

26:2BB-1 to 26:2BB-33

LEGISLATIVE HISTORY CHECKLIST

NJSA: 26:2BB-1 to 26:2BB-33

(Alcoholism &
Drug Abuse,
Governor Council
on--establish)

LAWS OF: 1989

CHAPTER: 51

Bill No: A1774

Sponsor(s): Kern & Ogden

Date Introduced: Pre-filed

Committee: Assembly: Appropriations;

Senate: Institutions, Health & Welfare; Revenue, Finance &
Appropriations

Amended during passage: Yes Amendments during passage
denoted by asterisks.

Date of Passage: Assembly: January 23, 1989

Senate: September 29, 1988

Date of Approval: March 27, 1989

Following statements are attached if available:

Sponsor Statement Yes

Committee Statement: Assembly: Yes

Senate: Yes 11-10-88 & 11-21-88

Fiscal Note: Yes

Veto Message: No

Message on signing: Yes

Following were printed:

Reports: Yes

Hearings: No

(Over)

See newspaper clippings--attached

"Kean presses for coordination of anti-drug effort," 3-28-89 Asbury Park Press

974.90 New Jersey. Governor's Cabinet Working Group on Substance Abuse.
N222 A position paper...March 25, 1987
1987c Trenton, 1987.

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1988 SESSION

By Assemblyman KERN and Assemblywoman OGDEN

1 AN ACT establishing a Governor's Council on Alcoholism and
2 Drug Abuse, supplementing Title 26 of the Revised Statutes,
3 amending P.L.1983, c.531 and N.J.S.2C:35-15, repealing
4 P.L.1983, c.304 and section 4 of P.L.1975, c.305, and making an
5 appropriation therefor.

7 BE IT ENACTED *by the Senate and General Assembly of the*
8 *State of New Jersey:*

9 1. (New section) The Legislature finds and declares that:
10 alcoholism and drug abuse are major health problems facing the
11 residents of this State; aspects of these problems extend into
12 many areas under various State departments; placement in, but
13 not of, the State Department of the Treasury is the most
14 appropriate and logical location for focusing a coordinated
15 planning and review effort to ameliorate these problems and for
16 establishing a Governor's Council on Alcoholism and Drug Abuse
17 as an independent coordinating, planning, research and review
18 body regarding all aspects of alcoholism and drug abuse; and a
19 merger of the Division of Alcoholism and the Division of Narcotic
20 and Drug Abuse Control within the State Department of Health
21 will enhance the effectiveness of the State's role in formulating
22 comprehensive and integrated public policy and providing
23 effective treatment, prevention and public awareness efforts
24 against alcoholism and drug abuse.

25 The Legislature further finds and declares that: as the
26 cooperation and active participation of all communities in the
27 State is necessary to achieve the goal of reducing alcoholism and
28 drug abuse, there should be established within the ¹[new Division
29 of] Governor's Council on¹ Alcoholism and Drug Abuse, an
30 Alliance to Prevent Alcoholism and Drug Abuse, to unite the
31 communities of this State in a coordinated and comprehensive
effort; and that the full resources of this State including

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

- 1 Assembly AAP committee amendments adopted May 23, 1988.
- 2 Assembly floor amendments adopted September 29, 1988.
- 3 Senate SIH committee amendments adopted December 8, 1988.
- 4 Senate SRF committee amendments adopted December 8, 1988.
- 5 Assembly floor amendments adopted December 19, 1988.

1 counties, municipalities and residents of the State must be
2 mobilized in a persistent and sustained manner in order to
3 achieve a response capable of meaningfully addressing not only
4 the symptoms but the root causes of this pervasive problem.

5 2. (New section) There is created a 24-member council in, but
6 not of, the Department of the Treasury which shall be designated
7 as the Governor's Council on Alcoholism and Drug Abuse. For
8 the purposes of complying with the provisions of Article V,
9 Section IV, paragraph 1 of the New Jersey Constitution, the
10 Governor's Council on Alcoholism and Drug Abuse is allocated to
11 the Department of the Treasury, but, notwithstanding the
12 allocation, the office shall be independent of any supervision or
13 control by the department or by any board or officer thereof.

14 The council shall consist of 10 ex officio members and 14
15 public members.

16 a. The ex officio members of the council shall be: the
17 Attorney General, the Commissioners of the Departments of
18 Labor, Education, Human Services, Health, Community Affairs,
19 Personnel and Corrections, the Chancellor of Higher Education,
20 and the Administrative Director ³[of the Courts]³ of the
21 Administrative Office of the Courts. An ex officio member may
22 designate an officer or employee of the department or office
23 which he heads to serve as his alternate and exercise his
24 functions and duties as a member of the Governor's Council on
25 Alcoholism and Drug Abuse.

26 b. The 14 public members shall be residents of the State who
27 are selected for their knowledge, competence, experience or
28 interest in connection with alcoholism or drug abuse. They shall
29 be appointed as follows: two shall be appointed by the President
30 of the Senate, two shall be appointed by the Speaker of the
31 General Assembly and 10 shall be appointed by the Governor,
32 with the advice and consent of the Senate. At least two of the
33 public members appointed by the Governor shall be rehabilitated
34 alcoholics and at least two of the public members appointed by
35 the Governor shall be rehabilitated drug abusers.

36 c. The term of office of each public member shall be three
37 years; except that of the first members appointed, four shall be
38 appointed for a term of one year, five shall be appointed for a
39 term of two years and five shall be appointed for a term of three

1 years. Each member shall serve until his successor has been
2 appointed and qualified, and vacancies shall be filled in the same
3 manner as the original appointments for the remainder of the
4 unexpired term. A public member is eligible for reappointment to
5 the council.

6 d. The chairman of the council shall be appointed by the
7 Governor from among the public members of the council and shall
8 serve at the pleasure of the Governor during the Governor's term
9 of office and until the appointment and qualification of the
10 chairman's successor. The members of the council shall elect a
11 vice-chairman from among the members of the council. The
12 Governor may remove any public member for cause, upon notice
13 and opportunity to be heard.

14 e. The council shall meet at least monthly and at such other
15 times as designated by the chairman. ³[Nine] Thirteen³ members
16 of the council shall constitute a quorum. The council may
17 establish any advisory committees it deems advisable and feasible.

18 f. The chairman shall be the request officer for the council
19 within the meaning of such term as defined in section 6 of article
20 3 of P.L.1944, c.112 (C.52:27B-15).

21 g. The public members of the council shall receive no
22 compensation for their services, but shall be reimbursed for their
23 expenses incurred in the discharge of their duties within the
24 limits of funds appropriated or otherwise made available for this
25 purpose.

26 3. (New Section) a. The Governor's Council on Alcoholism
27 and Drug Abuse shall be administered by an ²[Executive Director]
28 executive director² who shall be appointed by the Governor, with
29 the advice and consent of the Senate, and shall serve at the
30 pleasure of the Governor during the Governor's term of office
31 and until the appointment and qualification of the executive
32 director's successor.

33 b. The executive director shall be a person qualified by
34 training and experience to perform the duties of the council.

35 c. The executive director shall have the authority to ²[retain]
36 employ a deputy executive director, who shall be in the
37 unclassified service of the Civil Service, and² such staff as ³are³
38 necessary to accomplish the work of the council within the limits
39 of available appropriations. The executive director may delegate

1 to subordinate officers or employees of the council any of his
2 powers which he deems desirable to be exercised under his
3 supervision and control. All employees of the council ³[²other
4 than] except³ the executive director and the deputy executive
5 director² shall be in the ²[unclassified] ³[permanently classified²]
6 career³ service of the Civil Service.

7 d. The executive director shall attend all meetings of the
8 Governor's Council on Alcoholism and Drug Abuse.

9 4. (New section) ¹[The Governor's Council on Alcoholism and
10 Drug Abuse is authorized and empowered to:

11 a. Review and coordinate all State departments' efforts in
12 regard to the planning and provision of treatment, prevention,
13 research, evaluation, and education services for, and public
14 awareness of, alcoholism and drug abuse;

15 b. Prepare and implement an annual comprehensive plan for
16 the treatment, prevention, research, evaluation, education and
17 public awareness of alcoholism and drug abuse in this State,
18 which plan shall include an emphasis on prevention, community
19 awareness, and family and youth services;

20 c. Encourage the development or expansion of employee
21 assistance programs, for employees in both government and the
22 private sector;

23 d. Recommend to the Governor and the Legislature
24 appropriate allocations to State departments, local governments
25 and local agencies and service providers of all State and federal
26 funds for the treatment, prevention and research of alcoholism
27 and drug abuse in accordance with the regular budget cycle;

28 e. Evaluate the existing funding mechanisms for alcoholism
29 and drug abuse services and recommend to the Governor and the
30 Legislature any changes which may improve the coordination of
31 services to citizens in this State;

32 f. Collect from any State, county, local governmental entity
33 or any other appropriate source data, reports, statistics or other
34 materials which are necessary to carry out the council's
35 functions; and

36 g. Pursuant to the "Administrative Procedure Act," P.L.1968,
37 c.410 (C.52:14B-1 et seq.), adopt rules and regulations necessary
38 to carry out the purposes of this act]

39 ³[a. By July 1 of each year the council shall adopt and submit

1 to the Governor and the Legislature a Comprehensive Statewide
2 Alcoholism and Drug Abuse Master Plan incorporating and
3 unifying all State, county, local and private alcohol and drug
4 abuse initiatives.

5 The council shall take into consideration all matters affecting
6 alcoholism, intoxication, alcohol abuse, drug addiction and drug
7 abuse and shall formulate comprehensive policies for the
8 prevention and control of alcoholism and drug abuse in order to
9 unify in a comprehensive program all efforts to prevent, control
10 and combat alcoholism, intoxication, alcohol abuse, drug
11 addiction and drug abuse. The council shall review and make
12 recommendations with regard to the revision of existing statutes
13 relating to alcoholism and drug programs and policies.

14 b. Department budget plans related to alcoholism and drug
15 abuse, initiatives as determined by the council including, but not
16 limited to formal education, public awareness, prevention,
17 training, information, intervention, treatment, rehabilitation and
18 funding of community-based programs shall be submitted to the
19 council for review concurrently with their submission to the
20 Department of Treasury. The Department of Treasury shall make
21 available to the council all data, information, and assistance
22 requested by the council. The council shall submit to the
23 Governor by December 1 of each year recommendations for
24 expenditures in the next fiscal year that are in conformance with
25 the Comprehensive Statewide Alcoholism and Drug Abuse Master
26 Plan.

