

## SUPPORT AND COORDINATION OF PUBLIC AND PRIVATE EFFORTS TO DISCOURAGE DESTRUCTIVE BEHAVIOR - BACKGROUND MEMORANDUM

Senate Bill No. 2372, Section 1 (attached as Appendix A), requires the Legislative Council to study the feasibility and desirability of establishing an organization or ombudsman to support and coordinate federal, tribal, state, including institutions of higher education, and local government and private efforts to discourage destructive behavior, including alcohol and drug abuse and tobacco use.

### LEGISLATIVE HISTORY

Senate Bill No. 2372, as introduced, would have created a five-member Responsible Choices Commission, funded by an increase in taxes on beer. The commission would have contracted with or granted funds to entities within this state to discourage impaired driving, alcohol and drug abuse, tobacco use, and other destructive behavior. The commission would have worked with state agencies, political subdivisions, and higher education institutions to provide a network for the dissemination of information and materials to further its mission. The commission would have been authorized to provide funding for programs aimed at creating effective strategies to discourage destructive behavior. The bill was amended in the Senate to remove the tax increase and allow the commission to accept grants, gifts, goods, and services from public or private sources and to allow the commission to spend any obtained funding. The bill, as passed, provides solely for this study.

The legislative history reveals that proponents of the bill wanted to provide a funding source for alcohol prevention. The beer tax was targeted because the National Highway Traffic Safety Administration had suggested that the tax be adjusted because beer is taxed at a lower rate than distilled spirits based on alcohol content. In addition, this state's alcohol tax rate had not been raised since 1967. Opponents of the beer tax increase were against the increase on a number of grounds. First, the opponents found the increase too large. The present beer tax provides approximately \$2.7 million a year in excise tax collections and the increase would have increased collections by approximately \$3.6 million a year. The opponents pointed out that the federal tax on beer was doubled in 1991. Other arguments against the beer tax increase included that it was unfair because the increased tax was only on beer, the increased tax created an unfair playing field with surrounding states, and the increased tax would be regressive.

The legislative history reveals that the main proponent for Senate Bill No. 2372 was Students Against Destructive Decisions (SADD). This group favored the tax because the tax would have provided a

predictable funding source. Although the testimony revealed that the beer industry would donate money to SADD, SADD will not take money directly from the beer industry.

When the beer tax increase was removed from Senate Bill No. 2372, the Responsible Choices Commission was left with no dedicated funding source. The commission was limited to accepting grants, gifts, equipment, supplies, material, or services from government or private sources.

### OTHER COORDINATING ENTITIES

Under North Dakota Century Code (NDCC) Section 15.1-24-01, the Superintendent of Public Instruction is required to develop a plan for the coordination of services relating to chemical abuse prevention programs with other agencies, including the Department of Human Services, the State Department of Health, the Department of Transportation, and law enforcement agencies. Under this section, the Superintendent is required to adopt rules for the implementation of chemical abuse prevention programs in this state's schools. The rules may include:

1. Community involvement through its citizens' advisory committee.
2. An assessment of services and resources available locally.
3. An assessment of student and staff needs.
4. A coordination of activities with public and private entities.
5. The development of an implementation plan.
6. The evaluation mechanism.
7. The development of a budget to fund the program.

In short, the rules relate to the coordination of chemical abuse prevention efforts of school-age individuals.

Under NDCC Section 54-56-01, the Children's Services Coordinating Committee is created and consists of the Governor, the Superintendent of Public Instruction, a representative of the juvenile courts, the executive director of the Department of Human Services, the State Health Officer, the director of the Department of Corrections and Rehabilitation, the director of the State Board for Career and Technical Education, and a representative of the Indian Affairs Commission. As part of the committee's powers under Section 54-56-03, the committee may coordinate delivery of services to children who are abused, neglected, emotionally disturbed, mentally ill, medically disabled, runaways, homeless, deprived, school dropouts, school-age parents, chemical or alcohol abusers, unruly, or delinquent. In addition, the

committee may foster primary prevention ideas and strategies.

In 2005 the Legislative Assembly passed Senate Bill No. 2349, which provides for an Office of Faith-Based and Community Initiatives within the Governor's office. In addition, an advisory commission was created to, among other things, make recommendations to the government regarding faith-based and community organization concerning the future of existing state programs and initiatives. The principle functions of the Office of Faith-Based and Community Initiatives include coordination of community programs and expansion of the role of those efforts in communities; coordination of public education activities designed to mobilize public support through volunteerism, special projects, demonstration pilots, and public and private partnerships; and encouraging grassroots, nonprofit organizations and civic initiatives.

In 2002 the Governor created the North Dakota Commission on Drugs and Alcohol to evaluate substance abuse in this state by exploring the interrelationship among substance abuse prevention, education, and enforcement programs; design procedures to coordinate resources in the substance abuse area; and ensure future coordination of resources designed to address substance abuse issues. The commission has representatives from law enforcement, state's attorneys, the Legislative Assembly, the Governor's office, the Department of Public Instruction, the Attorney General's office, the Bureau of Criminal Investigation, the Indian Affairs Commission, the Department of Human Services, the State Department of Health, the judiciary, public schools, Mercy Recovery Center, the North Dakota Higher Education Consortium on substance abuse prevention, and the United States Attorney's Office. The commission made the following eight recommendations concerning prevention:

1. School programs may include:
  - a. Mentoring.
  - b. Encouraging the use of SADD.
  - c. Developing plans and policy for reintegration of youth after treatment.
  - d. Educating teachers to identify "youth at risk" early.
  - e. Educating students and school staff for key underlying issues of balanced life and self-esteem.
  - f. Promoting student and staff respect and character.
  - g. Promoting research-based prevention practices and curriculum.
  - h. Promoting school security officers.
2. Coordination between tribal governments and the state to ensure consistent incorporation of the tribal statistics relating to youth risk behavior in statewide statistics.

3. Parent awareness and education about alcohol, tobacco, and other drug issues are necessary.
4. Explore options for the types of programs available under existing federal prevention grant funding to enhance prevention programs on the reservations.
5. School and community connections are imperative to good prevention programs.
6. Promote the implementation of the educational strategies outlined in the *Centers for Disease Control and Prevention (CDC) Guidelines for School Health Programs to Prevent Tobacco Use*.
7. Support local tobacco prevention and control programs through the community health grant program.
8. Evaluate present substance abuse programming in the higher education system to determine existing needs, what is being addressed, and which areas need further support.

The United States Department of Health and Human Services is providing grants through the Substance Abuse and Mental Health Services Administration to states to create a state prevention framework. The Department of Human Services estimates that the grant to North Dakota may amount to approximately \$3 million per year, most of which will be used for community programs. However, to receive the grant the state must have a North Dakota Prevention Advisory Council. The council may use up to 15 percent of the funds for administration, including assessment, training, planning, implementation, monitoring, and evaluation. Attached as Appendix B is the North Dakota State Prevention Framework Infrastructure Chart created for the application for the grant. The top portion of the chart contains the prevention management system. The bottom portion of the chart contains the prevention delivery system. The general scheme is to implement model programs in a coordinated effort through community coalitions. The steps to create the strategic prevention framework are:

1. Assessment - Profile population needs, resources, and readiness to address needs.
2. Capacity - Mobilize or build capacity to address needs.
3. Plan - Develop a comprehensive strategic plan.
4. Implement - Implement proven prevention programs and activities.
5. Evaluation - Monitor, evaluate, sustain, and improve or replace those programs that fail.

This state has already received a grant for the state epidemiological workgroup. This workgroup is studying the factors that give rise to drug, alcohol, and tobacco abuse.

## STATE PROGRAMS FOR ALCOHOL, DRUG, TOBACCO, AND

## RISK-ASSOCIATED BEHAVIORS

The government programs for discouraging destructive behavior are directed mainly at drugs, alcohol, and tobacco. The main state agencies addressing these behaviors are the State Department of Health, Department of Human Services, and Department of Public Instruction.

In general, the State Department of Health administers the programs and funding relating to tobacco. Under NDCC Section 23-38-01, the department is to establish a community health grant program to prevent or reduce tobacco usage. These programs are funded mainly through tobacco master settlement funds that go to public health units for preventative services in schools and communities. Forty percent of the funds are to be used by public health units in coordination with school boards to reduce student tobacco use. Forty percent are to be used by the public health units for a unitwide plan concerning preventative health programs. Twenty percent are to be used by the public health unit to supplement existing state aid from other sources.

The Department of Human Services has a Division of Mental Health and Substance Abuse Services with programs addressing substance abuse. Under NDCC Section 54-38-05, the department is to study alcoholism and drug abuse and related problems and disseminate information on the subject of alcoholism and drug abuse for the prevention of alcoholism and drug abuse to the public and government agencies.

The Department of Human Services receives the substance abuse prevention and treatment grant which allows it to plan, carry out, and evaluate activities to prevent increased substance abuse. The Division of Mental Health and Substance Abuse Services operates the North Dakota Prevention Resource Center which is a clearinghouse of alcohol and other drug information, including pamphlets, brochures, booklets, posters, bookmarkers, and stickers. These materials are available free of charge. In addition, each of the eight human service regions and tribe has a coordinator to develop local coalitions to address substance abuse.

The Department of Public Instruction has coordinated school health and drug-free programs which support programs that prevent violence in and around schools; prevent the illegal use of alcohol, tobacco, and drugs; involve parents; and coordinate with other related federal, state, and community efforts and resources. The department mainly addresses destructive behavior in kindergarten through grade 12. The North Dakota Higher Education Consortium on substance abuse prevention mainly addresses the coordination of substance abuse prevention at the collegiate level.

