

2021 HOUSE JUDICIARY

HB 1124

2021 HOUSE STANDING COMMITTEE MINUTES

Judiciary
Room JW327B, State Capitol

HB 1124
1/18/2021

Relating to evidence-based alcohol and drug education program for individuals under twenty-one years of age who purchase, possess, or consume an alcoholic beverage; and to provide a penalty

Chairman Klemin called the hearing to order at 10:20 AM.

Representatives	Attendance
Representative Lawrence R. Klemin	P
Representative Karen Karls	P
Representative Rick Becker	P
Representative Ruth Buffalo	A
Representative Cole Christensen	P
Representative Claire Cory	P
Representative Karla Rose Hanson	P
Representative Terry B. Jones	P
Representative Jeffery J. Magrum	P
Representative Bob Paulson	P
Representative Gary Paur	P
Representative Shannon Roers Jones	P
Representative Bernie Satrom	P
Representative Steve Vetter	P

Discussion Topics:

- Minor in possession classes
- Early intervention strategies

Rep. Roers Jones: Introduced the bill. 10:19

James Knopik, Dept. of Human Services: Testimony #1041 10:23

Chairman Klemin adjourned at 10:27.

DeLores D. Shimek
Committee Clerk

Testimony
House Bill 1124 - Department of Human Services
House Judiciary Committee
Representative Lawrence Klemin, Chairman

January 18, 2021

Chairman Klemin and members of the House Judiciary Committee, I am James Knopik, from Department of Human Services' Behavioral Health Division. I appear today to provide testimony in opposition of House Bill 1124.

During the 65th Legislative Session, the Department of Human Services' Behavioral Health Division was authorized to certify Minor in Possession (MIP) providers to ensure that the Minor in Possession classes that individuals receive are evidence based. (N.D.C.C. § 50-06-44). This establishes a consistent minimum standard to ensure youth who experience an alcohol-related offense are receiving a quality service that can have a positive impact on their behavior.

Great strides have been made over the past decade in the prevention of underage drinking and related consequences, however alcohol is still the most used substance among North Dakota youth. 22.5 percent of North Dakota middle school students report having used alcohol at some point in their life and 27.6 percent of North Dakota high school students report current alcohol use (within the past 30 days of the survey) according to the 2019 Youth Risk Behavior Survey. When individuals under the age of 21 experience their first alcohol-related consequence, evidence-based early intervention strategies have been shown to prevent these youth from developing future substance related problems or developing an alcohol use disorder in the future. Nationwide, among participants who completed the Minor in Possession early intervention education, binge drinking decreased from 69% to 30% and recidivism decreased from 17% to 6% (Beadnell et al., 2016).

The large majority of North Dakota adults, 92.9%, believe that underage drinking is a problem in their community and 73.6% believe prevention programs are a good investment (North Dakota Community Readiness Survey, 2019). The proposed language change in House Bill 1124 will reduce the opportunities to address this issue that has been identified as a concern by North Dakota citizens. Most importantly, the language change will limit the opportunities for youth to access these effective services and opportunities to intervene in the lives of these youth who have experienced an alcohol-related consequence.

There are currently 37 Minor in Possession early intervention certified providers and 452 participants completed the early intervention education course from January 1, 2020 through November 30, 2020. During that same timeframe eight individuals had taken the early intervention class more than once.

This concludes my testimony, and I am happy to answer any questions.

2021 HOUSE STANDING COMMITTEE MINUTES

Judiciary

Room JW327B, State Capitol

HB 1124

1/25/2021

Relating to evidence-based alcohol and drug education program for individuals under twenty-one years of age who purchase, possess, or consume an alcoholic beverage; and to provide a penalty

Chairman Klemin called the meeting to order at 8:40 AM

Present: Representatives Klemin, Karls, Becker, Christensen, Cory, K Hanson, Jones, Magrum, Paulson, Paur, Roers Jones, Satrom, and Vetter. Absent Buffalo.

Discussion Topics:

- Making Alcohol education discretionary
- Judges options for sentencing

Do Pass Motion Made by Rep. Becker; Seconded by Rep. Vetter

Roll Call Vote:

Representatives	Vote
Chairman Klemin	Y
Vice Chairman Karls	Y
Rep Becker	Y
Rep. Christensen	Y
Rep. Cory	N
Rep T. Jones	Y
Rep Magrum	Y
Rep Paulson	Y
Rep Paur	Y
Rep Roers Jones	Y
Rep B. Satrom	Y
Rep Vetter	Y
Rep Buffalo	A
Rep K. Hanson	N

Motion carried. 11-2-1 Carrier: Rep. Paur

Chairman Klemin closed the meeting at 8:48.

