

52:17B-170

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2005 **CHAPTER:** 164

NJSA: 52:17B-170 (Requires submission of Juvenile Justice Commission master plan every 3 years)

BILL NO: S515 (Substituted for A2443)

SPONSOR(S): Sacco and others

DATE INTRODUCED: Pre-filed

COMMITTEE: **ASSEMBLY:** Law and Public Safety
SENATE: Law and Public Safety and Veterans' Affairs

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** June 27, 2005
SENATE: February 23, 2004

DATE OF APPROVAL: August 5, 2005

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (Original version of bill enacted)

S515

[SPONSOR'S STATEMENT](#): (Begins on page 6 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** [Yes](#)

SENATE: [Yes](#)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A2443

[SPONSOR'S STATEMENT](#): (Begins on page 6 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** [Yes](#)

SENATE: No

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS:

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HEARINGS:

No

NEWSPAPER ARTICLES:

No

P.L. 2005, CHAPTER 164, *approved August 5, 2005*
Senate, No. 515

1 **AN ACT** concerning Juvenile Justice Master Plans and
2 State/Community Partnership Grant funds and amending P.L.1995,
3 c.284 and P.L.1995, c.282.

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

7
8 1. Section 2 of P.L.1995, c.284 (C.52:17B-170) is amended to
9 read as follows:

10 2. a. A Juvenile Justice Commission is established in, but not of,
11 the Department of Law and Public Safety. The commission is
12 allocated to the Department of Law and Public Safety for the purpose
13 of complying with Article V, Section IV, paragraph 1 of the New
14 Jersey Constitution. The Attorney General shall be the request officer
15 for the commission within the meaning of section 6 of article 3 of
16 P.L.1944, c.112 (C.52:27B-15) and shall exercise that authority and
17 other administrative functions, powers and duties consistent with the
18 provisions of this act.

19 b. The commission shall consist of an executive director, an
20 executive board, an advisory council and such facilities, officers,
21 employees and organizational units as provided herein or as otherwise
22 necessary to performance of the commission's duties and
23 responsibilities.

24 c. The executive director shall be appointed by the Governor with
25 the advice and consent of the Senate and shall serve at the pleasure of
26 the Governor during the Governor's term of office and until a
27 successor is appointed and qualified.

28 d. The executive board shall consist of the following members:
29 The Attorney General, who shall serve as chair of the executive board;
30 the Commissioner of Corrections and the Commissioner of Human
31 Services, who shall serve as vice-chairs of the executive board; the
32 Commissioner of Education; the chair of the Juvenile Justice
33 Commission advisory council, established pursuant to section 4 of
34 P.L.1995, c.284 (C.52:17B-172); and two members who serve as
35 chairs of a county youth services commission, established pursuant to
36 P.L.1995, c.282 (C.52:17B-180), to be appointed by the Governor to
37 serve at the Governor's pleasure. The Administrative Director of the
38 Administrative Office of the Courts is invited to participate on the
39 executive board, subject to the approval of the Supreme Court. A
40 member of the executive board may name a designee who shall have
41 the authority to act for the member. Members of the executive board

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 shall serve without compensation for their services to the commission.
2 The executive board shall meet at least quarterly and at such other
3 times as designated by the chair. Except with respect to matters
4 concerning distribution of funds to counties, four members of the
5 executive board shall constitute a quorum to transact business of the
6 executive board and action of the executive board shall require an
7 affirmative vote of four members. A member of the executive board
8 who is also a member of a county youth services commission shall not
9 participate in matters concerning distribution of funds to counties; in
10 these matters, three members of the executive board shall constitute
11 a quorum to transact business and an action of the executive board
12 shall require an affirmative vote of three members.

13 e. The commission shall have the following powers, duties and
14 responsibilities:

15 (1) To specify qualifications for and to employ, within the limits of
16 available appropriations and subject to the provisions of P.L.1995,
17 c.284 (C.52:17B-169 et seq.) and Title 11A of the New Jersey
18 Statutes, such staff as are necessary to accomplish the work of the
19 commission or as are needed for the proper performance of the
20 functions and duties of the commission, including but not limited to:

21 (a) The number of deputy directors, assistant directors,
22 superintendents, assistant superintendents and other assistants who
23 shall be in the unclassified service and shall be deemed confidential
24 employees for the purposes of the "New Jersey Employer-Employee
25 Relations Act," P.L.1941, c.100 (C.34:13A-1 et seq.); and

26 (b) Juvenile corrections officers;

27 (2) To utilize such staff of the Department of Law and Public
28 Safety as the Attorney General, within the limits of available
29 appropriations, may make available to the commission;

30 (3) To organize the work of the commission in appropriate bureaus
31 and other organization units;

32 (4) To enter into contracts and agreements with State, county and
33 municipal governmental agencies and with private entities for the
34 purpose of providing services and sanctions for juveniles adjudicated
35 or charged as delinquent and programs for prevention of juvenile
36 delinquency;

37 (5) To contract for the services of professional and technical
38 personnel and consultants as necessary to fulfill the statutory
39 responsibilities of the commission;