27 The council is authorized to collect from any State, county or
28 local government entity information, data, reports, statistics or
29 other material which are necessary to carry out the council's
30 functions. All reports, plans, reviews, studies or proposals
31 regarding alcoholism, intoxication, drug addiction, or any other
32 alcoholism or drug abuse initiative shall be submitted to the
33 council for review and recommendation for inclusion in the
34 Comprehensive Statewide Alcoholism and Drug Abuse Master
35 Plan. The council may perform evaluations of the effectiveness
36 of any alcoholism or drug abuse initiative.

37 c. The council shall award grants, upon the recommendation of
38 the executive director of the council, to counties and
39 municipalities for alcohol and drug abuse programs established

1 under the Alliance program.

3 The council is not authorized and empowered to accept and
5 receive moneys from any source other than moneys deposited in
7 and appropriated from the "Drug Enforcement and Demand
9 Reduction Fund" established pursuant to N.J.S. 2C:35-15 and any
11 moneys appropriated by law for operating expenses of the council
13 or appropriated pursuant to section 19 of this act, P.L....., c.....
15 (C.....)(now pending before the Legislature as this bill)¹.] The
17 Governor's Council on Alcoholism and Drug Abuse is authorized
19 and empowered to:

11 a. Review and coordinate all State departments' efforts in
13 regard to the planning and provision of treatment, prevention,
15 research, evaluation, and education services for, and public
17 awareness of, alcoholism and drug abuse;

15 b. Prepare by July 1 of each year, the State government
17 component of the Comprehensive Statewide Alcoholism and Drug
19 Abuse Master Plan for the treatment, prevention, research,
21 evaluation, education and public awareness of alcoholism and
23 drug abuse in this State, which plan shall include an emphasis on
25 prevention, community awareness, and family and youth services;

21 c. Review each County Annual Alliance Plan and the
23 recommendations of the Division of Alcoholism and Drug Abuse
25 in the Department of Health for awarding the Alliance grants
27 and, by October 1 of each year, return the plan to the Local
29 Advisory Committee on Alcoholism and Drug Abuse with the
31 council's proposed recommendations for awarding Alliance grants;

27 d. Submit to the Governor and the Legislature by December 1
29 of each year the Comprehensive Statewide Alcoholism and Drug
31 Abuse Master Plan which shall include recommended appropriate
33 allocations to State departments, local governments and local
35 agencies and service providers of all State and federal funds for
37 the treatment, prevention, research, evaluation, education and
39 public awareness of alcoholism and drug abuse in accordance with
41 the regular budget cycle, and shall incorporate and unify all
43 State, county, local and private alcohol and drug abuse initiatives;

35 e. Distribute grants, upon the recommendation of the
37 executive director of the council, by August 1 of each year to
39 counties and municipalities for alcohol and drug abuse programs
41 established under the Alliance to Prevent Alcoholism and Drug

1 Abuse;

3 f. Evaluate the existing funding mechanisms for alcoholism
5 and drug abuse services and recommend to the Governor and the
7 Legislature any changes which may improve the coordination of
9 services to citizens in this State;

11 g. Encourage the development or expansion of employee
13 assistance programs for employees in both government and the
15 private sector;

17 h. Evaluate the need for, and feasibility of, including other
19 addictions, such as smoking and gambling, within the scope and
21 responsibility of the council;

23 i. Collect from any State, county, local governmental entity or
25 any other appropriate source data, reports, statistics or other
27 materials which are necessary to carry out the council's
29 functions; and

31 j. Pursuant to the "Administrative Procedure Act," P.L.1968,
33 c.410 (C.52:14B-1 et seq.), adopt rules and regulations necessary
35 to carry out the purposes of this act.

37 The council shall not accept or receive moneys from any source
39 other than moneys deposited in, and appropriated from, the "Drug
41 Enforcement and Demand Reduction Fund" established pursuant
43 to N.J.S.2C:35-15 and any moneys appropriated by law for
45 operating expenses of the council or appropriated pursuant to
47 section 4[20] 19⁴ of P.L....., c. ... (C.) (now pending before
49 the Legislature as this bill).³

51 5. (New section) There is established in the Department of
53 Health a Division of Alcoholism and Drug Abuse.

55 The division shall be administered by a Deputy Commissioner
57 of Health. The deputy commissioner shall be a person qualified
59 by training and experience to perform the duties of his office.
61 The deputy commissioner shall be appointed by the commissioner
63 with the approval of the Governor and shall serve at the pleasure
65 of the commissioner during the commissioner's term of office
67 and until the appointment and qualification of the deputy
69 commissioner's successor. The deputy commissioner shall
71 receive a salary which shall be provided by law.

73 ³The Commissioner of Health shall report annually to the
75 Governor and the Legislature on the activities of the division and
77 include in that annual report an assessment of the adequacy of
79 the division's services.

1 the current delivery of treatment services in the State and of the
 2 need for additional treatment services.³

3 6. (New section) All the functions, powers and duties of the
 4 Director of the Division of Alcoholism and the Director of the
 5 Division of Narcotic and Drug Abuse Control are transferred to
 6 and vested in the Deputy Commissioner of Health for the Division
 7 of Alcoholism and Drug Abuse, pursuant to the "State Agency
 8 Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.).

9 7. (New section) a. There is created an Alliance to Prevent
 10 Alcoholism and Drug Abuse, hereinafter referred to as the
 11 "Alliance," in the ¹[Division of] Governor's Council on¹
 12 Alcoholism and Drug Abuse. The purpose of the Alliance is to
 13 create a network comprised of all the communities in New Jersey
 14 which is dedicated to a comprehensive and coordinated effort
 15 against alcoholism and drug abuse. The Alliance shall be a
 16 mechanism both for implementing policies to reduce alcoholism
 17 and drug abuse at the ³[county and]¹³ municipal level, and for
 18 providing funds, including moneys from mandatory penalties on
 19 drug offenders, to member communities to support appropriate
 20 ³[county- and]¹ county and³ municipal-based alcohol and drug
 21 abuse education and public awareness activities.

22 b. The ¹[Deputy Commissioner of Health for the Division of]
 23 Governor's Council on¹ Alcoholism and Drug Abuse¹[, in
 24 consultation with the Commissioner of the Department of
 25 Education,]¹ shall adopt rules and regulations for participation
 26 in³,³ and the operation of³,³ the Alliance and for the awarding of
 27 grants ³[by the Governor's Council]¹³ to municipalities and
 28 counties from funds ¹appropriated for such purposes pursuant to
 29 ³[this act,]³ P.L....., c..... (C.....) (now pending before the
 30 Legislature as this bill) and funds¹ derived from the "Drug
 31 Enforcement and Demand Reduction Fund" established pursuant
 32 to N.J.S.2C:35-15, for the purpose of developing:

33 (1) Organized and coordinated efforts involving schools, law
 34 enforcement, business groups and other community organizations
 35 for the purpose of reducing alcoholism and drug abuse;

36 (2) In cooperation with local school districts, comprehensive
 37 and effective alcoholism and drug abuse education programs in
 38 grades kindergarten through 12;

39 (3) In cooperation with local school districts, procedures for

1 the intervention, treatment and discipline of students abusing
alcohol or drugs;

3 (4) Comprehensive alcoholism and drug abuse education,
support and outreach efforts for parents in the community; and

5 (5) Comprehensive alcoholism and drug abuse community
awareness programs.

7 c. Funds disbursed under this section shall not supplant local
funds that would have otherwise been made available for
9 alcoholism and drug abuse initiatives. Communities shall provide
matching funds when and to the extent required by the
11 regulations adopted pursuant to this section.

d. ¹[Notwithstanding the provisions of any law to the contrary,
13 moneys provided to any instrumentality of government pursuant
to the provisions of this act shall not be included in the
15 calculation of any spending limitation imposed on the budget of
that governmental instrumentality.

17 e.]¹ ⁴[³Notwithstanding the provisions of any law to the
contrary, moneys provided to any instrumentality of government
19 pursuant to the provisions of this amendatory and supplementary
act shall not be included in the calculation of any spending
21 limitation imposed on the budget of that governmental
instrumentality.

23 e.]³⁴ The county agency or individual designated by the
governing body of each county pursuant to subsection a. of
25 section 4 of P.L.1983, c.531 (C.26:2B-33)³₁³ is authorized to
receive from the ¹[Division of] Governor's Council on¹
27 Alcoholism and Drug Abuse moneys made available pursuant to
this section. The designated county agency or individual shall
29 establish a separate fund for the receipt and disbursement of
these moneys.

31 8. (New section) a. Each Local Advisory Committee on
Alcoholism and Drug Abuse, established pursuant to section 4 of
33 P.L.1983, c.531 (C.26:2B-33), shall establish a County Alliance
Steering Subcommittee in conjunction with regulations adopted
35 by the ¹[Division of] Governor's Council on¹ Alcoholism and Drug
Abuse. ³[Membership] The members of the subcommittee³ shall
37 include, but not be limited to, private citizens and
representatives of the:

39 (1) Local Advisory Committee on Alcoholism and Drug Abuse;

- 1 (2) County Human Services Advisory Council;
- (3) County Superintendent of Schools;
- 3 (4) Existing county council on alcoholism, if any;
- (5) County Prosecutor's office;
- 5 (6) Family part of the Chancery Division of the Superior Court;
- (7) Youth Services Commission;
- 7 (8) County School Board Association;
- (9) County health agency;
- 9 (10) County mental health agency;
- (11) Local businesses;
- 11 (12) County affiliate of the New Jersey Education Association;
- and
- 13 (13) Other service providers.

b. The functions of the County Alliance Steering Subcommittee shall include:

(1) Development and submission of a County Annual Alliance Plan for the expenditure of funds derived from the "Drug Enforcement and Demand Reduction Fund," N.J.S. 2C:35-15;

19 (2) Development of programs and fiscal guidelines consistent with directives of the ¹[Division of] Governor's Council on¹ Alcoholism and Drug Abuse for the awarding of funds to counties and municipalities for drug and alcohol Alliance activities;

23 (3) Identification of a network of community leadership for the expansion, replication and development of successful community model programs throughout the county; and

25 (4) Coordination of projects among ³and within³ municipalities to assure cost effectiveness and avoid fragmentation and duplication.

