

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Representative Jones

A Bill

HOUSE BILL 1305

For An Act To Be Entitled

8 "AN ACT TO RECONSTITUTE THE ARKANSAS ALCOHOL AND DRUG
9 ABUSE COORDINATING COUNCIL; TO TRANSFER TO THE ALCOHOL AND
10 DRUG ABUSE COORDINATING COUNCIL THE AUTHORITY OF THE
11 HIGHWAY SAFETY PROGRAM ADVISORY COUNCIL, AND THE AUTHORITY
12 OF THE ALCOHOL AND DRUG ABUSE AUTHORITY; AND FOR OTHER
13 PURPOSES."

Subtitle

14
15 "RECONSTITUTE ARK. ALCOHOL & DRUG ABUSE
16 COORDINATING COUNCIL; TRANSFER TO SUCH
17 COUNCIL THE AUTHORITY OF HIGHWAY SAFETY
18 PROGRAM ADVISORY COUNCIL, AND THE
19 ALCOHOL & DRUG ABUSE AUTHORITY."
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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24 SECTION 1. Arkansas Code 20-64-1002 is amended to read as follows:

25 "§ 20-64-1002. Coordinating council - Creation, etc.

26 (a) There is hereby established the Arkansas Alcohol and Drug Abuse
27 Coordinating Council, hereafter referred to in this subchapter as the
28 coordinating council.

29 (b) The coordinating council shall be composed of twenty-five (25)
30 members as follows:

31 (1) Eleven (11) members of the coordinating council shall be
32 administrative officers of the following agencies, or their appropriate
33 designees, confirmed by gubernatorial appointment:

34 (A) The Arkansas Drug Director, who shall serve as
35 chairperson of the coordinating council;

1 (B) The Director of the *Bureau* of Alcohol & Drug Abuse
2 Prevention;

3 (C) The Director of the Department of Arkansas State
4 Police;

5 (D) The Director of the Department of Education;

6 (E) The Director of the Arkansas Highway and
7 Transportation Department;

8 (F) The Director of the Department of Correction;

9 (G) The Director of the Department of Finance and
10 Administration;

11 (H) The Adjutant General of the Arkansas National Guard;

12 (I) The Attorney General;

13 (J) The Director of the State Crime Laboratory;

14 (K) Chief Administrative Officer of the Blood Alcohol
15 Testing Program of the Department of Health.

16 (2) The following persons shall be appointed by the Governor for
17 three-year terms and will not serve more than two (2) consecutive terms:

18 (A) *One (1) police chief, one (1) county sheriff and the*
19 *Director of Administrative Office of the Courts;*

20 (B) A prosecuting attorney;

21 (C) A private citizen not employed by the state or federal
22 government;

23 (D) A director of a publicly funded alcohol and drug abuse
24 treatment program;

25 (E) A school drug counsellor;

26 (F) A director of a drug abuse prevention program;

27 (G) Director of a DWI program;

28 (H) A health professional;

29 (I) Four (4) members from the state at large who have
30 demonstrated knowledge of or interest in alcohol and drug abuse prevention,
31 *at least two (2) of which shall be recovering persons.*

32 (c) The coordinating council members shall be entitled to
33 reimbursement for actual expenses incurred in the performance of their
34 official duties and per diem at the rate of fifty dollars (\$50.00) per day
35 except that the government employee members shall be entitled to

1 reimbursement only for meals, lodging and mileage at the rate prescribed for
2 state employees.

3 (d) On the effective date of this 1995 act the terms of office of the
4 members who were deleted from the council by this 1995 act shall expire and
5 the new members prescribed by this 1995 act shall take office or be appointed
6 as the case may be.

7 (e) The Arkansas Alcohol and Drug Abuse Coordinating Council may
8 appoint non council members for PEER Review of grants and the PEER Review
9 Committee members shall be entitled to reimbursement for actual expenses and
10 mileage to be paid by the *Bureau* of Alcohol and Drug Abuse Prevention of the
11 Arkansas Department of Health from funds appropriated for its maintenance and
12 operation.

13 (f) *The United States Attorney for Arkansas or her or his designee*
14 *shall serve on the council in an advisory capacity."*

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16 SECTION 2. Arkansas Code 20-64-1003(a) is amended to read as follows:

17 "(a) The coordinating council shall have the responsibility for
18 overseeing all planning, budgeting, and implementation of expenditure of
19 state and federal funds allocated for alcohol and drug education, prevention,
20 treatment, and law enforcement."

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22 SECTION 3. Arkansas Code 20-64-1003(e) is amended to read as follows:

23 "(e) *The coordinating council shall have authority to develop its*
24 *rules of procedure to include the establishment of a committee structure for*
25 *the approval of funding and other purposes. Committee shall include, but not*
26 *be limited to, a prevention, education, and treatment committee chaired by*
27 *the director of the Bureau of Alcohol and Drug Abuse Prevention, and a law*
28 *enforcement committee."*

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30 SECTION 4. The Highway Safety Program Advisory Council created by
31 Arkansas Code 12-6-101 is transferred to the Arkansas Alcohol and Drug Abuse
32 Coordinating Council pursuant to a type 3 transfer as defined in Arkansas
33 Code 25-2-106.

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35 SECTION 5. The Arkansas Alcohol and Drug Abuse Authority of the Bureau

1 of Alcohol and Drug Abuse Prevention, Arkansas Department of Health is
2 transferred to the Arkansas Alcohol and Drug Abuse Coordinating Council
3 pursuant to a type 3 transfer as defined in Arkansas Code 25-2-106.

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5 SECTION 6. All provisions of this act of a general and permanent
6 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
7 Code Revision Commission shall incorporate the same in the Code.

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9 SECTION 7. If any provision of this act or the application thereof to
10 any person or circumstance is held invalid, such invalidity shall not affect
11 other provisions or applications of the act which can be given effect without
12 the invalid provision or application, and to this end the provisions of this
13 act are declared to be severable.

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15 SECTION 8. All laws and parts of laws in conflict with this act are
16 hereby repealed.

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18 */s/Rep. Jones*

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