

9:6-8.74 to 9:6-8.82

LEGISLATIVE HISTORY CHECKLIST
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(Task Force on Child Abuse
and Neglect)

NJSA: 9:6-8.74 to 9:6-8.82

LAWS OF: 1994 **CHAPTER:** 119

BILL NO: S188

SPONSOR(S): Matheussen

DATE INTRODUCED: Pre-filed

COMMITTEE: **ASSEMBLY:** Senior Citizens

SENATE: Women's Issues

AMENDED DURING PASSAGE: Yes

Third reprint enacted

DATE OF PASSAGE: **ASSEMBLY:** May 16, 1994 Re-enacted 10-20-94

SENATE: March 15, 1994 Re-enacted 10-3-94

DATE OF APPROVAL: October 27, 1994

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: Yes

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

See newspaper clippings--attached:

"Task Force formed...", 10-29-94, Courier-Post

KBG:pp

[THIRD REPRINT]

SENATE, No. 188

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1994 SESSION

By Senator MATHEUSSEN

1 AN ACT establishing the New Jersey Task Force on Child Abuse
2 and Neglect.

3

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

6 1. This act shall be known and may be cited as the "New
7 Jersey Task Force on Child Abuse and Neglect Act."

8 2. There is established the New Jersey Task Force on Child
9 Abuse and Neglect." The purpose of the task force is to study
10 and develop recommendations regarding the most effective
11 means of improving the quality and scope of child protective
12 services provided or supported by State government, including a
13 review of the practices and policies utilized by the Division of
14 Youth and Family Services in the Department of Human Services
15 in order to optimize coordination of child abuse-related services
16 and investigations, promote the safety of children at risk of abuse
17 or neglect, and ensure a timely determination with regard to
18 reports of alleged child abuse.

19 3. The task force shall consist of 24 members as follows: the
20 Commissioners of Human Services, Education, Community
21 Affairs, Corrections and Health, the Attorney General, the Chief
22 Justice of the Supreme Court, the ³[Public Advocate] Public
23 Defender³ and the Superintendent of State Police, or their
24 designees, as ex officio members; two members of the Senate and
25 the General Assembly, respectively, no more than one of whom in
26 each case shall be of the same political party; and the remaining
27 public members to be appointed by the Governor.

28 The task force membership shall comply with the
29 multidisciplinary requirements set forth in the "Child Abuse
30 Prevention and Treatment Act," Pub.L.93-247 (42 U.S.C. §5101 et
31 seq.).

32 The task force shall ¹[elect a chairman and a vice chairman
33 from among its public members and a secretary who need not be
34 a member of the task force] be co-chaired, one co-chair shall be
35 the Commissioner of Human Services and the other shall be
36 appointed by the Governor with the advice and consent of the
37 Senate. The second co-chair shall be selected from among the
38 public members and shall serve at the pleasure of the Governor
39 for a term not to exceed three years. The second co-chair shall
40 be allowed to serve two, three year terms¹.

41 4. Vacancies in the membership of the task force shall be
42 filled in the same manner provided for the original appointments.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SWF committee amendments adopted February 24, 1994.

² Assembly ASC committee amendments adopted May 5, 1994.

³ Senate amendments adopted in accordance with Governor's
recommendations September 19, 1994.

1 The members of the task force shall serve without compensation
2 but may be reimbursed for traveling and other miscellaneous
3 expenses necessary to perform their duties, within the limits of
4 funds made available to the task force for its purposes.

5 5. The Department of Human Services shall provide
6 professional and clerical staff to the task force as necessary to
7 effectuate the purposes of this act.

8 6. a. The task force shall be entitled to call upon the services
9 of any State, county or municipal department, board, commission
10 or agency, as may be available to it for these purposes, and to
11 incur such traveling and other miscellaneous expenses as it may
12 deem necessary for the proper execution of its duties and as may
13 be within the limit of funds appropriated or otherwise made
14 available to it for these purposes.

