

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

ACT 745 OF 1997
HOUSE BILL 1595

4
5 By: Representatives Booker, Flanagin, Wilkins, Ferrell, Madison, Harris, Ferguson, Wren, Stalnaker, Hendren, Schoffner, Harris,
6 Walker, and Hall

For An Act To Be Entitled

10 "AN ACT TO ESTABLISH THE COMMON GROUND COMMITTEE AND THE
11 COMMON GROUND PROGRAM; AND FOR OTHER PURPOSES."

Subtitle

14 "TO ESTABLISH THE COMMON GROUND
15 COMMITTEE AND THE COMMON GROUND
16 PROGRAM."

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

20 SECTION 1. The General Assembly, in response to the recommendations
21 from the Governors Summit on Youth Violence Prevention in December, 1994, and
22 the Regional Summits held in December, 1996, finds that:

23 (1) For too many Arkansas children, the environment in which they live
24 prevents their healthy development, resulting in school failure, substance
25 abuse, teen pregnancy, violence, and other destructive behaviors;

26 (2) Intervention or treatment programs and punishment or incarceration
27 are far more costly than working to prevent destructive behaviors from
28 occurring;

29 (3) An environment where youth can grow up healthy, safe, succeeding in
30 school, participating in community life, and ready to enter productive
31 adulthood is inseparable from the well-being of families and the safety,
32 stability, and economic viability of the neighborhoods and communities where
33 they live;

34 (4) New relationships are needed between state government, local
35 communities, public and private service agencies, and the families and young
36 people who need services, so that help will be more accessible, easier to use

1 and more effective;

2 (5) Better evaluation tools are needed to identify youth crime and
 3 violence prevention programs that are working and those that are not, so that
 4 scarce resources can be more effectively utilized;

5 (6) A better communication system is needed to connect and streamline
 6 the array of services, coalitions and committees already under way, to track
 7 programs and publicize successful models; and

8 (7) Solving the current problems of youth cannot be accomplished in a
 9 short-term program but will take a long-term commitment on the part of state
 10 and local government and all those who touch the lives of our youth;

11 Therefore, the Common Ground Program, established by the 1995 General
 12 Assembly and which will cease to exist March 1, 1997, is hereby reestablished
 13 as hereinafter provided to serve as a bridge connecting and assisting
 14 government, communities and citizens to build a more responsive human
 15 educational and economic system where children and families can thrive.

16
 17 SECTION 2. (a) The Common Ground Program and the Common Ground Program
 18 Committee shall work in collaboration with Governors Partnership Council for
 19 Children and Families in coordinating grants, programs, and services. The
 20 Common Ground Program Committee shall be comprised of twenty-three (23)
 21 members to serve at the pleasure of the Governor with twenty (20) appointed by
 22 the Governor as follows:

23 (1) One (1) member shall be a state Senator;

24 (2) One (1) member shall be a state Representative;

25 (3) Two (2) members shall be representatives of the Governors
 26 Youth Commission to be selected by the Governor from a list of three (3) names
 27 per position submitted by the Governors Youth Commission or if the Governors
 28 Youth Commission fails to submit the names or ceases to exist, two (2) youth
 29 member representatives;

30 (4) Two (2) representatives of the Governors Partnership Council
 31 for Children and Families with at least one (1) of the representatives being
 32 chosen from the Councils membership-at-large; and

33 (5) Fourteen (14) members shall be culturally diverse
 34 representatives of the statewide community at-large, and may include parents,
 35 educators, representatives of religious organizations, health care
 36 professionals, youth service providers, law enforcement officers,

1 representatives of business, and those working in the juvenile justice system.

2 (6) The three (3) directors of the Departments of Health, Human
 3 Services, and Education, or their respective designee, shall be members of the
 4 committee.

5 (b) Members of the committee shall serve without compensation, but may,
 6 to the extent moneys are appropriated therefor and subject to reasonable
 7 limitations established by the Department of Finance and Administration, be
 8 reimbursed for actual reasonable expenses incurred in the performance of their
 9 official duties in accordance with rates and standards for reimbursement of
 10 state employees.

11

12 SECTION 3. (a) The Common Ground Program Committee shall select a
 13 chairperson and any other officers it deems appropriate from its membership.

14 (b) The committee shall exist until such time as it has completed its
 15 work or is dissolved by the General Assembly, whichever comes first.

16 (c) The activities of the committee shall be governed by the rules
 17 established by the Common Ground Program Committee.

