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SENATE FILE 364

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HAMMOND, CONNOLLY, DEARDEN,
FRAISE, and JUDGE

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

A BILL FOR

1 An Act relating to enforcement, prevention, education, and
2 treatment for substance abuse and sexual abuse, and providing
3 appropriations.

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

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SF 364
APPROPRIATIONS

DIVISION I

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2 Section 1. ENFORCEMENT. There is appropriated from the
3 general fund of the state to the department of public safety,
4 for the designated fiscal years, the following amounts, or so
5 much thereof as is necessary, to be used for the purposes
6 designated:

7 1. For the division of narcotics enforcement:

8 a. For the fiscal year beginning July 1, 1999, and ending
9 June 30, 2000:

10 For the employment of six narcotics enforcement agents:
11 \$ 505,000

12 b. For the fiscal year beginning July 1, 2000, and ending
13 June 30, 2001:

14 For the employment of 12 narcotics enforcement agents:
15 \$ 885,000

16 c. For the fiscal year beginning July 1, 2001, and ending
17 June 30, 2002:

18 For the employment of 18 narcotics enforcement agents:
19 \$ 1,265,000

20 d. For the fiscal year beginning July 1, 2002, and ending
21 June 30, 2003:

22 For the employment of 18 narcotics enforcement agents:
23 \$ 1,140,000

24 2. For the division of criminal investigation:

25 For the fiscal year beginning July 1, 1999, and ending June
26 30, 2000:

27 For the hiring of two criminalists for the division's
28 laboratory who will primarily focus on methamphetamine
29 testing:

30 \$ 80,956

31 3. For the establishment of a clandestine methamphetamine
32 laboratory emergency response team within the department:

33 a. For the fiscal year beginning July 1, 1999, and ending
34 June 30, 2000:

35 \$ 980,000

1 b. For the fiscal year beginning July 1, 2000, and ending
2 June 30, 2001:

3 \$ 700,000

4 The clandestine methamphetamine laboratory emergency
5 response team established pursuant to this subsection shall
6 consist of five narcotics agents, one fire marshal special
7 agent, five state patrol officers, one division of criminal
8 investigation investigator, and one division of narcotics
9 enforcement technical support employee.

10 Sec. 2. JUVENILE DELINQUENT TREATMENT. There is
11 appropriated from the general fund of the state to the
12 department of human services for the state training school at
13 Eldora, for the fiscal year beginning July 1, 1999, and ending
14 June 30, 2000, the following amount, or so much thereof as is
15 necessary, to be used for the purpose designated:

16 For providing treatment programs for every substance abuser
17 and sexual predator placed at the state training school
18 needing treatment:

19 \$ 62,000

20 Sec. 3. YOUTH LEADERSHIP MODEL. There is appropriated
21 from the general fund of the state to the Iowa department of
22 corrections for the fiscal year beginning July 1, 1999, and
23 ending June 30, 2000, the following amount, or so much thereof
24 as is necessary, to be used for the purpose designated:

25 For the establishment of a youth leadership model program
26 to help at-risk youth in a judicial district department of
27 correctional services selected by the department:

28 \$ 100,000

29 As a part of the program, the judicial district department
30 of correctional services may recruit high school athletes in
31 communities in the judicial district to work with at-risk
32 children.

33 Sec. 4. METHAMPHETAMINE TREATMENT. There is appropriated
34 from the general fund of the state to the Iowa department of
35 public health for the fiscal year beginning July 1, 1999, and

1 ending June 30, 2000, the following amounts, or so much
2 thereof as is necessary, to be used for the purposes
3 designated:

4 1. For additional methamphetamine treatment under the
5 substance abuse treatment program:
6 \$ 1,500,000

7 2. For development of a model substance abuse prevention
8 program based upon the North high school program in Des
9 Moines:
10 \$ 30,000

11 Information about the model substance abuse prevention
12 program developed under this subsection shall be distributed
13 to schools in this state that have a high percent of students
14 susceptible to substance abuse, particularly methamphetamine
15 abuse, to assist those schools that are submitting
16 applications for competitive grants from the department.

