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**SENATE, No. 717**

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**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

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INTRODUCED JANUARY 24, 2000

**Sponsored by:**

**Senator C. LOUIS BASSANO**

**District 21 (Essex and Union)**

**SYNOPSIS**

Renames the Governor's Council on the Prevention of Mental Retardation as the Governor's Council on the Prevention of Mental Retardation and Developmental Disabilities.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the Governor's Council on the Prevention of  
2 Mental Retardation and amending P.L.1987, c.5.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 3 of P.L.1987, c.5 (C.30:1AA-12) is amended to read  
8 as follows:

9 3. The administrator and chief executive officer of the office shall  
10 be the director, who shall be a person qualified by training and  
11 experience to perform the duties of the office. Subsequent to  
12 consultation with the Governor's Council on the Prevention of Mental  
13 Retardation and Developmental Disabilities, the Commissioner of  
14 Human Services shall appoint the director, who shall serve at the  
15 pleasure of the commissioner during the commissioner's term of office  
16 and until the appointment and qualification of the director's successor.  
17 The director shall devote his entire time to the duties of his position  
18 and shall receive a salary commensurate with the responsibilities of the  
19 office. The director shall serve in the State unclassified service of the  
20 Civil Service.

21 The director may appoint, retain or employ officers, experts or  
22 consultants on a contract basis or otherwise, which he deems  
23 necessary, and employ investigators or other professionally qualified  
24 personnel who shall be in the noncompetitive division of the career  
25 service of the Civil Service.

26 (cf: P.L.1987, c.5, s.3)

27

28 2. Section 5 of P.L.1987, c.5 (C.30:1AA-14) is amended to read  
29 as follows:

30 5. The responsibilities of the office shall include, but are not limited  
31 to:

32 a. Developing a long-range comprehensive plan for the prevention  
33 of mental retardation and developmental disabilities in accordance with  
34 the priorities established by the Governor's Council on the Prevention  
35 of Mental Retardation and Developmental Disabilities;

36 b. Encouraging cooperative programs of research among State  
37 governmental departments and agencies, universities and private  
38 agencies;

39 c. Developing public information campaigns about the causes of  
40 developmental disabilities and the means for preventing developmental  
41 disabilities;

42 d. Coordinating public education programs about the causes and  
43 prevention of developmental disabilities and determining professional

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

**Matter underlined thus is new matter.**

1 in-service training needs in these areas;

2 e. Stimulating expanded and new services for the prevention of  
3 developmental disabilities; and

4 f. Making recommendations to the Commissioner of Human  
5 Services regarding any needed executive or legislative action.

6 (cf: P.L.1987, c.5, s.5)

7

8 3. Section 6 of P.L.1987, c.5 (C.30:1AA-15) is amended to read  
9 as follows:

10 6. a. The Governor's Council on the Prevention of Mental  
11 Retardation and Developmental Disabilities, originally created by  
12 Executive Order No. 72 (signed May 24, 1984), shall serve as an  
13 advisory council to the Commissioner of [the Department of] Human  
14 Services and to the Office for Prevention of Mental Retardation and  
15 Developmental Disabilities.

16 The State Departments of Human Services, Education, Health and  
17 Senior Services, Environmental Protection and Community Affairs are  
18 authorized and directed, to the extent consistent with the law, to  
19 cooperate with the Governor's Council on the Prevention of Mental  
20 Retardation and Developmental Disabilities and to furnish it with  
21 resources necessary to carry out its purposes under this act.

22 The Governor shall appoint 25 public members to the Governor's  
23 Council on the Prevention of Mental Retardation and Developmental  
24 Disabilities to serve three-year terms, except that, of the members first  
25 appointed, nine shall be appointed to serve for three years, eight shall  
26 be appointed to serve for two years, and eight shall be appointed to  
27 serve for one year.

28 b. The Governor's Council on the Prevention of Mental  
29 Retardation and Developmental Disabilities shall establish from its  
30 members the Executive Committee of the Governor's Council on the  
31 Prevention of Mental Retardation and Developmental Disabilities. This  
32 committee shall have full power to act in lieu of the full council. The  
33 executive committee shall consist of [11] 12 members, all of whom are  
34 members of the Governor's council. The Commissioners of the  
35 Departments of Health and Senior Services, Human Services,  
36 Education, Community Affairs and Environmental Protection shall  
37 serve as ex officio members. [An advocate for the mentally retarded  
38 and developmentally disabled] The Secretary of State and the  
39 Chairperson of the Governor's council shall serve as nonvoting, ex  
40 officio members of the executive committee. The Governor's council  
41 shall elect from its membership the remaining five members of the  
42 executive committee. These persons, as members of the Governor's  
43 council, shall be selected for their knowledge, competence, experience  
44 or interest in connection with the prevention of mental retardation and  
45 developmental disabilities. Members of the executive committee may,

1 from time to time, designate other individuals as their representatives.

2 The executive committee shall serve without compensation, but  
3 shall be reimbursed for necessary expenses incurred in the performance  
4 of their duties. The Governor's council shall elect an executive  
5 committee chairperson from among the [four] five voting cabinet  
6 members of the executive committee. The executive committee may  
7 select from among its members a vice-chairperson and other officers  
8 or subcommittees which are deemed necessary or appropriate.  
9 (cf: P.L.1994, c.58, s.26)

10

11 4. Section 7 of P.L.1987, c. 5 (C.30:1AA-16) is amended to read  
12 as follows:

13 7. The Commissioner of Human Services and the executive  
14 committee of the Governor's Council on the Prevention of Mental  
15 Retardation and Developmental Disabilities established pursuant to  
16 section 6 of this act shall report annually to the Governor and the  
17 Legislature concerning the status of prevention programs in the State.  
18 (cf: P.L.1987, c.5, s.7)

19

20 5. Section 9 of P.L.1987, c.5 (C.30:1AA-18) is amended to read  
21 as follows:

22 9. [Within 120 days of the effective date of this act, the] The  
23 Commissioner of Human Services shall execute written agreements  
24 with the Departments of Health and Senior Services, Education,  
25 Community Affairs and Environmental Protection which are designed  
26 to coordinate the effective use of funds appropriated to the office.

27 These agreements shall fulfill the intent of the comprehensive  
28 prevention plan prepared pursuant to this act and shall provide  
29 coordination of all the departments' budget requests. They shall also  
30 minimally provide the protocol for: dispersing appropriate prevention  
31 funds, programmatic and fiscal monitoring of prevention programs,  
32 ensuring against the duplication of services, and identification of gaps  
33 in prevention efforts.

34 (cf: P.L.1987, c.5, s.9)

35

36 6. This act shall take effect immediately.

37

38

39

#### STATEMENT

40

41 This bill amends N.J.S.A.30:1AA-10 et seq. to rename the  
42 Governor's Council on the Prevention of Mental Retardation as the  
43 Governor's Council on the Prevention of Mental Retardation and  
44 Developmental Disabilities. In so doing, the bill codifies the  
45 provisions of Executive Order No. 178 which took effect on July 30,  
46 1987.

**S717 BASSANO**

5

1 The bill also amends N.J.S.A. 30:1AA-10 et seq. to:

2 1. Include the Department of Community Affairs as a member of  
3 the Governor's council and to require the department to furnish the  
4 council with the resources necessary to carry out its purposes, as is  
5 required by the other departments who are members of the council.  
6 The Department of Community Affairs was originally added to the  
7 council pursuant to Executive Order No. 30 which took effect on April  
8 15, 1991;

9 2. Require the Governor to appoint 25 public members to serve on  
10 the council;

11 3. Expand the membership of the executive committee of the  
12 Governor's council to include the Commissioner of Community Affairs  
13 and the Secretary of State; and

14 4. Remove the individual serving as an advocate for the mentally  
15 retarded and developmentally disabled from the membership of the  
16 council's executive committee.

SENATE SENIOR CITIZENS, VETERANS' AFFAIRS AND  
HUMAN SERVICES COMMITTEE

STATEMENT TO

**SENATE, No. 717**

with committee amendments

**STATE OF NEW JERSEY**

DATED: FEBRUARY 17, 2000

The Senate Senior Citizens, Veterans' Affairs and Human Services Committee reports favorably and with committee amendments Senate Bill No. 717.

As amended by committee, this bill amends N.J.S.A.30:1AA-10 et seq. to rename the Governor's Council on the Prevention of Mental Retardation as the Governor's Council on the Prevention of Mental Retardation and Developmental Disabilities. In so doing, the bill codifies the provisions of Executive Order No. 178 which took effect on July 30, 1987.

