

18A:35-4; 18A:35-4a

LEGISLATIVE HISTORY CHECKLIST

FOR ATTACHMENTS  
SEE 18A:4-28-20

HJSA 18A:4-28, 20; 18A:26-8; 18A:35-4; (Schools—Instructional programs in alcohol use and abuse)

LAWS OF 18A:35-4a 1979 CHAPTER 263

Bill No. A3260

Sponsor(s) Flynn and others

Date Introduced April 26, 1979

Committee: Assembly Education; Judiciary, Law, Public Safety & Defense

Senate Education

Amended during passage Yes  Amendments during passage denoted by asterisks.

Date of Passage: Assembly July 16, 1979

Senate Sept. 10, 1979

Date of approval Jan. 2, 1980

Following statements are attached if available:

Sponsor statement Yes

Committee Statement: Assembly Yes

Senate Yes

Fiscal Note ~~Yes~~ No

Veto message ~~Yes~~ No

Message on signing ~~Yes~~ No

Following were printed:

Reports ~~Yes~~ No

Hearings Yes

974.90 NJ. Legislature. Assembly. Judiciary, Law, Public Safety and Defense  
L767 Committee.  
1979 Public hearing...held 1-23-79, 2-5-79 & 2-6-79. Trenton, 1979.

(Public hearings include testimony on other bills included in the alcohol legislation package, i.e. A3265, S3044, S3248 and S1126).

Public hearings also held in Nutley, NJ. on 6-12-78—no transcript available.

9/1/78

(over)

NUB

[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 3260

STATE OF NEW JERSEY

INTRODUCED APRIL 26, 1979

By Assemblymen FLYNN, RAND, MARTIN, MAYS, THOMPSON,  
BATE, VAN WAGNER, HERMAN, STEWART and KERN

Referred to Committee on Education

AN ACT concerning instructional programs on the nature and effects of alcohol and alcoholism and programs relative to alcohol-related problems in schools, amending N. J. S. 18A:35-4 *\*\*and N. J. S. 18A:26-8\*\** and supplementing Title 18A of the New Jersey Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. N. J. S. 18A:35-4 is amended to read as follows:

2 18A:35-4. The nature of alcoholic drinks and narcotics and their  
3 effects upon the human system shall be taught in all schools sup-  
4 ported wholly or in part by public moneys in such manner as may  
5 be adapted to the age and understanding of the pupils and shall be  
6 emphasized in appropriate places of the curriculum sufficiently for  
7 a full and adequate treatment of the subject. *The commissioner*  
8 *shall, with the approval of the State board, in cooperation with the*  
9 *educational improvement centers and in consultation with the*  
10 *\*\*[Advisory Council on Alcoholism]\*\* \*\*Department of Health\*\*,  
11 *prepare and update as necessary curriculum guidelines to assist*  
12 *boards of education in fulfilling this requirement. Each board of*  
13 *education shall make provisions in its annual educational program*  
14 *to fulfill this requirement and with respect to the requirement con-*  
15 *cerning the teaching of the nature of alcoholic drinks and their*  
16 *effects upon the human system, each board shall consult with*  
17 *\*\*[an]\*\* \*\*a local\*\* organization involved with the prevention,*  
18 *detection, and treatment of alcoholism approved by the \*\*[Advis-*  
19 *ory Council on Alcoholism]\*\* \*\*Department of Health\*\*.**

1 2. (New section) Each board of education shall adopt and im-  
2 plement, in accordance with rules and regulations promulgated by