40 (6) To establish minimum standards for the care, treatment,
41 government and discipline of juveniles confined pending, or as a result
42 of, an adjudication of delinquency;

43 (7) To assume the custody and care of all juveniles committed by
44 court order, law, classification, regulation or contract to the custody
45 of the commission or transferred to the custody of the commission
46 pursuant to section 8 of P.L.1995, c.284 (C.52:17B-176);

- 1 (8) To manage and operate all State secure juvenile facilities which
2 shall include the New Jersey Training School for Boys created
3 pursuant to R.S.30:1-7 and transferred to the Commissioner of
4 Corrections pursuant to section 8 of P.L.1976, c.98 (C.30:1B-8) and
5 the Juvenile Medium Security Facility created pursuant to R.S.30:1-7
6 and both transferred to the commission pursuant to section 8 of
7 P.L.1995, c.284 (C.52:17B-176) and shall include any other secure
8 juvenile facility established by the commission in the future;
- 9 (9) To manage and operate all State juvenile facilities or juvenile
10 programs for juveniles adjudicated delinquent which shall include
11 facilities and programs transferred to the commission pursuant to
12 section 8 of P.L.1995, c.284 (C.52:17B-176) or established or
13 contracted for in the future by the commission;
- 14 (10) To prepare [an annual] a State Juvenile Justice Master Plan
15 every third year which identifies facilities, sanctions and services
16 available for juveniles adjudicated or charged as delinquent and
17 juvenile delinquency prevention programs and which identifies
18 additional needs based upon the extent and nature of juvenile
19 delinquency and the adequacy and effectiveness of available facilities,
20 services, sanctions and programs;
- 21 (11) To approve plans for each county submitted by the county
22 youth services commission pursuant to P.L.1995, c.282
23 (C.52:17B-180);
- 24 (12) To administer the State/Community Partnership Grant
25 Program established pursuant to P.L.1995, c.283 (C.52:17B-179);
- 26 (13) To accept from any governmental department or agency,
27 public or private body or any other source, grants or contributions to
28 be used in exercising its power, and in meeting its duties and
29 responsibilities;
- 30 (14) To formulate and adopt standards and rules for the efficient
31 conduct of the work of the commission, the facilities, services,
32 sanctions and programs within its jurisdiction, and its officers and
33 employees;
- 34 (15) To provide for the development of the facilities, services,
35 sanctions and programs within its jurisdiction and to promote the
36 integration of State, county and local facilities, sanctions, services and
37 programs, including probation and parole;
- 38 (16) To institute, or cause to be instituted, such legal proceedings
39 or processes as may be necessary to enforce properly and give effect
40 to any of its powers or duties including the authority to compel by
41 subpoena, subject to the sanction for contempt of subpoena issued by
42 a court, attendance and production of records;
- 43 (17) To provide for the timely and efficient collection and analysis
44 of data regarding the juvenile justice system to insure the continuing
45 review and evaluation of services, policies and procedures;
- 46 (18) To receive and classify juveniles committed to the custody of

- 1 the commission;
- 2 (19) To supervise compliance with conditions of parole;
- 3 (20) To establish appropriate dispositions of juveniles for whom
4 parole has been revoked;
- 5 (21) To perform such other functions as may be prescribed by law;
6 and
- 7 (22) To promulgate, pursuant to the "Administrative Procedure
8 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations
9 necessary to implement and effectuate the purposes of this act.
10 (cf: P.L.1995, c.284, s.2)
- 11
- 12 2. Section 1 of P.L.1995, c.282 (C.52:17B-180) is amended to
13 read as follows:
- 14 1. a. In order to qualify for award of State/Community Partnership
15 Grant funds established pursuant to P.L.1995, c.283 (C.52:17B-179)
16 a county shall:
- 17 (1) Establish a county youth services commission in accordance
18 with regulations promulgated by the Juvenile Justice Commission
19 established pursuant to section 2 of P.L.1995, c.284 (C.52:17B-170);
- 20 (2) Submit and obtain Juvenile Justice Commission approval of a
21 ~~[biannual]~~ triennial comprehensive plan for services and sanctions for
22 juveniles adjudicated or charged as delinquent and programs for the
23 prevention of juvenile delinquency which:
- 24 (a) are designed to promote the goals of P.L.1995, c.283
25 (C.52:17B-179);
- 26 (b) provide recommendations for funding of programs, sanctions
27 and services that enhance and expand the range of sanctions and
28 services for juveniles adjudicated or charged as delinquent and
29 programs designed to prevent delinquency;
- 30 (c) make services available in geographical locations within the
31 county where juveniles in need reside; and
- 32 (d) provide for distribution of State/Community Partnership Grant
33 funds by the county in accordance with contracts or agreements
34 executed by the appropriate county officials in accordance with
35 applicable law.
- 36 b. The Juvenile Justice Commission shall establish by regulation:
- 37 (1) Specific guidelines as to membership of a county youth services
38 commission;
- 39 (2) Specific requirements for the administration of the
40 State/Community Partnership Grant funds awarded by the county.
- 41 c. Notwithstanding the provisions of subsection a. of this section,
42 the county governing body may elect, upon annual written request
43 approved by the executive director, to designate a commission, council
44 or agency to assume the responsibilities of a county youth services
45 commission in that county. Approval of such a request shall be
46 contingent upon the governing body demonstrating that the

1 membership of the designated entity is sufficiently representative of
2 persons and agencies interested in the juvenile justice system to permit
3 the entity to perform the duties and responsibilities of a county youth
4 services commission, that the members of the designated entity are
5 otherwise qualified to perform the duties and responsibilities of
6 members of a county youth services commission, and that the
7 designated entity has the authority and responsibility to carry out the
8 duties and responsibilities of a county youth services commission.

