance abuse is
5 repealed and the references replaced with the governor's
6 office of drug control policy.

7 The bill also repeals the narcotic enforcement advisory
8 council and changes the name of the drug abuse prevention and
9 education advisory council to the drug policy advisory council
10 and adds enforcement to one of its areas of concern. In
11 addition, the membership on the drug policy advisory council
12 is expanded to add a member from the division of criminal and
13 juvenile justice planning, a certified substance abuse
14 prevention specialist, a justice or judge selected by the Iowa
15 supreme court, and representatives of the Iowa association of
16 chiefs of police and peace officers, Iowa state police
17 association, and the Iowa state sheriffs' and deputies'
18 association.

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S- 3/7/00 Do Pass
S. 3/23/00 Unfinished Business
Calendar

FEB 4 2000

Place On Calendar

HOUSE FILE **2153**
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 565)

(p. 271)
Passed House, Date 2-10-00
Vote: Ayes 97 Nays 0
Approved 4/20/00

(p. 961)
Passed Senate, Date 4-3-00
Vote: Ayes 50 Nays 0

A BILL FOR

1 An Act relating to drug policy coordination, including
2 establishment of a drug policy coordinator, the governor's
3 office of drug control policy, and a drug policy advisory
4 council.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2153

1 Section 1. Section 80E.1, subsection 1, Code 1999, is
2 amended to read as follows:

3 1. A drug ~~enforcement-and-abuse-prevention~~ policy
4 coordinator shall be appointed by the governor, subject to
5 confirmation by the senate, and shall serve at the pleasure of
6 the governor. The governor shall fill a vacancy in the office
7 in the same manner as the original appointment was made. The
8 coordinator shall be selected primarily for administrative
9 ability. The coordinator shall not be selected on the basis
10 of political affiliation and shall not engage in political
11 activity while holding the office. The salary of the
12 coordinator shall be fixed by the governor.

13 Sec. 2. Section 80E.1, subsection 2, paragraph a, Code
14 1999, is amended to read as follows:

15 a. ~~Coordinate~~ Direct the governor's office of drug control
16 policy, and coordinate and monitor all statewide narcotics
17 enforcement efforts, coordinate and monitor all state and
18 federal substance abuse treatment grants and programs,
19 coordinate and monitor all statewide substance abuse
20 prevention and education programs in communities and schools,
21 and engage in such other related activities as required by
22 law. The coordinator shall work in coordinating the efforts
23 of the department of corrections, the department of education,
24 the Iowa department of public health, the department of public
25 safety, and the department of human services. The coordinator
26 shall assist in the development and implementation of local
27 and community strategies to fight substance abuse, including
28 local law enforcement, education, and treatment activities.

29 Sec. 3. Section 80E.2, subsection 1, Code 1999, is amended
30 to read as follows:

31 1. An Iowa drug ~~abuse-prevention-and-education~~ policy
32 advisory council is established which shall consist of the
33 following nine fifteen members:

34 a. The drug ~~enforcement-and-abuse-prevention~~ policy
35 coordinator, who shall serve as chairperson of the council.

- 1 b. The director of the department of corrections, or the
2 director's designee.
- 3 c. The director of the department of education, or the
4 director's designee.
- 5 d. The director of the Iowa department of public health,
6 or the director's designee.
- 7 e. The commissioner of public safety, or the
8 commissioner's designee.
- 9 f. The director of the department of human services, or
10 the director's designee.
- 11 ff. The director of the division of criminal and juvenile
12 justice planning, in the department of human rights, or the
13 division director's designee.
- 14 g. A prosecuting attorney.
- 15 h. A licensed substance abuse treatment specialist.
- 16 i. A law-enforcement-officer certified substance abuse
17 prevention specialist.
- 18 j. A substance abuse treatment program director.
- 19 k. A justice of the Iowa supreme court, or judge, as
20 designated by the chief justice of the supreme court.
- 21 l. A member representing the Iowa association of chiefs of
22 police and peace officers.
- 23 m. A member representing the Iowa state police
24 association.
- 25 n. A member representing the Iowa state sheriffs' and
26 deputies' association.
- 27 The prosecuting attorney, licensed substance abuse
28 treatment specialist, certified substance abuse prevention
29 specialist, substance abuse treatment program director, member
30 representing the Iowa association of chiefs of police and
31 peace officers, member representing the Iowa state police
32 association, and law-enforcement-officer the member
33 representing the Iowa state sheriffs' and deputies'
34 association shall be appointed by the governor, subject to
35 senate confirmation, for four-year terms beginning and ending

