

26:2G-4.1 to 26:2G-4.3

LEGISLATIVE HISTORY CHECKLIST

NJSA: 26:2G-4.1 to 26:2G-4.3

(Drug Advisory Council - established)

LAWS OF: 1983

CHAPTER: 304

Bill No: S227

Sponsor(s): Orechio and Feldman

Date Introduced: Pre-filed

Committee: Assembly: Corrections, Health and Human Services

Senate: Institutions, Health and Welfare

Amended during passage: yes Amendments during passage denoted by asterisks

Date of Passage: Assembly: June 20, 1983

Senate: June 24, 1983

Date of Approval: August 26, 1983

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

8-26-83

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SENATE, No. 227

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1982 SESSION

By Senators ORECHIO and FELDMAN

A SUPPLEMENT to the "Narcotic and Drug Abuse Control Act of 1969," approved August 11, 1969 (P. L. 1969, c. 152, C. 26:2G-1 et seq.).

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 "New Jersey
2 Drug Abuse Advisory Council Act of 1982."

1 2. There is established within the Department of Health a Drug
2 Abuse Advisory Council, which shall consist of ***[eight]*** *14*
3 ex officio members as hereinafter provided, and ***[nine]*** *16*
4 citizen members as hereinafter provided.

5 a. The ex officio members of the council shall be the Attorney
6 General, the Commissioners of the Departments of Labor,
7 Higher Education, Education, Human Services, Health ***[and]*** *
8 Community Affairs, **Corrections and Commerce and Economic*
9 *Development** or their duly designated representatives, ***[and the**
10 **Director of the Administrative Office of the Courts]*** **the Admin-*
11 *istrative Director of the Courts, and two members of the Senatē,*
12 *to be appointed by the President thereof, no more than one of*
13 *whom shall be from the same political party and two members of*
14 *the General Assembly to be appointed by the Speaker thereof, no*
15 *more than one of whom shall be from the same political party**.
16 Ex officio members shall remain members during their continuance
17 in their respective offices. Each ex officio member may designate
18 any officer or employee of the department, or office, which he heads
19 to serve as his alternate and to exercise his functions and duties
20 at a member of the Drug Abuse Advisory Council.

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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Senate committee amendments adopted June 3, 1982.

21 b. The citizen members shall be appointed by the Governor, with
 22 the advice and consent of the Senate. The term of office of each
 23 member appointed shall be for 3 years; provided that of the first
 24 members appointed by the Governor, ~~three~~ *five* shall be
 25 appointed for a term of 1 year, ~~three~~ *five* shall be appointed
 26 for a term of 2 years and ~~three~~ *six* shall be appointed for a
 27 term of 3 years. Each member shall serve until his successor has
 28 been appointed and qualified, and vacancies shall be filled in the
 29 same manner as the original appointments for the remainder
 30 of the unexpired term.

31 c. Citizen members appointed by the Governor shall include
 32 representatives of (1) nongovernmental *consumer* organizations
 33 or groups, and (2) public *and private* agencies ~~concerned with~~
 34 ~~the~~ *which provide* prevention and treatment ~~of~~ *services*
 35 *for* drug abuse and drug dependence ~~from~~ *to juveniles and*
 36 *adults and which represent* different geographical areas of the
 37 State. No more than ~~five~~ *eight* persons in either of the two
 38 categories above enumerated shall serve upon the council at any
 39 one time. The Governor in making his appointments shall specify
 39A in which of the two categories each appointee belongs.

40 d. The council shall organize by electing a chairman and vice-
 41 chairman from among its members, and a secretary who need not
 42 be a member.

43 e. The *citizen* members of the council shall receive no compen-
 44 sation for their services*, *but shall be reimbursed for their ex-*
 45 *penses incurred in the discharge of their duties*.*.

46 f. The council shall meet at least ~~six~~ *four* times during
 47 each year, and at such other times as shall be deemed appropriate
 48 at the call of the chairman or at the request of three other members.
 49 The Department of Health shall provide housekeeping, secretarial
 50 and consultant services to the council.

1 3. The Drug Abuse Advisory Council shall consult with and
 2 advise the Director of the Division of Narcotic and Drug Abuse
 3 Control in the Department of Health or his duly designated repre-
 4 sentative within the division in connection with:

5 a. The preparation and implementation of an annual drug abuse
 6 prevention and treatment plan for this State; and

7 b. Any other assistance as may be requested by the Governor
 8 ~~or~~ *the* Director of the Division of Narcotic and ~~Drug~~
 9 *Drug* Abuse Control *or as initiated by the council*.*.

1 4. This act shall take effect immediately.

25 c. Citizen members appointed by the Governor shall include
 26 representatives of (1) nongovernmental organizations or groups,
 27 and (2) public agencies concerned with the prevention and treat-
 28 ment of drug abuse and drug dependence, from different geo-
 29 graphical areas of the State. No more than five persons in either
 30 of the two categories above enumerated shall serve upon the
 31 council at any one time. The Governor in making his appointments
 32 shall specify in which of the two categories each appointee belongs.