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

3 the State board, policies and procedures for **\*\*[handling]\*\*** **\*\*the**  
4 *evaluation and treatment of* **\*\*** pupils involved in incidents of pos-  
5 session or consumption of alcoholic beverages on school property  
6 or at school functions, or who show significant symptoms of in-  
7 toxication or of alcoholism on school property or at school func-  
8 tions. In adopting and implementing these policies and procedures,  
9 the board shall consult and work closely with **\*\*[an]\*\*** **\*\*a local\*\***  
10 organization involved with the prevention, detection and treatment  
11 of alcoholism approved by the **\*\*[Advisory Council on Alcoholism.**  
12 These policies and procedures shall include, but are not limited to:  
13 a. An individual evaluation of each pupil involved in an incident  
14 of possession or consumption of alcoholic beverages, or who shows  
15 significant symptoms of intoxication or alcoholism by a team of  
16 not more than three members of the teaching staff of the school;  
17 b. Depending upon the seriousness or frequency of the incidents  
18 or symptoms, the development of an individual educational pro-  
19 gram for the pupil designed to instill in the pupil respect for the  
20 State laws and regulations and policies of the board of education  
21 concerning the possession and use of alcoholic beverages by minors,  
22 to inform the pupil of the nature of alcoholic beverages, their effect  
23 upon the human body and the physiological, psychological and  
24 sociological effects of alcoholism, and if necessary, to assist in  
25 obtaining appropriate treatment for the pupil if he shows signifi-  
26 cant symptoms of alcoholism or potential alcoholism. An individual  
27 educational program may include, but is not limited to, in-school  
28 suspension, participation in supplementary alcohol education pro-  
29 grams, or participation in programs of approved alcoholism or-  
30 ganizations.] **\*\* Department of Health.\*\***

1 3. (New section) The commissioner, under the direction of the  
2 State Board of Education, shall make an in-depth study of the  
3 incidence of consumption of alcoholic beverages by school pupils and  
4 the degree **\*\*[, if any,]\*\*** to which consumption of alcoholic beverages  
5 by school pupils is causing educational disciplinary or other prob-  
6 lems for school districts, and of the effectiveness of current laws  
7 and regulations relative to the teaching of the nature and effects  
8 of alcoholic beverages and the training of teachers with respect to  
9 the nature and effects of alcoholic beverages. Based upon the  
10 study and after consultation with the commissioner, the State board  
11 shall establish a comprehensive plan designed to insure that effec-  
12 tive instructional programs on the nature of alcoholic beverages  
13 and their effect upon the human body, and on the physiological,  
14 psychological and sociological effects of alcoholism, and effective

15 programs for handling pupils who are involved in incidents of  
16 possession or consumption of alcoholic beverages, or who show  
17 significant symptoms of intoxication or of alcoholism, on school  
18 property or at school functions, are provided in the public schools.

19 The plan shall provide for, but is not limited to:

- 20 a. Goals, objectives and standards for alcohol education;
- 21 b. Identification of appropriate places in the curriculum and  
22 appropriate grade levels for effective alcohol education;
- 23 c. Preparation and updating of curriculum guidelines;
- 24 d. General qualifications for all teachers in public schools to  
25 insure that all teachers are adequately trained in and aware of  
26 the nature and effects of alcoholic beverages and alcoholism so  
27 that they may identify alcohol-related problems in pupils and assist  
28 in resolving alcohol-related problems in the schools or in providing  
28A effective alcohol education;
- 29 e. Specific qualifications for teachers providing instruction in  
30 the nature and effects of alcohol and alcoholism;
- 31 f. Appropriate in-service training programs for teachers to pro-  
32 vide them with the opportunity to meet the general or specific  
33 qualification requirements under the plan within a reasonable  
34 period of time after it takes effect, and to maintain their proficiency  
35 and update their knowledge relative to alcohol education as nec-  
36 essary;
- 37 g. Guidelines for policies and procedures of boards of education  
38 for handling pupils involved in alcohol-related incidents or with  
39 alcohol-related problems;
- 40 h. A uniform system for the collection of data on incidents in-  
41 volving possession or consumption of alcoholic beverages, and on  
42 pupils with alcohol-related problems, on school property or at  
43 school functions.