The bill also amends N.J.S.A. 30:1AA-10 et seq. to:

1. Include the Department of Community Affairs as a member of the Governor's council and to require the department to furnish the council with the resources necessary to carry out its purposes, as is required by the other departments who are members of the council. The Department of Community Affairs was originally added to the council pursuant to Executive Order No. 30 which took effect on April 15, 1991;
2. Require the Governor to appoint 25 public members to serve on the council;
3. Expand the membership of the executive committee of the Governor's council to include the Commissioner of Community Affairs and the Secretary of State; and
4. Remove the individual serving as an advocate for the mentally retarded and developmentally disabled from the membership of the council's executive committee but to specify that at least one of the 25 public members appointed to the Governor's council shall be an advocate for the mentally retarded and developmentally disabled.

The committee amended the bill to specify that at least one of the 25 public members shall be an advocate for the mentally retarded and developmentally disabled.



ASSEMBLY SENIOR ISSUES AND COMMUNITY SERVICES  
COMMITTEE

STATEMENT TO

[First Reprint]

**SENATE, No. 717**

**STATE OF NEW JERSEY**

DATED: MAY 1, 2000

The Assembly Senior Issues and Community Services Committee reports favorably Senate Bill No. 717 (1R).

This bill amends N.J.S.A.30:1AA-10 et seq. to rename the Governor's Council on the Prevention of Mental Retardation as the Governor's Council on the Prevention of Mental Retardation and Developmental Disabilities. In so doing, the bill codifies the provisions of Executive Order No. 178 which took effect on July 30, 1987.

Under the current provisions of the law, this council serves as an advisory council to the Commissioner of Human Services and to the Office of the Prevention of Mental Retardation and Developmental Disabilities. Presently, the Departments of Human Services, Education, Health and Senior Services and Environmental Protection are authorized and directed to cooperate with the council and to furnish it with the necessary resources to carry out its' purposes. The bill added the Department of Community Affairs to the list of departements directed to cooperate with the council. The Department of Community Affairs was originally added pursuant to Executive Order No. 30 which took effect on April 15, 1991.

This bill requires the Governor to appoint 25 public members to serve on the council. The members would serve three year terms, except that, of the members first appointed, nine shall be appointed to serve three years, eight shall be appointed to serve two years and eight shall be appointed to serve one year. At least one of the 25 public members shall be an advocate for the mentally retarded and developmentally disabled.

The bill provides that the council shall establish from its members an executive committee. The committee would have full powers to act in lieu of the full council. The bill provides that the committee would consist of 12 members. The Department of Community Affairs was added as a member of the executive committee. The Secretary of State, in addition to the Chairperson of the council, would serve as a nonvoting, ex officio member of the executive committee.

These committee amendments would make this bill identical to Assembly Bill No. 1257 (1R).

[First Reprint]

**SENATE, No. 717**

---

**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

---

INTRODUCED JANUARY 24, 2000

**Sponsored by:**

**Senator C. LOUIS BASSANO**

**District 21 (Essex and Union)**

**Senator DIANE ALLEN**

**District 7 (Burlington and Camden)**

**Co-Sponsored by:**

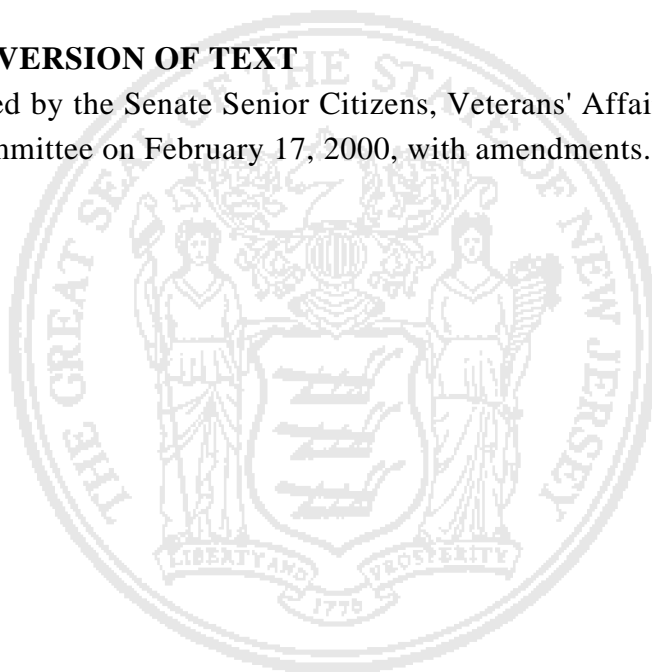
**Assemblymen Cottrell and Malone**

**SYNOPSIS**

Renames the Governor's Council on the Prevention of Mental Retardation as the Governor's Council on the Prevention of Mental Retardation and Developmental Disabilities.

