

HOUSE BILL NO. 296

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE CLAMAN

Introduced: 1/19/18

Referred: Health and Social Services, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act creating the Alaska marijuana use prevention youth services grant program;
2 creating the Alaska marijuana use prevention, education, and treatment fund; relating
3 to the duties of the Alaska Children's Trust Board; creating the marijuana use
4 education and treatment program; and relating to the duties of the Department of
5 Health and Social Services."

6 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

7 * **Section 1.** AS 17.38 is amended by adding new sections to read:

8 **Sec. 17.38.400. Alaska marijuana use prevention youth services grant**
9 **program.** (a) The Alaska marijuana use prevention youth services grant program is
10 created to provide funding, training, and technical assistance for community-based and
11 statewide prevention programs that reduce initiation of marijuana use by minors,
12 promote cessation of marijuana use among minors, reduce access of minors to
13 marijuana products, and reduce exposure of minors to impaired driving dangers from

1 marijuana use.

2 (b) The Alaska Children's Trust Board established under AS 37.14.225 shall

3 (1) administer the Alaska marijuana use prevention youth services
4 grant program;

5 (2) subject to appropriation, make grant awards from the fund
6 established under AS 17.38.410; and

7 (3) survey the need for trained professionals working in entities
8 described in (c)(1) - (3) of this section, develop a plan to address the need for trained
9 professionals, and assist in implementing training for the plan.

10 (c) The board may award grants to eligible entities, specifying the amount and
11 duration of each grant. The board may only award grants that have a duration of three
12 years or less. The board shall award grants with equitable consideration for urban and
13 rural entities. To be eligible for a grant, an entity must

14 (1) be exempt from federal taxation under 26 U.S.C. 501(c)(3)
15 (Internal Revenue Code), a federally recognized tribe or tribal organization, a
16 municipal or state government, or a school;

17 (2) provide recreational, educational, and character-building programs
18 for children during out-of-school time; and

19 (3) address the following three development areas:

20 (A) marijuana use prevention through outcome-based curricula;

21 (B) adult and peer mentoring; and

22 (C) opportunities for positive, pro-social leisure and
23 recreational activities.

24 (d) The board shall adopt regulations necessary to carry out the program. At a
25 minimum, the regulations must include

26 (1) the procedures and timeline to apply for a grant;

27 (2) the application contents;

28 (3) the criteria for selecting grant recipients and the maximum amount
29 a recipient may receive; and

30 (4) reporting requirements for entities that receive grants.

31 (e) Notwithstanding the definition of "board" in AS 17.38.900, in this section,

1 "board" means the Alaska Children's Trust Board established in AS 37.14.225.

2 **Sec. 17.38.410. Alaska marijuana use prevention, education, and**
 3 **treatment fund.** (a) The Alaska marijuana use prevention, education, and treatment
 4 fund is created as an account in the general fund. The fund consists of appropriations
 5 and donations to the fund. The legislature may appropriate 50 percent of the total tax
 6 revenue received under AS 43.61.010, or any other revenue, to the fund.
 7 Appropriations to the account do not lapse.

8 (b) The legislature may make equal appropriations from the fund for the

9 (1) Alaska marijuana use prevention youth services grant program
 10 established in AS 17.38.400; and

11 (2) marijuana use education and treatment program established in
 12 AS 44.29.020(a).

13 (c) The legislature may make appropriations from the fund for the cost of
 14 administering the grant program established in AS 17.38.400. The administrative costs
 15 may not exceed 10 percent of the total value of the fund in a fiscal year.

16 (d) Nothing in this section creates a dedicated fund.