33 d. The council shall organize by electing a chairman and vice-
 34 chairman from among its members, and a secretary who need not
 35 be a member.

36 e. The members of the council shall receive no compensation for
 37 their services.

38 f. The council shall meet at least six times during each year, and
 39 at such other times as shall be deemed appropriate at the call of
 40 the chairman or at the request of three other members. The Depart-
 41 ment of Health shall provide housekeeping, secretarial and con-
 42 sultant services to the council.

1 3. The Drug Abuse Advisory Council shall consult with and
 2 advise the Director of the Division of Narcotic and Drug Abuse
 3 Control in the Department of Health or his duly designated repre-
 4 sentative within the division in connection with:

5 a. The preparation and implementation of an annual drug abuse
 6 prevention and treatment plan for this State; and

7 b. Any other assistance as may be requested by the Governor or
 8 the Director of the Division of Narcotic and Drug Abuse Control.

1 4. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to formally establish a New Jersey Drug Abuse Advisory Council, within the Department of Health, and repeal the Narcotic Advisory Council within the Department of Human Services, which is inadequate to meet present needs. In order to obtain formula grant funds for State drug abuse prevention activities, the State is obligated by the Federal Drug Abuse Office and Treatment Act of 1972 (P. L. 92-255, 21 U. S. C. 1176 (e) (3)) to create a State Advisory Council. The 17-member council would be comprised of nine citizen members to be appointed by the Governor and eight ex officio members, the Attorney General, the Commissioners of the Departments of Labor, Higher Education, Human Services, Health, Community Affairs, and Education,

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and the Director of the Administrative Office of the Courts. The council shall advise the Director of the Division of Narcotic and Drug Abuse Control in the Department of Health in connection with the preparation and implementation of an Annual Drug Abuse Prevention and Treatment Plan for the State of New Jersey, and any other assistance as may be requested by the Governor or the director.

ASSEMBLY CORRECTIONS, HEALTH AND
HUMAN SERVICES COMMITTEE

STATEMENT TO
SENATE, No. 227

STATE OF NEW JERSEY

DATED: FEBRUARY 28, 1983

The purpose of this bill is to statutorily establish a 30-member Drug Abuse Advisory Council in the New Jersey Department of Health. The existing council was established in 1974 by executive order pursuant to the Federal Drug Abuse Office and Treatment Act of 1972 which mandated the establishment of a State Council in order to receive formula grants under the act.

The bill is intended to clarify the current status of the Council as a result of the 1981 Federal Omnibus Budget and Reconciliation Act, which eliminated the requirement for State Advisory Councils as part of the shift from formula to block grant funding. The act required states to submit performance reports and evaluate their financial needs in terms of meeting program objectives.

The bill stipulates that the council shall consist of 14 ex officio members and 16 citizen members. The ex officio members shall be the Attorney General, the Commissioners of Labor, Higher Education, Education, Human Services, Health, Community Affairs, Corrections, and Commerce and Economic Development, or their designated representatives, in addition to the Administrative Director of the Courts, and two members from both the Senate and General Assembly, no more than one of whom in each case shall be from the same political party. Citizen members appointed by the Governor shall include representatives of nongovernmental consumer organizations or groups and public or private agencies which provide prevention and treatment for drug abuse and drug dependence.

The bill further provides that the council shall meet at least four times a year and that its citizen members shall receive no compensation but shall be reimbursed for their necessary expenses.

In addition, the bill directs the Council to consult with and advise the Director of the Division of Narcotic and Drug Abuse Control in the Department of Health in regard to the preparation of an annual drug abuse prevention and treatment plan for the State.

SENATE INSTITUTIONS, HEALTH AND WELFARE
COMMITTEE

STATEMENT TO

SENATE, No. 227

with Senate committee amendment

STATE OF NEW JERSEY

DATED: JUNE 3, 1982

As amended by committee, this bill establishes a 30 member Drug Abuse Advisory Council in the Department of Health. The council shall be composed of 14 ex officio members (State government officials) and 16 citizen members from nongovernmental organizations and drug abuse prevention and treatment agencies. The council is directed to consult with and advise the Director of the Division of Narcotic and Drug Abuse on the preparation of the annual drug abuse prevention and treatment plan and on other matters, as requested by the director or Governor or as initiated by the council.

Presently, there is a Drug Abuse Advisory Council in the Department of Health which was created by Executive Order in 1974, to comply with federal requirements in the Drug Abuse Office and Treatment Act of 1972. In 1981 the federal requirement was dropped and the council is now operating without a State or federal mandate. As amended, this bill is supported by the council and would enable the council to become more representative of consumer groups and to take a more active role in advising on drug abuse treatment issues.

Committee amendments increase the size of the proposed council from 17 to 30 members; require that citizen members represent nongovernmental consumer groups and public and private agencies which provide drug abuse prevention and treatment services for juveniles and adults; provide that citizen members be reimbursed for expenses; lower the required number of times the council shall meet from six to four times a year; and provide that the council may initiate activities to assist the director of the Division of Narcotic and Drug Abuse Control.