15 b. The task force shall consult with such organizations and
16 associations as the Association for Children of New Jersey, ²the
17 New Jersey Association of Children's Residential Facilities,² the
18 New Jersey Chapter of the National Association of Social
19 Workers, Inc., the Child Placement Advisory Council, the Medical
20 Society of New Jersey, the New Jersey State Nurses Association,
21 the New Jersey Education Association, the New Jersey Foster
22 Parent Association, and the Graduate School of Social Work of
23 Rutgers, The State University.

24 7. The task force may meet and hold hearings at such places as
25 it shall designate during the sessions or recesses of the
26 Legislature.

27 ¹8. The task force may solicit, receive, disburse and monitor
28 grants and other funds made available from any governmental,
29 public, private, not-for-profit or for-profit agency, including
30 funds made available under any federal or State law, regulation
31 or program.¹

32 ¹[8.] ¹9.¹ The task force shall present a report of its findings
33 and recommendations to the Governor and the Legislature no
34 later than one year after the organization of the task force.

35 ¹[9.] ¹10.¹ This act shall take effect ³[immediately] on
36 December 31, 1996³.

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41 Designated the "New Jersey Task Force on Child Abuse and
42 Neglect Act."

1 6. a. The task force shall be entitled to call upon the services
2 of any State, county or municipal department, board, commission
3 or agency, as may be available to it for these purposes, and to
4 incur such traveling and other miscellaneous expenses as it may
5 deem necessary for the proper execution of its duties and as may
6 be within the limit of funds appropriated or otherwise made
7 available to it for these purposes.

8 b. The task force shall consult with such organizations and
9 associations as the Association for Children of New Jersey, the
10 New Jersey Chapter of the National Association of Social
11 Workers, Inc., the Child Placement Advisory Council, the Medical
12 Society of New Jersey, the New Jersey State Nurses Association,
13 the New Jersey Education Association, the New Jersey Foster
14 Parent Association, and the Graduate School of Social Work of
15 Rutgers, The State University.

16 7. The task force may meet and hold hearings at such places as
17 it shall designate during the sessions or recesses of the
18 Legislature.

19 8. The task force shall present a report of its findings and
20 recommendations to the Governor and the Legislature no later
21 than one year after the organization of the task force.

22 9. This act shall take effect immediately.

23
24
25 STATEMENT
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27 This bill would establish a 24-member "New Jersey Task Force
28 on Child Abuse and Neglect" to study and develop
29 recommendations regarding the most effective means of
30 improving the quality and scope of child protective services
31 provided or supported by State government. The task force is
32 directed to present a report of its findings and recommendations
33 to the Governor and the Legislature no later than one year after
34 the organization of the task force.

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39 Designated the "New Jersey Task Force on Child Abuse and
40 Neglect Act."

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September 12, 1994

SENATE BILL NO. 188 (SECOND REPRINT)

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Bill No. 188 (Second Reprint) with my recommendations for reconsideration.

A. Summary of Bill

Senate Bill No. 188 (Second Reprint) would establish the New Jersey Task Force on Child Abuse and Neglect (Task Force). A similar entity, the Governor's Task Force on Child Abuse and Neglect (Governor's Task Force), already exists by virtue of my Executive Order No. 19, dated May 2, 1994. The composition and mandate of the Task Force under this bill would differ only slightly from the Governor's Task Force.

The bill would mandate that the Task Force study and develop recommendations to continue to improve the quality of the State's child protective services. In this regard, the Task Force would be required to review the practices and policies of the Division of Youth and Family Services (DYFS) in the Department of Human Services (DHS). The Governor's Task Force, in fact, has recently completed such a review of DYFS activities that it anticipates finalizing by September 1994.

The bill would also add two members from each House of the Legislature as members of the Task Force, and would reduce the number of public members that I am now empowered to appoint from 15 to 11. The Task Force would be authorized to call upon the services of any State, county or municipal government entity in pursuit of fulfilling its mandate, and would receive direct professional and clerical support from the DHS. Moreover, the bill would require the Task Force to consult with numerous organizations, which the bill specifically delineates, when developing its recommendations.