9 d. A county youth services commission shall:

10 (1) Recommend to the governing body of the county the approval
11 or disapproval of contracts with local government or private agencies
12 that desire participation in the State/Community Partnership Grant
13 Program;

14 (2) Monitor the operations of programs receiving State/Community
15 Partnership Grant funds with reference to compliance with standards,
16 policies and rules established by the Juvenile Justice Commission;

17 (3) Monitor and evaluate the impact of the programs receiving
18 State/Community Partnership Grant funds, including the nature of the
19 offender or at risk populations served by the funded programs, and
20 prepare a written report with relevant documentation, on an annual
21 basis, to be submitted to the Juvenile Justice Commission as part of
22 the commission's [biannual] triennial plan and annual update; and

23 (4) Perform such other duties as may be established by the Juvenile
24 Justice Commission to achieve the purposes of P.L.1995, c.284
25 (C.52:17B-169 et seq.) which creates the Juvenile Justice Commission
26 and P.L.1995, c.283 (C.52:17B-179) which creates the
27 State/Community Partnership Grant Program.

28 e. No county may use funds received pursuant to this section to
29 supplant or replace existing funds or other resources from federal,
30 State or county government for existing juvenile justice-related
31 programs or for purposes of capital construction or renovation.

32 f. If a county elects not to participate in the State/Community
33 Partnership Grant Program, the commission is authorized to allocate
34 and expend that county's share of Partnership funding in a manner
35 consistent with the commission's [annual] Juvenile Justice Master
36 Plan.

37 (cf: P.L.1995, c.282, s.1)

38
39 3. This act shall take effect immediately.
40
41
42
43

44 _____
45 Requires submission of Juvenile Justice Commission master plan and
county youth services plans every three years.

SENATE, No. 515

STATE OF NEW JERSEY
211th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2004 SESSION

Sponsored by:

Senator NICHOLAS J. SACCO

District 32 (Bergen and Hudson)

Senator PAUL SARLO

District 36 (Bergen, Essex and Passaic)

SYNOPSIS

Requires submission of Juvenile Justice Commission master plan and county youth services plans every three years.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



S515 SACCO, SARLO

2

1 AN ACT concerning Juvenile Justice Master Plans and
2 State/Community Partnership Grant funds and amending P.L.1995,
3 c.284 and P.L.1995, c.282.

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

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8 1. Section 2 of P.L.1995, c.284 (C.52:17B-170) is amended to
9 read as follows:

10 2. a. A Juvenile Justice Commission is established in, but not of,
11 the Department of Law and Public Safety. The commission is
12 allocated to the Department of Law and Public Safety for the purpose
13 of complying with Article V, Section IV, paragraph 1 of the New
14 Jersey Constitution. The Attorney General shall be the request officer
15 for the commission within the meaning of section 6 of article 3 of
16 P.L.1944, c.112 (C.52:27B-15) and shall exercise that authority and
17 other administrative functions, powers and duties consistent with the
18 provisions of this act.

19 b. The commission shall consist of an executive director, an
20 executive board, an advisory council and such facilities, officers,
21 employees and organizational units as provided herein or as otherwise
22 necessary to performance of the commission's duties and
23 responsibilities.

24 c. The executive director shall be appointed by the Governor with
25 the advice and consent of the Senate and shall serve at the pleasure of
26 the Governor during the Governor's term of office and until a
27 successor is appointed and qualified.

28 d. The executive board shall consist of the following members:
29 The Attorney General, who shall serve as chair of the executive board;
30 the Commissioner of Corrections and the Commissioner of Human
31 Services, who shall serve as vice-chairs of the executive board; the
32 Commissioner of Education; the chair of the Juvenile Justice
33 Commission advisory council, established pursuant to section 4 of
34 P.L.1995, c.284 (C.52:17B-172); and two members who serve as
35 chairs of a county youth services commission, established pursuant to
36 P.L.1995, c.282 (C.52:17B-180), to be appointed by the Governor to
37 serve at the Governor's pleasure. The Administrative Director of the
38 Administrative Office of the Courts is invited to participate on the
39 executive board, subject to the approval of the Supreme Court. A
40 member of the executive board may name a designee who shall have
41 the authority to act for the member. Members of the executive board
42 shall serve without compensation for their services to the commission.
43 The executive board shall meet at least quarterly and at such other

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 times as designated by the chair. Except with respect to matters
2 concerning distribution of funds to counties, four members of the
3 executive board shall constitute a quorum to transact business of the
4 executive board and action of the executive board shall require an
5 affirmative vote of four members. A member of the executive board
6 who is also a member of a county youth services commission shall not
7 participate in matters concerning distribution of funds to counties; in
8 these matters, three members of the executive board shall constitute
9 a quorum to transact business and an action of the executive board
10 shall require an affirmative vote of three members.

11 e. The commission shall have the following powers, duties and
12 responsibilities:

13 (1) To specify qualifications for and to employ, within the limits of
14 available appropriations and subject to the provisions of P.L.1995,
15 c.284 (C.52:17B-169 et seq.) and Title 11A of the New Jersey
16 Statutes, such staff as are necessary to accomplish the work of the
17 commission or as are needed for the proper performance of the
18 functions and duties of the commission, including but not limited to:

19 (a) The number of deputy directors, assistant directors,
20 superintendents, assistant superintendents and other assistants who
21 shall be in the unclassified service and shall be deemed confidential
22 employees for the purposes of the "New Jersey Employer-Employee
23 Relations Act," P.L.1941, c.100 (C.34:13A-1 et seq.); and

24 (b) Juvenile corrections officers;

25 (2) To utilize such staff of the Department of Law and Public
26 Safety as the Attorney General, within the limits of available
27 appropriations, may make available to the commission;

28 (3) To organize the work of the commission in appropriate bureaus
29 and other organization units;

30 (4) To enter into contracts and agreements with State, county and
31 municipal governmental agencies and with private entities for the
32 purpose of providing services and sanctions for juveniles adjudicated
33 or charged as delinquent and programs for prevention of juvenile
34 delinquency;

35 (5) To contract for the services of professional and technical
36 personnel and consultants as necessary to fulfill the statutory
37 responsibilities of the commission;

38 (6) To establish minimum standards for the care, treatment,
39 government and discipline of juveniles confined pending, or as a result
40 of, an adjudication of delinquency;

41 (7) To assume the custody and care of all juveniles committed by
42 court order, law, classification, regulation or contract to the custody
43 of the commission or transferred to the custody of the commission
44 pursuant to section 8 of P.L.1995, c.284 (C.52:17B-176);

45 (8) To manage and operate all State secure juvenile facilities which
46 shall include the New Jersey Training School for Boys created

1 pursuant to R.S.30:1-7 and transferred to the Commissioner of
2 Corrections pursuant to section 8 of P.L.1976, c.98 (C.30:1B-8) and
3 the Juvenile Medium Security Facility created pursuant to R.S.30:1-7
4 and both transferred to the commission pursuant to section 8 of
5 P.L.1995, c.284 (C.52:17B-176) and shall include any other secure
6 juvenile facility established by the commission in the future;

7 (9) To manage and operate all State juvenile facilities or juvenile
8 programs for juveniles adjudicated delinquent which shall include
9 facilities and programs transferred to the commission pursuant to
10 section 8 of P.L.1995, c.284 (C.52:17B-176) or established or
11 contracted for in the future by the commission;

12 (10) To prepare [an annual] a State Juvenile Justice Master Plan
13 every third year which identifies facilities, sanctions and services
14 available for juveniles adjudicated or charged as delinquent and
15 juvenile delinquency prevention programs and which identifies
16 additional needs based upon the extent and nature of juvenile
17 delinquency and the adequacy and effectiveness of available facilities,
18 services, sanctions and programs;

19 (11) To approve plans for each county submitted by the county
20 youth services commission pursuant to P.L.1995, c.282
21 (C.52:17B-180);

22 (12) To administer the State/Community Partnership Grant
23 Program established pursuant to P.L.1995, c.283 (C.52:17B-179);

24 (13) To accept from any governmental department or agency,
25 public or private body or any other source, grants or contributions to
26 be used in exercising its power, and in meeting its duties and
27 responsibilities;

28 (14) To formulate and adopt standards and rules for the efficient
29 conduct of the work of the commission, the facilities, services,
30 sanctions and programs within its jurisdiction, and its officers and
31 employees;

32 (15) To provide for the development of the facilities, services,
33 sanctions and programs within its jurisdiction and to promote the
34 integration of State, county and local facilities, sanctions, services and
35 programs, including probation and parole;

36 (16) To institute, or cause to be instituted, such legal proceedings
37 or processes as may be necessary to enforce properly and give effect
38 to any of its powers or duties including the authority to compel by
39 subpoena, subject to the sanction for contempt of subpoena issued by
40 a court, attendance and production of records;

41 (17) To provide for the timely and efficient collection and analysis
42 of data regarding the juvenile justice system to insure the continuing
43 review and evaluation of services, policies and procedures;

44 (18) To receive and classify juveniles committed to the custody of
45 the commission;

46 (19) To supervise compliance with conditions of parole;

1 (20) To establish appropriate dispositions of juveniles for whom
2 parole has been revoked;

3 (21) To perform such other functions as may be prescribed by law;
4 and

5 (22) To promulgate, pursuant to the "Administrative Procedure
6 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations
7 necessary to implement and effectuate the purposes of this act.