During the 2001-02 interim, the Budget Committee on Government Services studied programs dealing with prevention and treatment of alcohol, tobacco, and drug abuse and other kinds of risk-associated behavior which are operated by various state agencies. These programs are administered by the Department of Corrections and Rehabilitation, Attorney General's office, State Department of Health, Department of Human Services, Department of Public Instruction, Department of Transportation, National Guard, and Supreme Court. The committee studied whether better coordination among the programs within those agencies may lead to more effective and cost-efficient ways of operating the programs and providing services.

At that time, a survey of agency alcohol, drug, tobacco, and risk-associated behavior programs was conducted. That information was updated during the 2003-05 biennium by the Budget Committee on Government Services as part of that committee's study of the state's long-term prison needs and the needs of individuals with mental illness, drug and alcohol addictions, and physical or developmental disabilities.

The following is each agency's response, including the sources of funding, restrictions on use of funds, and the anticipated uses of the funds for the 2003-05 biennium.

Alcohol, Drug, Tobacco, and Other Risk-Associated Behavior Programs	2003-05 Biennium Amount and Funding Source for Each Program			Detail of Sources of Federal and Special Funds	Restrictions on the Uses of Funds	Anticipated Uses of Funds
	General Fund	Federal and Special Funds	Total Funds			
State Department of Health Community health grant program		\$4,700,000	\$4,700,000	Tobacco master settlement funds (10%) through the community health trust fund	Funds go to local public health units for preventive health services in schools and communities with an emphasis on tobacco control	Majority of funds for tobacco prevention and control in schools and communities. Estimated 20 to 25% will fund other preventive health services.
Pilot education and cessation programs for city, county, and state employees		500,000	500,000	Tobacco master settlement funds (10%) through the community health trust fund	Funds go to local cities, counties, and the state Public Employees Retirement	100% of funds support tobacco education and

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					System (PERS) for pilot cessation programs	cessation programs and services

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Community Health Grant Program Advisory Committee		100,000	100,000	Tobacco master settlement funds (10%) through the community health trust fund	Funds support the work of the advisory committee	100% of funds support the work of the advisory committee and evaluation of the program
Statewide tobacco cessation quit line		680,000	680,000	Tobacco master settlement funds	Funds support a statewide toll-free telephone counseling and referral quit line	100% of funds will support the statewide tobacco cessation quit line
Tobacco prevention and control - Centers for Disease Control and Prevention		2,199,994	2,199,994	Centers for Disease Control and Prevention	Restricted to tobacco control; cannot be used for direct services or cessation services	100% for tobacco control
American Legacy Foundation		38,326	38,326	American Legacy Foundation	Restricted to matching funds in CDC grant for cessation promotion	100% for tobacco cessation
Association of Maternal and Child Health Programs - Tobacco-free futures mini grant				Association of Maternal and Child Health Programs	Restricted to interventions by health plans and providers that serve pregnant women who smoke	100% of the funding used to provide training on the smoke-free families cessation interventions to health care providers serving pregnant American Indian women
Abstinence education grant program		252,440	252,440	HRSA - Section 510 abstinence education grant program	Funds go to the regional/tribal children's services coordinating committees and public health units within the four tribal and eight regions of North Dakota	70% of funds are used for abstinence education in their respective communities and the other is used for administrative services
Comprehensive sexually transmitted disease prevention systems (CSPS)	\$13,000	320,954	333,954	Centers for Disease Control and Prevention	Limited to prevention of syphilis, gonorrhea, and chlamydia	0.9 full-time equivalent (FTE) position for grant administration and 1.5 FTE positions for sexually transmitted disease counseling and intervention. Funding to support chlamydia testing in high-risk individuals approximately 3 to 5% of funds are directed to risky behavior recognition/reduction. Funding is generally used for disease intervention.
Prevention of sexually transmitted disease-related infertility		186,611	186,611	Centers for Disease Control and Prevention	90% of funding to be used for screening high-risk females for chlamydia  At least 50% of funding to be used to screen family planning clients	Screening females in family planning and nonfamily planning clinics for chlamydia  Family planning purchases medication and educational materials with about 6% of the funding. Funding is directed at disease intervention.