44 In making the study and preparing and implementing the plan,  
45 the commissioner and the State board shall consult and work closely  
46 with the **\*\*[Advisory Council on Alcoholism]\*\*** *\*\*Department of*  
47 *Health\*\**. The study and plan shall be completed within 3 years  
48 after the effective date of this act, and shall be submitted to the  
49 Governor and the Legislature.

1 **\*\*[4. (New section)** The State Board of Examiners shall review  
2 the requirements for teaching certificates relative to training or  
3 education in the nature and effects of alcoholic beverages. The  
4 board shall revise its rules and regulations or recommend to the  
5 Governor and the Legislature changes in the law as may be neces-  
6 sary to make these requirements consistent with the general and

7 specific qualifications for teachers relative to alcohol education in  
8 the plan required by this amendatory and supplementary act.】\*\*

1 \*\*4. N. J. S. 18A:26-8 is amended to read as follows:

2 18A:26-8. No certificate to teach in the public schools shall be  
3 issued to any teaching staff member who has not passed a satis-  
4 factory examination in physiology and hygiene with special ref-  
5 erence to the nature of alcoholic drinks and narcotics and their  
6 effects upon the human system【, except the persons applying for  
7 special certificates to teach music, drawing, manual training or  
8 other subjects not included in the usual school curriculum】\*\*.

1 5. This act shall take effect immediately.

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ASSEMBLY, No. 3260

STATE OF NEW JERSEY

INTRODUCED APRIL 26, 1979

By Assemblymen FLYNN, RAND, MARTIN, MAYS, THOMPSON,  
BATE, VAN WAGNER, HERMAN, STEWART and KERN

Referred to Committee on Education

AN ACT concerning instructional programs on the nature and effects of alcohol and alcoholism and programs relative to alcohol-related problems in schools, amending N. J. S. 18A:35-4 and supplementing Title 18A of the New Jersey Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. N. J. S. 18A:35-4 is amended to read as follows:

2 18A:35-4. The nature of alcoholic drinks and narcotics and their  
3 effects upon the human system shall be taught in all schools sup-  
4 ported wholly or in part by public moneys in such manner as may  
5 be adapted to the age and understanding of the pupils and shall be  
6 emphasized in appropriate places of the curriculum sufficiently for  
7 a full and adequate treatment of the subject. *The commissioner*  
8 *shall, with the approval of the State board, in cooperation with the*  
9 *educational improvement centers and in consultation with the Ad-*  
10 *visory Council on Alcoholism, prepare and update as necessary*  
11 *curriculum guidelines to assist boards of education in fulfilling this*  
12 *requirement. Each board of education shall make provisions in its*  
13 *annual educational program to fulfill this requirement and with*  
14 *respect to the requirement concerning the teaching of the nature*  
15 *of alcoholic drinks and their effects upon the human system, each*  
16 *board shall consult with an organization involved with the preven-*  
17 *tion, detection, and treatment of alcoholism approved by the Ad-*  
18 *visory Council on Alcoholism.*

1 2. (New section) Each board of education shall adopt and im-  
2 plement, in accordance with rules and regulations promulgated by  
3 the State board, policies and procedures for handling pupils in-  
4 volved in incidents of possession or consumption of alcoholic bev-  
5 erages on school property or at school functions, or who show  
6 significant symptoms of intoxication or of alcoholism on school

7 property or at school functions. In adopting and implementing  
8 these policies and procedures, the board shall consult and work  
9 closely with an organization involved with the prevention, detection  
10 and treatment of alcoholism approved by the Advisory Council on  
11 Alcoholism. These policies and procedures shall include, but are  
12 not limited to:

13 a. An individual evaluation of each pupil involved in an incident  
14 of possession or consumption of alcoholic beverages, or who shows  
15 significant symptoms of intoxication or alcoholism by a team of  
16 not more than three members of the teaching staff of the school;

17 b. Depending upon the seriousness or frequency of the incidents  
18 or symptoms, the development of an individual educational pro-  
19 gram for the pupil designed to instill in the pupil respect for the  
20 State laws and regulations and policies of the board of education  
21 concerning the possession and use of alcoholic beverages by minors,  
22 to inform the pupil of the nature of alcoholic beverages, their effect  
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24 sociological effects of alcoholism, and if necessary, to assist in  
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27 educational program may include, but is not limited to, in-school  
28 suspension, participation in supplementary alcohol education pro-  
29 grams, or participation in programs of approved alcoholism or-  
30 ganizations.

