

ENROLLED ACT NO. 136, HOUSE OF REPRESENTATIVES

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2005 GENERAL SESSION

AN ACT relating to methamphetamine and other controlled substances; authorizing programs to address problems associated with illegal use of methamphetamine and other controlled substances; authorizing funding to increase access to treatment for persons addicted to methamphetamine and other controlled substances as specified; increasing funding for law enforcement and prosecuting attorneys efforts to prosecute illegal use of methamphetamine and other controlled substances and to address associated problems; providing funding for education and prevention; providing appropriations; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1.

(a) There is appropriated two million dollars (\$2,000,000.00) from the general fund to the department of health for the fiscal year beginning July 1, 2005, to increase access to treatment for persons addicted to methamphetamine and other controlled substances.

(b) Public or private entities may apply for grants under this section to fund access to treatment for persons addicted to methamphetamine and other controlled substances. Grant requests shall be reviewed by the department of health. The department of health shall make recommendations for funding to the governor's advisory board on substance abuse and violent crime, which shall determine the grants to be awarded. Any funds awarded under this section shall not be used to supplant funds currently being used by the public or private entity for the purposes specified in this subsection.

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(c) In reviewing and awarding grants under this act, the department of health and the governor's advisory board on substance abuse and violent crime shall consider:

(i) Geographic distribution of treatment resources;

(ii) A projection of the number of persons that will be treated at a facility, using law enforcement statistics with respect to the number of arrests for methamphetamine and other illegal controlled substance use in each region of the state and other data demonstrating need;

(iii) The amount of monies or other forms of contribution public or private entities will agree to provide in matching funds. The local match shall be in an amount of not less than one dollar (\$1.00) for every three dollars (\$3.00) of state funds provided.

(d) To the extent appropriated funds under this section are unobligated or unencumbered, the funds shall revert to the general fund as provided in W.S. 9-4-207(a).

Section 2.

(a) There is appropriated five million dollars (\$5,000,000.00) from the general fund to the office of the attorney general for the fiscal year beginning July 1, 2005, to provide funding for the purpose of employing law enforcement officers, public defenders and prosecuting attorneys, or providing overtime pay to current law enforcement officers to investigate and assist in the prosecution of offenses related to the use, sale or manufacture of methamphetamine or other controlled substances. Funds appropriated under this section may also

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be used to pay for tests for the use of illegal drugs and controlled substances for persons who have been convicted of a crime or adjudicated delinquents.

(b) The attorney general shall establish criteria for reviewing and awarding grants under this section that meet the purposes set forth in subsection (a) of this section.

(c) Local governments, the Wyoming division of criminal investigation and the office of public defender may apply for grants under this section. Grant requests shall be reviewed by the attorney general's office who shall make recommendations for funding to the governor's advisory board on substance abuse and violent crime, which board shall determine the grants to be awarded. Any funds awarded under this section shall not be used to supplant funds currently being used by the grantee.

(d) There is hereby appropriated from the general fund five hundred thousand dollars (\$500,000.00) for competitive grants to cities and counties for probation services for juveniles sentenced to probation by circuit or municipal courts. In awarding grants, the attorney general shall consider:

(i) The adequacy of the system proposed for identifying juveniles who are most at risk of progressing to serious drug offenses if not placed on probation to ensure that necessary treatment requirements are complied with;

(ii) The availability of treatment resources which can treat the probationers; and

(iii) The demonstrated need for financial resources of the local government applying.

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(e) To the extent appropriated funds under this section are unobligated or unencumbered, the funds shall revert to the general fund as provided in W.S. 9-4-207(a).

Section 3.

(a) There is hereby appropriated five hundred thousand dollars (\$500,000.00) from the general fund to the department of family services for the purpose of providing training that uses best practices to improve parenting skills under a program funded in years 2003 and 2004 through the use of federal temporary assistance to needy families (TANF) funds received by the state of Wyoming as a one-time bonus payment.

(b) There is hereby appropriated one million dollars (\$1,000,000.00) from the general fund to the department of health beginning July 1, 2005 to provide funding for the implementation of best practices prevention and intervention services including parenting skills, life skills and indicated therapeutic interventions for the children and families of those individuals receiving treatment as specified in subsection 1(a) of this act. The appropriation under this subsection is subject to the following:

(i) Public or private entities may apply for grants under this section to fund prevention and intervention services to children and families of those receiving treatment. Grant requests shall be reviewed by the department of health. The department of health shall make recommendations for funding to the governor's advisory board on substance abuse and violent crime, which shall determine the grants to be awarded. Any funds awarded under this section shall not supplant funds currently being

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used by the public or private entity for the purposes specified in this subsection;

(ii) In reviewing and awarding grants under this act, the department of health and the governor's advisory board on substance abuse and violent crime shall consider:

(A) Geographic distribution of the prevention and intervention resources;

(B) A projection of the number of persons who will be served, with respect to the number of clients receiving treatment services for methamphetamine in the specified geographic region;

(C) Collection and reporting of data that may demonstrate the effectiveness of prevention and intervention services.

(c) As used in this section, "best practices" means as defined in W.S. 9-2-2702.

(d) Any funds awarded under this section shall not be used to supplant funds currently being used for the purposes specified in subsection (a) of this section.

(e) To the extent appropriated funds under this section are unobligated or unencumbered, the funds shall revert to the general fund as provided in W.S. 9-4-207(a).

Section 4.

(a) The department of health shall prepare a request for proposal and solicit proposals from interested public and private entities to increase access to residential treatment for those who are addicted to methamphetamine and

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other controlled substances. The request for proposal shall be issued no later than sixty (60) days after the effective date of this act. The request for proposal shall:

(i) Solicit proposals to provide treatment as set forth in this subsection;

(ii) Give preference to proposals that make use of existing facilities;

(iii) Require that proposals include an amount of monies or other forms of contributions that public or private entities will provide in matching funds. The local match shall be in an amount of not less than one dollar (\$1.00) for every three dollars (\$3.00) of state funds provided;

(iv) Require the proposals to set forth the manner in which the on-going operations of the program will be financially sustained;

(iv) Include other provisions as may be deemed appropriate by the department of health.

(b) Not later than October 30, 2005, the department of health, in consultation with the governor's advisory board on substance abuse and violent crime, shall review all proposals submitted pursuant to subsection (a) of this section and submit recommendations to the joint labor, health and social services interim committee and joint appropriations interim committee.

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Section 5. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk