

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**SENATE BILL 896**

Short Title: Substance Abuse/Crim. Justice Study. (Public)

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Sponsors: Senators Martin of Guilford; and Dannelly.

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Referred to: Rules and Operations of the Senate.

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April 5, 2001

A BILL TO BE ENTITLED

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2 AN ACT TO ESTABLISH THE LEGISLATIVE STUDY COMMISSION ON  
3 SUBSTANCE ABUSE AND CRIMINAL JUSTICE ISSUES AFFECTING  
4 YOUTH AND ADULTS.

5 The General Assembly of North Carolina enacts:

6       **SECTION 1.(a)** There is created the Legislative Study Commission on  
7 Substance Abuse and Criminal Justice Issues Affecting Youth and Adults. The purpose  
8 of the Commission is to review the laws regarding criminal justice, juvenile justice,  
9 corrections, and human services as they relate to substance abuse; to consider how to  
10 improve coordination and collaboration between criminal justice, juvenile justice,  
11 correction, and human services agencies in addressing substance abuse issues; and to  
12 examine the effectiveness of services offered through or by those agencies.

13       **SECTION 1.(b)** The Commission shall consist of 15 members as follows:

- 14       (1) Four members appointed by the President Pro Tempore of the Senate.  
15       (2) Four members appointed by the Speaker of the House of  
16       Representatives.  
17       (3) The Governor or his designee.  
18       (4) The Chief Justice of the North Carolina Supreme Court or his  
19       designee.  
20       (5) The Secretary of Correction or his designee.  
21       (6) The Secretary of Health and Human Services or her designee.  
22       (7) The Secretary of Juvenile Justice and Delinquency Prevention or his  
23       designee.  
24       (8) The Superintendent of Public Instruction or his designee.  
25       (9) The Executive Director of the Governor's Crime Commission or his  
26       designee.

27       **SECTION 1.(c)** The President Pro Tempore shall designate one Senator as  
28 cochair, and the Speaker shall designate one Representative as cochair. Vacancies on

1 the Commission shall be filled by the same appointing authority as made the initial  
2 appointment. The Commission shall expire upon delivering its final report.

3 **SECTION 1.(d)** The Commission, while in the discharge of its official  
4 duties, may exercise all powers provided for under G.S. 120-19 and G.S. 120-19.1  
5 through G.S. 120-19.4. The Commission may meet at any time upon the joint call of the  
6 cochairs. The Commission may meet in the Legislative Building or the Legislative  
7 Office Building. The Commission may contract for professional, clerical, or consultant  
8 services as provided by G.S. 120-32.02.

9 The Legislative Services Commission, through the Legislative Services  
10 Officer, shall assign professional staff to assist the Commission in its work. The House  
11 of Representatives' and the Senate's Supervisors of Clerks shall assign clerical staff to  
12 the Commission, and the expenses relating to the clerical employees shall be borne by  
13 the Commission. Members of the Commission shall receive subsistence and travel  
14 expenses at the rates set forth in G.S. 120-3.1, 138-5, or 138-6, as appropriate.

15 **SECTION 1.(e)** In conducting the study, the Commission shall consider the  
16 following:

- 17 (1) Improving coordination and collaboration between criminal justice,  
18 juvenile justice, correction, and human services agencies; and  
19 examining the effectiveness of services offered through or by those  
20 agencies.
- 21 (2) The availability and accessibility of services, generally.
- 22 (3) The availability and efficacy of services to substance abusers in  
23 Department of Correction facilities, and to those on probation or  
24 parole.
- 25 (4) Fostering the development of adequate services and service providers.
- 26 (5) The proper balance between punishment, and treatment and  
27 rehabilitation for offenders.
- 28 (6) Differentiated treatment needs and follow-up services needed by  
29 persons based on the category of substances abused.
- 30 (7) Areas in which structured sentencing should be modified based on the  
31 need, benefits and efficacy of treatment, rehabilitation, appropriate  
32 post-release supervision, and support services.
- 33 (8) The disparities in sentencing, and in opportunities for treatment and  
34 rehabilitation, based on factors such as race, ethnicity, gender, and  
35 economic status.
- 36 (9) Possible ways to impact positively on environment and living  
37 conditions within offenders' families and communities.
- 38 (10) Possible ways to increase successful school completion for students  
39 who are or have been substance abusers.
- 40 (11) Processes and programs that are effective in reducing the prevalence of  
41 substance abuse and associated criminal behaviors, and in reducing  
42 relapse and repeated offenses, and in preventing substance abuse.
- 43 (12) The economic and social impact of substance abuse and related  
44 criminal offenses.

1           (13) The efforts made to coordinate with and by the Governor's Crime  
2           Commission regarding these issues.

3           **SECTION 2.** The Legislative Study Commission on Substance Abuse and  
4 Criminal Justice Issues Affecting Youth and Adults may make an interim report to the  
5 2001 General Assembly not later than the convening of the 2001 General Assembly,  
6 2002 Regular Session, and shall make its final report to the 2003 General Assembly  
7 upon its convening.

8           **SECTION 3.** The Administrative Office of the Courts, Department of  
9 Correction, Department of Health and Human Services, Department of Juvenile Justice  
10 and Delinquency Prevention, Department of Public Instruction, Governor's Crime  
11 Commission, and the Office of the Governor shall cooperate with the Commission in its  
12 study.

13           **SECTION 4.** There is appropriated from the General Fund to the General  
14 Assembly the sum of thirty thousand dollars (\$30,000) for the 2001-2002 fiscal year and  
15 the sum of thirty thousand dollars (\$30,000) for the 2002-2003 fiscal year to carry out  
16 the purposes of this act.

17           **SECTION 5.** This act becomes effective July 1, 2001.