1 3. (New section) The commissioner, under the direction of the  
2 State Board of Education, shall make an in-depth study of the  
3 incidence of consumption of alcoholic beverages by school pupils  
4 and the degree, if any, to which consumption of alcoholic beverages  
5 by school pupils is causing educational disciplinary or other prob-  
6 lems for school districts, and of the effectiveness of current laws  
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8 of alcoholic beverages and the training of teachers with respect to  
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10 study and after consultation with the commissioner, the State board  
11 shall establish a comprehensive plan designed to insure that effec-  
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42 pupils with alcohol-related problems, on school property or at  
43 school functions.

44 In making the study and preparing and implementing the plan,  
45 the commissioner and the State board shall consult and work closely  
46 with the Advisory Council on Alcoholism. The study and plan  
47 shall be completed within 3 years after the effective date of this  
48 act, and shall be submitted to the Governor and the Legislature.

1 4. (New section) The State Board of Examiners shall review the  
2 requirements for teaching certificates relative to training or edu-  
3 cation in the nature and effects of alcoholic beverages. The board  
4 shall revise its rules and regulations or recommend to the Governor  
5 and the Legislature changes in the law as may be necessary to  
6 make these requirements consistent with the general and specific  
7 qualifications for teachers relative to alcohol education in the plan  
8 required by this amendatory and supplementary act.

1 5. This act shall take effect immediately.



## STATEMENT

This bill is a part of a package of legislation which was developed as a result of the work of the Assembly Judiciary, Law, Public Safety and Defense Committee in reviewing Senate Bill No. 1126. That bill would raise the legal drinking age in New Jersey from 18 to 19 years of age.

As a result of its work, the committee determined that raising the drinking age alone would be insufficient to effectively deal with the problem of alcohol abuse among children and youths. It found that a package of legislation covering the various aspects of the problem was necessary.

An important aspect of the problem of alcohol abuse by children and youths concerns the education provided to them on the nature and effects of alcoholic beverages and alcoholism and the handling of alcohol-related problems in the schools. If children and youths are to develop responsible attitudes and habits relative to use of alcoholic beverages in a society where such use is widespread and misuse is encouraged to some extent, then effective instructional programs on the use of alcoholic beverages and on the dangers of their misuse are essential. Since school attendance is required for children and youths, schools provide an ideal place for identifying poor habits or attitudes or alcohol-related problems in children and youths, and for attempting to provide early remedies for these habits, attitudes or problems to the extent possible in the educational environment.

This bill amends and supplements the existing legal requirements on alcohol education to provide more comprehensive instructional programs and programs to handle alcohol-related problems in the schools.

It directs the State Board of Education, based upon an in-depth study by the Department of Education, to develop within 3 years a comprehensive plan to provide for effective alcohol education and programs to handle alcohol-related problems in the schools throughout the State. It requires boards of education to make specific provisions for alcohol education in their annual educational programs. It further requires boards of education to adopt and implement policies and procedures for handling alcohol-related problems in the schools. It provides for a review and revision of the requirements for teaching certificates relative to alcohol education.

Most importantly, the bill provides that the State Board of Education, the Department of Education and local boards of education shall consult and work closely with the Advisory Council on Alcoholism and alcoholism organizations approved by the council in fulfilling their requirements under the act. Hopefully, this partnership of the educational experts and experts on alcohol abuse will result in an effective system for children and youths of alcohol education and of early identification and rehabilitation for those with alcohol-related problems.

