

Sen. Sanborn, Dist. 9
Sen. Morse, Dist 22
Sen. Bradley, Dist. 3
March 10, 2016
2016-0965s
01/10

Floor Amendment to SB 533-FN-A-LOCAL

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to the governor's commission on alcohol and drug abuse prevention,
4 treatment, and recovery and making supplemental appropriations to the
5 commission, the department of justice, and the department of health and human
6 services.
7

8 Amend the bill by replacing all after the enacting clause with the following:

9

10 1 Commission Established. Amend the introductory paragraph of RSA 12-J:1 to read as
11 follows:

12 12-J:1 Commission Established; Membership; Terms. There is hereby established a commission
13 which shall serve in an advisory capacity to the governor *and the general court* regarding the
14 delivery of effective and coordinated alcohol and drug abuse prevention, treatment, and recovery
15 services throughout the state. The commission shall consist of the following members:

16 2 Commission Membership. RSA 12-J:1, I is repealed and reenacted to read as follows:

17 I. Seven public members, 2 of whom shall be professionals knowledgeable about alcohol and
18 drug abuse prevention, one of whom shall be appointed by the governor and one of whom shall be
19 appointed by the senate president; 2 of whom shall be professionals knowledgeable about alcohol
20 and drug abuse treatment, one of whom shall be appointed by the governor and one of whom shall
21 be appointed by the speaker of the house of representatives; 2 of whom shall be public members who
22 are not professionals within the alcohol and drug addiction prevention and treatment system, one of
23 whom shall be appointed by the senate president and one of whom shall be appointed by the
24 speaker of the house of representatives; and one member in long-term recovery, appointed by the
25 governor.

26 3 Organization of Commission. Amend RSA 12-J:2, I to read as follows:

27 I. The ~~[governor and council]~~ **commission** shall ~~[designate a member of the commission]~~
28 **elect one of its members** to serve as chairperson. The executive director of the commission shall
29 be the director of the appropriate division responsible for alcohol and drug abuse prevention and
30 recovery, who shall serve without additional compensation. Twelve members of the commission
31 shall constitute a quorum.

32 4 Organization of Commission. Amend RSA 12-J:2, II-a to read as follows:

Floor Amendment to SB 533-FN-A-LOCAL
- Page 2 -

1 II-a. The chairperson shall create a budget task force comprised of the individuals listed in
2 RSA 12-J:1, III(a) to **report biannually on financial expenditures for substance abuse**
3 **related work throughout state government as detailed in RSA 12-J:4, III and** recommend
4 budget policy priorities to the commission regarding the allocation of funding alcohol and drug
5 prevention, treatment, and recovery services across state agencies and throughout the state.

6 5 Commission; Duties. Amend RSA 12-J:3 to read as follows:

7 12-J:3 Duties. The duties of the commission shall be to:

8 I. Develop and revise, as necessary, a statewide plan for the effective prevention of alcohol
9 and drug abuse, particularly among youth, and a comprehensive system of treatment and recovery
10 services for individuals and families affected by alcohol and drug abuse. The statewide plan shall:

11 (a) Identify the causes, the nature and scope, and the impact of alcohol and drug abuse
12 in New Hampshire.

13 (b) Identify and prioritize unmet needs for prevention, treatment, and recovery
14 services.

15 (c) Recommend ~~initiatives~~ **policy considerations to the general court** to reduce the
16 incidence of alcohol and drug abuse in New Hampshire.

17 (d) Identify and quantify public and private resources available to support alcohol and
18 drug abuse prevention, treatment, and recovery.

19 (e) Specify additional resources necessary to address unmet needs for prevention,
20 treatment, and recovery.

21 (f) Specify evaluation and monitoring methodology.

22 II. Promote collaboration between and among state agencies and communities to foster the
23 development of effective community-based alcohol and drug abuse prevention programs.

24 III. **Advise the governor and the general court on and** promote the development of
25 treatment services to meet the needs of citizens addicted to alcohol or other drugs.

26 III-a. **Advise the governor and the general court on and** promote the development of
27 recovery services to meet the needs of citizens in recovery from alcohol and other drug misuse.

28 IV. Identify unmet needs and the resources required to reduce the incidence of alcohol and
29 drug abuse in New Hampshire and to make recommendations to the governor regarding legislation
30 and funding to address such needs.

31 V. Authorize the disbursement of moneys from the alcohol abuse prevention and treatment
32 fund, pursuant to RSA 176-A:1, III.

