

REFERENCE TITLE: drug and alcohol treatment district

State of Arizona  
House of Representatives  
Fiftieth Legislature  
First Regular Session  
2011

# HCR 2041

Introduced by  
Representatives Chabin: Judd

A CONCURRENT RESOLUTION

ENACTING AND ORDERING THE SUBMISSION TO THE PEOPLE OF A MEASURE RELATING TO A  
DRUG AND ALCOHOL TREATMENT DISTRICT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the House of Representatives of the State of Arizona, the  
 2 Senate Concurring:  
 3 1. Under the power of the referendum, as vested in the Legislature,  
 4 the following measure, relating to a drug and alcohol treatment district, is  
 5 enacted to become valid as a law if approved by the voters and on  
 6 proclamation of the Governor:

7 AN ACT

8 AMENDING TITLE 48, ARIZONA REVISED STATUTES, BY ADDING CHAPTER  
 9 40; RELATING TO THE DRUG AND ALCOHOL TREATMENT DISTRICT.

10 Be it enacted by the Legislature of the State of Arizona:

11 Section 1. Title 48, Arizona Revised Statutes, is amended  
 12 by adding chapter 40, to read:

13 CHAPTER 40

14 DRUG AND ALCOHOL TREATMENT DISTRICT

15 ARTICLE 1. GENERAL PROVISIONS

16 48-7001. Definitions

17 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

- 18 1. "BOARD" MEANS THE DISTRICT BOARD OF DIRECTORS.
- 19 2. "CHAIRPERSON" MEANS THE PERSON ELECTED TO PRESIDE OVER
- 20 MEETINGS OF THE BOARD.
- 21 3. "DISTRICT" MEANS THE DRUG AND ALCOHOL TREATMENT
- 22 DISTRICT ESTABLISHED PURSUANT TO THIS CHAPTER.

23 48-7002. Drug and alcohol treatment district; purpose

24 A STATEWIDE DRUG AND ALCOHOL TREATMENT DISTRICT SHALL BE  
 25 FORMED FOR THE PURPOSE OF SUPPLEMENTING LEGISLATIVE  
 26 APPROPRIATIONS AS PRESCRIBED IN SECTION 48-7004, SUBSECTION A,  
 27 PARAGRAPH 3.

28 48-7003. Board of directors

29 A. A BOARD OF FIVE DIRECTORS SHALL GOVERN THE DISTRICT.  
 30 THE GOVERNOR SHALL APPOINT THE BOARD MEMBERS TO FIVE-YEAR TERMS.  
 31 NO MORE THAN TWO MEMBERS MAY BELONG TO THE SAME POLITICAL  
 32 PARTY.

33 B. MEMBERS OF THE BOARD MAY RECEIVE COMPENSATION AS  
 34 PRESCRIBED BY SPECIFIC LEGISLATIVE APPROPRIATION AND ARE  
 35 ELIGIBLE FOR REIMBURSEMENT OF EXPENSES PURSUANT TO TITLE 38,  
 36 CHAPTER 4, ARTICLE 2.

37 48-7004. Powers and duties

38 A. THE BOARD SHALL:

- 39 1. APPOINT FROM AMONG ITS MEMBERS A CHAIRPERSON, A
- 40 SECRETARY, A TREASURER AND OTHER OFFICERS AS MAY BE NECESSARY TO
- 41 CONDUCT ITS BUSINESS.
- 42 2. KEEP PROCEEDINGS AND RECORDS OF THE BOARD OPEN TO THE
- 43 PUBLIC AS REQUIRED BY TITLE 38, CHAPTER 3, ARTICLE 3.1 AND TITLE
- 44 39, CHAPTER 1 AND MAINTAIN A COMPLETE AND ACCURATE RECORD OF ALL
- 45 OF ITS PROCEEDINGS.

1           3. USE REVENUES PAID TO THE DISTRICT PURSUANT TO SECTION  
2 48-7005 AND OTHER REVENUES THE DISTRICT MAY RECEIVE FOR THE  
3 PURPOSE OF SUPPLEMENTING LEGISLATIVE APPROPRIATIONS FOR THE  
4 FOLLOWING PURPOSES:

