



**House
Legislative
Analysis
Section**

Olds Plaza Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

D.A.R.E. ADVISORY COUNCIL ACT

**House Bill 5859 as introduced
First Analysis (7-2-96)**

**Sponsor: Rep. Candace Curtis
Committee: Appropriations**

THE APPARENT PROBLEM:

In recent decades, as drug abuse among young people has steadily increased, special drug resistance programs aimed at discouraging youth from using drugs and other addictive substances have been organized to address the problem. One of these programs, known as the drug abuse resistance education program, or D.A.R.E., was created in 1984 to fight a serious drug abuse problem that had developed among young people in the Los Angeles area. Essentially, D.A.R.E. trains police officers to instruct school children about the dangers posed by drugs and how to resist offers by peers or others to use them. Today, the D.A.R.E. program operates in all 50 states, including Michigan, and receives federal and state grant monies as its primary funding source. In Michigan, 500 police officers currently participate in the program by teaching drug and alcohol prevention strategies to 130,000 students in over 1,500 schools throughout the state each year. The program received over \$558,000 in grant funds during the 1995-96 fiscal year, \$140,000 (or 25 percent) of which was provided as a matching grant from the state. Apparently, however, the D.A.R.E. Advisory Board was recently informed that federal funds for the program are being reduced, meaning that for D.A.R.E. programs to continue operating at current levels, either the state will have to provide more money or D.A.R.E. will have to find other funding sources (i.e., the private sector). Unfortunately, because D.A.R.E. currently operates under the purview of the Department of State Police and receives its funding support out of this department's budget, it would be necessary for public employees to solicit contributions from the private sector, which many believe would be inappropriate. In response, it has been proposed that a separate state council be created by statute within the department, known as the D.A.R.E. Advisory Council, which would oversee the policy aspects of D.A.R.E. but could create a separate nonprofit corporate board that would focus on fundraising and other activities.

THE CONTENT OF THE BILL:

The bill would create the D.A.R.E. Advisory Council Act to create a D.A.R.E. (drug abuse resistance education) Policy Council, composed of various state officials, representatives of law enforcement groups, and

certain other persons, which would be within the Department of State Police. The council would be charged with various responsibilities, including promoting the D.A.R.E. program throughout the state, advising the department on establishing such a program for law enforcement officers, encouraging parental and community involvement in the programs, and receiving money from public and private sources for use in the program. In addition, the program would assist law enforcement agencies or school districts by providing grants to enable police officers to undergo training to teach drug abuse resistance in schools.

Make-up of council meetings. Council members would include the attorney general, the Department of State Police director, and the governor (or their designees), as well as one representative of each of the following: the D.A.R.E. Officers' Association of Michigan, the Prosecuting Attorneys Association of Michigan, the Michigan Association of Chiefs of Police, and the Michigan Sheriffs' Association. The governor also would appoint one person to represent substance abuse concerns in the state and four people to represent educational concerns. In addition, up to five other members could be appointed by a majority vote of the twelve members listed above.

At its first regular meeting, the council would elect a chairperson from its membership who would serve for one year and be subject to annual elections afterward; if reelected, he or she could serve successive terms. The council would have to meet at least quarterly or at other times as deemed necessary by the chairperson, and a majority of members would be required for a quorum to conduct council business. The bill includes various other provisions concerning appointment of committee chairpersons, compensation of council members (only for actual expenses incurred related to attending meetings), and the length of time (two years) that a member elected or appointed to the council would serve.

Powers. The D.A.R.E. council would exercise its prescribed powers, duties, and functions independent from the department director, while its budgeting,

House Bill 5859 (7-2-96)

procurement, and related management functions would be performed under the director's direction and supervision. The council would be authorized to do all of the following:

- * Advise the department in establishing a D.A.R.E. training program for law enforcement officers, and, with the department, monitor the program;
- * Promote D.A.R.E. throughout the state;
- * Offer coordination and assistance to local communities interested in implementing D.A.R.E. programs in their local school systems, and encourage parental and community involvement in such programs;
- * Develop a private and public partnership to provide for continuation of and funding for the program, and receive money from public and private sources for use in the program.

