

HOUSE No. 2382

The Commonwealth of Massachusetts

PRESENTED BY:

Elizabeth A. Malia

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to prevent adolescent substance use.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>1/20/2017</i>
<i>Kate Hogan</i>	<i>3rd Middlesex</i>	
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	
<i>Joan B. Lovely</i>	<i>Second Essex</i>	
<i>Barbara A. L'Italien</i>	<i>Second Essex and Middlesex</i>	
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>	
<i>Evandro C. Carvalho</i>	<i>5th Suffolk</i>	
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	
<i>Linda Dean Campbell</i>	<i>15th Essex</i>	
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	
<i>Bud Williams</i>	<i>11th Hampden</i>	
<i>Natalie Higgins</i>	<i>4th Worcester</i>	
<i>Shaunna L. O'Connell</i>	<i>3rd Bristol</i>	
<i>Denise Provost</i>	<i>27th Middlesex</i>	
<i>José F. Tosado</i>	<i>9th Hampden</i>	

<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>	
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	
<i>Carole A. Fiola</i>	<i>6th Bristol</i>	
<i>Joseph W. McGonagle, Jr.</i>	<i>28th Middlesex</i>	
<i>James R. Miceli</i>	<i>19th Middlesex</i>	
<i>Michael J. Finn</i>	<i>6th Hampden</i>	
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>2/1/2017</i>

HOUSE No. 2382

By Ms. Malia of Boston, a petition (accompanied by bill, House, No. 2382) of Elizabeth A. Malia and others relative to the establishment of an adolescent substance use prevention and early intervention trust fund within the Department of Public Health, to be funded by the excise tax imposed on marijuana products. Marijuana Policy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act to prevent adolescent substance use.

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

1 SECTION 1. Chapter 64N of the General Laws is hereby amended by adding the
2 following section:-

3 Section 2XX. (a) The department of public health shall establish an Adolescent
4 Substance Use Prevention and Early Intervention Trust Fund. On an annual basis, not less than
5 three percent of all sums released pursuant to the excise tax imposed on marijuana products by
6 Section 2 of Chapter 64N shall be credited to the fund, held in trust and used solely for the
7 purposes of preventing and reducing adolescent substance use and shall be available for
8 expenditure by the commissioner of the department of public health. These funds shall not be
9 used to replace existing funding allocated to state substance use prevention efforts but solely to
10 increase the total amount of expenditures to prevent and reduce adolescent substance use and its
11 harms.

12 (b) The funds directed to the trust fund pursuant to paragraph (a) shall be allocated by the
13 commissioner, consistent with substance use prevention programmatic recommendations of the
14 substance abuse and mental health service administration and in consultation with the oversight
15 committee created pursuant to paragraph (c), to ensure the use of best practices in the prevention
16 and reduction of adolescent substance use and the identification and elimination of disparities
17 related to substance use among diverse population group.

18 (c) Within 90 days after this section goes into effect, an oversight committee of nine
19 members shall be established to assist the commissioner in developing, implementing, and
20 maintaining a strategic plan for allocating the funds directed to the trust fund, pursuant to
21 paragraph (a), in monitoring and evaluating the use of the funds and all other state expenditures
22 to prevent and reduce adolescent substance use and its harms, and in assessing the efficacy of all
23 such expenditures to prevent and reduce adolescent substance use and its harms. Three members
24 of the oversight committee shall be appointed by the governor, two by the majority leader of the
25 senate, two by the majority leader of the house of representatives, one by the minority leader of
26 the senate, and one by the minority leader of the house of representatives. The members of the
27 oversight committee shall have experience and expertise in public health, adolescent and adult
28 substance use prevention policies and programs, public education and counter-marketing, and
29 program oversight and evaluation. No member of the oversight committee shall, during the
30 member's tenure on the committee and for three years before joining the committee, receive any
31 salary, grants, or other payments or support from any business that manufactures, distributes,
32 markets, or sells marijuana or marijuana products or serve as a director, employee, or consultant
33 of any organization that receives grants or contributions from any such business or that provides
34 legal, lobbying, public relations, marketing, or advertising services to any such business. Each

35 member of the oversight committee shall also agree not to enter into any such financial or
36 business relationships with the marijuana industry for a period of two years after that member's
37 tenure on the oversight committee ends. The oversight committee shall annually provide a
38 publicly available report to the governor, the speaker of the house, the senate president, the joint
39 committee on mental health and substance abuse, the joint committee on children, families and
40 persons with disabilities, the joint committee on public health, and the house and senate clerks on
41 marijuana use and its related harms the programming funded through the trust fund established in
42 paragraph (a), and related evaluation findings.

43 (d) The department of public health shall have the authority to promulgate reasonable
44 rules to implement this section.