18

19 SECTION 4. The Common Ground Program Committee shall have
 20 responsibility to:

21 (1) Collaborate with the Governors Partnership Council for Children
 22 and Families, youth commissions, including but not limited to the Governors
 23 Youth Commission, and any other organization or entity that will provide
 24 information or support in developing and implementing the Common Ground
 25 Program;

26 (2) Periodically review grants using committee members and/or a peer
 27 review process and make recommendations as needed to the Governors Office and
 28 to the General Assembly regarding the performance of grantees;

29 (3) Develop criteria and priorities for a grant program to be based on
 30 the recommendations from the Governors Youth Summit on Violence Prevention
 31 that was held in December 1994, the regional summits held in 1996-1997, and
 32 from regional summits, public hearings, and surveys thereafter;

33 (4) Award grants using the criteria and priorities established by the
 34 Common Ground Program Committee and report the awards to the Governors
 35 Office;

36 (5) Develop information about the Common Ground Program that the

1 Governors Office, the legislature, and others can use to disseminate
 2 information to the general public; and

3 (6) Report the results of the program annually to the Governor and the
 4 General Assembly.

5
 6 SECTION 5. (a) The Arkansas Department of Health shall be the agency
 7 designated to serve as the administrative and fiscal agent for the Common
 8 Ground Program.

9 (b) Funds appropriated for the Common Ground Program may only be used
 10 for activities in support of the program which comply with the stated
 11 legislative purpose as contained in this act.

12 (c) The Arkansas Department of Health shall have the following
 13 authority and responsibilities in acting as fiscal agent for the Common Ground
 14 Program:

15 (1) To disburse Common Ground Program grant funds to qualifying
 16 entities as directed by the Common Ground Program Committee;

17 (2) To submit applications on behalf of Common Ground Program
 18 Committee for funds which may become available from public and private funding
 19 sources which would be used to implement the activities of the Common Ground
 20 Program; and

21 (3) To contract for fund raising and fiscal investment/management
 22 services.

23 (d) The Department of Health shall carry out or contract for the
 24 following administrative functions for the Common Ground Program:

25 (1) Establish, in the Bureau of Alcohol and Drug Abuse Prevention
 26 in collaboration with the Office of Disability Prevention in the Department of
 27 Health, a Clearinghouse for Youth Crime Prevention Program, which shall:

28 (A) Maintain a data base that tracks successful youth crime
 29 and violence prevention programs in Arkansas and other states;

30 (B) Develop and implement procedures for the collection of
 31 information about youth crime and violence prevention programs in conjunction
 32 with the Common Ground Program Committee; and

33 (C) Develop and implement procedures for the dissemination
 34 of information about youth crime and violence prevention programs in
 35 conjunction with the Common Ground Program Committee.

36 (2) Develop and administer an outreach and grant program

1 component, which shall:

2 (A) Conduct public education activities about the Common
 3 Ground Program, the Common Ground Program Committee, and the programs
 4 developed and implemented thereunder;

5 (B) Assist groups in developing grant applications by
 6 providing grantees, the Common Ground Program Committee and staff, and others
 7 with the information and skills necessary to successfully plan, develop,
 8 implement, and finance youth crime and violence prevention programs; and

9 (C) Conduct regional summits, public hearings and/or
 10 surveys to solicit the opinions and recommendations from citizens, youth, and
 11 public officials regarding strategies and programs to prevent youth from
 12 becoming influenced by and involved in youth crime and violence, and based on
 13 those opinions and recommendations, submit a biennial report suggesting
 14 funding priorities to the Common Ground Program Committee for presentation to
 15 the Governor and the legislature.

16 (3) Develop and administer evaluation, assessment, and reporting
 17 components, which will evaluate grant recipients and collect information about
 18 other information about youth crime and violence prevention programs to
 19 enhance the success of the Common Ground Program;

20 (4) Provide administrative support to the Common Ground Program
 21 Committee in performing its statutory duties; and

22 (5) Provide for peer review of the Common Ground grant
 23 applications.

24
 25 SECTION 6. Priority for Common Ground Program grants shall be given to
 26 applicants that:

27 (1) Provide matching funds for the youth crime prevention programs in
 28 an amount equal to at least fifty percent (50%) of the grant award. Matching
 29 funds may be in cash or in goods and services; and

30 (2) Demonstrate support for the youth crime and violence prevention
 31 programs from the local community, including elected officials.

32
 33 SECTION 7. All provisions of this act of a general and permanent nature
 34 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 35 Revision Commission shall incorporate the same in the Code.

36

1 SECTION 8. If any provision of this act or the application thereof to
 2 any person or circumstance is held invalid, such invalidity shall not affect
 3 other provisions or applications of the act which can be given effect without
 4 the invalid provision or application, and to this end the provisions of this
 5 act are declared to be severable.