Program development grants. Under the bill, the D.A.R.E. program would assist law enforcement agencies or school districts by providing grants to enable police officers to undergo training to teach drug abuse resistance in schools. The department would have to develop such a training program, and it would have to be approved by the director. Also, the director would have to administer and promote the program throughout the state, and could receive money from public and private sources for use in carrying out the program. Grant money could be used to cover the cost of training and reimbursement for actual, reasonable travel and living expenses incurred related to the training.

The program would be available to school districts and local law enforcement agencies on a voluntary basis, and if grant requests were received from more than one applicant for programs to be conducted in a single school district, the director would have to require them to submit a plan to coordinate their training and programs. The director could require grant recipients to account at reasonable time intervals regarding the use of grant money and the training and programs provided.

FISCAL IMPLICATIONS:

The House Fiscal Agency estimates the bill would result in costs to the state of approximately \$7,000 annually to reimburse council members for actual expenses they incurred for attending council meetings. It is expected, however, that the bill would have no fiscal impact on local governments as the Office of Drug Control Policy, within the Department of Community Health, currently offers grants to them which are used for D.A.R.E. officer training. (6-6-96)

ARGUMENTS:

For:

The bill would create the drug abuse resistance education, or D.A.R.E., Advisory Council within the Department of State Police, which would be responsible for developing and promoting the D.A.R.E. program for use in schools throughout the state. Perhaps more importantly, the bill would enable the council to create a nonprofit corporation that could solicit contributions from public and private sources to help fund D.A.R.E. activities. Currently, the D.A.R.E. Advisory Board is composed of 17 individuals, including the governor and other state officials, and persons representing education, law enforcement, and the general public. D.A.R.E. operates in all 50 states and is recognized as one of the leading organizations involved with educating young people about the dangers of drugs and steering them away from drug use. In Michigan, D.A.R.E. has relied on federal and state grant funds as its primary funding sources to carry out its functions; recently, however, federal spending cutbacks have forced D.A.R.E. to look to other sources for money—such as private businesses. But because D.A.R.E. currently operates under the jurisdiction of the Department of State Police, many people feel it would be inappropriate for employees of the department to solicit funds from the private sector to support D.A.R.E. activities. Instead, some believe Michigan should follow the example of Minnesota by creating a special D.A.R.E. Advisory Council as a state agency, which would oversee the policy aspects of D.A.R.E. but could organize a separate nonprofit corporation whose primary responsibility would be to raise funds and provide seed dollars to local communities to start and maintain D.A.R.E. programs. Apparently, the private sector has expressed interest in providing financial support of D.A.R.E. programs at a level necessary to replace federal dollars. Thus, D.A.R.E. could, potentially, continue operating at current levels throughout the state promoting drug resistance education within schools and via various media outlets without using additional state tax dollars.

Against:

The Department of State Police has expressed concern regarding provisions in the bill that would allow for the D.A.R.E. Advisory Council to award grants to police agencies and schools for developing D.A.R.E. programs in their communities. Because it cannot be determined how much financial support would be provided to the D.A.R.E. program by the private sector under the bill, it may be unwise to include such language at this time. Perhaps it would be better to wait to include these provisions until after the proposed Advisory Council had time to organize a nonprofit corporation and a pattern of private sector financial support could be determined.

SUGGESTED AMENDMENTS:

The Department of State Police suggests removing Section 4 from the bill, which includes provisions that would permit grants to be provided to law enforcement agencies or school districts in order for them to develop and operate D.A.R.E. training programs.

POSITIONS:

The attorney general's office supports the bill. (6-24-96)

The Department of State Police supports the concept of the bill, but has not yet taken an official position. (6-20-96)

Analyst: T. Iversen

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.