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Injury prevention program		500,000	500,000	Department of Transportation and Title V (maternal and child health block grant)	Department of Transportation funds are used to address traffic-related injuries, as restricted per grant applications	The program addresses frequency and cause of injuries, many of which are caused by risky behavior, such as alcohol/drug use, nonuse of safety equipment (seatbelts, child restraints, bicycle helmets, personal flotation devices, smoke detectors), speed, and other risk factors. Current focus areas include suicide prevention, motor vehicle crashes, bicycle safety, and consumer product safety.
HIV testing and risk-reduction counseling, partner counseling and referral services, group-level intervention (i.e., workshops, etc.), outreach, distribution of safe sex supplies (i.e., condoms, lubricant, etc.), and capacity building to assist HIV prevention service providers to conduct HIV prevention services per federal guidelines		1,682,283	1,682,283	Centers for Disease Control and Prevention - HIV prevention grant	Funds to be used for HIV testing and risk-reduction counseling, partner counseling and referral services, group-level intervention outreach, distribution of safe sex supplies, and capacity building to assist HIV prevention service providers to conduct HIV prevention services per federal guidelines	Funds go to appropriate contractors, including local public health units, substance abuse treatment centers, college/university student health centers, community action programs, etc., to provide HIV prevention services to high-risk populations in the state (i.e., men who have sex with men, high-risk heterosexuals, and injecting drug users)

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Title X family planning program base funding and Title V supplement - The primary focus of the program identified above is to provide and enhance family planning services for women and men in North Dakota. A portion of the funds identify and address alcohol, tobacco, drug use and abuse issues, and risky sexual behavior through short-term counseling and referral services. No treatment services are provided. It is estimated that 15% of family planning funding addresses risky behaviors.		329,037	329,037	Title X family planning	Funds to be used for the provision of family planning medical, laboratory, and counseling services  Special initiative funds for one-time projects restricted to the goal workplan of that project	100% for the provisions of clinical, laboratory, contraceptive supplies, and counseling family planning services to men and women  Special initiative funds to address: Subsidizing the cost of contraceptives for low-income clients  Community education and outreach about family planning services  Establishing services to attract men to family planning services  Services to incarcerated women  Health disparities by developing culturally appropriate educational and outreach materials
<b>Total State Department of Health</b>	\$13,000	\$11,489,645	\$11,502,645			

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<b>Attorney General's office</b> Residential substance abuse treatment for state prisoners grant program - A pass-through grant for addiction treatment of state prisoners		\$568,775	\$568,775	Residential substance abuse treatment for state prisoners grant program - Corrections Program Office, United States Department of Justice	Residential substance abuse treatment grant funds are awarded to states to assist them in implementing and enhancing residential treatment activities for offenders operated by state and local correctional agencies	Funds are available to the Department of Corrections and Rehabilitation and local agencies that meet the requirements. Funds are used for the treatment unit located at the State Penitentiary. Funds are used exclusively for program operations.
Narcotics section - Includes all of the state's 12 drug enforcement agents responsible for investigations of drug crimes, dealers, and manufacturers	\$1,786,136		1,786,136			95% of the funds are used for operations. 5% of the funds are used for equipment.
CounterAct program - Drug prevention programs aimed at grades 4 through 6.		60,000	60,000	Safe and drug-free schools program, United States Department of Education -	Funds must be used to train/certify law enforcement officers on CounterAct	Train law enforcement and purchase materials for students -

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The fund is used to train local law enforcement officers and to provide classroom materials.				Passthrough from the Department of Human Services	materials for presentation to grades 5 and 6 students	100% program operations
Domestic cannabis eradication/suppression program - A federal grant used for marijuana enforcement and elimination		100,000	100,000	Domestic cannabis eradication/suppression program - Drug Enforcement Administration, United States Department of Justice	Funds must be used for law enforcement efforts in eradicating and investigating marijuana trafficking in the state	Funds are used for purchasing equipment and supplies used in marijuana investigation and eradication efforts
Midwest high-intensity drug trafficking area - Federal cooperative agreement aimed at the growing methamphetamine problem in this region		1,217,216	1,217,216	Midwest high-intensity drug trafficking area - Office of National Drug Control Policy - Office of the President	Funds must be used to measurably reduce and disrupt the importation, distribution, and clandestine manufacturing of methamphetamine in the six-state region--Iowa, Kansas, Missouri, Nebraska, North Dakota, and South Dakota	Funds are used for personnel, operating expenses, and confidential funds in methamphetamine investigation and eradication efforts
Edward Byrne Memorial state and local law enforcement assistance formula grant program - Federal funding used at the state and local level for antidrug abuse programs		4,400,000	4,400,000	Edward Byrne Memorial state and local law enforcement assistance formula grant program	58.68% of the funds must be passed through to local jurisdictions. There are 28 legislative purpose areas for which the Byrne formula funds can be used.	Administrative funds are used to manage grant contracts to ensure compliance with federal regulations - 7% - \$308,000 Grants funds are awarded to local units of government, state agencies, and Indian tribes for criminal justice purposes - 88% - \$3,872,000 Records improvement funds are used to support criminal justice records improvement - 5% - \$220,000
<b>Total Attorney General's office</b>	\$1,786,136	\$6,345,991	\$8,132,127			