8 (cf: P.L.1995, c.284, s.2)

9

10 2. Section 1 of P.L.1995, c.282 (C.52:17B-180) is amended to
11 read as follows:

12 1. a. In order to qualify for award of State/Community Partnership
13 Grant funds established pursuant to P.L.1995, c.283 (C.52:17B-179)
14 a county shall:

15 (1) Establish a county youth services commission in accordance
16 with regulations promulgated by the Juvenile Justice Commission
17 established pursuant to section 2 of P.L.1995, c.284 (C.52:17B-170);

18 (2) Submit and obtain Juvenile Justice Commission approval of a
19 **[biannual]** triennial comprehensive plan for services and sanctions for
20 juveniles adjudicated or charged as delinquent and programs for the
21 prevention of juvenile delinquency which:

22 (a) are designed to promote the goals of P.L.1995, c.283
23 (C.52:17B-179);

24 (b) provide recommendations for funding of programs, sanctions
25 and services that enhance and expand the range of sanctions and
26 services for juveniles adjudicated or charged as delinquent and
27 programs designed to prevent delinquency;

28 (c) make services available in geographical locations within the
29 county where juveniles in need reside; and

30 (d) provide for distribution of State/Community Partnership Grant
31 funds by the county in accordance with contracts or agreements
32 executed by the appropriate county officials in accordance with
33 applicable law.

34 b. The Juvenile Justice Commission shall establish by regulation:

35 (1) Specific guidelines as to membership of a county youth services
36 commission;

37 (2) Specific requirements for the administration of the
38 State/Community Partnership Grant funds awarded by the county.

39 c. Notwithstanding the provisions of subsection a. of this section,
40 the county governing body may elect, upon annual written request
41 approved by the executive director, to designate a commission, council
42 or agency to assume the responsibilities of a county youth services
43 commission in that county. Approval of such a request shall be
44 contingent upon the governing body demonstrating that the
45 membership of the designated entity is sufficiently representative of
46 persons and agencies interested in the juvenile justice system to permit

1 the entity to perform the duties and responsibilities of a county youth
2 services commission, that the members of the designated entity are
3 otherwise qualified to perform the duties and responsibilities of
4 members of a county youth services commission, and that the
5 designated entity has the authority and responsibility to carry out the
6 duties and responsibilities of a county youth services commission.

7 d. A county youth services commission shall:

8 (1) Recommend to the governing body of the county the approval
9 or disapproval of contracts with local government or private agencies
10 that desire participation in the State/Community Partnership Grant
11 Program;

12 (2) Monitor the operations of programs receiving State/Community
13 Partnership Grant funds with reference to compliance with standards,
14 policies and rules established by the Juvenile Justice Commission;

15 (3) Monitor and evaluate the impact of the programs receiving
16 State/Community Partnership Grant funds, including the nature of the
17 offender or at risk populations served by the funded programs, and
18 prepare a written report with relevant documentation, on an annual
19 basis, to be submitted to the Juvenile Justice Commission as part of
20 the commission's [~~biannual~~] triennial plan and annual update; and

21 (4) Perform such other duties as may be established by the Juvenile
22 Justice Commission to achieve the purposes of P.L.1995, c.284
23 (C.52:17B-169 et seq.) which creates the Juvenile Justice Commission
24 and P.L.1995, c.283 (C.52:17B-179) which creates the
25 State/Community Partnership Grant Program.

26 e. No county may use funds received pursuant to this section to
27 supplant or replace existing funds or other resources from federal,
28 State or county government for existing juvenile justice-related
29 programs or for purposes of capital construction or renovation.

30 f. If a county elects not to participate in the State/Community
31 Partnership Grant Program, the commission is authorized to allocate
32 and expend that county's share of Partnership funding in a manner
33 consistent with the commission's [~~annual~~] Juvenile Justice Master
34 Plan.

35 (cf: P.L.1995, c.282, s.1)

36

37 3. This act shall take effect immediately.

38

39

40

STATEMENT

41

42 This bill changes the requirement for submission of the Juvenile
43 Justice Commission's master plan from annually to once every three
44 years. Under current law, the plan must contain an evaluation of the
45 State's entire juvenile justice system. The cost of implementing plan
46 recommendations has been substantial, with costs dispersed over

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7

1 several fiscal years. The time and resources needed to prepare the
2 plan and implement its recommendations, as well as the cost of
3 implementation, make annual submission infeasible.

4 This bill also changes the requirements for submission of a county
5 youth services plan to the Juvenile Justice Commission. Current law
6 requires the county youth services commissions to submit these plans
7 twice each year. But there has been a significant increase in the
8 planning responsibilities of the county commissions. Under the
9 provisions of this bill, the commissions would be required to submit
10 the plan every three years.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 515

STATE OF NEW JERSEY

DATED: OCTOBER 4, 2004

The Assembly Law and Public Safety Committee reports favorably Senate Bill No. 515.