17 Sec. 5. YOUTH LEADERSHIP CONFERENCE ON MENTORING. There
18 is appropriated from the general fund of the state to the
19 governor's alliance on substance abuse for the fiscal year
20 beginning July 1, 1999, and ending June 30, 2000, the
21 following amount, or so much thereof as is necessary, to be
22 used for the purpose designated:

23 For planning and holding a youth leadership conference on
24 mentoring for individuals who agree to serve as mentors to
25 youth to help reduce substance abuse, especially
26 methamphetamine abuse, in schools:
27 \$ 20,000

28 Sec. 6. LABOR MANAGEMENT SUBSTANCE ABUSE EDUCATION
29 PROGRAM. The executive council shall transfer from the health
30 insurance surplus account to the department of personnel for
31 the fiscal year beginning July 1, 1999, and ending June 30,
32 2000, the following amount, or so much thereof as is
33 necessary, which is appropriated to be used for the purpose
34 designated:

35 For development of a labor management substance abuse

1 education program, with an emphasis on methamphetamine abuse,
2 that can serve as a model to be used by labor and management
3 throughout the state:

4 \$ 30,000

5 Sec. 7. STRENGTHENING FAMILIES PROGRAM.

6 1. The cooperative extension service at Iowa state
7 university, in association with the institute of social and
8 behavioral research at Iowa state university, shall develop a
9 strengthening families program to provide funding and
10 assistance to communities for families who have children
11 between the ages of 10 and 14 years of age for prevention of
12 substance abuse with an emphasis on prevention of
13 methamphetamine abuse. Communities participating in the
14 program must contract with the cooperative extension service
15 for the cooperative extension service to bring the program to
16 the community.

17 2. The governor's alliance on substance abuse shall
18 transfer an amount not exceeding \$270,000 of moneys received
19 by the alliance under the federal Edward Byrne memorial state
20 and local law enforcement assistance program to be deposited
21 into a strengthening families program fund, established in the
22 office of the treasurer of state under the authority of the
23 department of education. The moneys shall be distributed on a
24 first-come, first-served matching funds basis by the
25 department of education to communities participating in the
26 strengthening families program.

27 Notwithstanding section 8.33, moneys in the fund that
28 remain unencumbered or unobligated at the close of the fiscal
29 year shall not revert but shall remain available for
30 expenditure for the purposes designated until the close of the
31 succeeding fiscal year.

32 3. The cooperative extension service shall solicit the
33 assistance of the department of education, the Iowa department
34 of public health, and other public and private agencies
35 providing services to families in promoting the program.

1 4. There is appropriated from the general fund of the
2 state to the department of education for the fiscal year
3 beginning July 1, 1999, and ending June 30, 2000, the
4 following amount, or so much thereof as is necessary, to be
5 used for the purpose designated:

6 For providing matching funds for communities to participate
7 in the strengthening families program:

8 \$ 50,000

9 DIVISION II

10 Sec. 8. NEW SECTION. 135.16 SPECIAL WOMEN, INFANTS, AND
11 CHILDREN SUPPLEMENTAL FOOD PROGRAM -- FUNDING ALLOCATION.

12 As a component of the federal funding received by the
13 department as the administering agency for the special women,
14 infants, and children supplemental food program, from the
15 United States department of agriculture, food and consumer
16 service, the department shall incorporate a methamphetamine
17 education program into its nutrition and health-related
18 education services. The department shall be responsible for
19 the development of the education program to be delivered, and
20 for the selection of qualified contract agencies to deliver
21 the instruction under the program.

22 Sec. 9. Section 217.12, subsection 3, paragraph b, Code
23 1999, is amended to read as follows:

24 b. Designation of the services to be provided for the
25 families served, including assistance regarding job-seeking
26 skills, family budgeting, nutrition, self-esteem,
27 methamphetamine education, health and hygiene, child rearing,
28 child education preparation, and goal setting. Grant
29 proposals shall indicate the support groups and support
30 systems to be developed for the families served during the
31 transition between the need for assistance and self-
32 sufficiency.

