

1 **UTAH SUBSTANCE ABUSE AND**
2 **ANTI-VIOLENCE COORDINATING COUNCIL**
3 **AMENDMENTS**

4 2008 GENERAL SESSION

5 STATE OF UTAH

6 **Chief Sponsor: D. Chris Buttars**

7 House Sponsor: Carl Wimmer

8
9 **LONG TITLE**

10 **General Description:**

11 This bill amends provisions of Title 63, Chapter 25a, Part 2, Utah Substance Abuse and
12 Anti-Violence Coordinating Council.

13 **Highlighted Provisions:**

14 This bill:

- 15 ▶ defines terms;
- 16 ▶ modifies the voting membership of the Utah Substance Abuse and Anti-Violence
17 Coordinating Council;
- 18 ▶ provides that members of subcommittees of the council shall annually select a chair
19 or co-chairs from among the members of the subcommittee; and
- 20 ▶ makes technical changes.

21 **Monies Appropriated in this Bill:**

22 None

23 **Other Special Clauses:**

24 None

25 **Utah Code Sections Affected:**

26 AMENDS:

27 **63-25a-201**, as last amended by Laws of Utah 2003, Chapter 171



28 **63-25a-205**, as last amended by Laws of Utah 2002, Chapter 115



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

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

32 **63-25a-201. Definitions -- Creation of council -- Membership -- Terms.**

33 (1) (a) As used in this part, "council" means the Utah Substance Abuse and
34 Anti-Violence Coordinating Council, created in this section.

35 ~~[(+)]~~ (b) There is created within the governor's office the Utah Substance Abuse and
36 Anti-Violence Coordinating Council.

37 (2) The ~~[Utah Substance Abuse and Anti-Violence Coordinating Council comprises]~~
38 council shall be comprised of at least 25 voting members as follows:

- 39 (a) the attorney general or the attorney general's designee;
- 40 (b) a county commissioner designated by the Utah Association of Counties;
- 41 (c) the commissioner of public safety or the commissioner's designee;
- 42 (d) the director of the Division of Substance Abuse and Mental Health or the director's
43 designee;
- 44 (e) the state superintendent of public instruction or the superintendent's designee;
- 45 (f) the director of the Department of Health or the director's designee;
- 46 (g) the executive director of the Commission on Criminal and Juvenile Justice or the
47 executive director's designee;
- 48 (h) the governor or the governor's designee;
- 49 (i) the executive director of the Department of Corrections or the executive director's
50 designee;
- 51 (j) the director of the Division of Juvenile Justice Services or the director's designee;
- 52 (k) the chair of the Domestic Violence Advisory Council or the chair's designee;
- 53 (l) the following members designated to serve four-year terms:
 - 54 (i) a member of the House of Representatives designated by the speaker;
 - 55 (ii) a member of the Senate designated by the president;
 - 56 (iii) a member of the judiciary designated by the chief justice of the Utah Supreme
57 Court;
 - 58 (iv) a representative designated by the Utah League of Cities and Towns; and

59 (v) a representative from the offices of minority affairs designated by the directors of
60 those offices or a designee;

61 (m) the following members appointed by the governor to serve four-year terms:

62 (i) a representative of the Utah National Guard, appointed by the governor;

63 (ii) one resident of the state who has been personally affected by domestic violence;

64 (iii) one resident of the state who has been personally affected by gang violence;

65 (iv) one resident of the state who has been personally affected by alcohol or other drug
66 abuse; and

67 (v) one citizen representative; ~~and~~

68 (n) the following members appointed by a majority of the members described in
69 Subsections (2)(a) through ~~(2)~~(m) to serve four-year terms:

70 (i) a person knowledgeable in criminal justice issues;

71 (ii) a person knowledgeable in substance abuse treatment issues;

72 (iii) a person knowledgeable in substance abuse prevention issues; and

73 (iv) a person knowledgeable in judiciary issues~~[-]; and~~

74 (o) in addition to the voting members described in Subsections (2)(a) through (n), a
75 majority of the members described in Subsections (2)(a) through (n) may appoint any or all of
76 the chairs or co-chairs of a subcommittee, established by the council, as voting members of the
77 council.

78 (3) No person, other than a person described in Subsection (2), may be appointed as a
79 voting member of the council.

80 Section 2. Section **63-25a-205** is amended to read:

81 **63-25a-205. Chair -- Vacancies -- Quorum -- Expenses.**

82 (1) The members of ~~[any subcommittees]~~ each subcommittee established by the
83 council shall ~~[each]~~ annually select ~~[one of their members as chairs]~~ a chair or co-chairs from
84 among the members of the subcommittee.

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

87 (3) A majority of the members of a subcommittee constitutes a quorum for the
88 transaction of business by the subcommittee.

89 (4) (a) (i) Members who are not government employees shall receive no compensation

90 or benefits for their services, but may receive per diem and expenses incurred in the
91 performance of the member’s official duties at the rates established by the Division of Finance
92 under Sections 63A-3-106 and 63A-3-107.

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

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

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

100 (c) Legislators on the subcommittee shall receive compensation and expenses as
101 provided by law and legislative rule.

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

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

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

Legislative Review Note
as of 1-17-08 10:58 AM

Office of Legislative Research and General Counsel

Fiscal Note

**S.B. 138 - Utah Substance Abuse and Anti-violence Coordinating Council
Amendments**

2008 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