29 c. The County Alliance Steering Subcommittee shall ensure that the funds dedicated to education pursuant to section 2 of P.L.1983, c.531 (C.54:32C-3.1) do not duplicate the Alliance effort.

33 d. The Local Advisory Committee on Alcoholism and Drug Abuse shall review and approve the County Annual Alliance Plan and submit this plan ³by July 1 of each year³ to the ¹[Division of Alcoholism and Drug Abuse in the Department of Health and to the]¹ ³Division of Alcoholism and Drug Abuse in the Department of Health and to the³ Governor's Council on Alcoholism and Drug Abuse ³[for inclusion in the annual comprehensive plan prepared

1 by the council]³.

3 ³e. After the County Annual Alliance Plan is returned by the
5 Governor's Council on Alcoholism and Drug Abuse to the Local
7 Advisory Committee on Alcoholism and Drug Abuse with the
9 council's proposed recommendations for awarding the Alliance
11 grants, pursuant to subsection c. of section 4 of this amendatory
13 and supplementary act, the committee, in conjunction with the
15 council, may revise its plan in accordance with the council's
17 proposed recommendations.

19 The revised plan shall be completed in such time that it can be
21 included in the council's recommendations to the Governor and
23 the Legislature that are due on December 1 of each year.³

25 9. (New section) ³[The governing body of each municipality
27 shall appoint a Municipal Alliance Committee. Membership on
29 the Municipal Alliance Committee shall include ¹[but not]¹ but
31 not be limited to the chief of police; the President of the School
33 Board; the School Superintendent; the Student Assistance
35 Coordinator; a representative of the Parent Teacher Association;
37 ¹a representative of the local bargaining unit for teachers; a¹
39 representative of the Chamber of Commerce; a municipal court
judge; representatives of local civic associations; ¹and a¹
representative of local religious groups and private citizens.

1 The Municipal Alliance Committee shall identify alcoholism
2 and drug prevention, education and community needs; and
3 implement the Alliance programs formulated pursuant to section
4 8 of this act.] The governing body of each municipality may
5 appoint a Municipal Alliance Committee, or join with one or more
6 municipalities to appoint a Municipal Alliance Committee.
7 Membership on the Municipal Alliance Committee may include
8 the chief of police; the president of the school board; the
9 superintendent of schools; a student assistance coordinator; a
10 representative of the parent-teacher association; ⁴ a
11 representative of the local bargaining unit for teachers;⁴ a
12 representative of the Chamber of Commerce; a municipal court
13 judge; representatives of local civic associations; representatives
14 of local religious groups; and private citizens.

15 The Municipal Alliance Committee, in consultation with the
16 Local Advisory Committee on Alcoholism and Drug Abuse, shall
17 identify alcoholism and drug prevention, education and

1 community needs. The committee also shall implement the
 2 Alliance programs formulated pursuant to section 8 of P.L.....,
 3 c..... (C.....) (now pending before the Legislature as this bill).
 4 The governing body of a municipality may match any funds it
 5 receives from the Alliance.³

6 10. (New section) Pursuant to the "Administrative Procedure
 7 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the ³[Deputy]³
 8 Commissioner of Health ³[for the Division of Alcoholism and
 9 Drug Abuse]³ shall adopt rules and regulations necessary to
 10 ³[carry out the ¹[purposes of] functions and responsibilities of the
 11 Division under¹] establish the Division of Alcoholism and Drug
 12 Abuse pursuant to³ this act.

13 11. (New section) The advisory commission to the Alcohol
 14 Education, Rehabilitation and Enforcement Fund, established
 15 pursuant to section 3 of P.L.1983, c.531 (C.26:2B-32), is abolished.

16 12. (New section) All acts and parts of acts inconsistent with
 17 any of the provisions of this ³[1988]³ amendatory and
 18 supplementary act are, to the extent of such inconsistency,
 19 superseded and repealed.

20 13. Section 3 of P.L.1983, c.531 (C.26:2B-32) is amended to
 21 read as follows:

22 3. An Alcohol Education, Rehabilitation and Enforcement Fund
 23 is established as a nonlapsing, revolving fund in a separate
 24 account in the Department of Health. [An advisory commission
 25 having as its members the Commissioner of Health, the
 26 Commissioner of Education, the Chancellor of Higher Education,
 27 the Attorney General, or their designees, and a representative of
 28 the counties designated by the Governor, shall be established for
 29 the purpose of issuing an annual report to the Governor and the
 30 Legislature to evaluate the expenditures which are made from
 31 the fund.] The fund shall be credited with 10.75% of the tax
 32 revenues collected pursuant to section 3 of P.L.1980, c.62
 33 (C.54:32C-3). Interest received on moneys in the fund shall be
 34 credited to the fund. Pursuant to the formula set forth in section
 35 5 of this act, moneys appropriated pursuant to law shall only be
 36 distributed to the counties by the Department of Health, without
 37 the assessment of administrative costs, to develop and implement
 38 [a] an annual comprehensive plan for the treatment of
 39 [intoxicated persons and] alcoholics and drug abusers and for the

1 expenditures established in section 2 of this act.
(cf: P.L.1983, c.531, s.3)

3 14. Section 4 of P.L.1983, c.531 (C.26:2B-33) is amended to
read as follows:

5 4. a. [Within 180 days of the enactment of this act, the] The
7 governing body of each county, in conjunction with the county
9 agency, or individual, designated by the county with the
11 responsibility for planning services and programs for the care or
13 rehabilitation of [intoxicated persons and] alcoholics and drug
15 abusers, shall submit to the [Director of] Deputy Commissioner
for the Division of Alcoholism and Drug Abuse³ and the
Governor's Council on Alcoholism and Drug Abuse³ [a] an annual

17 comprehensive plan for the provision of community services to
19 meet the needs of [intoxicated persons and] alcoholics and drug
21 abusers.
23 b. The annual comprehensive plan shall address the needs of
25 urban areas with a population of 100,000 or over and shall
27 demonstrate linkage with existing resources which serve
29 alcoholics and drug abusers and their families. Special attention
31 in the plan shall be given to alcoholism and drug abuse and youth;
drinking and drug abusing drivers; women and alcoholism and drug
abuse;³ the disabled and alcoholism and drug abuse;³ alcoholism
and drug abuse on the job; alcoholism and drug abuse and crime;
public information; and educational programs as defined in
subsection c. of this section. Each county shall identify, within
its annual comprehensive plan, the Intoxicated Driver Resource
Center which shall service its population, as is required under
subsection (f) of R.S.39:4-50. The plan may involve the provision
of programs and services by the county, by an agreement with a
State agency, by private organizations, including volunteer
groups, or by some specified combination of the above.

33 If the State in any year fails to deposit a minimum of 10.75%
35 of the receipts derived from the tax under section 3 of P.L.1980,
37 c.62 (C.54:32C-3), a county may reduce or eliminate, or both, the
operation of existing programs currently being funded from the
proceeds deposited in the Alcohol Education, Rehabilitation and
Enforcement Fund.

39 c. Programs established with the funding for education as
provided in section 2 of this act shall include all courses in the

1 public schools required pursuant to P.L.1987, c.389
2 ³[(C.18A:4-A-1 et seq.)] (C.18A:40A-1 et seq.)³, programs for
3 students included in the annual comprehensive plan for each
4 county, and in-service training programs for teachers and
5 administrative support staff including nurses, guidance
6 counselors, child study team members, and librarians. All moneys
7 dedicated in section 2 of this act for education shall be allocated
8 through the designated county alcoholism and drug abuse agency
9 and all programs shall be consistent with the annual
10 comprehensive county plan submitted to the [Director of] Deputy
11 Commissioner for the Division of Alcoholism and Drug Abuse
12 ³and the Governor's Council on Alcoholism and Drug Abuse³
13 pursuant to this section. Moneys dedicated to education from the
14 fund shall be first allocated in an amount not to exceed 20% of
15 the annual education allotment for the in-service training
16 programs, which shall be conducted in each county through the
17 office of the county alcoholism and drug abuse coordinator in
18 consultation with the county superintendent of schools, local
19 boards of education, local councils on alcoholism and drug abuse
20 and institutions of higher learning, including the Rutgers
21 University Center of Alcohol Studies. The remaining money in
22 the education allotment shall be assigned to offset the costs of
23 programs such as those which assist employees, provide
24 intervention for staff members, assist and provide intervention
25 for students and focus on research and educate about youth and
26 drinking and using drugs. These funds shall not replace any funds
27 being currently spent on education and training by the county.

28 d. The governing body of each county, in conjunction with the
29 county agency, or individual, designated by the county with
30 responsibility for services and programs for the care or
31 rehabilitation of [intoxicated persons and] alcoholics and drug
32 abusers, shall establish a [citizens' advisory committee] Local
33 Advisory Committee on Alcoholism and Drug Abuse to assist the
34 governing body in development of the annual comprehensive
35 plan. The advisory committee shall consist of no less than 10 nor
36 more than 16 members and shall be appointed by the governing
37 body. At least two of the members shall be recovering alcoholics
38 and at least two of the members shall be recovering drug
39 abusers. The committee shall include [representatives from

1 among the judges assigned to the county,] the county prosecutor
or his designee, a wide range of public and private organizations
3 involved in the treatment of alcohol and drug-related problems
and other individuals with interest or experience in issues
5 concerning alcohol and drug abuse. Each committee shall, to the
maximum extent feasible, represent the various socioeconomic,
7 racial and ethnic groups of the county in which it serves.

Within ³[45] ⁶⁰ days of the effective date of ¹[section 13 of]¹
9 P.L., c. ..(C. ...) (now pending before the Legislature as
¹[section 13 of]¹ this bill), the Local Advisory Committee on
11 Alcoholism and Drug Abuse shall organize and elect a chairman
from among its members.

13 e. The [Director of] Deputy Commissioner for the Division of
Alcoholism and Drug Abuse shall review [a] the county plan
15 pursuant to a procedure developed by the [director] deputy
commissioner [in conjunction with the Advisory Council on
17 Alcoholism established pursuant to section 4 of P.L.1975, c.305
(C.26:2B-10)]. In determining whether to approve [a] an annual
19 comprehensive plan under this act, the [director] deputy
commissioner shall consider whether the plan is designed to meet
21 the goals and objectives of the "Alcoholism Treatment and
Rehabilitation Act," P.L.1975, c.305 (C.26:2B-7 et seq.) and the
23 "Narcotic and Drug Abuse Control Act of 1969," P.L.1969, c.152
(C.26:2G-1 et seq.) and whether implementation of the plan is
25 feasible. Each county plan submitted to the [director] deputy
commissioner shall be presumed valid; provided it is in substantial
27 compliance with the provisions of this act. Where the
department fails to approve a county plan, the county may
29 request a court hearing on that determination.

