

# HOUSE BILL No. 4446

April 13, 1999, Introduced by Reps. Gielegem, Bob Brown, Rivet, Lemmons, Clark, Garza, Bovin, Wojno, O'Neil, LaForge, Woodward, Dennis and Jacobs and referred to the Committee on Criminal Law and Corrections.

A bill to create an advisory council on drug abuse resistance education; to provide for the appointment and compensation of council members; and to prescribe the powers and duties of the department of state police.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 1. This act shall be known and may be cited as the  
2 "D.A.R.E. advisory council act".

3       Sec. 2. As used in this act:

4       (a) "D.A.R.E." means drug abuse resistance education.

5       (b) "Council" means the drug abuse resistance education  
6 council.

7       (c) "Department" means the department of state police.

8       (d) "Director" means the director of the department of state  
9 police.

1 (e) "Peace officer" means a member of the police force or  
2 other organization who is certified under the commission on law  
3 enforcement standards act, 1965 PA 203, MCL 28.601 to 28.616.

4 Sec. 3. There is created the D.A.R.E. policy council. The  
5 council shall be within the department and shall exercise its  
6 prescribed statutory powers, duties, and functions independently  
7 of the director of the department. The budgeting, procurement,  
8 and related management functions of the council shall be per-  
9 formed under the direction and supervision of the director of the  
10 department. The council shall be comprised of the following  
11 members:

12 (a) The attorney general, or his or her designated  
13 representative.

14 (b) The director of the department, or his or her designated  
15 representative.

16 (c) The governor, or his or her designated representative.

17 (d) A representative of the D.A.R.E. officers' association  
18 of Michigan, to be appointed by that organization.

19 (e) A representative of the prosecuting attorneys associa-  
20 tion of Michigan, to be appointed by that association.

21 (f) A representative of the Michigan association of chiefs  
22 of police, to be appointed by that association.

23 (g) A representative of the Michigan sheriffs' association,  
24 to be appointed by that association.

25 (h) Four representatives to be appointed by the governor who  
26 represent educational concerns in this state.

1 (i) One representative to be appointed by the governor who  
2 represents substance abuse concerns in this state.

3 (j) Up to 5 additional members to be appointed by majority  
4 vote of the statutory members identified in subdivisions (a) to  
5 (i).

6 Sec. 4. (1) The drug abuse resistance education program  
7 assists law enforcement agencies or school districts by providing  
8 grants to enable peace officers to undergo the training described  
9 in subsection (3). Grants may be used to cover the cost of the  
10 training as well as reimbursement for actual, reasonable travel  
11 and living expenses incurred in connection with the training.  
12 The director shall administer the program, shall promote it  
13 throughout the state, and is authorized to receive money from  
14 public and private sources for use in carrying it out.

15 (2) A law enforcement agency or a school district may apply  
16 to the director for a grant under this section.

17 (3) The department shall develop a program to train peace  
18 officers to teach a curriculum on drug abuse resistance in  
19 schools. The training program must be approved by the director.

20 (4) The training program described in subsection (3) is  
21 available on a voluntary basis to local law enforcement agencies  
22 and school districts.

23 (5) If the director receives grant requests from more than 1  
24 applicant for programs to be conducted in a single school dis-  
25 trict, the director shall require the applicants to submit a plan  
26 for coordination of their training and programs.

1 (6) The director may require grant recipients to account at  
2 reasonable time intervals regarding the use of the grants and the  
3 training and programs provided.

4 Sec. 5. (1) The council shall, at its first regular meet-  
5 ing, elect from its membership a chairperson who shall serve for  
6 1 year. An election shall be held annually. A chairperson may,  
7 if reelected, succeed himself or herself. The council shall meet  
8 quarterly, during the months of January, April, July, and  
9 October, and at other times the chairperson considers necessary.  
10 A majority of the council members shall be a quorum for conduct-  
11 ing the business of the council.

12 (2) The council chairperson shall appoint committee chair-  
13 persons with the approval of the council. A committee chair-  
14 person may succeed himself or herself if reappointed.

15 (3) Council members or their representatives shall serve  
16 without compensation, but shall be entitled to actual expenses  
17 incurred during attendance at a regular or special council meet-  
18 ing and in traveling to and from a meeting.

19 (4) A council member shall serve a 2-year term and may suc-  
20 ceed himself or herself if reappointed or reelected as a member.

21 Sec. 6. The council shall do all of the following:

22 (a) Advise the department in establishing a drug abuse  
23 resistance education training program for peace officers.

24 (b) Promote the drug abuse resistance education program  
25 throughout the state.

26 (c) Monitor the drug abuse resistance education officer  
27 training program in conjunction with the department.

1 (d) Provide coordination and assistance to local communities  
2 who wish to implement drug abuse resistance education programs in  
3 their local school systems.

4 (e) Encourage parental and community involvement in drug  
5 abuse resistance education programs.

6 (f) Develop a private and public partnership to provide for  
7 continuation and funding for the drug abuse resistance education  
8 program.

9 (g) Receive money from public and private sources for use in  
10 the drug abuse resistance education program.