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[OFFICIAL COPY REPRINT]  
ASSEMBLY, No. 3260

STATE OF NEW JERSEY

INTRODUCED APRIL 26, 1979

By Assemblymen FLYNN, RAND, MARTIN, MAYS, THOMPSON,  
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6 significant symptoms of intoxication or of alcoholism on school

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

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43 school functions.

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1 5. This act shall take effect immediately.

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ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND  
DEFENSE COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3260**

with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: MAY 3, 1979

This bill is a part of a package of legislation which was developed as a result of the work of the Assembly Judiciary, Law, Public Safety and Defense Committee in reviewing Senate Bill No. 1126. That bill would raise the legal drinking age in New Jersey from 18 to 19 years of age.

As a result of its work, the committee determined that raising the drinking age alone would be insufficient to effectively deal with the problem of alcohol abuse among children and youths. It found that a package of legislation covering the various aspects of the problem was necessary.

An important aspect of the problem of alcohol abuse by children and youths concerns the education provided to them on the nature and effects of alcoholic beverages and alcoholism and the handling of alcohol-related problems in the schools. If children and youths are to develop responsible attitudes and habits relative to use of alcoholic beverages in a society where such use is widespread and misuse is encouraged to some extent, then effective instructional programs on the use of alcoholic beverages and on the dangers of their misuse are essential. Since school attendance is required for children and youths, schools provide an ideal place for identifying poor habits or attitudes or alcohol-related problems in children and youths, and for attempting to provide early remedies for these habits, attitudes or problems to the extent possible in the educational environment.

This bill amends and supplements the existing legal requirements on alcohol education to provide more comprehensive instructional programs and programs to handle alcohol-related problems in the schools.

It directs the State Board of Education, based upon an in-depth study by the Department of Education, to develop within 3 years a comprehensive plan to provide for effective alcohol education and programs to handle alcohol-related problems in the schools throughout

the State. It requires boards of education to make specific provisions for alcohol education in their annual educational programs. It further requires boards of education to adopt and implement policies and procedures for handling alcohol-related problems in the schools. It provides for a review and revision of the requirements for teaching certificates relative to alcohol education.

Most importantly, the bill provides that the State Board of Education, the Department of Education and local boards of education shall consult and work closely with the Advisory Council on Alcoholism and alcoholism organizations approved by the council in fulfilling their requirements under the act. Hopefully, this partnership of the educational experts and experts on alcohol abuse will result in an effective system for children and youths of alcohol education and of early identification and rehabilitation for those with alcohol-related problems.

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ASSEMBLY COMMITTEE AMENDMENT TO  
**ASSEMBLY, No. 3260**

**STATE OF NEW JERSEY**

ADOPTED MAY 3, 1979

Amend page 2, section 3, line 4, omit “, if any,”.



[SENATE REPRINT]

# ASSEMBLY, No. 3260

[OFFICIAL COPY REPRINT]

with Senate committee amendments adopted September 10, 1979

## STATE OF NEW JERSEY

INTRODUCED APRIL 26, 1979

By Assemblymen FLYNN, RAND, MARTIN, MAYS, THOMPSON,  
BATE, VAN WAGNER, HERMAN, STEWART and KERN

Referred to Committee on Education

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8 *shall, with the approval of the State board, in cooperation with the*  
9 *educational improvement centers and in consultation with the*  
10 *\*\*[Advisory Council on Alcoholism]\*\* \*\*Department of Health\*\*,  
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12 *boards of education in fulfilling this requirement. Each board of*  
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18 *detection, and treatment of alcoholism approved by the \*\*[Advis-*  
19 *ory Council on Alcoholism]\*\* \*\*Department of Health\*\*.**