(cf: P.L.1983, c.531, s.4)

31 15. Section 5 of P.L.1983, c.531 (C.26:2B-34) is amended to
read as follows:

33 5. a. Allotments to each county whose annual comprehensive
plan is approved pursuant to the provisions of section 4 of this act
35 shall be made on the basis of the following formula:

$$\begin{aligned}
 & \text{County Allotment} = \text{Population of County} \times \frac{\text{Total Funds Appropriated}}{\text{Population of State}} \\
 & \quad \times .5 \times \frac{\text{Per Capita Income of State (3 yr. average)}}{\text{Per Capita Income of County (3 yr. average)}} \\
 & \quad + .5 \times \frac{\text{Need in County}}{\text{Need in State}}
 \end{aligned}$$

in which Need in County and Need in State are estimates of the prevalence of alcoholism according to the current New Jersey Behavioral Health Services Plan. The funds dedicated for the provision of educational programs pursuant to section 2 of this act shall be allocated to the counties on the basis of this formula.

b. As a condition for receiving the allotment calculated in subsection a. of this section, a county shall contribute a sum not less than 25% of that county's allotment to fund community services for [intoxicated persons and] alcoholics pursuant to the county's annual comprehensive plan. Those alcoholism education, prevention and treatment programs already existing in a county may be combined under the county plan which establishes the annual comprehensive plan to be approved by the [Director of] Deputy Commissioner for the Division of Alcoholism and Drug Abuse in the Department of Health. In determining the sum of money to be contributed by each county, the required 25% minimum county contribution may include any moneys currently appropriated by the county to meet the needs of the alcoholism programs.

(cf: P.L.1983, c.531, s.5)

16. N.J.S.2C:35-15 is amended to read as follows:

2C:35-15. Mandatory Drug Enforcement and Demand Reduction Penalties; Collection; Disposition; Suspension.

a. In addition to any disposition authorized by this title, the provisions of section 24 of P.L.1982, c.77 (C.2A:4A-43), or any other statute indicating the dispositions that can be ordered for an adjudication of delinquency, every person convicted of or adjudicated delinquent for a violation of any offense defined in this chapter or chapter 36 of this title³[, and every person placed in supervisory treatment pursuant to N.J.S.2C:43-12 who was

1 charged with any offense defined in this chapter or chapter 36 of
 3 this title, shall be assessed for each such offense a penalty fixed
 at:

- 4 (1) \$3,000.00 in the case of a crime of the first degree;
- 5 (2) \$2,000.00 in the case of a crime of the second degree;
- 6 (3) \$1,000.00 in the case of a crime of the third degree;
- 7 (4) \$750.00 in the case of a crime of the fourth degree;
- 8 (5) \$500.00 in the case of a disorderly persons or petty
 9 disorderly persons offense.]

shall be assessed for each such offense a penalty fixed at:

- 11 (1) \$3,000.00 in the case of a crime of the first degree;
- 12 (2) \$2,000.00 in the case of a crime of the second degree;
- 13 (3) \$1,000.00 in the case of a crime of the third degree;
- 14 (4) \$750.00 in the case of a crime of the fourth degree;
- 15 (5) \$500.00 in the case of a disorderly persons or petty
 16 disorderly persons offense.

17 Every person placed in supervisory treatment pursuant to the
 18 provisions of N.J.S.2C:36A-1 or N.J.S.2C:43-12 for a violation of
 19 any offense defined in this chapter or chapter 36 of this title
 20 shall be assessed the penalty prescribed herein and applicable to
 21 the degree of the offense charged, except that the court shall not
 22 impose more than one such penalty regardless of the number of
 23 offenses charged. If the person is charged with more than one
 24 offense, the court shall impose as a condition of supervisory
 25 treatment the penalty applicable to the highest degree offense
 26 for which the person is charged.³

27 All penalties provided for in this section shall be in addition to
 28 and not in lieu of any fine authorized by law or required to be
 29 imposed pursuant to the provisions of N.J.S.2C:35-12.

30 b. All penalties provided for in this section shall be collected
 31 as provided for collection of fines and restitutions in section 3 of
 32 1979, c.396 (C.2C:46-4), and shall be forwarded to the
 33 Department of [Law and Public Safety] ¹[Health] the Treasury¹
 as provided in subsection c. of this section.

34 c. ³[¹(¹)]³ All moneys collected pursuant to this section shall
 35 be forwarded to the Department of [Law and Public Safety]
 36 ¹[Health] the Treasury¹ to be deposited in a nonlapsing revolving
 37 fund to be known as the "Drug Enforcement and Demand
 38 Reduction Fund." ³[Moneys in the fund are ¹to be appropriated¹

1 for the use of the ¹[Division of] Governor's Council on¹
2 Alcoholism and Drug Abuse established pursuant to P.L.....,
3 c..... (C.....) (now pending before the Legislature as this bill) for
4 the purposes of the Alliance to Prevent Alcoholism and Drug
5 Abuse. ¹Upon the repayment of the loan pursuant to paragraph
6 (2) of this subsection, any monies appropriated from the fund on
7 an annual basis shall be in an amount not to exceed the amount of
8 money deposited on an annual basis in the Alcohol Education,
9 Rehabilitation and Enforcement Fund established pursuant to
10 section 3 of P.L.1983, c.531 (C.26:2B-32).

11 (2) Any monies received by the council pursuant to subsection
12 a. of section 19 of P.L....., c..... (C.....) (now pending before
13 the Legislature as this bill) shall be considered a zero interest
14 loan to be repaid in accordance with the provisions of this
15 paragraph. The council shall repay the loan from the monies
16 deposited in the "Drug Enforcement and Demand Reduction
17 Fund" prior to any appropriation of monies from that fund to the
18 council. The council shall enter into a written loan agreement
19 with the State Treasurer setting forth the terms of the loan
20 repayment, which shall be specified by the State Treasurer.¹
21 Monies in the fund shall be appropriated by the Legislature on an
22 annual basis for the purposes of funding the Alliance to Prevent
23 Alcoholism and Drug Abuse and other alcohol and drug abuse
24 programs and shall not be used to fund administrative costs.³

25 d. All moneys, including fines and restitution, collected from a
26 person convicted of or adjudicated delinquent for an offense or
27 placed in supervisory treatment pursuant to N.J.S.2C:43-12 shall
28 be applied first to any Violent Crimes Compensation Board
29 penalty imposed pursuant to section 2 of P.L.1979, c.396
30 (C.2C:43-3.1), and shall next be applied to any forensic
31 laboratory fee assessed pursuant to N.J.S.2C:35-20, and shall
32 next be applied to any penalty imposed pursuant to this section.

33 e. The court may suspend the collection of a penalty imposed
34 pursuant to this section; provided the defendant agrees to enter a
35 residential drug rehabilitation program approved by the court;
36 and further provided that the defendant agrees to pay for all or
37 some portion of the costs associated with the rehabilitation
38 program. In this case, the collection of a penalty imposed
39 pursuant to this section shall be suspended during the defendant's

1 participation in the approved rehabilitation program. Upon
 2 successful completion of the program, the defendant may apply
 3 to the court to reduce the penalty imposed pursuant to this
 4 section by any amount actually paid by the defendant for his
 5 participation in the program. The court shall not reduce the
 6 penalty pursuant to this subsection unless the defendant
 7 establishes to the satisfaction of the court that he has
 8 successfully completed the rehabilitation program. If the
 9 defendant's participation is for any reason terminated before his
 10 successful completion of the rehabilitation program, collection of
 11 the entire penalty imposed pursuant to this section shall be
 12 enforced. Nothing in this section shall be deemed to affect or
 13 suspend any other criminal sanctions imposed pursuant to this
 14 chapter or chapter 36 of this title.

15 (cf: P.L.1988, c.44, s.6)

16 17. (New section) ³[Four] Two³ years after the date of
 17 enactment of this ³[1988]³ amendatory and supplementary act,
 18 the Governor shall contract with an independent evaluator who
 19 shall review and evaluate the effectiveness of the Governor's
 20 Council on Alcoholism and Drug Abuse in, but not of, the
 21 Department of the Treasury and the Division on Alcoholism and
 22 Drug Abuse in the Department of Health. Within one year after
 23 being appointed, the evaluator shall make recommendations to
 24 the Governor and the Legislature regarding the continuation of
 25 the council and the organization of the division as they are
 26 structured pursuant to P.L....., c.....(C.....) (now pending
 27 before the Legislature as this bill).

28 18. (New section) The funding mechanisms³, including the
 29 awarding of grants for drug abuse services by the Department of
 30 Health,³ that are in effect on the date of enactment of P.L.,
 31 c. ... (C.) (now pending before the Legislature as this bill) for
 32 alcoholism services and drug abuse services, exclusively, shall
 33 continue ⁵[for two years after the effective date of this act
 34 or³]⁵ until such time as recommendations of the Governor's
 35 Council on Alcoholism and Drug Abuse pursuant to P.L.,
 36 c. ... (C.) (now pending before the Legislature as this bill) are
 37 ⁵[adopted] approved⁵ by the Commissioner of Health⁵[³,
 38 whichever date is later³] and enacted into law⁵.

39 ⁴[19. ³[1a.¹ There is appropriated to the Governor's Council

1 on Alcoholism and Drug Abuse¹[, in, but not of, the Department
 of the Treasury, \$250,000.00]¹ from the General Fund ¹the sum
 3 of \$2,900,000 for the purposes of the Alliance to Prevent
Alcoholism and Drug Abuse.