Senate Bill No. 515 changes the requirement for submission of the Juvenile Justice Commission's master plan from annually to once every three years. Under current law, the plan must contain an evaluation of the State's entire juvenile justice system. The cost of implementing plan recommendations has been substantial, with costs dispersed over several fiscal years. The time and resources needed to prepare the plan and implement its recommendations, as well as the cost of implementation, make annual submission infeasible.

The bill also changes the requirements for submission of a county youth services plan to the Juvenile Justice Commission. Current law requires the county youth services commissions to submit these plans twice each year. But there has been a significant increase in the planning responsibilities of the county commissions. Under the provisions of this bill, the commissions would be required to submit the plan every three years.

As released by the committee, this bill is identical to Assembly Bill No. 2443, also released by the committee on this same date.

SENATE LAW AND PUBLIC SAFETY AND VETERANS'
AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 515

STATE OF NEW JERSEY

DATED: JANUARY 26, 2004

The Senate Law and Public Safety and Veterans' Affairs Committee reports favorably Senate Bill No. 515.

This bill changes the requirement for submission of the Juvenile Justice Commission's master plan from annually to once every three years. Under current law, the plan must contain an evaluation of the State's entire juvenile justice system. The cost of implementing plan recommendations has been substantial, with costs dispersed over several fiscal years. The time and resources needed to prepare the plan and implement its recommendations, as well as the cost of implementation, make annual submission infeasible.

This bill also changes the requirements for submission of a county youth services plan to the Juvenile Justice Commission. Current law requires the county youth services commissions to submit these plans twice each year. But there has been a significant increase in the planning responsibilities of the county commissions. Under the provisions of this bill, the commissions would be required to submit the plan every three years.

This bill was pre-filed for introduction in the 2004 legislative session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

ASSEMBLY, No. 2443

STATE OF NEW JERSEY

211th LEGISLATURE

INTRODUCED FEBRUARY 26, 2004

Sponsored by:

Assemblyman CHRISTOPHER "KIP" BATEMAN

District 16 (Morris and Somerset)

Assemblyman PETER J. BARNES, JR.

District 18 (Middlesex)

SYNOPSIS

Requires submission of Juvenile Justice Commission master plan and county youth services plans every three years.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/24/2004)

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2

1 AN ACT concerning Juvenile Justice Master Plans and
2 State/Community Partnership Grant funds and amending P.L.1995,
3 c.284 and P.L.1995, c.282.

4

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

7

8 1. Section 2 of P.L.1995, c.284 (C.52:17B-170) is amended to
9 read as follows:

10 2. a. A Juvenile Justice Commission is established in, but not of,
11 the Department of Law and Public Safety. The commission is
12 allocated to the Department of Law and Public Safety for the purpose
13 of complying with Article V, Section IV, paragraph 1 of the New
14 Jersey Constitution. The Attorney General shall be the request officer
15 for the commission within the meaning of section 6 of article 3 of
16 P.L.1944, c.112 (C.52:27B-15) and shall exercise that authority and
17 other administrative functions, powers and duties consistent with the
18 provisions of this act.

19 b. The commission shall consist of an executive director, an
20 executive board, an advisory council and such facilities, officers,
21 employees and organizational units as provided herein or as otherwise
22 necessary to performance of the commission's duties and
23 responsibilities.

24 c. The executive director shall be appointed by the Governor with
25 the advice and consent of the Senate and shall serve at the pleasure of
26 the Governor during the Governor's term of office and until a
27 successor is appointed and qualified.

28 d. The executive board shall consist of the following members:
29 The Attorney General, who shall serve as chair of the executive board;
30 the Commissioner of Corrections and the Commissioner of Human
31 Services, who shall serve as vice-chairs of the executive board; the
32 Commissioner of Education; the chair of the Juvenile Justice
33 Commission advisory council, established pursuant to section 4 of
34 P.L.1995, c.284 (C.52:17B-172); and two members who serve as
35 chairs of a county youth services commission, established pursuant to
36 P.L.1995, c.282 (C.52:17B-180), to be appointed by the Governor to
37 serve at the Governor's pleasure. The Administrative Director of the
38 Administrative Office of the Courts is invited to participate on the
39 executive board, subject to the approval of the Supreme Court. A
40 member of the executive board may name a designee who shall have
41 the authority to act for the member. Members of the executive board
42 shall serve without compensation for their services to the commission.
43 The executive board shall meet at least quarterly and at such other

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 times as designated by the chair. Except with respect to matters
2 concerning distribution of funds to counties, four members of the
3 executive board shall constitute a quorum to transact business of the
4 executive board and action of the executive board shall require an
5 affirmative vote of four members. A member of the executive board
6 who is also a member of a county youth services commission shall not
7 participate in matters concerning distribution of funds to counties; in
8 these matters, three members of the executive board shall constitute
9 a quorum to transact business and an action of the executive board
10 shall require an affirmative vote of three members.