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

1 2. (New section) Each board of education shall adopt and im-  
2 plement, in accordance with rules and regulations promulgated by  
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4 *evaluation and treatment of* **\*\*** pupils involved in incidents of pos-  
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6 or at school functions, or who show significant symptoms of in-  
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14 of possession or consumption of alcoholic beverages, or who shows  
15 significant symptoms of intoxication or alcoholism by a team of  
16 not more than three members of the teaching staff of the school;  
17 b. Depending upon the seriousness or frequency of the incidents  
18 or symptoms, the development of an individual educational pro-  
19 gram for the pupil designed to instill in the pupil respect for the  
20 State laws and regulations and policies of the board of education  
21 concerning the possession and use of alcoholic beverages by minors,  
22 to inform the pupil of the nature of alcoholic beverages, their effect  
23 upon the human body and the physiological, psychological and  
24 sociological effects of alcoholism, and if necessary, to assist in  
25 obtaining appropriate treatment for the pupil if he shows signifi-  
26 cant symptoms of alcoholism or potential alcoholism. An individual  
27 educational program may include, but is not limited to, in-school  
28 suspension, participation in supplementary alcohol education pro-  
29 grams, or participation in programs of approved alcoholism or-  
30 ganizations.] **\*\*Department of Health.\*\***

1 3. (New section) The commissioner, under the direction of the  
2 State Board of Education, shall make an in-depth study of the  
3 incidence of consumption of alcoholic beverages by school pupils and  
4 the degree **\*\*[, if any,]\*\*** to which consumption of alcoholic beverages  
5 by school pupils is causing educational disciplinary or other prob-  
6 lems for school districts, and of the effectiveness of current laws  
7 and regulations relative to the teaching of the nature and effects  
8 of alcoholic beverages and the training of teachers with respect to  
9 the nature and effects of alcoholic beverages. Based upon the  
10 study and after consultation with the commissioner, the State board  
11 shall establish a comprehensive plan designed to insure that effec-  
12 tive instructional programs on the nature of alcoholic beverages

13 and their effect upon the human body, and on the physiological,  
14 psychological and sociological effects of alcoholism, and effective  
15 programs for handling pupils who are involved in incidents of  
16 possession or consumption of alcoholic beverages, or who show  
17 significant symptoms of intoxication or of alcoholism, on school  
18 property or at school functions, are provided in the public schools.

19 The plan shall provide for, but is not limited to:

- 20 a. Goals, objectives and standards for alcohol education;
- 21 b. Identification of appropriate places in the curriculum and  
22 appropriate grade levels for effective alcohol education;
- 23 c. Preparation and updating of curriculum guidelines;
- 24 d. General qualifications for all teachers in public schools to  
25 insure that all teachers are adequately trained in and aware of  
26 the nature and effects of alcoholic beverages and alcoholism so  
27 that they may identify alcohol-related problems in pupils and assist  
28 in resolving alcohol-related problems in the schools or in providing  
28A effective alcohol education;
- 29 e. Specific qualifications for teachers providing instruction in  
30 the nature and effects of alcohol and alcoholism;
- 31 f. Appropriate in-service training programs for teachers to pro-  
32 vide them with the opportunity to meet the general or specific  
33 qualification requirements under the plan within a reasonable  
34 period of time after it takes effect, and to maintain their proficiency  
35 and update their knowledge relative to alcohol education as nec-  
36 essary;
- 37 g. Guidelines for policies and procedures of boards of education  
38 for handling pupils involved in alcohol-related incidents or with  
39 alcohol-related problems;
- 40 h. A uniform system for the collection of data on incidents in-  
41 volving possession or consumption of alcoholic beverages, and on  
42 pupils with alcohol-related problems, on school property or at  
43 school functions.

44 In making the study and preparing and implementing the plan,  
45 the commissioner and the State board shall consult and work closely  
46 with the **\*\*[Advisory Council on Alcoholism]\*\*** *\*\*Department of*  
47 *Health\*\**. The study and plan shall be completed within 3 years  
48 after the effective date of this act, and shall be submitted to the  
49 Governor and the Legislature.