- 5           (a) DRUG COURTS.
- 6           (b) DRUG AND ALCOHOL TREATMENT.
- 7           (c) DOMESTIC VIOLENCE SHELTERS.
- 8           (d) MENTAL HEALTH SERVICES THAT ARE NOT RELATED TO  
9 SUBSTANCE ABUSE.
- 10          (e) ORGAN TRANSPLANTS UNDER THE ARIZONA HEALTH CARE COST  
11 CONTAINMENT SYSTEM.
- 12          (f) BRINGING CHILD PROTECTIVE SERVICES CASELOADS INTO  
13 COMPLIANCE WITH ESTABLISHED STATE STANDARDS.
- 14          (g) BRINGING CHILD PROTECTIVE SERVICES CASEWORKER  
15 COMPENSATION INTO EQUIVALENCY TO PROBATION OFFICER COMPENSATION.
- 16          (h) SERVICES TO ADOPTIVE FAMILIES OF CHILDREN WITH FETAL  
17 ALCOHOL SYNDROME.
- 18          (i) SCHOLARSHIPS TO CHILDREN IN FOSTER CARE.
- 19          (j) CHILDREN'S REHABILITATIVE SERVICES.
- 20          (k) REPLACING HIGHWAY USER REVENUE FUNDING OF THE  
21 DEPARTMENT OF PUBLIC SAFETY AND INCREASING THE NUMBER OF  
22 OFFICERS TO THE NUMBER OF OFFICERS PER HIGHWAY MILE RECOMMENDED  
23 BY THE UNITED STATES GOVERNMENT.
- 24          (l) BATTERED WOMEN'S SHELTERS.
- 25          (m) ASSISTING ANY UNINSURED RESIDENT TO RECEIVE NECESSARY  
26 MENTAL HEALTH TREATMENT AND MEDICATION.

27          B. THE DISTRICT, THROUGH ITS BOARD, MAY:

- 28           1. ADOPT AND USE A CORPORATE SEAL.
- 29           2. SUE AND BE SUED.
- 30           3. ENTER INTO CONTRACTS, INCLUDING INTERGOVERNMENTAL  
31 AGREEMENTS, TO CARRY OUT THIS CHAPTER.

32          48-7005. Liquor luxury tax; definitions

33          A. THE BOARD BY RESOLUTION MAY LEVY, AND IF LEVIED, THE  
34 DEPARTMENT OF REVENUE SHALL COLLECT, A LIQUOR LUXURY TAX  
35 PURSUANT TO THIS SECTION TO BE USED AND SPENT FOR THE PURPOSES  
36 DESCRIBED IN SECTION 48-7004. THE RATE OF THE TAX IS:

- 37           1. ON EACH GALLON OF SPIRITUOUS LIQUOR, FOUR DOLLARS AND  
38 A PROPORTIONATE RATE FOR ANY LESSER OR GREATER QUANTITY THAN ONE  
39 GALLON.
- 40           2. ON EACH GALLON OF VINOUS LIQUOR, THREE DOLLARS AND A  
41 PROPORTIONATE RATE FOR ANY LESSER OR GREATER QUANTITY THAN ONE  
42 GALLON.
- 43           3. ON EACH GALLON OF MALT LIQUOR, TWO DOLLARS AND A  
44 PROPORTIONATE RATE FOR ANY LESSER OR GREATER QUANTITY THAN ONE  
45 GALLON.

1           B. EACH MONTH THE STATE TREASURER SHALL REMIT TO THE  
2 DISTRICT TREASURER THE NET REVENUES COLLECTED UNDER SUBSECTION A  
3 OF THIS SECTION DURING THE SECOND PRECEDING MONTH. THE DISTRICT  
4 TREASURER SHALL DEPOSIT THE MONIES IN THE DISTRICT'S ACCOUNTS  
5 AND SHALL ACCOUNT FOR ALL EXPENDITURES.

6           C. FOR THE PURPOSES OF THIS SECTION, "MALT LIQUOR",  
7 "SPIRITUOUS LIQUOR" AND "VINOUS LIQUOR" HAVE THE SAME MEANINGS  
8 PRESCRIBED IN SECTION 42-3001.

9           Sec. 2. Initial terms

10          A. Notwithstanding section 48-7003, Arizona Revised  
11 Statutes, as added by this act, the initial terms of the drug  
12 and alcohol treatment district board of directors are:

- 13           1. One term ending January 1, 2015.
- 14           2. One term ending January 1, 2016.
- 15           3. One term ending January 1, 2017.
- 16           4. One term ending January 1, 2018.
- 17           5. One term ending January 1, 2019.

18          B. The governor shall make all subsequent appointments as  
19 prescribed by statute.

20          2. The Secretary of State shall submit this proposition to the voters  
21 at the next general election as provided by article IV, part 1, section 1,  
22 Constitution of Arizona.