**CURRENT VERSION OF TEXT**

As reported by the Senate Senior Citizens, Veterans' Affairs and Human Services Committee on February 17, 2000, with amendments.



**(Sponsorship Updated As Of: 6/6/2000)**

1 AN ACT concerning the Governor's Council on the Prevention of  
2 Mental Retardation and amending P.L.1987, c.5.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 3 of P.L.1987, c.5 (C.30:1AA-12) is amended to read  
8 as follows:

9 3. The administrator and chief executive officer of the office shall  
10 be the director, who shall be a person qualified by training and  
11 experience to perform the duties of the office. Subsequent to  
12 consultation with the Governor's Council on the Prevention of Mental  
13 Retardation and Developmental Disabilities, the Commissioner of  
14 Human Services shall appoint the director, who shall serve at the  
15 pleasure of the commissioner during the commissioner's term of office  
16 and until the appointment and qualification of the director's successor.  
17 The director shall devote his entire time to the duties of his position  
18 and shall receive a salary commensurate with the responsibilities of the  
19 office. The director shall serve in the State unclassified service of the  
20 Civil Service.

21 The director may appoint, retain or employ officers, experts or  
22 consultants on a contract basis or otherwise, which he deems  
23 necessary, and employ investigators or other professionally qualified  
24 personnel who shall be in the noncompetitive division of the career  
25 service of the Civil Service.

26 (cf: P.L.1987, c.5, s.3)

27

28 2. Section 5 of P.L.1987, c.5 (C.30:1AA-14) is amended to read  
29 as follows:

30 5. The responsibilities of the office shall include, but are not limited  
31 to:

32 a. Developing a long-range comprehensive plan for the prevention  
33 of mental retardation and developmental disabilities in accordance with  
34 the priorities established by the Governor's Council on the Prevention  
35 of Mental Retardation and Developmental Disabilities;

36 b. Encouraging cooperative programs of research among State  
37 governmental departments and agencies, universities and private  
38 agencies;

39 c. Developing public information campaigns about the causes of  
40 developmental disabilities and the means for preventing developmental  
41 disabilities;

42 d. Coordinating public education programs about the causes and

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Senate SSV committee amendments adopted February 17, 2000.

1 prevention of developmental disabilities and determining professional  
2 in-service training needs in these areas;

3 e. Stimulating expanded and new services for the prevention of  
4 developmental disabilities; and

5 f. Making recommendations to the Commissioner of Human  
6 Services regarding any needed executive or legislative action.

7 (cf: P.L.1987, c.5, s.5)

8

9 3. Section 6 of P.L.1987, c.5 (C.30:1AA-15) is amended to read  
10 as follows:

11 6. a. The Governor's Council on the Prevention of Mental  
12 Retardation and Developmental Disabilities, originally created by  
13 Executive Order No. 72 (signed May 24, 1984), shall serve as an  
14 advisory council to the Commissioner of [the Department of] Human  
15 Services and to the Office for Prevention of Mental Retardation and  
16 Developmental Disabilities.

17 The State Departments of Human Services, Education, Health and  
18 Senior Services, Environmental Protection and Community Affairs are  
19 authorized and directed, to the extent consistent with the law, to  
20 cooperate with the Governor's Council on the Prevention of Mental  
21 Retardation and Developmental Disabilities and to furnish it with  
22 resources necessary to carry out its purposes under this act.

23 The Governor shall appoint 25 public members to the Governor's  
24 Council on the Prevention of Mental Retardation and Developmental  
25 Disabilities to serve three-year terms, except that, of the members first  
26 appointed, nine shall be appointed to serve for three years, eight shall  
27 be appointed to serve for two years, and eight shall be appointed to  
28 serve for one year. <sup>1</sup>At least one of the public members appointed to  
29 the Governor's council shall be an advocate for the mentally retarded  
30 and developmentally disabled.<sup>1</sup>

31 b. The Governor's Council on the Prevention of Mental  
32 Retardation and Developmental Disabilities shall establish from its  
33 members the Executive Committee of the Governor's Council on the  
34 Prevention of Mental Retardation and Developmental Disabilities. This  
35 committee shall have full power to act in lieu of the full council. The  
36 executive committee shall consist of [11] 12 members, all of whom  
37 are members of the Governor's council. The Commissioners of the  
38 Departments of Health and Senior Services, Human Services,  
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40 serve as ex officio members. [An advocate for the mentally retarded  
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43 officio members of the executive committee. The Governor's council  
44 shall elect from its membership the remaining five members of the  
45 executive committee. These persons, as members of the Governor's  
46 council, shall be selected for their knowledge, competence, experience

1 or interest in connection with the prevention of mental retardation and  
2 developmental disabilities. Members of the executive committee may,  
3 from time to time, designate other individuals as their representatives.