33 VI. **Make presentations at least once each legislative session to the house and**
34 **senate finance committees, the senate health and human services committee, the house**
35 **health, human services, and elderly affairs committee, and quarterly to the joint fiscal**
36 **committee of the general court.**

37 6 Meetings and Reports. Amend RSA 12-J:4, II to read as follows:

Floor Amendment to SB 533-FN-A-LOCAL
- Page 3 -

1 II. The commission shall submit an annual report to the governor, speaker of the house of
2 representatives, ~~[and]~~ president of the senate, ***chairpersons of the house and senate finance***
3 ***committees, chairperson of the health, human services and elderly affairs committee, and***
4 ***the chairperson of the health and human services committee*** by ~~[December]~~ ***October*** 1 of
5 each year regarding the activities of the commission. ~~[The first annual report shall be due~~
6 ~~November 1, 2008.]~~ The annual report shall:

7 (a) Identify alcohol and drug abuse prevention, treatment, and recovery services and
8 programs provided by state departments and agencies or funded in whole or in part by state or
9 federal funds;

10 (b) Indicate the progress made during the prior year toward the implementation of the
11 statewide plan developed by the commission pursuant to RSA 12-J:3, I;

12 (c) Recommend any revisions to the statewide plan developed pursuant to RSA 12-J:3, I;

13 (d) Identify and prioritize unmet needs for prevention, treatment, and recovery;

14 (e) Indicate the progress, or lack thereof, in addressing the unmet needs;

15 (f) Recommend ~~[initiatives]~~ ***policy considerations to the governor and the general***
16 ***court*** to address the unmet needs;

17 (g) Specify the resources and any legislation necessary to support existing programs for
18 prevention, treatment, and recovery and to develop, implement, support, and evaluate the
19 initiatives recommended by the commission; ~~and~~

20 (h) In even-numbered years the report may include specific recommendations for funds
21 to be included in the next state biennial budget to support alcohol and drug abuse prevention,
22 treatment, and recovery services and programs~~[-];~~ ***and***

23 (i) Incorporate the findings and recommendations of the report required under
24 paragraph II-a and make specific findings and recommendations regarding public awareness,
25 education, and legislation to address the dangers of synthetic drugs.

26 7 Meetings and Reports. RSA 12-J:4, III is repealed and reenacted to read as follows:

27 III.(a) The commission shall submit an quarterly report to the joint fiscal committee of the
28 general court relative to the current state of drug abuse, prevention, and recovery, efforts including,
29 but not limited to:

30 (1) The number of known drug overdoses, broken out by drug involved.

31 (2) The number of deaths attributable to overdoses, as reported by the chief medical
32 examiner, broken out by drug involved.

33 (3) The number of people known to be in treatment or recovery programs supported
34 by commission funding.

35 (4) The accessibility and availability of treatment programs, including waitlists.

36 (5) The number of individuals in drug court programs, as reported by the judicial
37 branch.

Floor Amendment to SB 533-FN-A-LOCAL
- Page 4 -

1 (6) The number of individuals in diversion programs, as reported by the judicial
2 branch.

3 (7) The number of convictions for drug related offenses, as reported by the judicial
4 branch.

5 (8) The number of persons incarcerated for drug related offenses as reported by the
6 department of corrections.

7 (9) Any other information requested by the joint fiscal committee.

8 (b) All data required in subparagraph (a) shall be presented in the aggregate to protect
9 the privacy of the individual. The commission shall delete any data required in those paragraphs
10 that enables the personal identification of an individual.

11 IV. The commission shall develop an evidence-based efficacy model to determine the
12 efficacy of programs funded by the commission by October 1, 2017.

13 V. The commission shall submit a biannual report to the fiscal committee of the general
14 court on June 1 and December 1 of each year regarding the funds spent combating substance abuse.
15 This report shall include a consolidated overview detailing;

16 (a) The funds expended and balances remaining.

17 (b) The programs that were created or sustained by these funds.

18 (c) An estimate of the number of individuals served by these funds.

19 8 Reference Change; Commission on Post-Traumatic Stress Disorder and Traumatic Brain
20 Injury; Membership. Amend RSA 115-D:2, I(g) to read as follows:

21 (g) The chairperson of the governor's commission on alcohol and drug abuse prevention,
22 [~~intervention, and~~] treatment, **and recovery** or designee.

23 9 Contingency. RSA 12-J:1, I, as inserted by section 1 of this act, shall take effect upon the
24 expiration of the terms of the commission members who are serving on the effective date of this act.

25 10 Department of Health and Human Services; Supplemental Appropriation for Governor's
26 Commission on Alcohol and Drug Abuse Prevention, Treatment, and Recovery.

27 I. In addition to any other sums appropriated for fiscal years 2016 and 2017, the sum of
28 \$500,000 for the fiscal year ending June 30, 2016 and \$2,000,000 for the fiscal year ending June 30,
29 2017 are hereby appropriated to the governor's commission on alcohol and drug abuse prevention,
30 treatment, and recovery, for the purpose of contracts for program services within the department of
31 health and human services. For the purposes of funding said appropriations, the department of
32 health and human services shall identify excess appropriations from sums appropriated to the
33 department pursuant to 2015, 275 and 276, and shall transfer said sums to the appropriate class
34 lines. Any transfers made pursuant to this section shall not require the prior approval of the fiscal
35 committee of the general court and the governor and council and shall not be subject to the
36 provisions of RSA 9:16-a, 9:17-a, and RSA 9:17-c.