B. Recommended Action

I commend the Legislature and the bill's proponents for recognizing that the Task Force, which until now has existed solely by virtue of successive Executive Orders, is a worthy entity. The passage of the bill by both Houses of the Legislature is an acknowledgment that the Governor's Task Force has served an important and successful role in studying and educating the public about the problem of child abuse and neglect in our State. I find, however, that I must make two changes to the bill.

First, because the Department of the Public Advocate has recently been eliminated, the Public Advocate should be removed as a member of the Task Force. In place of the Public Advocate, I recommend the addition of the Public Defender, who is now in the Department of State. The Task Force must include the State's Public Defender in order to remain eligible to receive federal funds pursuant to the federal Children's Justice Act. Therefore, because the Public Defender function has been transferred, this is an appropriate substitution for membership in the Task Force.

Second, rather than taking effect upon my signature, I recommend that the bill become effective on December 31, 1996, the day upon which my Executive Order No. 19 and, consequently, the mandate for the Governor's Task Force expire. This change would permit the Governor's Task Force to complete the initiatives it is currently working on and give the newer members of the Governor's Task Force an opportunity to contribute.

For these reasons, I herewith return Senate Bill No. 188 (Second Reprint) and recommend that it be amended as follows:

Page 1, Section 3, Line 22:

After "Court, the" delete "Public Advocate" and insert "Public Defender"

Page 2, Section 10, Line 35:

After "effect" delete "immediately" and insert "on December 31, 1996"

Respectfully,

/s/ Christine Todd Whitman

GOVERNOR

[seal]

Attest:

/s/ Peter Verniero

Chief Counsel to the Governor

ASSEMBLY SENIOR CITIZENS AND
SOCIAL SERVICES COMMITTEE

STATEMENT TO

[FIRST REPRINT]

SENATE, No. 188

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 5, 1994

The Assembly Senior Citizens and Social Services Committee favorably reports Senate Bill No. 188 (1R) with committee amendments.

As amended, this bill would establish a 24-member "New Jersey Task Force on Child Abuse and Neglect" to study and develop recommendations regarding the most effective means of improving the quality and scope of child protective services provided or supported by State government. The task force is directed to present a report of its findings and recommendations to the Governor and the Legislature no later than one year after the organization of the task force.

The bill requires the task force to be co-chaired by the Commissioner of Human Services and a public member who is appointed by the Governor with the advice and consent of the Senate. The second co-chair would be allowed to serve for a term not to exceed three years and would be allowed to serve two three-year terms.

The task force may solicit, receive, disburse and monitor grants and other funds made available from any governmental, public, private, nonprofit or for-profit agency, including funds made available under any federal or State law, regulation or program.

The committee amended the bill to include the New Jersey Association of Children's Residential Facilities as one of the organizations and associations the task force would be required to consult with in order to carry out the provisions of the bill.

SENATE WOMEN'S ISSUES, CHILDREN
AND FAMILY SERVICES COMMITTEE

STATEMENT TO

SENATE, No. 188

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 24, 1994

The Senate Women's Issues, Children and Family Services Committee favorably reports Senate Bill No. 188 with committee amendments.

As amended, this bill would establish a 24-member "New Jersey Task Force on Child Abuse and Neglect" to study and develop recommendations regarding the most effective means of improving the quality and scope of child protective services provided or supported by State government. The task force is directed to present a report of its findings and recommendations to the Governor and the Legislature no later than one year after the organization of the task force.

The committee amended the bill to require the task force to be co-chaired, one co-chair would be the Commissioner of Human Services and the other would be appointed, from among the public members, by the Governor with the advice and consent of the Senate. The second co-chair would be allowed to serve for a term not to exceed three years and would be allowed to serve two, three year terms.

The committee also amended the bill to allow the task force to solicit, receive, disburse and monitor grants and other funds made available from any governmental, public, private, not-for-profit or for-profit agency, including funds made available under any federal or State law, regulation or program.

This bill was prefiled for introduction in the 1994-1995 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.