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7 committee chairperson from among the [four] five voting cabinet  
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9 select from among its members a vice-chairperson and other officers  
10 or subcommittees which are deemed necessary or appropriate.

11 (cf: P.L.1994, c.58, s.26)

12

13 4. Section 7 of P.L.1987, c. 5 (C.30:1AA-16) is amended to read  
14 as follows:

15 7. The Commissioner of Human Services and the executive  
16 committee of the Governor's Council on the Prevention of Mental  
17 Retardation and Developmental Disabilities established pursuant to  
18 section 6 of this act shall report annually to the Governor and the  
19 Legislature concerning the status of prevention programs in the State.

20 (cf: P.L.1987, c.5, s.7)

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22 5. Section 9 of P.L.1987, c.5 (C.30:1AA-18) is amended to read  
23 as follows:

24 9. [Within 120 days of the effective date of this act, the] The  
25 Commissioner of Human Services shall execute written agreements  
26 with the Departments of Health and Senior Services, Education,  
27 Community Affairs and Environmental Protection which are designed  
28 to coordinate the effective use of funds appropriated to the office.

29 These agreements shall fulfill the intent of the comprehensive  
30 prevention plan prepared pursuant to this act and shall provide  
31 coordination of all the departments' budget requests. They shall also  
32 minimally provide the protocol for: dispersing appropriate prevention  
33 funds, programmatic and fiscal monitoring of prevention programs,  
34 ensuring against the duplication of services, and identification of gaps  
35 in prevention efforts.

36 (cf: P.L.1987, c.5, s.9)

37

38 6. This act shall take effect immediately.

P.L. 2000, CHAPTER 82, *approved August 14, 2000*  
Senate, No. 717 (*First Reprint*)

1 **AN ACT** concerning the Governor's Council on the Prevention of  
2 Mental Retardation and amending P.L.1987, c.5.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
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25 service of the Civil Service.

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28 2. Section 5 of P.L.1987, c.5 (C.30:1AA-14) is amended to read  
29 as follows:

30 5. The responsibilities of the office shall include, but are not limited  
31 to:

32 a. Developing a long-range comprehensive plan for the prevention  
33 of mental retardation and developmental disabilities in accordance with  
34 the priorities established by the Governor's Council on the Prevention  
35 of Mental Retardation and Developmental Disabilities;

36 b. Encouraging cooperative programs of research among State  
37 governmental departments and agencies, universities and private  
38 agencies;

39 c. Developing public information campaigns about the causes of  
40 developmental disabilities and the means for preventing developmental

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

**Matter underlined thus is new matter.**

**Matter enclosed in superscript numerals has been adopted as follows:**

<sup>1</sup> Senate SSV committee amendments adopted February 17, 2000.

1 disabilities;

2 d. Coordinating public education programs about the causes and  
3 prevention of developmental disabilities and determining professional  
4 in-service training needs in these areas;

5 e. Stimulating expanded and new services for the prevention of  
6 developmental disabilities; and

7 f. Making recommendations to the Commissioner of Human  
8 Services regarding any needed executive or legislative action.

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19 The State Departments of Human Services, Education, Health and  
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32 and developmentally disabled.<sup>1</sup>

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38 executive committee shall consist of [11] 12 members, all of whom  
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40 Departments of Health and Senior Services, Human Services,  
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44 Chairperson of the Governor's council shall serve as nonvoting, ex  
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6 The executive committee shall serve without compensation, but  
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8 of their duties. The Governor's council shall elect an executive  
9 committee chairperson from among the [four] five voting cabinet  
10 members of the executive committee. The executive committee may  
11 select from among its members a vice-chairperson and other officers  
12 or subcommittees which are deemed necessary or appropriate.

13 (cf: P.L.1994, c.58, s.26)

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15 4. Section 7 of P.L.1987, c. 5 (C.30:1AA-16) is amended to read  
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17 7. The Commissioner of Human Services and the executive  
18 committee of the Governor's Council on the Prevention of Mental  
19 Retardation and Developmental Disabilities established pursuant to  
20 section 6 of this act shall report annually to the Governor and the  
21 Legislature concerning the status of prevention programs in the State.

