

SENATE AMENDMENTS TO RESOLVE CONFLICTS TO B-ENGROSSED HOUSE BILL 3353

By JOINT COMMITTEE ON WAYS AND MEANS

June 29

- 1 On page 28 of the printed B-engrossed bill, after line 8, insert:
- 2 “**SECTION 31.** If House Bill 2009 becomes law, section 1 of this 2009 Act is amended to read:
- 3 “**Sec. 1.** (1) There is created the Alcohol and Drug Policy Commission, which is charged with
- 4 producing a plan for the funding and effective delivery of alcohol and drug treatment and prevention
- 5 services. The commission shall recommend:
- 6 “(a) A strategy for delivering state-funded treatment and prevention services;
- 7 “(b) The priority of funding for treatment and prevention services;
- 8 “(c) Strategies to maximize accountability for performance of treatment and prevention services;
- 9 “(d) Methods to standardize data collection and reporting; and
- 10 “(e) A strategy to consolidate treatment and prevention services and reduce the fragmentation
- 11 in the delivery of services.
- 12 “(2) The membership of the commission consists of:
- 13 “(a) Sixteen members appointed by the Governor, subject to confirmation by the Senate in the
- 14 manner prescribed in ORS 171.562 and 171.565, including:
- 15 “(A) An elected district attorney;
- 16 “(B) An elected county sheriff;
- 17 “(C) A county commissioner;
- 18 “(D) A representative of an Indian tribe;
- 19 “(E) An alcohol or drug treatment provider;
- 20 “(F) A chief of police;
- 21 “(G) An alcohol or drug treatment researcher or epidemiologist;
- 22 “(H) A criminal defense attorney;
- 23 “(I) A judge of a circuit court, who shall be a nonvoting member;
- 24 “(J) A representative of the health insurance industry;
- 25 “(K) A representative of hospitals;
- 26 “(L) An alcohol or treatment professional who is highly experienced in the treatment of persons
- 27 with a dual diagnosis of mental illness and substance abuse;
- 28 “(M) An alcohol or drug abuse prevention representative;
- 29 “(N) A consumer of alcohol or drug treatment who is in recovery;
- 30 “(O) A representative of the business community; and
- 31 “(P) An alcohol or drug prevention representative who specializes in youth.
- 32 “(b) Two members of the Legislative Assembly appointed to the commission as nonvoting mem-
- 33 bers of the commission, acting in an advisory capacity only and including:
- 34 “(A) One member from among members of the Senate appointed by the President of the Senate;
- 35 and

1 “(B) One member from among members of the House of Representatives appointed by the
2 Speaker of the House of Representatives.

3 “(c) The following voting ex officio members:

4 “(A) The Governor or the Governor’s designee;

5 “(B) The Attorney General;

6 “[*(C) The Director of Human Services;*]

7 “**(C) The Director of the Oregon Health Authority;**

8 “(D) The Director of the Department of Corrections; and

9 “(E) The Superintendent of Public Instruction.

10 “(3) The Alcohol and Drug Policy Commission shall select one of its members as chairperson
11 and another as vice chairperson, for such terms and with duties and powers necessary for the per-
12 formance of the functions of such offices as the commission determines.

13 “(4) A majority of the voting members of the commission constitutes a quorum for the trans-
14 action of business.

15 “(5) Official action of the commission requires the approval of a majority of the voting members
16 on the commission.

17 “(6) The commission may establish a steering committee and subcommittees. These committees
18 may be continuing or temporary.

19 “(7) Each commission member appointed by the Governor serves at the pleasure of the Gover-
20 nor. If there is a vacancy for any cause, the Governor shall make an appointment to become imme-
21 diately effective.

22 “(8) The [*Department of Human Services*] **Oregon Health Authority** shall provide staff support
23 to the commission. Subject to available funding, the commission may contract with a public or pri-
24 vate entity to provide staff support.

25 “(9) Members of the commission who are not members of the Legislative Assembly are entitled
26 to compensation and expenses incurred by them in the performance of their official duties in the
27 manner and amounts provided for in ORS 292.495. Claims for compensation and expenses shall be
28 paid out of funds appropriated to the [*Department of Human Services*] **Oregon Health Authority**
29 or funds appropriated to the commission for purposes of the commission.

30 “**SECTION 32.** If House Bill 2009 becomes law, section 15 of this 2009 Act is amended to read:

31 “**Sec. 15.** (1) The Alcohol and Drug Policy Commission is abolished. On the operative date
32 specified in section [26] **34** of this 2009 Act, the tenure of office of the members of the Alcohol and
33 Drug Policy Commission ceases.

34 “(2) All of the duties, functions and powers of the Alcohol and Drug Policy Commission are
35 imposed upon, transferred to and vested in the [*Department of Human Services*] **Oregon Health**
36 **Authority.**

37 “(3) The unexpended balances of amounts authorized to be expended by the Alcohol and Drug
38 Policy Commission for the biennium beginning July 1, 2013, from revenues dedicated, continuously
39 appropriated, appropriated or otherwise made available for the purpose of administering and en-
40 forcing the duties, functions and powers transferred by this section are transferred to and are
41 available for expenditure by the [*Department of Human Services*] **Oregon Health Authority** for the
42 biennium beginning July 1, 2013, for the purpose of administering and enforcing the duties, functions
43 and powers transferred by this section.

44 “(4) The expenditure classifications, if any, established by Acts authorizing or limiting expen-
45 ditures by the Alcohol and Drug Policy Commission remain applicable to expenditures by the [*De-*

1 *partment of Human Services*] **Oregon Health Authority** under this section.

2 **“SECTION 33. If House Bill 2009 becomes law, section 16 of this 2009 Act (amending ORS**
3 **137.308) and section 26 of this 2009 Act are repealed and ORS 137.308, as amended by section**
4 **6 of this 2009 Act, is amended to read:**

5 “137.308. (1) The county treasurer shall deposit 60 percent of the moneys received under ORS
6 137.309 (6), (8) and (9) into the general fund of the county to be used for the purpose of planning,
7 operating and maintaining county juvenile and adult corrections programs and facilities and drug
8 and alcohol programs approved by the [*Alcohol and Drug Policy Commission*] **Department of Hu-**
9 **man Services and the Oregon Health Authority.** Expenditure by the county of the funds de-
10 scribed in this subsection shall be made in a manner that is consistent with the approved community
11 corrections plan for that county; however, a county may not expend more than 50 percent of the
12 funds on the construction or operation of a county jail. Prior to budgeting the funds described in
13 this subsection, a county shall consider any comments received from, and upon request shall consult
14 with, the governing body of a city that forwards assessments under ORS 137.307 (1991 Edition)
15 concerning the proposed uses of the funds.

16 “(2) The county treasurer shall deposit 40 percent of the moneys received under ORS 137.309 (6),
17 (8) and (9) into the county’s court facilities security account established under ORS 1.182.

18 **“SECTION 34. Section 15 of this 2009 Act and the amendments to ORS 137.308, 417.775,**
19 **430.270, 430.290, 430.359, 430.368, 430.535, 430.630, 430.632 and 430.640 by sections 17 to 25 and**
20 **33 of this 2009 Act become operative on January 2, 2014.”.**

21 In line 9, delete “31” and insert “35”.
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