

**UTAH SUBSTANCE ABUSE AND
ANTI-VIOLENCE COORDINATING COUNCIL
AMENDMENTS**

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Neal B. Hendrickson

This act modifies State Affairs in general by eliminating certain committees of the Utah Substance Abuse and Anti-Violence Coordinating Council and modifying provisions governing the council.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

63-25a-201, as last amended by Chapter 220, Laws of Utah 2001

63-25a-202, as last amended by Chapter 308, Laws of Utah 1997

63-25a-203, as last amended by Chapter 270, Laws of Utah 1999

63-25a-205, as last amended by Chapter 308, Laws of Utah 1997

63-25a-207, as last amended by Chapter 308, Laws of Utah 1997

REPEALS:

63-25a-204, as last amended by Chapter 220, Laws of Utah 2001

63-25a-206, as last amended by Chapter 270, Laws of Utah 1999

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **63-25a-201** is amended to read:

63-25a-201. Creation of council -- Membership -- Terms.

(1) There is created within the governor's office the Utah Substance Abuse and Anti-Violence Coordinating Council.

(2) The Utah Substance Abuse and Anti-Violence Coordinating Council comprises 26 voting members as follows:

- (a) the attorney general or the attorney general's designee;
- (b) a county commissioner designated by the Utah Association of Counties;
- (c) the commissioner of public safety or the commissioner's designee;

- (d) the director of the Division of Substance Abuse or the director's designee;
- (e) the state superintendent of public instruction or the superintendent's designee;
- (f) the director of the Department of Health or the director's designee;
- (g) the director of the Division of Mental Health or the director's designee;
- (h) the executive director of the Commission on Criminal and Juvenile Justice or the executive director's designee;
- (i) the governor or [~~his~~] the governor's designee;
- [~~(j) the chairs of the Justice, Prevention, Treatment, and Judiciary Committees;~~]
- [~~(k)~~] (j) the executive director of the Department of Corrections or the executive director's designee;
- [~~(l)~~] (k) the director of the Division of Youth Corrections or the director's designee;
- [~~(m)~~] (l) the chair of the Domestic Violence Advisory Council or [~~his~~] the chair's designee;
- [~~(n)~~] (m) the following members designated to serve four-year terms:
 - (i) a member of the House of Representatives designated by the speaker;
 - (ii) a member of the Senate designated by the president;
 - (iii) a member of the judiciary designated by the chief justice of the Utah Supreme Court;
 - (iv) a representative designated by the Utah League of Cities and Towns; and
 - (v) a representative from the offices of minority affairs designated by the directors of those offices or a designee; [~~and~~]
- [~~(o)~~] (n) the following members appointed by the governor to serve four-year terms:
 - (i) a representative of the Utah National Guard, appointed by the governor;
 - (ii) one resident of the state who has been personally affected by domestic violence;
 - (iii) one resident of the state who has been personally affected by gang violence;
 - (iv) one resident of the state who has been personally affected by alcohol or other drug abuse; and
 - (v) one citizen representative[-]; and
- (o) the following members appointed by the members in Subsections (2)(a) through (2)(n) to serve four-year terms:

- (i) a person knowledgeable in criminal justice issues;
- (ii) a person knowledgeable in substance abuse treatment issues;
- (iii) a person knowledgeable in substance abuse prevention issues; and
- (iv) a person knowledgeable in judiciary issues.

Section 2. Section **63-25a-202** is amended to read:

63-25a-202. Chair -- Vacancies -- Quorum -- Expenses.

(1) The Utah Substance Abuse and Anti-Violence Coordinating Council shall annually select one of its members to serve as chair.

(2) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term in the same manner as the position was originally filled.

(3) A majority of the members of the council constitutes a quorum.

(4) (a) (i) Members who are not government employees shall receive no compensation or benefits for their services, but may receive per diem and expenses incurred in the performance of the member's official duties at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

(ii) Members may decline to receive per diem and expenses for their service.

(b) (i) State government officer and employee members who do not receive salary, per diem, or expenses from their agency for their service may receive per diem and expenses incurred in the performance of their official duties from the council at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

(ii) State government officer and employee members may decline to receive per diem and expenses for their service.

(c) Legislators on the [~~committee~~] council shall receive compensation and expenses as provided by law and legislative rule.

(d) (i) Local government members who do not receive salary, per diem, or expenses from the entity that they represent for their service may receive per diem and expenses incurred in the performance of their official duties at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

(ii) Local government members may decline to receive per diem and expenses for their service.

(5) The council may establish subcommittees as needed to assist in accomplishing its duties under Section 63-25a-203.

Section 3. Section **63-25a-203** is amended to read:

63-25a-203. Duties of council.

(1) The Utah Substance Abuse and Anti-Violence Coordinating Council shall:

(a) provide leadership and generate unity for Utah's ongoing efforts to combat substance abuse and community violence;

(b) recommend and coordinate the creation, dissemination, and implementation of a statewide substance abuse and anti-violence policy;

(c) facilitate planning for a balanced continuum of substance abuse and community violence prevention, treatment, and justice services;

(d) promote collaboration and mutually beneficial public and private partnerships;

(e) coordinate recommendations made by ~~[the committees]~~ any subcommittees created under Section ~~[63-25a-206]~~ 63-25a-202; and

(f) analyze and provide an objective assessment of all proposed legislation concerning alcohol and other drug issues and community violence issues.

(2) The council shall meet quarterly or more frequently as determined necessary by the chair.

(3) The council shall report its recommendations annually to the commission, governor, Legislature, and judicial council.

Section 4. Section **63-25a-205** is amended to read:

63-25a-205. Chair -- Vacancies -- Quorum -- Expenses.

(1) The members of ~~[the Justice, Treatment, Prevention, and Judiciary Committees]~~ any subcommittees established by the council shall each annually select one of their members as chairs.

(2) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term in the same manner as the position was originally filled.

(3) A majority of the members of a ~~[committee]~~ subcommittee constitutes a quorum for the

transaction of business by the [~~committee~~] subcommittee.

(4) (a) (i) Members who are not government employees shall receive no compensation or benefits for their services, but may receive per diem and expenses incurred in the performance of the member's official duties at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

(ii) Members may decline to receive per diem and expenses for their service.

(b) (i) State government officer and employee members who do not receive salary, per diem, or expenses from their agency for their service may receive per diem and expenses incurred in the performance of their official duties from the committee at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

(ii) State government officer and employee members may decline to receive per diem and expenses for their service.

(c) Legislators on the [~~committee~~] subcommittee shall receive compensation and expenses as provided by law and legislative rule.

(d) Members from higher education may not receive per diem or expenses for their service.

(e) (i) Local government members who do not receive salary, per diem, or expenses from the entity that they represent for their service may receive per diem and expenses incurred in the performance of their official duties at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

(ii) Local government members may decline to receive per diem and expenses for their service.

Section 5. Section **63-25a-207** is amended to read:

63-25a-207. Staffing.

The Commission on Criminal and Juvenile Justice shall provide staff to the council and [~~the committees~~] any subcommittees established by the council.

Section 6. **Repealer.**

This act repeals:

Section **63-25a-204, Creation of committees -- Membership -- Terms.**

Section **63-25a-206**, Duties of committees.