33 Sec. 10. Section 279.51, subsection 1, paragraph d, Code
34 1999, is amended to read as follows:

35 d. For the fiscal year beginning July 1, 1996, and for

1 each fiscal year thereafter, three million five hundred
2 thousand dollars of the funds appropriated shall be allocated
3 as grants to school districts that have elementary schools
4 that demonstrate the greatest need for programs for at-risk
5 students with preference given to innovative programs for the
6 early elementary school years. School districts receiving
7 grants under this paragraph shall at a minimum provide
8 activities and materials designed to encourage children's
9 self-esteem, provide role modeling and mentoring techniques in
10 social competence and social skills, and discourage
11 inappropriate drug use. The grant allocations made in this
12 paragraph may be renewed for additional periods of time. Of
13 the amount allocated under this paragraph for each fiscal
14 year, seventy-five thousand dollars shall be allocated to
15 school districts which have an actual student population of
16 ten thousand or less and have an actual non-English speaking
17 student population which represents greater than five percent
18 of the total actual student population for grants to
19 elementary schools in those districts.

20 Sec. 11. Section 279.51, subsection 3, unnumbered
21 paragraph 3, Code 1999, is amended to read as follows:

22 Programs shall provide at a minimum recreation
23 opportunities; personal skills development; activities and
24 materials designed to encourage children's self-esteem,
25 provide role modeling and mentoring techniques in social
26 competence and social skills, and discourage inappropriate
27 drug use; basic academic skills development; family
28 interaction opportunities; and mentoring. Additional
29 objectives of the programs shall be: to increase the ability
30 of existing agencies within the community to address the
31 multiple problems of children and youth and to coordinate
32 their activities and to facilitate joint planning to make the
33 most economic and innovative use of community resources.
34 Priority shall be given to programs that provide access to a
35 center for children and youth after school, in the evening,

1 and on weekends, and during the summer and that provide a
2 twenty-four-hour telephone hotline or similar service, and
3 that provide access to day care or on-site child day care.
4 Programs shall at a minimum provide career development
5 services, mental health and family counseling services, and
6 primary health care services that include but are not limited
7 to physical examinations, immunizations, hearing and vision
8 screening, and preventive and primary health care services, in
9 the context of the educational needs of the students.
10 Programs shall not include abortion counseling or the
11 dispensing of contraceptives.

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DIVISION III

13 Sec. 12. NEW SECTION. 901B.2 DRUG COURT PILOT PROGRAMS.

14 1. The judicial branch, the department of corrections, the
15 state prosecuting attorneys training coordinator, the
16 governor's alliance on substance abuse, and the state public
17 defender shall each appoint a member to a committee to assist
18 in the establishment of pilot programs pertaining to the
19 referral of certain offenders charged with a drug or drug-
20 related crime to drug courts. The judicial branch, in
21 cooperation with the committee, shall establish drug courts in
22 two judicial districts with high occurrences of drug-related
23 crime relative to the occurrence of drug-related crime in the
24 state as a whole.

25 2. The committee, in assisting in the establishment of the
26 pilot programs, shall develop a written plan establishing the
27 procedures and plan of implementation for the drug courts.
28 The members shall seek input from the chief judges of the
29 selected judicial districts for the drug courts and law
30 enforcement agencies within the jurisdiction of the selected
31 judicial districts in developing the written plan. The
32 committee shall seek assistance from substance abuse treatment
33 counselors, participants in the Polk county drug court, and
34 other interested members of the public. Once a model plan is
35 developed, the members shall make their model plan available

1 to all interested parties. The plan must state goals and
2 contain policies and procedures. The policies and procedures
3 shall include but shall not be limited to the following:

4 a. The establishment of criteria for certain offenders to
5 qualify for drug court.

6 b. The establishment of procedures and the plan of
7 implementation for the operation of a drug court.

8 c. The responsibilities of the various departments,
9 agencies, parties, and counselors in each drug court case.

10 d. The education of local law enforcement agency
11 personnel, employees of the judicial district department of
12 correctional services, attorneys, and counselors about the
13 contents of the plan and their role in assisting with its
14 implementation and operation.