5 b. There is appropriated to the Council from the General Fund
the sum of \$800,000 for the purpose of hiring an executive
 7 director and staff and for administrative costs and support
services¹.] There is appropriated to the Alliance to Prevent
 9 Alcoholism and Drug Abuse in the Governor's Council on
Alcoholism and Drug Abuse \$2,000,000 from the "Drug
 11 Enforcement and Demand Reduction Fund" established pursuant
to N.J.S. 2C:35-15, for grants to municipalities and counties.³⁴

13 ¹[20. There is appropriated to the Division of Alcoholism and
 Drug Abuse in the Department of Health \$4,250,000.00 from the
 15 General Fund.

a. Of this appropriation, \$2,000,000.00 is allocated to the
 17 Alliance to Prevent Alcoholism and Drug Abuse for grants to
 municipalities and counties and \$250,000.00 is allocated to the
 19 Alliance for administrative costs. The Division of Alcoholism and
 Drug Abuse shall repay the General Fund the total amount of this
 21 \$2,000,000.00 appropriation allocated to the Alliance from the
 initial sums the division receives from the "Drug Enforcement
 23 and Demand Reduction Fund" established pursuant to
 N.J.S.2C:35-15.

25 b. Of this appropriation, \$2,000,000.00 is allocated for drug
 abuse prevention and treatment programs.]¹

27 ⁴[³20.] ¹⁹.⁴ There is appropriated to the Governor's Council
on Alcoholism and Drug Abuse ⁴[\$500,000] \$300,000⁴ from the
 29 General Fund for administrative costs.³

⁴[³21.] ²⁰.⁴ There is appropriated to the ⁴[Division of
 31 Alcoholism and Drug Abuse in the]⁴ Department of Health
\$2,000,000 from the General Fund for State licensed or approved
 33 drug abuse prevention and treatment programs.³ ⁴The
department shall distribute the moneys appropriated herein
 35 within 90 days of the effective date of this section.⁴

¹[21.] ³[²⁰.¹] ⁴[²².³] ²¹.⁴ Section 4 of P.L.1975, c.305
 37 (C.26:2B-10) and P.L.1983, c.304 (C.26:2G-4.1 et seq.) are
 repealed.

39 ¹[22.] ³[²¹.¹] ⁴[²³.³] ²².⁴ This act shall take effect on the

1 ³[90th] 120th³ day after enactment ¹[, except that sections 12,
13 and 14 shall take effect two years after the date of
3 enactment]¹ ⁴, except that sections 20 and 22 shall take effect
immediately⁴.

5

7

HEALTH
Alcohol and Drug Abuse

9

11 Establishes a Governor's Council on Alcoholism and Drug Abuse,
a Division of Alcoholism and Drug Abuse, and an Alliance to
Prevent Alcoholism and Drug Abuse and appropriates \$2,300,000.

1 before the Legislature as this bill) are adopted by the
Commissioner of Health.

3 19. There is appropriated to the Governor's Council on
Alcoholism and Drug Abuse, in, but not of, the Department of the
5 Treasury, \$250,000.00 from the General Fund.

7 20. There is appropriated to the Division of Alcoholism and
Drug Abuse in the Department of Health \$4,250,000.00 from the
General Fund.

9 a. Of this appropriation, \$2,000,000.00 is allocated to the
Alliance to Prevent Alcoholism and Drug Abuse for grants to
11 municipalities and counties and \$250,000.00 is allocated to the
Alliance for administrative costs. The Division of Alcoholism and
13 Drug Abuse shall repay the General Fund the total amount of this
\$2,000,000.00 appropriation allocated to the Alliance from the
15 initial sums the division receives from the "Drug Enforcement
and Demand Reduction Fund" established pursuant to N.J.S.
17 2C:35-15.

b. Of this appropriation, \$2,000,000.00 is allocated for drug
19 abuse prevention and treatment programs.

21 21. Section 4 of P.L. 1975, c. 305 (C. 26:2B-10) and P.L. 1983,
c. 304 (C. 26:2G-4.1 et seq.) are repealed.

23 22. This act shall take effect on the 90th day after enactment,
except that sections 12, 13 and 14 shall take effect two years
after the date of enactment.

25

STATEMENT

27

This bill creates a 24-member Governor's Council on
29 Alcoholism and Drug Abuse in, but not of, the Department of the
Treasury, and merges the existing Division of Alcoholism and the
31 Division of Narcotic and Drug Abuse Control into a new Division
of Alcoholism and Drug Abuse. The council and the new division
33 are established to enhance the coordination and integration of the
State's planning and provision of prevention, treatment,
35 research, evaluation and education services for, and public
awareness of, alcoholism and drug abuse.

37 The Governor's Council shall include the Attorney General, the
Commissioners of the Departments of Labor, Education, Human
39 Services, Health, Community Affairs, Personnel and Corrections,
the Chancellor of Higher Education and the Administrative
41 Director of the Courts of the Administrative Office of the Courts
as ex officio members. The public members will be selected for

1 their knowledge, competence, experience or interest in the
treatment or prevention of alcoholism and drug abuse. Ten of the
3 14 public members will be appointed by the Governor with the
advice and consent of the Senate, two will be appointed by the
5 President of the Senate and two will be appointed by the Speaker
of the General Assembly. At least two of the public members
7 shall be rehabilitated alcoholics and at least two shall be
rehabilitated drug abusers.

9 The council is authorized and empowered to:

11 1. Review and coordinate all State departments' efforts in
regard to the planning and provision of treatment, prevention,
research, evaluation and education services for, and public
13 awareness of, alcohol and drug abuse;

15 2. Prepare and implement an annual comprehensive plan for the
treatment, prevention, research, evaluation, education and public
awareness of alcohol and drug abuse for this State;

17 3. Encourage the development or expansion of employee
assistance programs for employees in both government and the
19 private sector;

21 4. Recommend to the Governor and the Legislature appropriate
allocation of all State and federal funds for the treatment,
prevention and research of alcoholism and drug abuse, in
23 accordance with the regular budget cycle;

25 5. Evaluate the existing funding mechanisms for alcoholism and
drug abuse services and recommend to the Governor and the
Legislature any changes which may improve the coordination of
27 services to citizens in this State; and

29 6. Collect from any State, county, local governmental entity or
any other appropriate source data, reports, statistics or other
materials which are necessary to carry out the council's
31 functions.

The bill also establishes a Division of Alcoholism and Drug
33 Abuse in the Department of Health, which shall be administered
by a Deputy Commissioner of Health. All the functions, powers
35 and duties of the Director of the Division of Alcoholism and the
Director of the Division of Narcotic and Drug Abuse Control are
37 transferred and vested in the Deputy Commissioner of Health for
the Division of Alcoholism and Drug Abuse. Within the division,
39 the bill establishes an Alliance to Prevent Alcoholism and Drug

1 Abuse to create a network comprised of all the communities in
the State which is dedicated to a comprehensive and coordinated
3 effort against alcoholism and drug abuse. The Alliance will be a
mechanism both for implementing policies to reduce alcoholism
5 and drug abuse at the municipal level and for providing funds,
including moneys from mandatory penalties on drug offenders, to
7 member communities to support appropriate municipal-based
alcohol and drug abuse education and public awareness activities.

9 The bill replaces the current local citizens' advisory
committees on alcoholism with local Advisory Committees on
11 Alcoholism and Drug Abuse and directs them to establish a
County Alliance Steering Subcommittee, which shall include
13 among its members private citizens and representatives of
various community-based public and private agencies. The
15 functions of the County Alliance Steering Subcommittee shall
include: development and submission of a County Annual Alliance
17 Plan for the expenditure of funds derived from the "Drug
Enforcement and Demand Reduction Fund," N.J.S. 2C:35-15.
19 development of programs and fiscal guidelines for the awarding
of funds to counties and municipalities for drug and alcohol
21 Alliance activities, identification of a network of community
leadership for expansion, replication and development of
23 successful community model programs throughout the county, and
coordination of projects among municipalities to assure cost
25 effectiveness and avoid fragmentation and duplication.

The governing body of each municipality shall appoint a
27 Municipal Alliance Committee to identify alcoholism and drug
prevention, education and community needs and to implement the
29 Alliance programs.

The Local Advisory Committee on Alcoholism and Drug Abuse
31 will review and approve the County Annual Alliance Plan and
submit the plan to the Division of Alcoholism and Drug Abuse in
33 the Department of Health and to the Governor's Council on
Alcoholism and Drug Abuse for inclusion in the annual
35 comprehensive plan prepared by the council.

The bill provides for an independent evaluation of the
37 effectiveness of the Governor's Council on Alcoholism and Drug
Abuse and the Division on Alcoholism and Drug Abuse to be
39 conducted four years after the date of enactment of this bill by
an evaluator selected by the Governor.

1 The bill amends sections 3,4 and 5 of P.L. 1983, c. 531 (C.
 26:2B-32, 26:2B-33 and 26:2B-34) to expand citizens' advisory
 3 committees on alcoholism to include drug abuse, and to abolish
 the advisory commission to the Alcohol Education, Rehabilitation
 5 and Enforcement Fund. Within two years after the date of
 enactment of the bill, the citizens' advisory committees on
 7 alcoholism will become the Local Advisory Committees on
 Alcoholism and Drug Abuse, and their responsibilities will include
 9 assisting the governing body of the county with the preparation of
 an annual comprehensive plan for the provision of services to
 11 meet the needs of alcoholics and drug abusers.

The bill also amends N.J.S. 2C:35-15 so that funds which would
 13 have been forwarded to the Department of Law and Public Safety
 would be forwarded, instead, to the Department of Health and
 15 would be used by the Division of Alcoholism and Drug Abuse for
 the Alliance to Prevent Alcoholism and Drug Abuse.

17 The bill repeals the "New Jersey Drug Abuse Advisory Council
 Act of 1982," P.L. 1983, c. 304 (C. 26:2G-4.1 et seq.) and section
 19 4 of P.L. 1975, c. 305 (C. 26:2B-10), which established an
 advisory council on alcoholism in the Division of Alcoholism.

21 Finally, the bill appropriates \$250,000.00 to the Governor's
 Council on Alcoholism and Drug Abuse the Department of the
 23 Treasury and \$4,250,000.00 to the Division of Alcoholism and
 Drug Abuse in the Department of Health. Of this \$4,250,000.00
 25 appropriation, \$2,000,000.00 is allocated to the Alliance to
 Prevent Alcoholism and Drug Abuse for grants to municipalities
 27 and counties, \$250,000.00 is allocated to the Alliance for
 administrative costs, and \$2,000,000.00 is allocated for drug
 29 abuse prevention and treatment programs.