- 1 **\*\*[4.** (New section) The State Board of Examiners shall review  
2 the requirements for teaching certificates relative to training or  
3 education in the nature and effects of alcoholic beverages. The  
4 board shall revise its rules and regulations or recommend to the

5 Governor and the Legislature changes in the law as may be neces-  
6 sary to make these requirements consistent with the general and  
7 specific qualifications for teachers relative to alcohol education in  
8 the plan required by this amendatory and supplementary act.】\*\*

1     \*\*4. N. J. S. 18A:26-8 is amended to read as follows:

2     18A:26-8. No certificate to teach in the public schools shall be  
3 issued to any teaching staff member who has not passed a satis-  
4 factory examination in physiology and hygiene with special ref-  
5 erence to the nature of alcoholic drinks and narcotics and their  
6 effects upon the human system[, except the persons applying for  
7 special certificates to teach music, drawing, manual training or  
8 other subjects not included in the usual school curriculum]\*\*.

1     5. This act shall take effect immediately.

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SENATE EDUCATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3260**

with Assembly committee amendments and  
Senate committee amendments

**STATE OF NEW JERSEY**

DATED: SEPTEMBER 10, 1979

The Senate Education Committee favorably reports this bill and endorses the Assembly Judiciary, Law, Public Safety and Defense Committee Statement.

COMMITTEE AMENDMENTS

The Senate Education Committee has made necessary technical amendments as follows:

1. The bill provided for consultation with the "Advisory Council on Alcoholism." This is a temporary, non-statutory body. Therefore, it seems more appropriate to require consultation between the State Departments of Education and Health.

2. The committee deleted the requirement that a board of from one to three teachers evaluate and recommend treatment for pupils who show significant symptoms of alcoholism or potential alcoholism. It was felt that this is outside the competence of individuals unless they have special training. Instead, each district would adopt policies and procedures for the evaluation and treatment of such pupils subject to rules and regulations of the State Board of Education.

3. The committee has eliminated section 4 which required the State Board of Examiners to issue rules and regulations for teacher certification. The Board of Examiners does not have this authority. The State Board of Education issues such regulations—this is required in section 3 of this act.

4. The committee amended N. J. S. 18A:26-8 to require that all teaching certificates include a test in the nature of drinks and narcotics. Under current law certain teachers were exempt from this requirement.

SENATE COMMITTEE AMENDMENTS TO  
**ASSEMBLY, No. 3260**  
[OFFICIAL COPY REPRINT]

**STATE OF NEW JERSEY**

ADOPTED SEPTEMBER 10, 1979

Amend page 1, title, line 3, after "18A:35-4", insert "and N. J. S. 18A:26-8".

Amend page 1, section 1, lines 9-10, after "the", omit "Advisory Council on Alcoholism", and insert "Department of Health".

Amend page 1, section 1, line 16, omit "an", insert "a local".

Amend page 1, section 1, lines 17-18, after "the", delete "Advisory Council on Alcoholism", and insert "Department of Health".

Amend page 1, section 2, line 3, omit "handling", insert "the evaluation and treatment of".

Amend page 2, section 2, line 9, omit "an", insert "a local".

Amend page 2, section 2, line 10, after "the", delete "Advisory Council on".

Amend page 2, section 2, lines 11-30, omit in their entirety, insert "Department of Health".

Amend page 3, section 3, line 46, omit "Advisory Council on Alcoholism", insert "Department of Health".

Amend page 3, section 4, lines 1-8, omit in their entirety, insert new section as follows:

"4. N. J. S. 18A:26-8 is amended to read as follows:

18A:26-8. No certificate to teach in the public schools shall be issued to any teaching staff member who has not passed a satisfactory examination in physiology and hygiene with special reference to the nature of alcoholic drinks and narcotics and their effects upon the human system**[**, except the persons applying for special certificates to teach music, drawing, manual training or other subjects not included in the usual school curriculum**]**."