1 as provided in section 69.19. A vacancy on the council shall
2 be filled for the unexpired term in the same manner as the
3 original appointment was made.

4 Sec. 4. Section 80E.2, subsection 2, Code 1999, is amended
5 to read as follows:

6 2. The council shall make policy recommendations to the
7 appropriate departments concerning the administration,
8 development, and coordination of programs related to substance
9 abuse education, prevention, and treatment, and enforcement.

10 Sec. 5. Section 232.190, subsection 1, Code 1999, is
11 amended to read as follows:

12 1. A community grant fund is established in the state
13 treasury under the control of the division of criminal and
14 juvenile justice planning of the department of human rights
15 for the purposes of awarding grants under this section. The
16 criminal and juvenile justice planning advisory council and
17 the juvenile justice advisory council shall assist the
18 division in administering grants awarded under this section.
19 The departments of education, human services, public health,
20 and public safety, and the governor's ~~alliance-on-substance~~
21 abuse office of drug control policy shall advise the division
22 on grant application and selection criteria and performance
23 measures for the programs. Not more than five percent of the
24 moneys appropriated to the fund shall be used for
25 administrative purposes.

26 Sec. 6. Section 235C.2, subsection 13, Code Supplement
27 1999, is amended to read as follows:

28 13. A representative from the governor's ~~alliance-on~~
29 substance-abuse office of drug control policy selected by the
30 alliance office.

31 Sec. 7. Section 256.41, subsection 9, Code 1999, is
32 amended to read as follows:

33 9. The ~~drug enforcement-and-abuse-prevention policy~~
34 coordinator shall serve as an ex officio and nonvoting member.

35 Sec. 8. Section 80E.3, Code 1999, is repealed.

EXPLANATION

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This bill changes the name of the drug enforcement and abuse prevention coordinator to the drug policy coordinator. In addition, the bill provides that the coordinator shall direct the governor's office of drug control policy. Current law referring to the governor's alliance on substance abuse is amended and the references replaced with the governor's office of drug control policy.

The bill also repeals the narcotic enforcement advisory council and changes the name of the drug abuse prevention and education advisory council to the drug policy advisory council and adds enforcement to one of its areas of concern. In addition, the membership on the drug policy advisory council is expanded to add a member from the division of criminal and juvenile justice planning, a certified substance abuse prevention specialist, a substance abuse treatment program director, a justice or judge selected by the chief justice of the supreme court, and representatives of the Iowa association of chiefs of police and peace officers, Iowa state police association, and the Iowa state sheriffs' and deputies' association.

HOUSE FILE 2153

AN ACT

RELATING TO DRUG POLICY COORDINATION, INCLUDING ESTABLISHMENT OF A DRUG POLICY COORDINATOR, THE GOVERNOR'S OFFICE OF DRUG CONTROL POLICY, AND A DRUG POLICY ADVISORY COUNCIL.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 80E.1, subsection 1, Code 1999, is amended to read as follows:

1. A drug enforcement-and-abuse-prevention policy coordinator shall be appointed by the governor, subject to confirmation by the senate, and shall serve at the pleasure of the governor. The governor shall fill a vacancy in the office in the same manner as the original appointment was made. The coordinator shall be selected primarily for administrative ability. The coordinator shall not be selected on the basis of political affiliation and shall not engage in political activity while holding the office. The salary of the coordinator shall be fixed by the governor.