11 e. The commission shall have the following powers, duties and
12 responsibilities:

13 (1) To specify qualifications for and to employ, within the limits of
14 available appropriations and subject to the provisions of P.L.1995,
15 c.284 (C.52:17B-169 et seq.) and Title 11A of the New Jersey
16 Statutes, such staff as are necessary to accomplish the work of the
17 commission or as are needed for the proper performance of the
18 functions and duties of the commission, including but not limited to:

19 (a) The number of deputy directors, assistant directors,
20 superintendents, assistant superintendents and other assistants who
21 shall be in the unclassified service and shall be deemed confidential
22 employees for the purposes of the "New Jersey Employer-Employee
23 Relations Act," P.L.1941, c.100 (C.34:13A-1 et seq.); and

24 (b) Juvenile corrections officers;

25 (2) To utilize such staff of the Department of Law and Public
26 Safety as the Attorney General, within the limits of available
27 appropriations, may make available to the commission;

28 (3) To organize the work of the commission in appropriate bureaus
29 and other organization units;

30 (4) To enter into contracts and agreements with State, county and
31 municipal governmental agencies and with private entities for the
32 purpose of providing services and sanctions for juveniles adjudicated
33 or charged as delinquent and programs for prevention of juvenile
34 delinquency;

35 (5) To contract for the services of professional and technical
36 personnel and consultants as necessary to fulfill the statutory
37 responsibilities of the commission;

38 (6) To establish minimum standards for the care, treatment,
39 government and discipline of juveniles confined pending, or as a result
40 of, an adjudication of delinquency;

41 (7) To assume the custody and care of all juveniles committed by
42 court order, law, classification, regulation or contract to the custody
43 of the commission or transferred to the custody of the commission
44 pursuant to section 8 of P.L.1995, c.284 (C.52:17B-176);

45 (8) To manage and operate all State secure juvenile facilities which
46 shall include the New Jersey Training School for Boys created

1 pursuant to R.S.30:1-7 and transferred to the Commissioner of
2 Corrections pursuant to section 8 of P.L.1976, c.98 (C.30:1B-8) and
3 the Juvenile Medium Security Facility created pursuant to R.S.30:1-7
4 and both transferred to the commission pursuant to section 8 of
5 P.L.1995, c.284 (C.52:17B-176) and shall include any other secure
6 juvenile facility established by the commission in the future;

7 (9) To manage and operate all State juvenile facilities or juvenile
8 programs for juveniles adjudicated delinquent which shall include
9 facilities and programs transferred to the commission pursuant to
10 section 8 of P.L.1995, c.284 (C.52:17B-176) or established or
11 contracted for in the future by the commission;

12 (10) To prepare ~~[an annual]~~ a State Juvenile Justice Master Plan
13 every third year which identifies facilities, sanctions and services
14 available for juveniles adjudicated or charged as delinquent and
15 juvenile delinquency prevention programs and which identifies
16 additional needs based upon the extent and nature of juvenile
17 delinquency and the adequacy and effectiveness of available facilities,
18 services, sanctions and programs;

19 (11) To approve plans for each county submitted by the county
20 youth services commission pursuant to P.L.1995, c.282
21 (C.52:17B-180);

22 (12) To administer the State/Community Partnership Grant
23 Program established pursuant to P.L.1995, c.283 (C.52:17B-179);

24 (13) To accept from any governmental department or agency,
25 public or private body or any other source, grants or contributions to
26 be used in exercising its power, and in meeting its duties and
27 responsibilities;

28 (14) To formulate and adopt standards and rules for the efficient
29 conduct of the work of the commission, the facilities, services,
30 sanctions and programs within its jurisdiction, and its officers and
31 employees;

32 (15) To provide for the development of the facilities, services,
33 sanctions and programs within its jurisdiction and to promote the
34 integration of State, county and local facilities, sanctions, services and
35 programs, including probation and parole;

36 (16) To institute, or cause to be instituted, such legal proceedings
37 or processes as may be necessary to enforce properly and give effect
38 to any of its powers or duties including the authority to compel by
39 subpoena, subject to the sanction for contempt of subpoena issued by
40 a court, attendance and production of records;

41 (17) To provide for the timely and efficient collection and analysis
42 of data regarding the juvenile justice system to insure the continuing
43 review and evaluation of services, policies and procedures;

44 (18) To receive and classify juveniles committed to the custody of
45 the commission;

46 (19) To supervise compliance with conditions of parole;

1 (20) To establish appropriate dispositions of juveniles for whom
2 parole has been revoked;

3 (21) To perform such other functions as may be prescribed by law;
4 and

5 (22) To promulgate, pursuant to the "Administrative Procedure
6 Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations
7 necessary to implement and effectuate the purposes of this act.