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

JANUARY 2, 1980

JOE SANTANGELO  
(609) 292-8956A 3260 - PAGE 2

Governor Brendan Byrne today signed a legislative package of bills, which will raise the legal drinking age from 18 to 19; prescribe penalties for a minor purchasing alcoholic beverages; provide for alcohol-related instructional programs in schools; and require color photographs on driver's licenses issued to anyone under the age of 21.

The bills were signed in a public ceremony at City Hall in Paterson. Signing the legislation, Governor Byrne commended this legislation as "an overall program for dealing with the alarming statistics on the drinking and driving records of youth."

S-1126, sponsored by Senator Frank X. Graves, Jr. (D-Passaic), raises the age at which a person can purchase or consume alcoholic beverages from 18 to 19.

The bill amends N.J.S.A. 9:17B-1, which extended to persons 18 years of age "the basic civil and contractual rights and obligations heretofore applicable only to persons 21 years of age or older..."

This bill takes effect immediately. A grandfather clause allows anyone who was 18 prior to the bills signing to continue purchasing and consuming alcohol.

<sup>3265</sup>  
A-3265, sponsored by Assemblyman Martin A. Herman (D-Gloucester), amends Title 33 (Alcoholic Beverages) in three respects:

--It makes it an offense for a "person under the legal age for purchasing alcoholic beverages" to purchase or be served alcoholic beverages on licensed premises. The wording in quotes replaces the word "minor" to conform the law with the change in the drinking age to 19.

--It prescribes as a disorderly persons offense for any one to enter a liquor store or bar for the purpose of purchasing liquor for anyone under the legal age.

--Convictions for violations of these provisions are punishable as disorderly persons offenses, except that there is a mandatory minimum \$100 fine and, in addition, a judge may:

-more-

- a) suspend or postpone for up to 30 days the offender's driving privileges, and/or
- b) require anyone under the legal age to participate in an alcohol education program for as long as the maximum period of confinement prescribed by law for the offenses (6 months).

A-3260, sponsored by Assemblyman William E. Flynn (D-Middlesex), provides for specific instructional and counseling programs on alcohol in public schools.

The bill requires the Commissioner of Education, with the approval of the State Board of Education and in cooperation with the educational improvement centers and the Department of Health, to prepare and update curriculum guidelines for these alcohol programs.

The bill further requires each board of education to adopt policies and procedures for the evaluation and treatment of pupils who drink or show symptoms of intoxication on school property or at school functions.

Finally, the bill requires the Commissioner of Education, under the direction of the State Board of Education, to make an in-depth study of the incidence of alcoholic consumption by school pupils.

S-3044, also sponsored by Senator Graves, requires that a photograph of the licensee be on all initial driver's licenses issued to persons under 21. This requirement becomes effective nine months after enactment.

The charge for the photo on the license will be no more than \$1.50, over and above the regular cost of the license. Licenses with photos will be for three year periods, rather than the two year periods for licenses without photos.

S-3248, also sponsored by Senator Graves, appropriates \$70,000 to assist in funding the photo-license bill.



JANUARY 2, 1980

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A-3262, sponsored by Assemblyman Walter Rand (D-Camden), which supplements Chapter 33 of the Penal Code to make it a disorderly persons offense for anyone "under the legal age to purchase alcoholic beverages" to possess or consume liquor in any school, public conveyance, motor vehicle or public place.

A disorderly persons offense is punishable by up to six months in jail and up to \$1,000 fine.

This bill provides for a mandatory minimum fine of \$100. In addition, the bill authorizes the court to suspend or postpone the defendant's driving license for up to thirty days if the offense is committed in a motor vehicle.

The court is also authorized to require that the defendant attend an alcohol education or treatment program for as long as the maximum period of confinement prescribed by law (six months).

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