6

7 SECTION 9. Uncodified Act 1203 of 1995 is hereby repealed effective
 8 March 1, 1997.

9 ~~SECTION 1. The General Assembly, in response to the recommendations~~
 10 ~~from the Governor's Summit on Youth Violence Prevention, finds that:~~

11 ~~(1) For too many Arkansas children, the environment in which they live~~
 12 ~~prevents their healthy development, resulting in school failure, substance~~
 13 ~~abuse, teen pregnancy, violence and other destructive behaviors;~~

14 ~~(2) Intervention or treatment programs and punishment or incarceration~~
 15 ~~are far more costly than working to prevent destructive behaviors from~~
 16 ~~occurring;~~

17 ~~(3) An environment where youth can grow up healthy, safe, succeeding in~~
 18 ~~school, participating in community life and ready to enter productive~~
 19 ~~adulthood is inseparable from the well-being of families and the safety,~~
 20 ~~stability and economic viability of the neighborhoods and communities where~~
 21 ~~they live;~~

22 ~~(4) New relationships are needed between state government, local~~
 23 ~~communities, public and private service agencies and the families and young~~
 24 ~~people who need services, so that help will be more accessible, easier to use~~
 25 ~~and more effective;~~

26 ~~(5) Better evaluation tools are needed to identify youth crime~~
 27 ~~prevention programs that are working and those that are not, so that scarce~~
 28 ~~resources can be more effectively utilized;~~

29 ~~(6) A better communication system is needed to connect and streamline~~
 30 ~~the array of services, coalitions and committees already under way, to track~~
 31 ~~programs and publicize successful models; and~~

32 ~~(7) Solving the current problems of youth cannot be accomplished in a~~
 33 ~~short-term program but will take a long-term commitment on the part of state~~
 34 ~~and local government and all those who touch the lives of our youth.~~

35 ~~Therefore, there is established the Common Ground Program, as a bridge~~
 36 ~~connecting and assisting government, communities and citizens to build a more~~

1 ~~responsive human educational and economic system where children and families~~
 2 ~~can thrive.~~

3

4 ~~SECTION 2. (a) The Common Ground Program shall function under the~~
 5 ~~auspices of the Governor's Partnership Council for Children and Families. The~~
 6 ~~Common Ground Program Committee shall be comprised of twenty-one (21) members~~
 7 ~~to serve at the pleasure of the Governor with eighteen (18) appointed by the~~
 8 ~~Governor as follows:~~

9 ~~_____ (1) One (1) member shall be a state Senator;~~

10 ~~_____ (2) One (1) member shall be a state Representative;~~

11 ~~_____ (3) Two (2) members shall be representatives of the Youth~~
 12 ~~Commission to be selected from a list of three (3) names per position~~
 13 ~~submitted by the Youth Commission; and~~

14 ~~_____ (4) Fourteen (14) members shall be culturally diverse~~
 15 ~~representatives of the statewide community at-large, and may include parents,~~
 16 ~~educators, representatives of religious organizations, health care~~
 17 ~~professionals, youth service providers, law enforcement officers,~~
 18 ~~representatives of private business and those working in the juvenile justice~~
 19 ~~system;~~

20 ~~_____ (5) The three (3) directors of the Departments of Health, Human~~
 21 ~~Services and Education, or their respective designees, shall be members of the~~
 22 ~~Committee.~~

23 ~~_____ (b) Members of the council shall serve without compensation, but may,~~
 24 ~~to the extent monies are appropriated therefor and subject to reasonable~~
 25 ~~limitations established by the Department of Finance and Administration, be~~
 26 ~~reimbursed for actual reasonable expenses incurred in the performance of their~~
 27 ~~official duties in accordance with rates and standards for reimbursement of~~
 28 ~~state employees.~~

29

30 ~~SECTION 3. (a) The Common Ground Program Committee shall select a~~
 31 ~~chairperson.~~

32 ~~_____ (b) The Committee shall hold its initial meeting not later than~~
 33 ~~September, 1995, and shall continue to hold meetings, as needed to complete~~
 34 ~~its work, until March 1, 1997, at which time it shall dissolve unless extended~~
 35 ~~by the General Assembly.~~

36 ~~_____ (c) The activities of the Committee shall be governed by the rules~~

1 ~~established by the Governor's Partnership Council for Children and Families.~~

2

3 ~~SECTION 4. The Common Ground Program Committee shall have~~
 4 ~~responsibility to:~~

5 ~~(1) Collaborate with the Youth Commission and any other organization or~~
 6 ~~entity that will provide information or support in developing and implementing~~
 7 ~~the Common Ground Program;~~

8 ~~(2) Periodically review grants and make recommendations as needed to~~
 9 ~~the Governor's Partnership Council for Children and Families regarding the~~
 10 ~~performance of grantees;~~