22 (cf: P.L.1987, c.5, s.7)

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24 5. Section 9 of P.L.1987, c.5 (C.30:1AA-18) is amended to read  
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26 9. [Within 120 days of the effective date of this act, the] The  
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28 with the Departments of Health and Senior Services, Education,  
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32 prevention plan prepared pursuant to this act and shall provide  
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36 ensuring against the duplication of services, and identification of gaps  
37 in prevention efforts.

38 (cf: P.L.1987, c.5, s.9)

39

40 6. This act shall take effect immediately.

41

42

43

44 Renames the Governor's Council on the Prevention of Mental  
45 Retardation as the Governor's Council on the Prevention of Mental  
46 Retardation and Developmental Disabilities.



## CHAPTER 82

AN ACT concerning the Governor's Council on the Prevention of Mental Retardation and amending P.L.1987, c.5.

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

1. Section 3 of P.L.1987, c.5 (C.30:1AA-12) is amended to read as follows:

C.30:1AA-12 Director, appointment, powers.

3. The administrator and chief executive officer of the office shall be the director, who shall be a person qualified by training and experience to perform the duties of the office. Subsequent to consultation with the Governor's Council on the Prevention of Mental Retardation and Developmental Disabilities, the Commissioner of Human Services shall appoint the director, who shall serve at the pleasure of the commissioner during the commissioner's term of office and until the appointment and qualification of the director's successor. The director shall devote his entire time to the duties of his position and shall receive a salary commensurate with the responsibilities of the office. The director shall serve in the State unclassified service of the Civil Service.

The director may appoint, retain or employ officers, experts or consultants on a contract basis or otherwise, which he deems necessary, and employ investigators or other professionally qualified personnel who shall be in the noncompetitive division of the career service of the Civil Service.

2. Section 5 of P.L.1987, c.5 (C.30:1AA-14) is amended to read as follows:

C.30:1AA-14 Office, responsibilities.

5. The responsibilities of the office shall include, but are not limited to:

- a. Developing a long-range comprehensive plan for the prevention of mental retardation and developmental disabilities in accordance with the priorities established by the Governor's Council on the Prevention of Mental Retardation and Developmental Disabilities;
- b. Encouraging cooperative programs of research among State governmental departments and agencies, universities and private agencies;
- c. Developing public information campaigns about the causes of developmental disabilities and the means for preventing developmental disabilities;
- d. Coordinating public education programs about the causes and prevention of developmental disabilities and determining professional in-service training needs in these areas;
- e. Stimulating expanded and new services for the prevention of developmental disabilities; and
- f. Making recommendations to the Commissioner of Human Services regarding any needed executive or legislative action.

3. Section 6 of P.L.1987, c.5 (C.30:1AA-15) is amended to read as follows:

C.30:1AA-15 Governor's council; executive committee.

6. a. The Governor's Council on the Prevention of Mental Retardation and Developmental Disabilities, originally created by Executive Order No. 72 (signed May 24, 1984), shall serve as an advisory council to the Commissioner of Human Services and to the Office for Prevention of Mental Retardation and Developmental Disabilities.

The State Departments of Human Services, Education, Health and Senior Services, Environmental Protection and Community Affairs are authorized and directed, to the extent consistent with the law, to cooperate with the Governor's Council on the Prevention of Mental Retardation and Developmental Disabilities and to furnish it with resources necessary to carry out its purposes under this act.

The Governor shall appoint 25 public members to the Governor's Council on the Prevention of Mental Retardation and Developmental Disabilities to serve three-year terms, except that, of the members first appointed, nine shall be appointed to serve for three years, eight shall be appointed to serve for two years, and eight shall be appointed to serve for one year. At least one of the public members appointed to the Governor's council shall be an advocate for the mentally retarded and developmentally disabled.

b. The Governor's Council on the Prevention of Mental Retardation and Developmental Disabilities shall establish from its members the Executive Committee of the Governor's Council on the Prevention of Mental Retardation and Developmental Disabilities. This committee shall have full power to act in lieu of the full council. The executive committee shall consist of 12 members, all of whom are members of the Governor's council. The Commissioners of the Departments of Health and Senior Services, Human Services, Education, Community Affairs and Environmental Protection shall serve as ex officio members. The Secretary of State and the Chairperson of the Governor's council shall serve as nonvoting, ex officio members of the executive committee. The Governor's council shall elect from its membership the remaining five members of the executive committee. These persons, as members of the Governor's council, shall be selected for their knowledge, competence, experience or interest in connection with the prevention of mental retardation and developmental disabilities. Members of the executive committee may, from time to time, designate other individuals as their representatives.