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<b>Department of Corrections and Rehabilitation (DCOR)</b> Drug court - An adult services program in Burleigh, Morton, and Cass Counties which handle drug (90%) and alcohol (10%) diversion offenders		\$230,625	\$230,625	Federal funds from the Office of Juvenile Justice Programs drug courts Special funds mainly from supervision fees and also detention fees collected by the department	Federal funds restricted to drug court implementation (75% federal, 25% local)	Salaries and operating expenses for two staff members
Reentry grant - Provides for transitional		1,176,512	1,176,512	Office of Juvenile	Grant funds can only be used for high-risk	Salaries and operating expenses for

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<p>programming and services to high-risk offenders returning to the community from incarceration. Fargo is the community location, but services are provided in both the Bismarck and Jamestown correctional facilities.</p> <p>Tompkins Rehabilitation Correctional Unit (TRCU) - The TRCU was located in the Stutsman County Jail. It was an intensive 100-day treatment program for drug offenders.</p> <p>Corrections rehabilitation and recovery program (CRRP) - The CRRP provides for the DOCR to contract with the State Hospital to operate a DUI/severe alcohol treatment program that resulted in 25 offenders per month being housed at the State Hospital rather than being incarcerated in a DOCR facility</p>				<p>Justice Programs federal reentry program</p> <p>Federal funds - Edward Byrne grant (72% federal; 28% general)</p> <p>Special funds - Fees collected by the department (supervision fees, detention fees, etc.)</p>	<p>youthful offenders (under age 35 at time of release)</p> <p>Edward Byrne funds were restricted to paying for the housing of offenders and their related programming and did not pay for the one position assigned to the program</p> <p>Contract with the State Hospital for services to treat offenders with chronic alcohol problems</p>	<p>one staff member, the majority of funds will be used to purchase contract services for the offenders</p>
<p>Tompkins Rehabilitation Correctional Center (TRCC) - The TRCC is located on the campus of the State Hospital. This program consolidates the programming of the former TRCU and CRRP programs. It also establishes a DOCR community-based assessment center to assess offenders' treatment needs.</p>	\$2,488,641	107,207	2,595,848	<p>Federal funds - From the reentry grant and are included in the total for that grant</p>	<p>Grant funds can only be used for high-risk youthful offenders (under age 35 at time of release)</p>	<p>Purchases services from the State Hospital for reentry qualified offenders</p>
<p>Alternative to incarceration - Programs providing alternatives to incarceration, including halfway houses, treatment, detention, and other correctional programming</p>	958,555	826,801	1,785,356	<p>Federal funds - Edward Byrne grant (\$568,012)</p> <p>Special funds - Fees collected by the department (\$258,789)</p>	<p>Edward Byrne funds are restricted to offender housing and offender treatment</p>	<p>Contract for services</p>
<p>Bismarck Transitional Center - A community-based transitional center located in Bismarck that houses up to 50 male offenders. The program provides</p>	138,037	1,885,590	2,023,627	<p>Violent offender incarceration and truth-in-sentencing incentive grant</p>	<p>Must be used to increase the state's capacity to house inmates</p>	<p>Contract for transitional services and 1 FTE position to manage the program</p>

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<p>employment, treatment, and other transitional programming up to six months prior to their release from prison.</p> <p>Prisons Division Mental Health Unit - Conducts assessments and provides treatment for inmates with addiction problems</p>	1,024,223	92,127	1,116,350	<p>Federal funds - Bureau of Criminal Investigation's residential substance abuse treatment (RSAT) (\$78,428) and Edward Byrne (\$13,699)</p>	<p>RSAT - Restricted to prison treatment unit (75% federal; 25% state)</p> <p>Edward Byrne - Restricted to one James River Correctional Center addiction counselor salary (72% federal; 28% state)</p>	<p>Salaries - \$1,020,350</p> <p>Operating expenses - \$96,000</p>

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Youth Correctional Center treatment program - Provides treatment services for youth	103,210		103,210	Please refer to separate document for details.	Please refer to separate document for details.	Salaries/operating expenses
Juvenile Community Services - Title II and Title V juvenile delinquency prevention grants and the juvenile accountability incentive block grant. The majority of this funding is provided to political subdivisions for juvenile programs and are not required to be used for drug or alcohol programs.		3,174,140	3,174,140			Please refer to separate document for details.
<b>Total Department of Corrections and Rehabilitation</b>	\$4,712,666	\$7,493,002	\$12,205,668			

