

LEGISLATIVE NOTES ON R.S.26:2G-17 to 26:2G-20, 53:1-13.3, 53:1-13.5  
(Controlled Dangerous Substances Registry Act of 1970)

For general materials on Narcotics Laws see: Legislative  
History of R.S.24:21-1 to 43.

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L.1970 - chap.227 - S 834.

June 22 - Introduced by Schiaffo and others.

No statement.

Not amended during passage.

Bill listed as approved, ~~with amendments~~ in:

974.905 The Journal of the Medical Society of New Jersey  
M49 Vol.67 no.9 Sept.1970 p.545

JH/EH

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SENATE, No. 884

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STATE OF NEW JERSEY

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INTRODUCED JUNE 22, 1970

By Senators SCHIAFFO, KNOWLTON, HAGEDORN and  
WOODCOCK

Referred to Committee on Air and Water Pollution and Public Health

AN ACT to establish a Controlled Dangerous Substances Registry in the State Department of Health, supplementing P. L. 1969, chapter 152 (C. 26:2G-1 et seq.), amending section 3 of P. L. 1952, chapter 9 and section 2 of P. L. 1967, chapter 298, and making an appropriation.

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

1     1. This act shall be known and may be cited as the "Controlled  
2 Dangerous Substances Registry Act of 1970."

1     2. a. There is hereby established in the Division of Narcotic and  
2 Drug Abuse Control of the Department of Health a State-wide  
3 narcotics and drug abuse registry which may be referred to as the  
4 Controlled Dangerous Substances Registry.

5     b. In connection with said registry the division shall:

6     (1) Collect appropriate data from physicians, dentists, veter-  
7 inarians and other persons authorized to administer, diagnose or  
8 professionally use narcotic, depressant, stimulant or hallucinogenic  
9 drugs, substances or compounds; from hospitals, clinics, dis-  
10 pensaries, treatment facilities and institutions which minister to,  
11 serve or treat persons having physical or psychological narcotic  
12 or drug abuse problems, or both; from all public officials, including  
13 educational personnel, having duties to perform with respect to  
14 the use or abuse of narcotic, depressant, stimulant or hallucinogenic  
15 drugs, substances or compounds or educational functions related  
16 thereto; and from such other persons or agencies as the division  
17 may require by order, rule or regulation as may be necessary for  
18 purposes of securing information vital to the establishment and  
19 maintenance of the registry;

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

20 (2) Undertake programs of study, research and analysis as to  
21 the dimensions and scope of the use or abuse of narcotic, de-  
22 pressant, stimulant or hallucinogenic drugs, substances or com-  
23 pounds in the State and of the effectiveness of various treatment  
24 concepts;

25 (3) Maintain centralized and computerized collections of all data  
26 relating thereto and undertake systematic and continuing study  
27 and evaluation of programs relating to narcotics and drug abuse  
28 control;

29 (4) Compare results of various treatment concepts and modali-  
30 ties and submit periodic reports thereon to the Governor, the  
31 Legislature and the department;

32 (5) Undertake programs of multiple data analysis and submit  
33 and disseminate information and periodic reports in such appro-  
34 priate form, and subject to the provisions of section 3 hereof  
35 regarding confidential information as to individual reports, as will  
36 tend to guide narcotics and drug treatment and control efforts of  
37 all branches of State and local government, and to educate the  
38 public as to problems of narcotics and drug abuse; and

39 (6) Cooperate to the extent permitted by law in the exchange  
40 of statistical information with all agencies charged with the enforce-  
41 ment of the laws of the United States, of this State, and of all  
42 other states, relating to narcotics, depressant, stimulant or  
43 hallucinogenic drugs, substances or compounds.

1 3. a. Neither the Commissioner of the Department of Health nor  
2 any other officer or employee of the department, division or any  
3 bureau or agency thereof, may, except as provided in this act:

4 (1) Use the registry information furnished under the provisions  
5 of this act for any purpose other than the statistical purposes for  
6 which it is supplied; or

7 (2) Make any publication whereby registry data furnished under  
8 this act by any particular person or source can be identified or  
9 identifies a particular person who is the subject of a report; or

10 (3) Permit anyone, other than the officers and employees of the  
11 division or bureau or agency thereof, a judge of a court of com-  
12 petent jurisdiction in determining prior offenses or in connection  
13 with sentencing or with a proceeding authorized by law to expunge  
14 the record of a conviction; the Attorney General or a county  
15 prosecutor in connection with a determination as to instances of  
16 prior offenses; or the probation officers of the several counties, to  
17 examine or to obtain copies of the individual reports in the registry,  
18 except as provided in this act.

