

HOUSE No. 5430

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 11, 1991.

The committee on Human Services and Elderly Affairs, to whom was referred the petition (accompanied by bill, House, No. 2338) of Paul Kollios that provisions be made for the treatment, education and prevention of substance abuse and compulsive gambling, reports recommending that the accompanying bill (House, No. 5430) ought to pass.

For the committee,

PAUL KOLLIOS.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-One.

AN ACT PROVIDING FOR TREATMENT, EDUCATION AND PREVENTION OF
SUBSTANCE ABUSE AND COMPULSIVE GAMBLING.

*Be it enacted by the Senate and House of Representatives in General
Court assembled, and by the authority of the same, as follows:*

1 Chapter 6 of the General Laws, as appearing in the 1988 Official
2 Edition, is hereby amended by inserting after section 156B the
3 following new sections: —

4 Section 156C. There shall be a committee on substance abuse
5 and addictions, hereinafter called the committee, to consist of the
6 secretary of human services who shall be chairman, the secretary
7 of public safety, the attorney general, the commissioner of public
8 health, the commissioner of education, the commissioner of
9 correction, the commissioner of probation, the chairman of the
10 parole board, the commissioner of youth services, the executive
11 director of the Massachusetts Council on Compulsive Gambling,
12 the director of the Center for Addiction Studies at Harvard
13 Medical School, the executive director of the Alcoholism and
14 Drug Abuse Association, and seventeen (17) persons to be
15 appointed to one-year terms by the governor to consist of the
16 following: one designee of the chief justice of the supreme judicial
17 court or the appeals court, one designee of the administrative
18 justice for the superior court department, one designee of the
19 administrative justice for the district court department, one
20 designee of the administrative justice for the Boston municipal
21 court department, one member of the house of representatives,
22 one member of the senate, two members of a city or town police
23 department, provided, however, not more than one of such two
24 members shall be chiefs of police, one district attorney of the
25 several districts, one county sheriff, two representatives of the
26 Massachusetts defenders committee, two representatives of the
27 several school district, provided, however, one of such two
28 members shall be a teacher of high school age students, two
29 individuals knowledgeable and experienced in the prevention and

30 treatment of substance abusers, provided, however, that such
31 individuals shall not be employees of the commonwealth and shall
32 be representative of community-based substance abuse treatment
33 programs, and one individual knowledgeable and experienced in
34 the prevention and treatment of compulsive gamblers, provided,
35 however, the individual shall not be an employee of the common-
36 wealth and shall be representative of community-based
37 compulsive gambling treatment programs. Upon the expiration
38 of the term of an appointed member, he shall serve until the
39 qualification of his successor, who shall be appointed in like
40 manner. Any vacancy among appointive positions on the
41 committee due to causes other than expiration of a term shall be
42 filled for the remainder of the term by the governor.

43 The committee shall meet at least 6 times during the year and
44 may meet at other times at the call of the chairman. The chairman
45 shall determine the place for holding each meeting and shall send
46 notice of any meeting to the executive director and to all
47 committee members. A majority of the members then serving shall
48 constitute a quorum. The members of the committee shall serve
49 without compensation, but shall be reimbursed for their expenses
50 actually and necessarily incurred as committee members.

51 The committee shall advise the governor on all phases of
52 substance abuse and compulsive gambling in the commonwealth;
53 develop and revise a comprehensive plan of prevention and
54 treatment initiatives to combat substance abuse and compulsive
55 gambling; study the problems and needs of and set priorities for
56 improvements in response to substance abuse and compulsive
57 gambling, and law enforcement efforts regarding drug trafficking,
58 substance abuse, gambling and attendant illegal activity at state,
59 regional, county, and local levels; design and conduct programs
60 to reduce substance abuse and compulsive gambling, and to treat
61 substance abusers and compulsive gamblers and increase the
62 effectiveness of law enforcement techniques and penalties for
63 conviction of illegal drug, alcohol and gambling activity. Said
64 committee shall conduct research, collect statistics and other data
65 and encourage and facilitate the dissemination of substance abuse
66 and compulsive gambling information; provide technical
67 assistance related to substance abuse and compulsive gambling
68 to state agencies, regions, units of local government and private
69 agencies; make grants and administer grant programs, including

70 the development of appropriate procedures for the review of grant
71 applications and the supervision, evaluation, and auditing of
72 expenditures of projects funded by the committee.

73 The committee shall approve procedures for the review, and
74 approval or disapproval of applications to the committee for
75 funding authorized pursuant to provisions of this section, and
76 shall establish substantive guidelines, standards and criteria
77 determining eligibility for the distribution of funds over which the
78 committee has control.

79 The committee shall establish technical advisory committees in
80 such areas of substance abuse, compulsive gambling, education
81 and law enforcement as the committee deems necessary, to
82 provide initial review of applications to the committee for funding
83 and to perform other advisory functions. Any said advisory
84 committee shall consist primarily of individuals with significant
85 knowledge and experience in the area of concern. Technical
86 advisory committee members shall serve without compensation.
87 Members shall be appointed by the chairman of the committee
88 for one-year terms.

89 The committee may enter into contracts and agreements with,
90 and accept gifts, grants, contributions, and bequests of funds from
91 any department, agency or subdivision of federal, county, or
92 municipal government and any individual, foundation,
93 corporation, association, or public authority for the purpose of
94 providing or receiving services, facilities, or staff assistance in
95 connection with its work. Such funds shall be deposited with the
96 state treasurer and may be expended by the committee in
97 accordance with the conditions of the gift, grant, contribution,
98 or bequest, without specific appropriation. The committee may
99 expend for services and other expenses any amounts that the
100 general court may appropriate therefor.

101 Section 156B. There shall be an executive director of the com-
102 mittee, hereinafter referred to as the executive director. He shall
103 be appointed and may be removed by the governor, who shall
104 select his appointee from among candidates recommended by the
105 committee. The executive director shall be classified in accordance
106 with section forty-five of chapter thirty and the salary shall be
107 determined in accordance with section forty-six C of said chapter
108 thirty. The executive director shall be qualified by training and

109 experience in the field of addictive behaviors, and preferably shall
110 be experienced in the planning, development and evaluation of
111 addictive behavior services and programs. He shall be the chief
112 administrative and executive officer of the committee. He shall
113 attend meetings of the committee, and shall report to the
114 committee upon the performance by the staff of their duties. The
115 executive director shall, with the approval of the governor,
116 establish such staff positions and employ such administrative,
117 research, technical, legal, clerical, and other personnel and
118 consultants as may be necessary to perform the duties of the
119 committee. Such personnel shall receive such compensation as the
120 executive director, with the approval of the governor, shall from
121 time to time fix, and shall not be subject to the provisions of
122 chapter thirty-one of section nine A of chapter thirty.