15 e. A timetable for implementation.

16 f. An annual review of the plan to evaluate whether it is
17 meeting its goals effectively and whether improvements are
18 necessary.

19 3. The county attorney's offices of counties for the
20 selected judicial districts shall report to the general
21 assembly prior to January 15 of each year as to the number of
22 offenders who either completed or failed the drug court pilot
23 program during the preceding year. The pilot program shall
24 terminate on June 30, 2002.

25 Sec. 13. DRUG COURT PILOT PROGRAMS. The governor's
26 alliance on substance abuse shall transfer from moneys
27 received by the alliance under the federal Edward Byrne
28 memorial state and local law enforcement assistance program to
29 the judicial branch for the fiscal year beginning July 1,
30 1999, and ending June 30, 2000, the following amount, or so
31 much thereof as is necessary, to be used for the purpose
32 designated:

33 For expenses associated with establishment of the two drug
34 court pilot programs:

35 \$ 60,000

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EXPLANATION

This bill provides funding and establishes programs for enforcement, prevention, education, and treatment for substance abuse, especially methamphetamine abuse and sexual abuse, and for programs for at-risk youth.

This bill appropriates moneys to the department of public safety for the division of narcotics enforcement for the purpose of employing a total of 18 narcotics enforcement agents by the end of a four-year period, for the division of criminal investigation to hire two criminalists within the division of criminal investigation of the department of public safety to focus on methamphetamine testing.

The bill appropriates moneys to the department of public safety for the next two fiscal years for the establishment of a clandestine methamphetamine laboratory emergency response team and specifies the members of the response team.

The bill appropriates moneys to the department of human services for the state training school at Eldora for treatment for substance abusers and sexual predators.

The bill appropriates moneys to the department of corrections for establishing a youth leadership model program to help at-risk youth in a judicial district.

The bill appropriates moneys to the Iowa department of public health for additional methamphetamine treatment and for development of a model substance abuse prevention program based upon the North high school program.

The bill appropriates moneys to the governor's alliance on substance abuse for a youth leadership conference on mentoring.

The bill transfers moneys from the health insurance surplus account to the department of personnel for development of a labor management substance abuse education program, with an emphasis on methamphetamine abuse.

The bill directs the cooperative extension service, in association with the institute for social and behavioral

1 research, to develop a strengthening families program to
2 assist communities providing programs for families with
3 children between 10 and 14 years of age for prevention of
4 substance abuse, especially methamphetamine abuse. The
5 program shall be funded through the department of education
6 using federal moneys and state moneys appropriated for use as
7 matching funds.

8 The bill requires that the Iowa department of public health
9 include a methamphetamine education program component in the
10 nutrition and health-related education services it administers
11 under the federal special supplemental food program for women,
12 infants, and children; that grant proposals submitted to the
13 family development and self-sufficiency council by public or
14 private organizations for provision of family development
15 services to families at risk of long-term welfare dependency
16 must include methamphetamine education as part of the
17 services; and that school districts which receive school-based
18 youth services grants or grants for elementary schools
19 demonstrating the greatest need for at-risk programs must
20 provide activities and materials designed to encourage
21 children's self-esteem, provide role modeling and mentoring
22 techniques in social competence and social skills, and
23 discourage inappropriate drug use.

24 The bill establishes two drug court pilot programs for
25 persons who have committed drug or drug-related crimes. The
26 bill provides that the judicial branch, the department of
27 corrections, the prosecuting attorneys training coordinator,
28 the governor's alliance on substance abuse, and the state
29 public defender shall each appoint a member to a committee to
30 assist in the establishment and implementation of the drug
31 courts to be located in counties with a high rate of drug-
32 related crimes.

33 The committee shall establish goals and procedures for the
34 implementation and operation of the drug court and select the
35 criteria for admitting certain offenders into the program.

1 The committee shall seek input and assistance from local
2 authorities to help establish drug courts in the selected
3 counties. Federal moneys are transferred to the judicial
4 branch for establishing the pilot program drug courts.

5 The bill provides the drug court pilot programs shall
6 terminate on June 30, 2002.

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