The executive committee shall serve without compensation, but shall be reimbursed for necessary expenses incurred in the performance of their duties. The Governor's council shall elect an executive committee chairperson from among the five voting cabinet members of the executive committee. The executive committee may select from among its members a vice-chairperson and other officers or subcommittees which are deemed necessary or appropriate.

4. Section 7 of P.L.1987, c. 5 (C.30:1AA-16) is amended to read as follows:

C.30:1AA-16 Annual report to Governor, Legislature.

7. The Commissioner of Human Services and the executive committee of the Governor's Council on the Prevention of Mental Retardation and Developmental Disabilities established pursuant to section 6 of this act shall report annually to the Governor and the Legislature concerning the status of prevention programs in the State.

5. Section 9 of P.L.1987, c.5 (C.30:1AA-18) is amended to read as follows:

C.30:1AA-18 Coordination of funding.

9. The Commissioner of Human Services shall execute written agreements with the Departments of Health and Senior Services, Education, Community Affairs and Environmental Protection which are designed to coordinate the effective use of funds appropriated to the office.

These agreements shall fulfill the intent of the comprehensive prevention plan prepared pursuant to this act and shall provide coordination of all the departments' budget requests. They shall also minimally provide the protocol for: dispersing appropriate prevention funds, programmatic and fiscal monitoring of prevention programs, ensuring against the duplication of services, and identification of gaps in prevention efforts.

6. This act shall take effect immediately.

Approved August 14, 2000.

**STATE OF NEW JERSEY**  
EXECUTIVE DEPARTMENT

EXECUTIVE ORDER NO. 178

WHEREAS, on May 24, 1984, I created by Executive Order No. 72 a Governor's Council on the Prevention of Mental Retardation, a body composed of Commissioners of various State departments and concerned citizens who have distinguished records in the area of mental retardation and developmental disabilities; and

WHEREAS, the Council completed a study evaluating the services needed to prevent mental retardation and developmental disabilities and made recommendations in a report to the Administration; and

WHEREAS, as a result of that report, I signed into law on January 20, 1987 legislation (P.L. 1987, c.5) establishing a permanent Office for Prevention of Mental Retardation and Developmental Disabilities in the Department of Human Services; and

WHEREAS, the Governor's Council on the Prevention of Mental Retardation should continue to serve as an advisory council to the Commissioner of the Department of Human Services and to the newly created Office for Prevention of Mental Retardation and Developmental Disabilities.

NOW, THEREFORE, I, THOMAS H. KEAN, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. The Governor's Council on the Prevention of Mental Retardation shall continue in existence until December 31, 1989, and shall be renamed the Governor's Council on the Prevention of Mental Retardation and Developmental Disabilities to more accurately reflect the Council's expanded scope of prevention activities.

- a. The Council shall consist of no more than 25 public members appointed by the Governor. The members shall be appointed from among persons representing consumers, professionals in mental retardation and developmental disabilities, and persons representing the private sector.
- b. The Commissioners of the Departments of Human Services, Education, Health, Environmental Protection and/or their designees, shall also serve on the Council.
- c. Council vacancies shall be filled by appointment by the Governor for the remainder of the unexpired term.
- d. The Governor shall designate the Chairperson of the Council from

STATE OF NEW JERSEY  
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among the members of the Council. The Chairperson of the Council shall serve at the pleasure of the Governor.

- e. The Council may further organize itself in any manner it deems appropriate and enact by laws as deemed necessary to carry forth the responsibilities of the Council.

2. The Governor's Council on the Prevention of Mental Retardation and Developmental Disabilities shall:

- a. Advise the Commissioner of the Department of Human Services and the Office for Prevention of Mental Retardation and Developmental Disabilities in the Department of Human Services;
- b. Mobilize citizens and community agencies to support prevention-related activities;
- c. Develop mechanisms to facilitate early detection;
- d. Foster cooperative working relationships among responsible agencies; and
- e. Provide other information on prevention as the Governor may request.

3. The Council, in performing its charge, shall consult with existing agencies for planning, coordination and delivery of prevention services to families at the State, county and local levels.

4. The Departments of Human Services, Education, Health, and Environmental Protection are authorized and directed, to the extent consistent with the law, to cooperate with the Council and to furnish it with resources necessary to carry out its purposes under this Order.

5. This order shall take effect immediately and shall expire on December 31, 1989.

GIVEN, under my hand and seal, this 30<sup>th</sup> day of July\_in the Year of Our Lord, one thousand nine hundred and eighty-seven, and of the Independence of the United States, the two hundred and twelfth.