DeLores D. Shimek, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1124: Judiciary Committee (Rep. Klemin, Chairman) recommends **DO PASS** (11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1124 was placed on the Eleventh order on the calendar.

2021 SENATE JUDICIARY

HB 1124

2021 SENATE STANDING COMMITTEE MINUTES

Judiciary Committee
Peace Garden Room, State Capitol

HB 1124
3/16/2021

Relating to evidence-based alcohol and drug education program for individuals under twenty-one years of age who purchase, possess, or consume an alcoholic beverage; and to provide a penalty.
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Hearing called to order, [9:25] all senators are present: **Myrdal, Luick, Dwyer, Bakke, Heitkamp, Fors, and Larson.**

Discussion Topics:

- Online and Interactive classes for substance convictions
- Marijuana offenses in statute

Representative Roers Jones [9:26] introduced HB 1124, testified in favor

James Knopik [9:29] Behavioral Health Administrator Dept of Human Services testified in opposition #9444

Senator Dwyer [9:37] moved to DO PASS
Senator Myrdal [9:37] seconded the motion

Senators	Vote
Senator Janne Myrdal	Y
Senator Larry Luick	Y
Senator Michael Dwyer	Y
Senator Jason G Heitkamp	Y
Senator Robert O Fors	Y
Senator Jonell A Bakke	Y
Senator Diane Larson	Y

The motion passes 7-0-0
Senator Luick [9:38] will carry

Additional written testimony:

Sara Vollmer, Dean of Continuing Education, Bismarck State College #9323

Hearing adjourned [9:39]

Jamal Omar, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1124: Judiciary Committee (Sen. Larson, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1124 was placed on the Fourteenth order on the calendar.

Testimony
House Bill 1124 - Department of Human Services
Senate Judiciary Committee
Senator Diane Larson, Chairman

March 16, 2021

Chairman Larson and members of the Senate Judiciary Committee, I am James Knopik, behavioral health administrator, with the Department of Human Services' Behavioral Health Division. I appear today to provide testimony in opposition of House Bill 1124.

The Department of Human Services supports Senate Bill 2264 which received a do pass recommendation from this committee, was passed on the floor by the Senate, and now after cross-over will be heard by the House Judiciary Committee tomorrow. Both House Bill 1124 and Senate Bill 2264 seek to accomplish the same goal, changing that an individual who receives a minor alcohol offense "shall" complete an alcohol education class to "may". The Department of Human Services would prefer that this language remain "shall" to ensure that all youth who receive an alcohol offense receive the education necessary to avert additional alcohol offenses and more severe consequences, such as developing an alcohol use disorder later in life.

Based on the passage of each of these bills by both chambers it is evident that the intent is to change the language from "shall" to "may". As a result, the Department of Human Services supports the more robust language outlined in Senate Bill 2264.

Senate Bill 2264 identifies that all youth who receive a second alcohol related offense must complete a minimum of an alcohol education class, and allows individuals who receive a marijuana offense to receive drug education classes.

The Department of Human Services is prepared to begin certifying instructors to provide marijuana education classes. At least one evidence-based marijuana

education program has already been identified by the Department of Human Services, and current certified Minor in Possession Instructors could be easily trained to provide these educational classes. The Department of Human Services has been in contact with the Prevention Research Institute, who created the curriculum of our current Minor in Possession education classes, and they are willing to provide a virtual marijuana education instructor training to North Dakota's current Minor in Possession instructors at no cost.

Due to the Department of Human Services' support of Senate Bill 2264, we urge this committee to make a do not pass recommendation on House Bill 1124. This concludes my testimony, and I am happy to answer any questions.

DATE: March 15, 2021

TO: Senate Judiciary Committee

FROM: Sara Vollmer & Lori Heinsohn

SUBJECT: Letter of Support for Alcohol and Drug Education Program

Dear House Judiciary Committee:

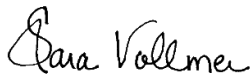
The purpose of this letter is to communicate the importance of inclusion of education programs as part of the sentencing process for individuals of alcohol-related and drug offenses.

Early intervention has shown an effective method for reducing continued alcohol and drug related problems as well as repetitive infractions.

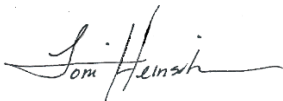
As an evidence based approved provider of alcohol classes for the state of North Dakota, we see first hand how education provides a supportive and preventative response, rather than a punitive one.

We encourage you to support the inclusion of education programs for our youth to access these services as part of their sentencing process.

Sincerely,



Sara Vollmer
Bismarck State College
Dean, Continuing Education and TrainND



Lori Heinsohn
Bismarck State College
Program Manager, Continuing Education and TrainND