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19 No department, division, bureau, agency, officer or employee of  
20 the State, except the commissioner and director in carrying out  
21 the purposes of this act, shall require from the division, for any  
22 reason, copies of registry reports which have been retained by any  
23 such person or source. Copies of registry reports which have been  
24 so retained shall be immune from legal process, and, except as  
25 otherwise provided, shall not, without the consent of the person  
26 or source concerned, be admitted as evidence or used for any  
27 purpose in any action, suit, or other judicial or administrative  
28 proceeding.

1 4. No person may be held liable for damages or otherwise  
2 prejudiced in any manner by reason of furnishing information or  
3 data pertaining to narcotic, depressant, stimulant or hallucinogenic  
4 drugs, substances or compounds to the Division of Narcotic and  
5 Drug Abuse Control in connection with the registry established  
6 by this act.

1 5. There is hereby appropriated From the General Treasury to  
2 the Division of Narcotic and Drug Abuse Control the sum of  
3 \$50,000.00 to carry out the purpose of this act for the fiscal year  
4 ending June 31, 1971.

1 6. Section 3 of P. L. 1952, chapter 92 (C. 53:1-18.3) is amended  
2 to read as follows:

3 3. It shall be the duty of the Superintendent of the State Police:  
4 a. To compile and report annually to the Governor and to the  
5 Legislature the results of the reports of the arrests of all persons  
6 and the disposition of all cases involving offenses relating to  
7 narcotic or dangerous drugs, *substances or compounds* within the  
8 preceding year *and to furnish quarterly reports of a like nature*  
9 *during the interim periods.*

10 b. *To provide on a continuing basis to the Division of Narcotic*  
11 *and Drug Abuse Control of the State Department of Health such*  
12 *information as the director thereof shall require from time to time*  
13 *on forms prescribed by the State Department of Health for use in*  
14 *connection with the registry established by this act.*

1 7. Section 2 of P. L. 1967, chapter 298 (C. 53:1-18.5) is amended  
2 to read as follows:

3 2. As used in this act of which this act is amendatory and  
4 supplementary "dangerous drugs, *substances or compounds*"  
5 means and includes any of the following in any form: any de-  
6 pressant, [or] stimulant *or hallucinogenic drug, substance or*  
7 *compound* as defined pursuant to section 1 of chapter 314 of the  
8 laws of 1966 (C. 24:6C-1) *or the New Jersey Controlled Dangerous*

9 *Substances Act* or any **[other]** prescription legend drug which is  
10 not a narcotic drug within the meaning of chapter 18 of Title 24  
11 of the Revised Statutes *or the New Jersey Controlled Dangerous*  
12 *Substances Act*, unless obtained from, or on a valid prescription of,  
13 *and used as prescribed by*, a duly licensed physician, veterinarian  
14 or dentist.

1 8. This act shall take effect immediately.

Governor William T. Cahill today publicly signed into law a package of four bills to revise the State's narcotic laws, establish programs for statistical analysis of the drug problem, and implement drug education programs.

In signing the bills proposed by the administration, Cahill praised the Legislature for its foresight and courage in realizing the need to "take a more tolerant and realistic approach in dealing with first-time youthful offenders. At the same time these laws will provide stiffer penalties to deal with the professional pusher."

The Governor singled out Senators Fairleigh S. Dickinson (R., Bergen) and James H. Wallwork (R., Essex) along with Assemblymen Harold Hollenback (R. Bergen) and Herbert M. Rinaldi (R., Essex) for their efforts in guiding the bills through the Legislature.

Under the Controlled Dangerous Substances Act (S-851) Cahill pointed out that drugs will be classified on the basis of potential abuse with penalties set accordingly.

He added that while stiff penalties are provided for pushers, the new law permits court discretion to expunge the record of a first-time youthful offender to prevent the stigma of a lifetime criminal record.

A companion measure (S-884) sponsored by Sen. Alfred D. Schiaffo (R., Bergen) establishes a Dangerous Substances Registry in the Department of Health to provide an analysis and evaluation of the drug abuse problem.

Under A-1184, introduced by Assemblyman Kenneth T. Wilson (R., Essex) \$100,000 will be appropriated to the Department of Education to supervise teacher training projects for drug education in the schools.

It will also provide for community oriented drug-education programs and will utilize mobile classrooms throughout the State.

Under A-1219, sponsored by Assemblyman Samuel A. Curcio (R., Essex), an additional \$240,000 will be appropriated to the Department of Education for grants to secondary school districts to implement the drug education program.

Of the \$240,000, Cahill explained that \$200,000 will be distributed according to the needs of each district by the Commissioner of Education. An additional \$25,000 will be provided for training of teachers on the local level. And \$15,000 will be used for audio-visual equipment to be used for drug education programs in local school districts.