

## CHAPTER 40

RULES OF THE GOVERNOR'S COUNCIL ON  
ALCOHOLISM AND DRUG ABUSE

## Authority

N.J.S.A. 26:2BB-1 et seq., specifically 26:2BB-4j.

## Source and Effective Date

R.2007 d.167, effective May 21, 2007.  
See: 39 N.J.R. 623(a), 39 N.J.R. 2138(a).

## Chapter Expiration Date

Chapter 40, Rules of the Governor's Council on Alcoholism and Drug Abuse, expires on May 21, 2012.

## Chapter Historical Note

Chapter 40, Rules of the Governor's Council on Alcoholism and Drug Abuse, was adopted as R.1990 d.549, effective November 19, 1990. See: 22 N.J.R. 2120(a), 22 N.J.R. 3583(a).

Pursuant to Executive Order No. 66(1978), Chapter 40, Rules of the Governor's Council on Alcoholism and Drug Abuse, was readopted as R.1995 d.666, effective October 19, 1995. See: 27 N.J.R. 3587(a), 27 N.J.R. 5042(a).

Pursuant to Executive Order No. 66(1978), Chapter 40, Rules of the Governor's Council on Alcoholism and Drug Abuse, was readopted as R.2000 d.459, effective October 19, 2000. See: 32 N.J.R. 3213(b), 32 N.J.R. 4111(a).

Chapter 40, Rules of the Governor's Council on Alcoholism and Drug Abuse, expired on October 19, 2005.

Chapter 40, Rules of the Governor's Council on Alcoholism and Drug Abuse, was adopted as new rules by R.2007 d.167, effective May 21, 2007. See: Source and Effective Date. See, also, section annotations.

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## SUBCHAPTER 1. GENERAL PROVISIONS

## 17:40-1.1 Scope

This chapter shall constitute the Governor's Council on Alcoholism and Drug Abuse's rules governing the establishment of the Alliance to Prevent Alcoholism and Drug Abuse, Local Advisory Committees on Alcoholism and Drug Abuse, County Alliance Steering Subcommittees, and Municipal Alliance Committees. These rules shall also govern the distribution of grants to counties and municipalities for alcohol and drug abuse programs established under the Alliance to Prevent Alcoholism and Drug Abuse.

## 17:40-1.2 Construction

This chapter shall be liberally construed to permit the Council, the Alliance, LACADAs, County Alliance Steering Subcommittees and Municipal Alliance Committees to discharge their Statutory functions under N.J.S.A. 26:2BB-1 et seq. and N.J.S.A. 26:2B-32 et seq.

## 17:40-1.3 Definitions

The following words and terms, as used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Alcoholism" means the chronic, habitual, or periodic consumption of alcohol beverages to the extent that such use substantially and progressively injures the health, interferes with social or economic functioning in the community or results in the loss of self-control with respect to the use of such beverages.

"Alliance" means the Alliance to Prevent Alcoholism and Drug Abuse created in the Governor's Council on Alcoholism and Drug Abuse.

"Alliance coordinator" means the individual designated by the county to coordinate all activities of the County Alliance Steering Committee.

"Arrests" means all arrests reported in the New Jersey Uniform Crime Report, most current to the funding formula calculation.

"Collection rate" means the amount of DEDR fines collected divided by the amount assessed.

"Council" means the Governor's Council on Alcoholism and Drug Abuse (GCADA).

"County Alliance Steering Subcommittee" means the subcommittee established by each Local Advisory Committee on Alcoholism and Drug Abuse pursuant to N.J.S.A. 26:2BB-8.

“DEDR Funds” means the Mandatory Drug Enforcement and Demand Reduction Penalties established by N.J.S.A. 2C:35-15 et seq.

“Drug abuse” means the regular use of a controlled dangerous substance and/or licit psychoactive substances that affect the central nervous system resulting in persistent or recurrent psychological, physical, social, legal, or occupational problems.

“Income” means the three-year average per capita income in the county or the State, according to the U.S. Bureau of the Census estimates most current to the funding formula calculation.

“LACADA” means the Local Advisory Committee on Alcoholism and Drug Abuse established pursuant to N.J.S.A. 26:2B-33.

“Matching funds” means a percentage or designated amount of funds required as a cost sharing for grants awarded by the Council.

“Municipal Alliance Committee” means the committee established by the governing body of a municipality pursuant to N.J.S.A. 26:2BB-9.

“Need” means the estimates of the prevalence of alcoholism and drug addiction, established by the New Jersey Department of Human Services most current to the funding formula calculation.

“Population” means the county or State population, according to the US Bureau of the Census estimates most current to the funding formula calculation.

“RFP” means the Request For Proposal process described in this chapter.

“Youth” means all persons in the county or State up to, but not including, the age of 18, according to the US Bureau of the Census population estimates most current to the funding formula calculation.

Amended by R.1991 d.150, effective March 18, 1991.

See: 23 N.J.R. 26(b), 23 N.J.R. 883(a).

Added definitions for arrests, DEDR, income, need, and youth.

Amended by R.2007 d.167, effective May 21, 2007.

See: 39 N.J.R. 623(a), 39 N.J.R. 2138(a).

Rewrote definitions “Arrests”, “Income”, “Need”, “Population” and “Youth”; and deleted definition “DEDR”.

#### **17:40-1.4 Duties and Responsibilities of the Governor’s Council on Alcoholism and Drug Abuse**

(a) 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, alcoholism and drug abuse;

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

3. Review each County Alliance Annual Plan and the recommendations of the Division of Addictions in the Department of Human Services for awarding the Alliance grants and, by October 1 of each year, return the plan to the Local Advisory Committee on Alcoholism and Drug Abuse with the Council’s proposed recommendations for awarding Alliance grants;

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

5. Distribute grants, upon the recommendation of the Executive Director of the Council, by August 1 of each year to counties and municipalities for alcohol and drug abuse programs established under the Alliance to Prevent Alcoholism and Drug Abuse;

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 and responsibility 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.

Amended by R.2000 d.459, effective November 20, 2000.

See: 32 N.J.R. 3213(b), 32 N.J.R. 4111(a).

In (a), substituted “is authorized and empowered to” for “shall” in the introductory paragraph.

Amended by R.2007 d.167, effective May 21, 2007.

See: 39 N.J.R. 623(a), 39 N.J.R. 2138(a).

In (a)3, substituted “Division of Addictions in the Department of Human Services” for “Division of Alcoholism and Drug Abuse in the Department of Health”.