17 * **Sec. 2.** AS 37.14.230(a) is amended to read:

18 (a) The board shall

19 (1) hold regular and special meetings it considers necessary; the board
 20 may hold meetings by teleconference;

21 (2) award grants from the grant account to community-based programs
 22 that the board finds will aid in the prevention of child abuse and neglect;

23 (3) monitor approved programs for compliance with AS 37.14.200 -
 24 37.14.270 and specified grant conditions;

25 (4) maintain records for all donations to the trust and the grant account;
 26 the records must reflect the amount of the donation, the date of the donation, the
 27 donor's intent, if any, with respect to how the donation is to be used, the account into
 28 which the donation was deposited, and the manner in which the donation was
 29 expended;

30 (5) apply for and use funds from the grant account to obtain private
 31 and federal grants for the prevention of child abuse and neglect;

1 (6) solicit contributions, gifts, and bequests to the trust and the grant
2 account;

3 (7) keep electronic recordings of each meeting of the board to be made
4 available on request;

5 (8) submit to the governor and make available to the legislature by
6 February 1 each year a report describing

7 (A) the child abuse and neglect prevention services that were
8 provided by the programs to which the board awarded grants; and

9 (B) the annual level of contributions, income, and expenses of
10 the trust and the grant account;

11 (9) make arrangements with the commissioner or a financial
12 depository to manage private restricted-use donations that are not fully expended and
13 account for any interest earned on the donations; **and**

14 **(10) administer the Alaska marijuana use prevention youth**
15 **services grant program established in AS 17.38.400.**

16 * **Sec. 3.** AS 43.61.010(c) is amended to read:

17 (c) The recidivism reduction fund is established in the general fund. The
18 Department of Administration shall separately account for 50 percent of the tax
19 collected under this section and deposit it into the recidivism reduction fund. **The**
20 **legislature may appropriate the remaining 50 percent of the tax collected under**
21 **this section to the Alaska marijuana use prevention, education, and treatment**
22 **fund established in AS 17.38.410.**

23 * **Sec. 4.** AS 43.61.010(d) is amended to read:

24 (d) The legislature may use the annual estimated balance in the **recidivism**
25 **reduction** fund to make appropriations to the Department of Corrections, the
26 Department of Health and Social Services, or the Department of Public Safety for
27 recidivism reduction programs.

28 * **Sec. 5.** AS 44.29.020(a) is amended to read:

29 (a) The Department of Health and Social Services shall administer the state
30 programs of public health and social services, including

31 (1) maternal and child health services;

1 (2) preventive medical services;
 2 (3) public health nursing services;
 3 (4) nutrition services;
 4 (5) health education;
 5 (6) laboratories;
 6 (7) mental health treatment and diagnosis;
 7 (8) management of state institutions, except for adult penal institutions;
 8 (9) medical facilities;
 9 (10) adult public assistance;
 10 (11) Alaska temporary assistance program;
 11 (12) child welfare services;
 12 (13) general relief;
 13 (14) a comprehensive smoking education, tobacco use prevention, and
 14 tobacco control program; to the maximum extent possible, the department shall
 15 administer the program required under this paragraph by grant or contract with one or
 16 more organizations in the state; the department's program must include

17 (A) a community-based tobacco use prevention and cessation
 18 component addressing the needs of youth and adults that includes use of
 19 cessation aids such as a nicotine patch or a nicotine gum tobacco substitute;

20 (B) youth-based efforts that involve youth in the design and
 21 implementation of tobacco control efforts;

22 (C) anti-tobacco counter-marketing targeting both youth and
 23 adult populations designed to communicate messages to help prevent youth
 24 initiation of tobacco use, promote cessation among tobacco users, and educate
 25 the public about the lethal effects of exposure to secondhand smoke;

26 (D) tobacco use surveys of youth and adult populations
 27 concerning knowledge, awareness, attitude, and use of tobacco products; and

28 (E) an enforcement component;

29 (15) the Alaska Pioneers' Home and the Alaska Veterans' Home;

30 (16) licensure and regulation of child care facilities;

31 **(17) a comprehensive marijuana use education and treatment**

1 program; to the maximum extent possible, the department shall administer the
2 program by grant or contract with one or more organizations in the state; the
3 program must include

4 (A) a community-based marijuana misuse prevention
5 component;

6 (B) marijuana public education designed to
7 (i) communicate messages to prevent youth initiation
8 of marijuana use;

9 (ii) educate the public on the effects of marijuana
10 use; and

11 (iii) educate the public on marijuana laws;

12 (C) surveying of youth and adult populations concerning
13 knowledge, awareness, attitude, and use of marijuana products;

14 (D) monitoring of public health status related to
15 consequences of marijuana use; and

16 (E) substance abuse screening, brief intervention, referral,
17 and treatment.