31

HEALTH

Alcohol and Drug Abuse

33

Establishes a Governor's Council on Alcoholism and Drug Abuse,
 35 a Division of Alcoholism and Drug Abuse, and an Alliance to
 Prevent Alcoholism and Drug Abuse and appropriates \$4,500,000.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1774

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MAY 19, 1988

The Assembly Appropriations Committee favorably reports Assembly Bill No. 1774 with committee amendments.

Assembly Bill 1774, as amended, creates the Governor's Council on Alcoholism and Drug Abuse in, but not of, the Department of the Treasury, and merges the existing Division of Alcoholism and the Division of Narcotic and Drug Abuse Control in the Department of Health into a new Division of Alcoholism and Drug Abuse. The bill also appropriates \$3,700,000.00 to the Governor's Council to effectuate the purposes of the act, of which \$2,900,000.00 is a loan to be repaid to the General Fund.

The Governor's Council shall consist of 10 department officials and 14 public members. Within the council, the bill establishes an Alliance to Prevent Alcoholism and Drug Abuse to create a network comprised of all the communities in the State which is dedicated to a comprehensive and coordinated effort against alcoholism and drug abuse. The Alliance will be a mechanism both for implementing policies to reduce alcoholism and drug abuse at the county and municipal level and for providing funds, which include monies from mandatory penalties on drug offenders, to member communities to support appropriate county- and municipal-based alcohol and drug abuse education and public awareness activities.

Among the council's powers are the power to:

1. Review and coordinate all State departments' efforts regarding alcohol and drug abuse programs;
2. Prepare and implement an annual comprehensive plan for the treatment, prevention, research, evaluation, education and public awareness of alcohol and drug abuse for this State;

3. Award grants to counties and municipalities for local Alliance programs;

4. Evaluate the existing funding mechanisms for alcoholism and drug abuse services and recommend to the Governor and the Legislature any changes which may improve the coordination of services to citizens in this State; and

5. Collect from any State, county, local governmental entity or any other appropriate source data, reports, statistics or other materials which are necessary to carry out the council's functions.

The bill also establishes a Division of Alcoholism and Drug Abuse in the Department of Health, which shall be administered by a Deputy Commissioner of Health. All the functions, powers and duties of the Director of the Division of Alcoholism and the Director of the Division of Narcotic and Drug Abuse Control are transferred and vested in the Deputy Commissioner of Health for the Division of Alcoholism and Drug Abuse.

The bill replaces the current local citizens' advisory committees on alcoholism with Local Advisory Committees on Alcoholism and Drug Abuse and directs them to establish a County Alliance Steering Subcommittee. The governing body of each municipality shall appoint a Municipal Alliance Committee to identify alcoholism and drug prevention, education and community needs and to implement the Alliance programs.

Finally, the bill provides for an independent evaluation of the effectiveness of the Governor's Council on Alcoholism and Drug Abuse and the Division of Alcoholism and Drug Abuse to be conducted four years after the date of enactment of this bill by an evaluator selected by the Governor. In addition, the bill repeals the "New Jersey Drug Abuse Advisory Council Act of 1982," P.L. 1983, c. 304 (C. 26:2G-4.1 et seq.) and section 4 of P.L. 1975, c. 305 (C. 26:2B-10), which established an advisory council on alcoholism in the Division of Alcoholism.

FISCAL IMPACT:

The bill appropriates \$3,700,000.00 from the General Fund to the Governor's Council on Alcoholism and Drug Abuse. Of this amount, \$800,000.00 is appropriated for the hiring of an executive director and staff and providing support services for the council.

Also, \$2,900,000.00 of the appropriation, for the purpose of the Alliance, is a zero interest loan to the council to be repaid to the General Fund from the monies collected in the "Drug Enforcement and Demand Reduction Fund." In addition, the bill provides that the council shall not accept or receive any monies from sources other than monies appropriated from the "Drug Enforcement and Demand Reduction Fund," any monies appropriated for the operating expenses of the council, and monies appropriated pursuant to this bill.

COMMITTEE AMENDMENTS:

The committee amendments provide that the Governor's Council on Alcoholism and Drug Abuse shall coordinate the efforts of the State concerning alcohol and drug abuse programs, instead of the Division of Alcohol and Drug Abuse in the Department of Health. In addition, the amendments reduce the total appropriation from \$4,500,000.00 to \$3,700,000.00 and provide that the council shall repay the General Fund \$2,900,000.00 from moneys deposited in the "Drug Enforcement and Demand Reduction Fund." Other amendments are technical and clarifying in nature and include the deletion of a local cap exception since the money local governments would receive under the bill are already cap exempt.

SENATE INSTITUTIONS, HEALTH AND WELFARE COMMITTEE

STATEMENT TO

[SECOND REPRINT]

ASSEMBLY, No. 1774

with Senate committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 10, 1988

The Senate Institutions, Health and Welfare committee favorably reports Assembly Bill No. 1774 (2R) with committee amendments.

As amended by committee, this bill creates a 24-member Governor's Council on Alcoholism and Drug Abuse in, but not of, the Department of the Treasury, and merges the existing Division of Alcoholism and the Division of Narcotic and Drug Abuse Control into a new Division of Alcoholism and Drug Abuse. The council and the new division are established to enhance the coordination and integration of the State's planning and provision of prevention, treatment, research, evaluation and education services for, and public awareness of, alcoholism and drug abuse.

The Governor's council shall include the Attorney General, the Commissioners of the Departments of Labor, Education, Human Services, Health, Community Affairs, Personnel and Corrections, the Chancellor of Higher Education and the Administrative Director of the Administrative Office of the Courts as ex officio members. Ten of the 14 public members will be appointed by the Governor with the advice and consent of the Senate, two will be appointed by the President of the Senate and two will be appointed by the Speaker of the General Assembly. At least two of the public members shall be rehabilitated alcoholics and at least two shall be rehabilitated drug abusers.

The council is authorized and empowered to:

1. Review and coordinate all State departments' efforts in regard to the planning and provision of treatment, prevention, research, evaluation and education services for, and public awareness of, alcohol and drug abuse;

2. Prepare and implement the Comprehensive Statewide Alcoholism and Drug Abuse Master Plan for the treatment, prevention, research, evaluation, education and public awareness of alcohol and drug abuse for this State. The bill establishes a specific time frame for the preparation of the plan;

3. Review the County Annual Alliance Plan for each county and the division's recommendations for awarding Alliance grants and return the plan to the Local Advisory Committee on Alcoholism and Drug Abuse with the council's recommendations for awarding the grants;

4. Submit to the Governor and the Legislature the Comprehensive Statewide plan which includes recommended appropriate allocations of all State and federal funds for the treatment, prevention and research of alcoholism and drug abuse, in accordance with the regular budget cycle;

5. Distribute Alliance grants to local governments;

6. Evaluate the existing funding mechanisms for alcoholism and drug abuse services and recommend to the Governor and the Legislature any changes which may improve the coordination of services to citizens in this State;

7. Encourage the development or expansion of employee assistance programs for employees in both government and the private sector;

8. Evaluate the need for, and feasibility of, including other addictions, such as smoking and gambling, within the scope of the council; and

9. Collect from any State, county, local governmental entity or any other appropriate source, data, reports, statistics or other materials which are necessary to carry out the council's functions.

The Division of Alcoholism and Drug Abuse established in this bill shall be administered by a Deputy Commissioner of Health. The bill transfers all the functions, powers and duties of the current Director of the Division of Alcoholism and the Director of the Division of Narcotic and Drug Abuse Control and vests them in the Deputy Commissioner of Health for the Division of Alcoholism and Drug Abuse.

The bill also establishes an Alliance to Prevent Alcoholism and Drug Abuse within the Governor's council to create a network comprised of all the communities in the State which is dedicated to a comprehensive and coordinated effort against alcoholism and drug abuse. The Alliance will be a mechanism both for implementing policies to reduce alcoholism and drug abuse at the municipal level and for providing funds, including moneys from

mandatory penalties on drug offenders, to member communities to support appropriate county and municipal-based alcohol and drug abuse education and public awareness activities.

The bill provides for an independent evaluation of the effectiveness of the Governor's Council on Alcoholism and Drug Abuse and the Division on Alcoholism and Drug Abuse, to be conducted two years after the date of enactment of this bill by an evaluator selected by the Governor.

The bill amends sections 3, 4 and 5 of P.L.1983, c.531 (C.26:2B-32, 26:2B-33 and 26:2B-34) to expand citizens' advisory committees on alcoholism to include drug abuse, and to abolish the advisory commission to the Alcohol Education, Rehabilitation and Enforcement Fund. Within six months after the date of enactment of the bill, the citizens' advisory committees on alcoholism will become the Local Advisory Committees on Alcoholism and Drug Abuse, and their responsibilities will include assisting the governing body of the county with the preparation of an annual comprehensive plan for the provision of services to meet the needs of alcoholics and drug abusers.

The bill also amends N.J.S.2C:35-15, which establishes the "Drug Enforcement and Demand Reduction Fund," so that funds which would have been forwarded to the Department of Law and Public Safety would be forwarded, instead, to the Department of the Treasury and would be used to fund the Alliance to Prevent Alcoholism and Drug Abuse and other alcohol and drug abuse programs. The monies shall not be used to fund administrative costs.

The bill repeals the "New Jersey Drug Abuse Advisory Council Act of 1982," P.L.1983, c.304 (C.26:2G-4.1 et seq.) and section 4 of P.L.1975, c.305 (C.26:2B-10), which established an advisory council on alcoholism in the Division of Alcoholism.

Finally, the bill appropriates \$2,500,000 to the Governor's Council on Alcoholism and Drug Abuse in the Department of the Treasury and \$2,000,000 to the Division of Alcoholism and Drug Abuse in the Department of Health. Of the \$2,500,000 appropriation, \$2,000,000 is appropriated from the "Drug Enforcement and Demand Reduction Fund," (N.J.S.2C:35-15) and is allocated to the Alliance to Prevent Alcoholism and Drug Abuse for grants to municipalities and counties. The remaining \$500,000, from the General Fund, is allocated to the council for administrative costs. The \$2,000,000 appropriated to the division is allocated for State licensed and approved drug abuse prevention and treatment programs.

The committee amended the bill to be identical to the Senate Committee Substitute for Senate Bill Nos. 2921 (Russo) and 1891 (Ewing), which the committee also reported on this date.