Sec. 2. Section 80E.1, subsection 2, paragraph a, Code 1999, is amended to read as follows:

a. Coordinate Direct the governor's office of drug control policy, and coordinate and monitor all statewide narcotics enforcement efforts, coordinate and monitor all state and federal substance abuse treatment grants and programs, coordinate and monitor all statewide substance abuse prevention and education programs in communities and schools, and engage in such other related activities as required by law. The coordinator shall work in coordinating the efforts of the department of corrections, the department of education, the Iowa department of public health, the department of public safety, and the department of human services. The coordinator shall assist in the development and implementation of local

and community strategies to fight substance abuse, including local law enforcement, education, and treatment activities.

Sec. 3. Section 80E.2, subsection 1, Code 1999, is amended to read as follows:

1. An Iowa drug ~~abuse-prevention-and-education~~ policy advisory council is established which shall consist of the following ~~nine~~ fifteen members:

a. The drug ~~enforcement-and-abuse-prevention~~ policy coordinator, who shall serve as chairperson of the council.

b. The director of the department of corrections, or the director's designee.

c. The director of the department of education, or the director's designee.

d. The director of the Iowa department of public health, or the director's designee.

e. The commissioner of public safety, or the commissioner's designee.

f. The director of the department of human services, or the director's designee.

ff. The director of the division of criminal and juvenile justice planning, in the department of human rights, or the division director's designee.

g. A prosecuting attorney.

h. A licensed substance abuse treatment specialist.

i. A law-enforcement-officer certified substance abuse prevention specialist.

j. A substance abuse treatment program director.

k. A justice of the Iowa supreme court, or judge, as designated by the chief justice of the supreme court.

l. A member representing the Iowa association of chiefs of police and peace officers.

m. A member representing the Iowa state police association.

n. A member representing the Iowa state sheriffs' and deputies' association.

The prosecuting attorney, licensed substance abuse treatment specialist, certified substance abuse prevention specialist, substance abuse treatment program director, member representing the Iowa association of chiefs of police and peace officers, member representing the Iowa state police association, and law-enforcement-officer the member representing the Iowa state sheriffs' and deputies' association shall be appointed by the governor, subject to senate confirmation, for four-year terms beginning and ending as provided in section 69.19. A vacancy on the council shall be filled for the unexpired term in the same manner as the original appointment was made.

Sec. 4. Section 80E.2, subsection 2, Code 1999, is amended to read as follows:

2. The council shall make policy recommendations to the appropriate departments concerning the administration, development, and coordination of programs related to substance abuse education, prevention, and treatment, and enforcement.

Sec. 5. Section 232.190, subsection 1, Code 1999, is amended to read as follows:

1. A community grant fund is established in the state treasury under the control of the division of criminal and juvenile justice planning of the department of human rights for the purposes of awarding grants under this section. The criminal and juvenile justice planning advisory council and the juvenile justice advisory council shall assist the division in administering grants awarded under this section. The departments of education, human services, public health, and public safety, and the governor's alliance-on-substance abuse office of drug control policy shall advise the division on grant application and selection criteria and performance measures for the programs. Not more than five percent of the moneys appropriated to the fund shall be used for administrative purposes.

Sec. 6. Section 235C.2, subsection 13, Code Supplement 1999, is amended to read as follows:

13. A representative from the governor's alliance-on-substance-abuse office of drug control policy selected by the alliance office.

Sec. 7. Section 256.41, subsection 9, Code 1999, is amended to read as follows:

9. The drug enforcement-and-abuse-prevention policy coordinator shall serve as an ex officio and nonvoting member.

Sec. 8. Section 80E.3, Code 1999, is repealed.

BRENT SIEGRIST
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2153, Seventy-eighth General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved 4/20, 2000

THOMAS J. VILSACK
Governor