/s/ Thomas H. Kean

GOVERNOR

(seal)

Attest:

/s/ Michael R. Cole

Chief Counsel

PO BOX 004  
TRENTON, NJ 08625

*Office of the Governor*  
**NEWS RELEASE**

CONTACT: Jayne O'Connor  
Laura Otterbourg  
609-777-2600

RELEASE: August 14, 2000

Governor Whitman today signed the following pieces of legislation:

**A-1436**, sponsored by Assemblyman Richard A. Merkt (Morris) and Senator Robert J. Martin (R-Essex/Morris/Passaic), will allow permanently and totally disabled voters the option to receive absentee ballots for each election during a calendar year by filling out one application at the beginning of the year.

Current law requires disabled voters to apply for an absentee ballot in every election during the calendar year.

**A-2270**, sponsored by Assemblywoman Charlotte Vandervalk (R-Bergen) and Senator Jack Sinagra (R-Middlesex), clarifies enforcement authority of local health officers regarding the sale or distribution of tobacco products to minors. The bill states that a local health officer may issue a summons to a person who violates this prohibition. The municipality would retain penalties collected as a result of this enforcement.

**S-717**, sponsored by Senators C. Louis Bassano (Essex/Union) and Diane B. Allen (R-Burlington/Camden) and Assemblymembers Melvin Cottrell (R-Burlington/Monmouth/Ocean) and Joseph R. Malone, III. (R-Burlington/Monmouth/Ocean), renames the Governor's Council on the Prevention of Mental Retardation as the Governor's Council on the Prevention of Mental Retardation and Developmental Disabilities.

The bill also provides that an advocate for the mentally retarded and developmentally disabled shall be included among the Council's public members, and that the Council's 12-member Executive Committee shall include the Commissioner of Community Affairs as an ex-officio member and the Secretary of State as a non-voting, ex-officio member.

**S-220**, sponsored by Senators Wayne R. Bryant (D-Camden/Gloucester), William L. Gormley (R-Atlantic) and Assemblymembers David C. Russo (R-Bergen/Passaic) and Joan M. Quigley (D-Bergen/Hudson), provides that upon the resolution of a lawsuit, civil judgement, arbitration or workers' compensation case where a party is entitled to receive a settlement, judgement or award - a lien will be placed upon the net proceeds payable to the prevailing party if the party is found to owe child support. The fee shall have priority over all other levies and citations (unless a court orders otherwise) and except for levies to recover unpaid income taxes to the State.

The bill arose out of the concern that child support obligations may remain unsatisfied, while an obligor is in receipt of an influx of money from a lawsuit settlement, civil judgement, or other adjudicated means.

**A-436**, sponsored by Assembly Members Joel M. Weingarten (R-Essex/Union), Joseph Suliga (D-Union), Christopher "Kip" Bateman (R-Morris/ Somerset) and Guy R. Gregg (R-Sussex/Hunterdon/Morris) and Senators Anthony R. Bucco (R-Morris) and Walter J. Kavanaugh (R-Morris/ Somerset), requires insurers to provide certain notice concerning flood insurance.

This bill requires insurance companies that issue homeowners' insurance policies to provide existing and prospective policyholders with notice that a standard insurance policy does not cover property damaged by a flood. The Commissioner of Banking and Insurance may impose monetary penalties up to \$2,500 for the first violation and up to \$5,000 for any subsequent violation against any insurer that violates the bill's provisions.

**A-622**, sponsored by Assembly Members Carol J. Murphy (R-Essex/Morris/Passaic) and Alex DeCroce (R-Essex/Morris/Passaic), extends the period for a judge to issue a summons for illegally passing a school bus. Current law requires that a complaint for illegally passing 30 days of the offense. The new legislation would extend the time period to 90 days, thereby allowing more time for investigation to ensure that violators can be prosecuted. The bill also provides that any person who suppresses the identity of a driver who committed this offense would be subject to a fine of \$100.

Governor Whitman also today signed the following joint resolution:

**SJR-13**, sponsored by Senators John A. Lynch (D-Middlesex), Jack Sinagra (R-Middlesex) and Assemblyman Melvin Cottrell (R-Burlington/Monmouth/Ocean), designates December 12th of each year as "Foster Children's Day." The joint resolution is designed to recognize the unique needs and experiences of foster children and provide an opportunity for State and local government, private organizations and the general public to engage in charitable efforts to acknowledge that foster children are important and loved.