The amendments clarify the purposes of the Governor's council and establish specific time frames for the development of the Comprehensive Statewide Alcoholism and Drug Abuse Master Plan and the local planning process for the distribution of Alliance grants. Also, they require the Commissioner of Health to report annually to the Governor and the Legislature on the activities of the new Division of Alcoholism and Drug Abuse and to include in the report an assessment of the adequacy of the current delivery of treatment services in the State and of the need for additional treatment services. The amendments reinsert the provisions of subsection d. of section 7 which provide that Alliance monies received by local governments shall not be included in the local budget cap (this provision had been deleted by committee amendment in the General Assembly). The amendments also change the appropriation in the bill from \$3.7 million to \$4.5 million, by adding an appropriation of \$2 million from the General Fund to the Department of Health for drug treatment and prevention programs and decreasing the appropriations for the Alliance and the Governor's Council from \$2.9 million and \$.8 million, respectively, to \$2 million and \$.5 million, respectively. The amendments also provide that the \$2 million for the Alliance is appropriated directly from the "Drug Enforcement and Demand Reduction Fund" (N.J.S.2C:35-15), rather than as a loan from the General Fund to be repaid from monies received from the "Drug Enforcement and Demand Reduction Fund," as the bill originally provided. Other amendments are technical and make the bill identical to the Senate Committee Substitute.

SENATE REVENUE, FINANCE AND
APPROPRIATIONS COMMITTEE

STATEMENT TO

[THIRD REPRINT]

ASSEMBLY, No. 1774

with Senate committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 21, 1988

The Senate Revenue, Finance and Appropriations Committee reported Assembly Bill 1774 (3R), favorably, with committee amendments.

Assembly Bill 1774 (3R), as amended, creates a 24-member Governor's Council on Alcoholism and Drug Abuse in, but not of, the Department of the Treasury, and merges the existing Division of Alcoholism and the Division of Narcotic and Drug Abuse Control into a new Division of Alcoholism and Drug Abuse in the Department of Health. The council and the new division are established to enhance the coordination and integration of the State's planning and provision of prevention, treatment, research, evaluation and education services for, and public awareness of, alcoholism and drug abuse. In addition, the bill appropriates \$2,300,000 from the General Fund, of which \$300,000 is for the council and \$2,000,000 is for drug abuse treatment programs.

The council's powers include:

1. Reviewing and coordinating all State departments' efforts in regard to the planning and provision of treatment, prevention, research, evaluation and education services for, and public awareness of, alcohol and drug abuse;
2. Preparing and implementing the Comprehensive Statewide Alcoholism and Drug Abuse Master Plan for the treatment, prevention, research, evaluation, education and public awareness of alcohol and drug abuse for the State;

3. Reviewing the County Annual Alliance Plan for each county and the division's recommendations for awarding Alliance grants and returning the plan to the Local Advisory Committee on Alcoholism and Drug Abuse with the council's recommendations for awarding the grants;

4. Submitting to the Governor and the Legislature the Comprehensive Statewide plan which includes recommendations for appropriate allocations of all State and federal funds for the treatment, prevention and research of alcoholism and drug abuse, in accordance with the regular budget cycle; and

5. Distributing Alliance grants to local governments.

The Division of Alcoholism and Drug Abuse shall be administered by a Deputy Commissioner of Health. The bill transfers all the functions, powers and duties of the current Director of the Division of Alcoholism and the Director of the Division of Narcotic and Drug Abuse Control and vests them in the Deputy Commissioner of Health for the Division of Alcoholism and Drug Abuse.

The bill also establishes an Alliance to Prevent Alcoholism and Drug Abuse within the Governor's council to create a network comprised of all the communities in the State which is dedicated to a comprehensive and coordinated effort against alcoholism and drug abuse. The Alliance will be a mechanism both for implementing policies to reduce alcoholism and drug abuse at the municipal level and for providing funds, including moneys from mandatory penalties on drug offenders, to member communities to support appropriate county and municipal-based alcohol and drug abuse education and public awareness activities.

The bill provides for an independent evaluation of the effectiveness of the Governor's Council on Alcoholism and Drug Abuse and the Division on Alcoholism and Drug Abuse, to be conducted two years after the date of enactment of this bill by an evaluator selected by the Governor.

The bill also amends N.J.S.2C:35-15, which establishes the "Drug Enforcement and Demand Reduction Fund," so that funds which would have been forwarded to the Department of Law and Public Safety would be forwarded, instead, to the Department of the Treasury and would be used to fund the Alliance to Prevent Alcoholism and Drug Abuse and other alcohol and drug abuse programs. The money shall not be used to fund administrative costs.

The bill repeals the "New Jersey Drug Abuse Advisory Council Act of 1982," P.L.1983, c.304 (C.26:2G-4.1 et seq.) and section 4 of P.L.1975, c.305 (C.26:2B-10), which established an advisory council on alcoholism in the Division of Alcoholism.

This bill, as amended, is identical to Senate Bill Nos. 2921 and 1891 SCS, as amended.

COMMITTEE AMENDMENTS

The committee amendments delete the \$2,000,000 appropriation from the "Drug Enforcement and Demand Reduction Fund" to the Alliance to Prevent Alcoholism and Drug Abuse. Based on the provisions of the bill, the money would not be distributed until August 1990, and so the appropriation may be included in the State FY 1991 appropriations act. The amendments also reduce the appropriation to the Governor's Council on Alcoholism and Drug Abuse from \$500,000 to \$300,000 and provide that the \$2,000,000 appropriated from the General Fund to the Department of Health shall be distributed within 90 days of enactment. In addition, the amendments delete the local cap exception as State aid moneys are already cap exempt and provide that a representative of the local bargaining unit for teachers may be included on a Municipal Alliance Committee.

FISCAL IMPACT

This bill, as amended, appropriates \$2,300,000 from the General Fund, of which \$300,000 is to the Governor's Council on Alcoholism and Drug Abuse for administrative costs and \$2,000,000 is to the Department of Health for drug abuse prevention and treatment programs. The department is required to distribute the money within 90 days of enactment.

The bill provides that moneys in the Drug Enforcement and Demand Reduction Fund shall be appropriated by the Legislature annually, for the purposes of funding the Alliance and alcohol and drug abuse programs. These moneys shall not be used for administrative costs.

LEGISLATIVE FISCAL ESTIMATE TO

[FIRST REPRINT]

ASSEMBLY, No. 1774

STATE OF NEW JERSEY

DATED: October 11, 1988

Assembly Bill No. 1774 [1R] of 1988 creates a 24-member Governor's Council on Alcoholism and Drug Abuse in, but not of, the Department of the Treasury and merges the existing Divisions of Alcoholism and Narcotic and Drug Abuse Control into a new Division of Alcoholism and Drug Abuse to be administered by a Deputy Commissioner of Health. The bill creates an Alliance to Prevent Alcoholism and Drug Abuse in the Governor's Council and makes numerous other administrative changes which are intended to better coordinate State activities in the areas of alcoholism and drug abuse. The bill appropriates \$3,700,000 to the Governor's Council on Alcoholism and Drug Abuse, of which \$2,900,000 is a loan to be repaid to the General Fund from penalties collected in the Drug Enforcement and Demand Reduction Fund. The remaining \$800,000 is for administrative costs of the council.

The Department of Health and the Office of Management and Budget (OMB) have not provided fiscal information regarding Assembly Bill No. 1774 [1R] though they have provided information on the bill prior to its being amended. The amendments adopted to the bill make significant changes in the bill's appropriation. However, in the fiscal information on that bill the department and OMB indicate that it will expend funds in accordance with the amount appropriated.

The Office of Legislative Services is not able to determine whether the various appropriations are adequate for their intended purposes but concurs with the department's statement that it will operate programs within the amount appropriated.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

STATEMENT TO SENATE FLOOR AMENDMENT

STATEMENT

These amendments provide that the funding mechanisms for drug and alcohol abuse services that are currently in effect, shall remain in effect until such time as the recommendations of the Governor's Council on Alcoholism and Drug Abuse for changes in these mechanisms are approved by the Commissioner of Health and enacted into law.

The bill currently provides that the mechanisms would remain in effect for at least two years or until the Commissioner of Health adopted the council's recommendations, whichever date is later.



OFFICE OF THE GOVERNOR

NEWS RELEASE

Governor Thomas H. Kean
TRENTON, N.J. 08625
Release: MON., 3/27/89

CN-001

Contact: CARL GOLDEN
609-292-8956 OR 609-292-6000 EXT. 207

Governor Thomas H. Kean today signed legislation creating the Governor's Council on Alcoholism and Drug Abuse to bring together county, municipal and state programs into an alliance to combat narcotic and substance abuse.

The establishment of the council and the statewide alliance as a \$2.3 million state program fulfills the Governor's recommendation contained in his "Blueprint for a Drug Free New Jersey."

The legislation, signed in a ceremony in the Governor's office, was sponsored in the Assembly as A-1774, by Assemblyman Walter Kern, R-Bergen, and Assemblywoman Maureen Ogden, R-Essex. It was merged with a Senate bill, S-2921, sponsored by Senator John Russo, D-Ocean.

The bill creates the council as well as the Alliance to Prevent Alcoholism and Drug Abuse, and merges two existing divisions within the Department of Health into the Division of Alcoholism and Drug Abuse.

"When I offered the Blueprint for a Drug Free New Jersey, I emphasized the need for the greatest possible coordination and involvement by state and local governments if our anti-drug efforts were to be successful," Kean said. "I am pleased to say that, with the legislation signed today, we will bring that coordination and cooperation to this fight."

The 24-member council will approve the distribution of grant funds to county and local level members of the Alliance to support substance abuse programs.

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The funds will be derived from the Drug Enforcement and Demand Reduction Fund, created in 1987 when the Governor signed a comprehensive overhaul of the state's anti-drug laws. The enforcement and reduction fund is supported through additional fines levied for convictions on drug charges.

Of the \$2.3 million appropriated by the bill Kean signed today, \$2 million will be used as grants to drug treatment centers throughout the state. The remainder is for administrative and staff expenses.

The grants to units of the alliance will be used to fund programs involving schools, business groups, law enforcement agencies, and other community organizations designed to reduce drug and alcohol abuse.

"This legislation will create a statewide network involving all 21 counties and all 567 communities in New Jersey and enlist all elements in those communities in the fight against narcotics and alcohol abuse," Kean said. "Our law enforcement efforts will not be curtailed or restrained and drug dealers have just as much to fear as they have always had.