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<b>Department of Human Services</b> Treatment services provided at the human service centers	\$6,904,234	\$7,947,216	\$14,851,450	Substance abuse prevention and treatment (SAPT) block grant - \$6,166,782	<p>The state shall <b>not</b> expend grant funds on the following:</p> <ul style="list-style-type: none"> <li>To provide inpatient hospital services</li> <li>To make cash payments to intended recipients of services</li> <li>To purchase or improve land; purchase, construct, or permanently improve any building or other facility; or purchase major medical equipment</li> <li>To satisfy any requirement for the expenditure of nonfederal funds</li> <li>To provide financial assistance to any entity other than a public or nonprofit private entity</li> <li>To provide individuals with hypodermic needles or syringes so that</li> </ul>	<p>To provide treatment of substance abuse, including alcohol and other drugs. Preference for admission into treatment services is in the following order:</p> <ul style="list-style-type: none"> <li>Pregnant-injecting drug users</li> <li>Pregnant substance abusers</li> <li>Injecting drug users</li> <li>All other substance abusers</li> </ul> <p>Administration - \$0/0%</p> <p>Program operations - \$7,929,101/53.4%</p> <p>Equipment - \$0/0%</p> <p>Grants/contracts - \$6,922,349/46.6%</p>

Alcohol, Drug, Tobacco, and Other Risk-Associated Behavior Programs	2003-05 Biennium Amount and Funding Source for Each Program			Detail of Sources of Federal and Special Funds	Restrictions on the Uses of Funds	Anticipated Uses of Funds
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Treatment services provided at the State Hospital	2,386,496	4,879,979	7,266,475	<p>Medical assistance - \$873,804</p> <p>Collections - \$906,630</p> <p>Collections from insurance - \$2,284,131</p>	<p>such individuals may use illegal drugs</p> <p>None</p> <p>None</p> <p>None</p>	<p>To provide inpatient treatment of substance abuse, including alcohol and other drugs</p> <p>Program operations - \$7,266,475/100%</p>
Prevention related to substance abuse		1,902,907	1,902,907	<p>Payments from the Department of Corrections and Rehabilitation - \$2,595,848</p> <p>SAPT block grant - \$1,902,907</p>	<p>Needs to be spent toward the population placed by the Department of Corrections and Rehabilitation</p> <p>Funds are limited to <b>primary</b> prevention activities only</p> <p>See additional restrictions for SAPT grant on the first page for the Department of Human Services</p>	<p>To develop and implement a comprehensive prevention program which includes a broad array of prevention strategies directed at individuals not identified to be in need of treatment. Implementation shall use a variety of strategies, including the six recommended strategies of:</p> <ul style="list-style-type: none"> <li>Information dissemination</li> <li>Education</li> <li>Alternatives</li> <li>Problem identification and referral</li> <li>Community-based process</li> <li>Environmental</li> </ul> <p>Program operations - \$506,789/26.6%</p> <p>Grants/contracts - \$1,396,118/73.4%</p>
Program and policy related to substance abuse	137,009	1,282,130	1,419,139	<p>SAPT block grant - \$1,274,337</p> <p>Unidentified other due to Senate funding shift - \$7,793</p>	<p>See additional restrictions for SAPT grant on the first page for the Department of Human Services</p>	<p>Provide technical assistance, training and outcome management policy to treatment and prevention fields</p> <p>Program operations - \$640,112/45.1%</p> <p>Grants/contracts - \$779,027/54.9%</p>
Data information systems		172,991	172,991	DASIS - \$172,991	<p>Must be used to develop and implement substance abuse data management</p>	<p>Contract for outcome evaluation and client followup</p>

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	General Fund	Federal and Special Funds	Total Funds			
Governor's fund for safe and drug-free schools and communities - Funding is provided as grants to high-risk areas for enforcement and education		857,174	857,174	Safe and drug-free schools and communities (SDFSC) grant	At least 10% of this amount shall be used for law enforcement education partnerships No more than 5% of this amount can be used for administrative costs	Grants/contracts - \$172,991/100% To provide drug and violence prevention programs and activities through grants to parent groups, community action/job training agencies, community-based organizations, and other entities Priority shall be given to programs and activities for: Children and youth not normally served by state or local educational agencies Populations that need special or additional resources
Department of Justice underage drinking grant - Funding is used for underage drinking prevention programs		720,000	720,000	Enforcing underage drinking laws grant - This program is funded by the Department of Justice	Cannot be used to supplant state or local funds Funding can be suspended if: Failure to adhere to requirements or conditions placed on grant Failure to submit reports timely Filing a false certification Other good cause shown	Grants/contracts - \$857,174/100% To support and enhance state efforts, in cooperation with local jurisdictions, to enforce laws prohibiting the sale of alcoholic beverages to, or the consumption of alcoholic beverages by, minors Activities may include: Statewide task forces of state and local law enforcement and prosecutorial agencies Public advertising programs to educate establishments about statutory prohibitions and sanctions Innovative programs to prevent and combat underage drinking Operating expenses - \$2,000/.3%
Native American youth alcohol and drug prevention program - Funding is used for youth alcohol and drug prevention programs for Native Americans				Children's Services Coordinating Committee funds	This money may not be spent for the services provided by the tribes to administer the program. The local grant recipient is required to provide	Grants/contracts - \$718,000/99.7% Money is allocated to each of the four tribes to be used for alcohol and other drug education programs