37 II. The supplemental appropriation made for the governor's commission on alcohol and

Floor Amendment to SB 533-FN-A-LOCAL
- Page 5 -

1 drug abuse prevention, treatment, and recovery in paragraph I, shall only be made upon the
2 commission submitting and receiving approval of a spending plan for using the funds appropriated
3 under paragraph I by the fiscal committee of the general court. The commission shall report to the
4 fiscal committee quarterly as to how the supplemental funds are being disbursed. If all funds
5 appropriated have been disbursed, the fiscal committee may waive the quarterly reporting
6 requirement.

7 11 Department of Justice; Supplemental Appropriation for Attorney Position.

8 I. In addition to any other sums appropriated for fiscal years 2016 and 2017, the sum of
9 \$20,830 for the fiscal year ending June 30, 2016 and \$104,492 for the fiscal year ending June 30,
10 2017 are hereby appropriated to the department of justice for the purpose of hiring an assistant
11 attorney general dedicated to prosecuting drug cases. For the purposes of funding said
12 appropriations, the department of justice shall identify excess appropriations from sums
13 appropriated to the department pursuant to 2015, 275 and 276, and shall transfer said sums to the
14 class lines detailed in paragraph II. Any transfers made pursuant to this section shall not require
15 the prior approval of the fiscal committee of the general court and the governor and council and
16 shall not be subject to the provisions of RSA 9:16-a, 9:17-a, and RSA 9:17-c.

17 II. Transfer.

18 02 Administration of Justice and Public Protection

19 20 Department of Justice

20 2000 Department of Justice

21 200510 Division of Public Protection

22 2610 Criminal Justice

	FY 2016	FY 2017
23 020 Current Expenses	\$125	\$500
24 030 Equipment	\$750	\$0
25 037 Technology Hardware	\$1,000	\$0
26 038 Technology Software	\$1,200	\$150
27 039 Telecommunications	\$35	\$70
28 059 Salary-Full Time Temp	\$12,000	\$70,250
29 060 Benefits	\$5,170	\$31,022
30 070 In-State Travel	\$200	\$1
31 080 Out of State Travel	\$350	\$1,500
32 TOTAL	\$20,830	\$104,492

33 12 Department of Health and Human Services; Supplemental Appropriation; Bureau of Drug
34 and Alcohol Services.

35 I. In addition to any other sums appropriated for fiscal years 2016 and 2017, the sum of
36 \$500,000 for the fiscal year ending June 30, 2017 is hereby appropriated to the department of
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Floor Amendment to SB 533-FN-A-LOCAL
- Page 6 -

1 health and human services, bureau of drug and alcohol services, for the purpose of establishing a
2 grant program to support the creation, initiation, and operational costs for peer recovery support
3 services. The bureau shall solicit information from the governor's commission on alcohol and drug
4 abuse prevention, treatment, and recovery regarding the awarding of grants. For the purposes of
5 funding said appropriations, the department of health and human services shall identify excess
6 appropriations from sums appropriated to the department pursuant to 2015, 275 and 276, and shall
7 transfer said sums to the appropriate class lines. Any transfers made pursuant to this section shall
8 not require the prior approval of the fiscal committee of the general court and the governor and
9 council and shall not be subject to the provisions of RSA 9:16-a, 9:17-a and RSA 9:17-c.

10 II. Existing and proposed peer recovery support services shall be eligible to receive a grant.
11 However, no more than 2 grants shall be awarded per county. All other eligibility criteria shall be
12 determined by the bureau of drug and alcohol services. The bureau shall forward information on
13 selected grant recipients to the governor and council. No grant shall be awarded without the
14 approval of the governor and council.

15 III. No later than December 31, 2017, the bureau of drug and alcohol services shall report
16 to the fiscal committee of the general court the number of grants awards, which organizations
17 received a grant, and the total number of individuals served as a result of said grants.

18 13 Effective Date. This act shall take effect upon its passage.

Floor Amendment to SB 533-FN-A-LOCAL
- Page 7 -

2016-0965s

AMENDED ANALYSIS

This bill makes changes in the membership, organization, duties, meetings, and reports of the governor's commission on alcohol and drug abuse prevention, treatment, and recovery, and establishes that the commission serves in an advisory capacity to both the governor and the general court.

The bill also makes supplemental appropriations to the commission, the department of justice, and the department of health and human services, bureau of drug and alcohol services.