11 ~~(3) Develop and recommend to the Governor's Partnership Council for~~
 12 ~~Children and Families criteria and priorities for a grant program to be based~~
 13 ~~on the recommendations from the Governor's Youth Summit on Violence Prevention~~
 14 ~~and, if the Committee is extended beyond March 1, 1997, on regional summits~~
 15 ~~thereafter;~~

16 ~~(4) Recommend grant recipients to the Governor's Partnership Council~~
 17 ~~for Children and Families using the criteria and priorities established by the~~
 18 ~~Council;~~

19 ~~(5) Develop information about the program that the Governor's~~
 20 ~~Partnership Council for Children and Families can use to disseminate~~
 21 ~~information to the general public; and~~

22 ~~(6) Report the results of the program to the Governor's Partnership~~
 23 ~~Council for Children and Families to be included in a report to the Governor~~
 24 ~~and General Assembly.~~

25

26 ~~SECTION 5. (a) The Arkansas Department of Health shall be the agency~~
 27 ~~designated to serve as the administrative and fiscal agent for the Common~~
 28 ~~Ground Program. The department will carry out these responsibilities under~~
 29 ~~the direction of the Governor's Partnership Council for Children and Families.~~

30 ~~(b) Funds appropriated for the Common Ground Program may only be used~~
 31 ~~for activities in support of the program which have been approved by the~~
 32 ~~Governor's Partnership Council for Children and Families. Up to fifteen~~
 33 ~~percent (15%) of the funds can be used for program planning, administration,~~
 34 ~~technical assistance, and evaluation; clearinghouse activities; and Common~~
 35 ~~Ground Committee expenses.~~

36 ~~(c) The Arkansas Department of Health shall have the following~~

1 authority as fiscal agent for the Common Ground Program;

2 ~~_____ (1) To disburse Common Ground Program grant funds to qualifying~~
 3 ~~entities as directed by the Governors Partnership Council for Children and~~
 4 ~~Families;~~

5 ~~_____ (2) To submit applications on behalf of the Governors~~
 6 ~~Partnership Council for Children and Families for funds which may become~~
 7 ~~available from public and private sources which would be used to implement the~~
 8 ~~activities of the Common Ground Program; and~~

9 ~~_____ (3) To contract for fund raising and fiscal investment/management~~
 10 ~~services.~~

11 ~~_____ (d) The Department of Health shall carry out or contract for the~~
 12 ~~following administrative functions for the Common Ground Program:~~

13 ~~_____ (1) Establish, in the Offices of Drug Abuse Prevention and~~
 14 ~~Disability Prevention in the Department of Health, a Clearinghouse for Youth~~
 15 ~~Crime Prevention Programs, which shall:~~

16 ~~_____ (A) Maintain a data base that tracks successful youth crime~~
 17 ~~prevention programs in Arkansas and other states;~~

18 ~~_____ (B) Develop procedures for the collection of information~~
 19 ~~about youth crime prevention programs in conjunction with the Common Ground~~
 20 ~~Program Committee; and~~

21 ~~_____ (C) Develop procedures for the dissemination of information~~
 22 ~~about youth crime prevention programs in conjunction with the Common Ground~~
 23 ~~Program Committee.~~

24 ~~_____ (2) Develop and administer an outreach and grant program~~
 25 ~~component, which shall:~~

26 ~~_____ (A) Conduct public education activities in regard to the~~
 27 ~~Common Ground Program Committee and programs developed thereunder;~~

28 ~~_____ (B) Assist groups in developing grant applications and~~
 29 ~~implementing youth crime prevention programs; and~~

30 ~~_____ (C) Oversee regional summits, which shall be a meeting of~~
 31 ~~representatives of local communities to identify problems relative to youth~~
 32 ~~crime and suggest funding priorities.~~

33 ~~_____ (3) Develop and administer evaluation, assessment and reporting~~
 34 ~~components, which will evaluate grant recipients and collect other information~~
 35 ~~about youth crime prevention programs to enhance the success of the Common~~
 36 ~~Ground Program.~~

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~~SECTION 6. Priority for Common Ground Program grants shall be given to applicants that:~~

~~(1) Provide matching funds for the youth crime prevention program in an amount equal to at least fifty (50%) of the grant award. Matching funds may be in cash or in goods and services; and~~

~~(2) Demonstrate support for the youth crime prevention program from the local community, including elected officials.~~

SECTION 10. EMERGENCY. It is hereby found and determined by the General Assembly that the work of the Common Ground Program is on-going and the committee is performing a valuable service in helping to stem youth violence and promote youth crime prevention programs in the state; that the Common Ground Program Committees work is not yet completed and that the committee will cease to exist on March 1, 1997, unless reestablished by law and that this act is designed to reestablish and continue the Common Ground Committee and the program and should be given effect immediately. Therefore an emergency is hereby declared to exist and this act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect on and after March 1, 1997.

APPROVED: 3-21-97