Alcohol, Drug, Tobacco, and Other Risk-Associated Behavior Programs	2003-05 Biennium Amount and Funding Source for Each Program			Detail of Sources of Federal and Special Funds	Restrictions on the Uses of Funds	Anticipated Uses of Funds
	General Fund	Federal and Special Funds	Total Funds			
<b>Total Department of Human Services</b>	\$9,427,739	\$17,762,397	\$27,190,136		matching equal to the grant amount with funding or in-kind service.	

Alcohol, Drug, Tobacco, and Other Risk-Associated Behavior Programs	2003-05 Biennium Amount and Funding Source for Each Program			Detail of Sources of Federal and Special Funds	Restrictions on the Uses of Funds	Anticipated Uses of Funds
	General Fund	Federal and Special Funds	Total Funds			
<b>Department of Transportation</b> 402 highway traffic safety - Funding is used for fake ID training, teen court, students against drunk driving, and the cops-in-shops programs		\$220,000	\$220,000	402 funding is allocated to each state from the National Highway Traffic Safety Administration and is based on a formula	402 funds must be used for projects involving highway safety issues. A portion of the funding within the North Dakota highway safety plan is dedicated to alcohol countermeasures and youth projects.	402 funds only 20%, administration 80% - Grants to local agencies primarily for youth prevention efforts
410 alcohol incentive grant - Funding is used for alcohol countermeasure activities and other programs discouraging drinking and driving		175,000	175,000			In 2004, \$175,000 will be used for public information regarding impaired driving because of a transfer of funds to highway safety and carryover dollars
		299,000	299,000	410 funding is an incentive grant available to states that meet certain criteria, such as law, programs, and data elements. The criteria for this grant will be changing in fiscal year 2004.	410 funds must be used for alcohol countermeasure projects	410 funds only: 8% administration 28% public information 48% law enforcement overtime 1% training 15% youth activities
<b>Total Department of Transportation</b>	\$0	\$694,000	\$694,000			

Alcohol, Drug, Tobacco, and Other Risk-Associated Behavior Programs	2003-05 Biennium Amount and Funding Source for Each Program			Detail of Sources of Federal and Special Funds	Restrictions on the Uses of Funds	Anticipated Uses of Funds
	General Fund	Federal and Special Funds	Total Funds			
<b>Department of Public Instruction</b>						
Title IV safe and drug-free schools and communities program - Funding for reducing alcohol, drug, and tobacco use through education and prevention activities		\$3,668,088	\$3,668,088	Department of Education	For prevention activities and early intervention. Not to be used for treatment or entertainment.	\$3,411,322 (93%) - Local education agencies' grants \$146,724 (4%) - Technical assistance to local education agencies \$110,042 (3%) - Administration
Community service grant - Funding for direct services for suspended/expelled out-of-school students		496,750	496,750	Department of Education	No administration costs allowed for the Department of Public Instruction and cannot subgrant the funds	\$496,750 (100%) - For contract direct services for suspended/expelled students
21st century community learning centers provide funds for out-of-school programs, including academics, enhanced academic programming, arts, and recreation		5,236,320	5,236,320	Department of Education	Must serve students attending school with 40% or greater free and reduced lunch, must have a community-based partner, and must occur when school is not in session	\$4,974,504 (95%) - Local education agencies and community-based organizations \$157,089.60 (3%) - Technical assistance \$104,726.40 (2%) - Administration
<b>Total Department of Public Instruction</b>	\$0	\$9,401,158	\$9,401,158			

Alcohol, Drug, Tobacco, and Other Risk-Associated Behavior Programs	2003-05 Biennium Amount and Funding Source for Each Program			Detail of Sources of Federal and Special Funds	Restrictions on the Uses of Funds	Anticipated Uses of Funds
	General Fund	Federal and Special Funds	Total Funds			
<b>Supreme Court</b>						
Juvenile drug court - Fargo		\$142,932	\$142,932	Underage drinking prevention grant (through Highway Patrol)	Operation of juvenile drug court	Operating
Juvenile drug court - Fargo and Grand Forks	\$15,409	138,681	154,090	Juvenile accountability incentive block grant (through Department of Corrections and Rehabilitation)	Operation of juvenile drug court	Operating, personnel
Juvenile drug court - Bismarck	14,390	37,004	51,394	Edward Byrne Memorial grant (through Attorney General)	Operation of South Central (Bismarck) juvenile drug court	Operating
Juvenile drug court - Fargo, Bismarck, and Grand Forks	60,000		60,000			Tracking for juveniles in drug court
<b>Total Supreme Court</b>	\$89,799	\$318,617	\$408,416			