8 (cf: P.L.1995, c.284, s.2)

9

10 2. Section 1 of P.L.1995, c.282 (C.52:17B-180) is amended to
11 read as follows:

12 1. a. In order to qualify for award of State/Community Partnership
13 Grant funds established pursuant to P.L.1995, c.283 (C.52:17B-179)
14 a county shall:

15 (1) Establish a county youth services commission in accordance
16 with regulations promulgated by the Juvenile Justice Commission
17 established pursuant to section 2 of P.L.1995, c.284 (C.52:17B-170);

18 (2) Submit and obtain Juvenile Justice Commission approval of a
19 **[biannual]** triennial comprehensive plan for services and sanctions for
20 juveniles adjudicated or charged as delinquent and programs for the
21 prevention of juvenile delinquency which:

22 (a) are designed to promote the goals of P.L.1995, c.283
23 (C.52:17B-179);

24 (b) provide recommendations for funding of programs, sanctions
25 and services that enhance and expand the range of sanctions and
26 services for juveniles adjudicated or charged as delinquent and
27 programs designed to prevent delinquency;

28 (c) make services available in geographical locations within the
29 county where juveniles in need reside; and

30 (d) provide for distribution of State/Community Partnership Grant
31 funds by the county in accordance with contracts or agreements
32 executed by the appropriate county officials in accordance with
33 applicable law.

34 b. The Juvenile Justice Commission shall establish by regulation:

35 (1) Specific guidelines as to membership of a county youth services
36 commission;

37 (2) Specific requirements for the administration of the
38 State/Community Partnership Grant funds awarded by the county.

39 c. Notwithstanding the provisions of subsection a. of this section,
40 the county governing body may elect, upon annual written request
41 approved by the executive director, to designate a commission, council
42 or agency to assume the responsibilities of a county youth services
43 commission in that county. Approval of such a request shall be
44 contingent upon the governing body demonstrating that the
45 membership of the designated entity is sufficiently representative of
46 persons and agencies interested in the juvenile justice system to permit

1 the entity to perform the duties and responsibilities of a county youth
2 services commission, that the members of the designated entity are
3 otherwise qualified to perform the duties and responsibilities of
4 members of a county youth services commission, and that the
5 designated entity has the authority and responsibility to carry out the
6 duties and responsibilities of a county youth services commission.

7 d. A county youth services commission shall:

8 (1) Recommend to the governing body of the county the approval
9 or disapproval of contracts with local government or private agencies
10 that desire participation in the State/Community Partnership Grant
11 Program;

12 (2) Monitor the operations of programs receiving State/Community
13 Partnership Grant funds with reference to compliance with standards,
14 policies and rules established by the Juvenile Justice Commission;

15 (3) Monitor and evaluate the impact of the programs receiving
16 State/Community Partnership Grant funds, including the nature of the
17 offender or at risk populations served by the funded programs, and
18 prepare a written report with relevant documentation, on an annual
19 basis, to be submitted to the Juvenile Justice Commission as part of
20 the commission's [~~biannual~~] triennial plan and annual update; and

21 (4) Perform such other duties as may be established by the Juvenile
22 Justice Commission to achieve the purposes of P.L.1995, c.284
23 (C.52:17B-169 et seq.) which creates the Juvenile Justice Commission
24 and P.L.1995, c.283 (C.52:17B-179) which creates the
25 State/Community Partnership Grant Program.

26 e. No county may use funds received pursuant to this section to
27 supplant or replace existing funds or other resources from federal,
28 State or county government for existing juvenile justice-related
29 programs or for purposes of capital construction or renovation.

30 f. If a county elects not to participate in the State/Community
31 Partnership Grant Program, the commission is authorized to allocate
32 and expend that county's share of Partnership funding in a manner
33 consistent with the commission's [~~annual~~] Juvenile Justice Master
34 Plan.

35 (cf: P.L.1995, c.282, s.1)

36
37 3. This act shall take effect immediately.
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40 STATEMENT
41

42 This bill changes the requirement for submission of the Juvenile
43 Justice Commission's master plan from annually to once every three
44 years. Under current law, the plan must contain an evaluation of the
45 State's entire juvenile justice system. The cost of implementing plan
46 recommendations has been substantial, with costs dispersed over

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1 several fiscal years. The time and resources needed to prepare the
2 plan and implement its recommendations, as well as the cost of
3 implementation, make annual submission infeasible.

4 The bill also changes the requirements for submission of a county
5 youth services plan to the Juvenile Justice Commission. Current law
6 requires the county youth services commissions to submit these plans
7 twice each year. But there has been a significant increase in the
8 planning responsibilities of the county commissions. Under the
9 provisions of this bill, the commissions would be required to submit
10 the plan every three years.

ASSEMBLY LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2443

STATE OF NEW JERSEY

DATED: OCTOBER 4, 2004

The Assembly Law and Public Safety Committee reports favorably Assembly Bill No. 2443.

Assembly Bill No. 2443 changes the requirement for submission of the Juvenile Justice Commission's master plan from annually to once every three years. Under current law, the plan must contain an evaluation of the State's entire juvenile justice system. The cost of implementing plan recommendations has been substantial, with costs dispersed over several fiscal years. The time and resources needed to prepare the plan and implement its recommendations, as well as the cost of implementation, make annual submission infeasible.

The bill also changes the requirements for submission of a county youth services plan to the Juvenile Justice Commission. Current law requires the county youth services commissions to submit these plans twice each year. But there has been a significant increase in the planning responsibilities of the county commissions. Under the provisions of this bill, the commissions would be required to submit the plan every three years.

As released by the committee, this bill is identical to Senate Bill No. 515, also released by the committee on this same date.