"The idea upon which the Alliance is based is that the war will be won only if programs of education, awareness, treatment and discipline are fully supported by the community," Kean said.

The law takes effect in 120 days, while the appropriation is effective immediately.

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REMARKS OF GOVERNOR THOMAS H. KEAN
BILL SIGNING FOR ALCOHOL AND DRUG ABUSE
TRENTON, NEW JERSEY
MONDAY, MARCH 27, 1989

LAST MAY, TWO STATE TROOPERS ON ROUTINE PATROL ON INTERSTATE 80 IN WARREN COUNTY NOTICED A PICKUP TRUCK DRIVING ERRATICALLY.

THE TROOPERS PULLED THE DRIVER OVER AND QUESTIONED HIM. THEY REALIZED PRETTY QUICKLY THAT SOMETHING ODD WAS GOING ON. THE DRIVER WAS VERY NERVOUS AND GETTING MORE SO BY THE SECOND.

SO THE TROOPERS DECIDED TO SEARCH THE TRUCK. THEY STRUCK PAYDIRT -- OR, MORE ACCURATELY, TWO HUNDRED AND TWENTY POUNDS OF COCAINE WORTH \$5 MILLION HIDDEN IN A SPECIAL COMPARTMENT OF THAT CHEVY SILVERADO.

WELL, THE DRIVER WAS ARRESTED, AND THE DOPE NEVER MADE IT TO THE STREETS OF OUR CITIES AND TOWNS. THE GOOD GUYS WON THAT TIME.

THE GOOD GUYS ARE WINNING MORE AND MORE THESE DAYS. LAST YEAR, DRUG ARRESTS BY THE STATE POLICE CLIMBED A STAGGERING 95 PERCENT OVER THE YEAR BEFORE. THAT MEANS WE'RE ARRESTING NEARLY TWICE AS MANY DRUG DEALERS AS WE DID BEFORE.

THAT'S BECAUSE WE INCREASED THE NUMBER OF TROOPERS AND POLICE OFFICERS PATROLLING OUR STREETS. THAT'S BECAUSE OUR POLICE ARE FOLLOWING THE STRATEGIC PLAN DRAWN UP BY FORMER ATTORNEY GENERAL, CARY EDWARDS.

WE ALSO OWE OUR SUCCESS TO THE VERY STIFF LAWS THAT WE PASSED DURING THE PAST FEW YEARS.

THE DRUG-FREE SCHOOL ZONE ACT PUTS PUSHERS AWAY FOR SELLING DRUGS NEAR OUR SCHOOLS.

AND THE COMPREHENSIVE DRUG ACT I SIGNED TWO YEARS AGO MEANS WE HAVE SOME OF THE TOUGHEST SENTENCES FOR DRUG SELLING IN THE COUNTRY. I DON'T KNOW HOW MANY OF YOU REALIZE THIS, BUT RIGHT NOW THE ONLY CRIME WE TREAT MORE SERIOUSLY THAN LEADING A DRUG RING IS MURDER.

AS TOUGH AS THOSE LAWS ARE, AS VIGILANT AS THOSE TROOPERS ARE, WE STILL AREN'T WINNING ALL THE BATTLES. THE GOOD GUYS ARE WINNING, BUT THEY NEED TO WIN MORE.

THREE YEARS AGO, I UNVEILED MY BLUEPRINT FOR A DRUG-FREE NEW JERSEY. I KNEW THEN WHAT I'M TELLING YOU NOW: NO MATTER HOW MANY OF THE DRUG-LADEN CHEVY SILVERADOS WE CATCH, SOME DRUG DEALERS ARE GOING TO FIND THEIR WAY INTO NEW JERSEY.

THE POLICE CANNOT DO IT ALONE. IN FACT, THE ENTIRE GOVERNMENT CAN'T BEAT DRUGS ON ITS OWN. WE WILL NEVER CONQUER THE DRUG MENACE UNTIL WE ENLIST EVERY NEW JERSEYAN IN THIS FIGHT TO THE DEATH AGAINST DRUGS.

AND IT IS A FIGHT TO THE DEATH. SURVEYS SHOW THAT TWO-THIRDS OF OUR HIGH SCHOOL STUDENTS WILL HAVE TRIED DRUGS BEFORE THEY GRADUATE. A FIFTH SAY THEY USE DRUGS OR ALCOHOL REGULARLY.

MORE THAN HALF OF ALL THE CRIME COMMITTED IN NEW JERSEY IS DRUG RELATED.

FINALLY, ALCOHOLISM AND DRUG USE TAKE THEIR TOLL FINANCIALLY, AS WELL. ABUSE COSTS NEW JERSEY ABOUT \$7 BILLION LAST YEAR.

JUST A FEW YEARS AGO, PEOPLE THOUGHT CRACK WAS SOMETHING YOU STEP ON IN THE SIDEWALK, AND COKE MERELY A SODA. TODAY WE ALL KNOW TOO WELL THAT DRUG AND ALCOHOL ABUSE HAS BECOME A PLAGUE THAT RAVAGES FAMILIES, NEIGHBORHOODS AND CITIES. IT'S A PLAGUE THAT COUNTS ITS CASUALTIES IN POLICE BLOTTERS, COURTROOM DOCKETS, HOSPITAL EMERGENCY ROOMS AND RUINED LIVES.

DO YOU KNOW WHAT STUNS ME ABOUT THE DRUG MENACE? WHAT REALLY STUNS ME?

I KNOW THAT SOME 145,000 PEOPLE USE DRUGS REGULARLY. ADDICTS NEED HELP. THEY NEED TREATMENT, AND WE ARE WILLING TO HELP.

BUT WHAT IS MIND-BOGGLING IS THAT WE HAVE 735,000 USING DRUGS FOR FUN. THEY CALL IT "RECREATIONAL" DRUG USE, BUT IT IS THE MOST DEADLY RECREATION THAT I KNOW.

THESE ARE THE PEOPLE WE CAN AND MUST REACH. WE HAVE TO PERSUADE THEM THAT THEIR "FUN" COSTS US BILLIONS A YEAR AND COUNTLESS LIVES.

WHEN I CREATED MY BLUEPRINT, I ENVISIONED A PLAN THAT WOULD GIVE US THE TOOLS WE NEED TO REACH THESE PEOPLE. I WANTED A PLAN THAT DEPENDED MORE ON PEOPLE THAN ON GOVERNMENT.

THANKS TO ASSEMBLYWOMAN MAUREEN ODGEN AND ASSEMBLYMAN WALTER KERN, THE BILL I WILL SIGN INTO LAW TODAY WILL GIVE US THOSE TOOLS. MAUREEN AND WALTER, EVERY NEW JERSEYAN OWES YOU A NOD OF THANKS FOR YOUR ESSENTIAL WORK.

THIS NEW LAW WILL CREATE ONE BODY TO COORDINATE OUR DRUG POLICIES AT THE STATE LEVEL. AND THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE WILL DO MORE THAN THAT; IT WILL DO RESEARCH AND PLAN OUR CONTINUING FIGHT AGAINST THE SCOURGE OF DRUGS.

PERHAPS AS IMPORTANT, THE NEW LAW WILL ALLOW US TO FORGE AN ALLIANCE TO PREVENT ALCOHOLISM AND DRUG ABUSE IN EVERY COUNTY, EVERY TOWNSHIP, EVERY CITY AND EVERY BOROUGH.

IT WILL UNITE OUR MIGHT TO FIGHT THIS SCOURGE.

I TOLD YOU WE CAN'T DO IT BY OURSELVES. WE NEED EVERY ABLE-BODIED MAN, WOMAN AND CHILD. THE ALLIANCE THAT THIS LEGISLATION CREATES GIVES THESE MEN AND WOMEN A WAY TO ENLIST.

WE CAN WIN. LAST YEAR THE U.S. JUSTICE DEPARTMENT FOUND THAT OUR EFFORTS ARE PAYING OFF. WE HAVE STARTED TO CONVINCE YOUNGSTERS OF THE DANGERS POSED BY COCAINE AND COCAINE USE HAS FALLEN BY 20 PERCENT.

I KNOW THAT WE HAVE SOME GUESTS HERE TODAY FROM "MOTHERS AGAINST DRUNK DRIVING." BECAUSE THEY GOT "M.A.D.D." A COUPLE OF YEARS AGO, WE HAVE SEEN A REVOLUTION IN OUR ATTITUDES ABOUT DRINKING AND DRIVING.

IF WE CAN SUCCEED AGAINST ONE DANGEROUS DRUG, WHY CAN'T WE SUCCEED AGAINST EVEN MORE DANGEROUS AND ILLEGAL DRUGS?

THE ANSWER IS, OF COURSE, THAT WE CAN.

TOM PAINE ONCE SAID SOMETHING THAT TOM KEAN HAS REMEMBERED ALL HIS LIFE. WRITTEN TWO HUNDRED AND ELEVEN YEARS AGO LAST WEEK IN THE "AMERICAN CRISIS," PAINE SOUGHT TO RALLY A DESPAIRING NATION.

SURVEYING THE COURSE OF THE REVOLUTIONARY WAR, PAINE SAID, "IT IS THE OBJECT ONLY OF THE WAR THAT MAKES IT HONORABLE. AND IF THERE WAS EVER A JUST WAR SINCE THE WORLD BEGAN, IT IS THIS IN WHICH AMERICA IS NOW ENGAGED."

TOM PAINE'S WORLD WAS BESET BY THE BRITISH, WHO WERE SEEKING TO CONQUER US AND OUR FREEDOM.

TODAY'S ENEMY IS THE BRAZEN PUSHER AND THE BACK-ALLEY PEDDLER. NO WAR IS MORE JUST THAN OUR BATTLE TO WIN OUR FREEDOM FROM DRUGS AND ALCOHOL.

OUR SUCCESS DEPENDS ON OUR ABILITY TO WIN THE HEARTS AND MINDS OF OUR NEIGHBORS. THANKS TO THIS ALLIANCE WE WILL DO IT.

WHEN ENOUGH GOOD NEW JERSEYANS TEACH THEIR CHILDREN TO SAY NO TO DRUGS; WHEN ENOUGH COMMUNITY LEADERS REFUSE TO CEDE AN INCH OF THEIR NEIGHBORHOODS TO DRUG DEALERS; AND WHEN OUR COPS, PROSECUTORS AND JUDGES ALL WORK TOGETHER, WE WILL WIN.

WE WILL WIN.