

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.