Alcohol, Drug, Tobacco, and Other Risk-Associated Behavior Programs	2003-05 Biennium Amount and Funding Source for Each Program			Detail of Sources of Federal and Special Funds	Restrictions on the Uses of Funds	Anticipated Uses of Funds
	General Fund	Federal and Special Funds	Total Funds			
<b>National Guard</b> State military operations - Funding is used for a number of programs, including education programs and the counter drug fly program that assists law enforcement by utilizing military helicopters in drug enforcement efforts		\$2,461,000	\$2,461,000	Department of Defense through the National Guard Bureau		

Alcohol, Drug, Tobacco, and Other Risk-Associated Behavior Programs	2003-05 Biennium Amount and Funding Source for Each Program			Detail of Sources of Federal and Special Funds	Restrictions on the Uses of Funds	Anticipated Uses of Funds
	General Fund	Federal and Special Funds	Total Funds			
<b>Children's Services Coordinating Committee</b> Sacred child program		\$0	\$0	Refinancing dollars		
Native American drug and alcohol program		0	0	Refinancing dollars		
<b>Total Children's Services Coordinating Committee</b>	\$0	\$0	\$0			

The following is a summary of the survey responses provided by agencies as the responses relate to funding:

Agency Summary Report	2003-05 Biennium Amount and Funding Source for Each Agency		
	General Fund	Federal and Special Funds	Total Funds
State Department of Health	\$13,000	\$11,489,645	\$11,502,645
Attorney General's office	1,786,136	6,345,991	8,132,127
Department of Corrections and Rehabilitation	4,712,666	7,493,002	12,205,668
Department of Human Services	9,427,739	17,762,397	27,190,136
Department of Transportation	0	694,000	694,000
Department of Public Instruction	0	9,401,158	9,401,158
Supreme Court	89,799	318,617	408,416
National Guard	0	2,461,000	2,461,000
Children's Services Coordinating Committee	0	0	0
Total all agencies	\$16,029,340	\$55,965,810	\$71,995,150
Less duplicated agency passthrough funds <sup>1</sup>	0	305,888 <sup>2</sup>	305,888 <sup>2</sup>
Net total all agencies	\$16,029,340	\$55,659,922	\$71,689,262

<sup>1</sup>This represents program funding that is reflected twice--by the agency receiving the funds and the agency receiving the passthrough funds.

<sup>2</sup>This amount does **not** include the portion of the Edward Byrne grant that is passed through from the Attorney General's office to the Supreme Court and the Department of Corrections and Rehabilitation to fund drug court costs and supervision/sentencing/alternatives to detention programs. The future funding levels for these programs have not been determined.

There are a number of state programs aimed at other destructive behavior besides drug, alcohol, and tobacco use. For instance, the State Department of Health administers an abstinence-only education program. The goal of this program is to enhance the community's awareness and knowledge about the importance of educating youth in abstaining from sexual activity outside of marriage. Under NDCC Section 50-06-21, the Department of Human Services administers a program for gambling prevention, awareness, crisis intervention, rehabilitation, financial counseling, and mental health treatment services.

**SUGGESTED STUDY APPROACH**

The committee may review present efforts to coordinate destructive behavior programs to determine if there is adequate coordination. Adequate coordination may be measured by whether administrative efficiencies may be gained by combining programs, through evaluating programs for determining if best practices are in use, and by evaluating continuity of programs over time and among programs, especially as it relates to funding. The committee may review

what schools, local governments, the state and tribal governments, the federal government, and private groups are doing to prevent destructive behavior. The committee may wish to receive testimony from all private and public entities that address destructive behavior to determine the present state of affairs and to review possible changes for better coordination.

The committee may review the funding sources for each of the entities and whether there is any flexibility in the administration and use of these funds which would allow for more coordination.

ATTACH:2

**Fifty-ninth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 4, 2005**

SENATE BILL NO. 2372  
(Senators Lindaas, Andrist)  
(Representatives Aarsvold, Price)

AN ACT to provide for a legislative council study relating to efforts to discourage alcohol and drug abuse and tobacco use.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. LEGISLATIVE COUNCIL COORDINATION OF EFFORTS TO DISCOURAGE DESTRUCTIVE BEHAVIOR STUDY.** The legislative council shall study, during the 2005-06 interim, the feasibility and desirability of establishing an organization or ombudsman to support and coordinate federal, tribal, state, including institutions of higher education, and local government and private efforts to discourage destructive behavior, including alcohol and drug abuse and tobacco use. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixtieth legislative assembly.

**Chart 1: North Dakota SPF Infrastructure**

**State of North Dakota**

