SENATE, No. 1184

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 3, 2020

Sponsored by:
Senator NILSA CRUZ-PEREZ
District 5 (Camden and Gloucester)

SYNOPSIS

Requires one member of board in charge of institution for persons with mental illness or developmental disability to be family member of resident.

CURRENT VERSION OF TEXT

As introduced.

AN ACT concerning boards in charge of institutions for persons with a mental illness or developmental disability and amending R.S.30:4-1.

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

1. R.S.30:4-1 is amended to read as follows:

30:4-1. The State board, with the approval of the Governor, shall appoint a board of trustees for each State institution or agency or for each group or class thereof as it may determine, from residents of the State without respect to political affiliation or belief.

The State board, with the approval of the Governor, may appoint a board of trustees or authorize or designate an existing board of trustees whenever the establishment or assumption of jurisdiction over an additional institution, or the acquisition of an institutional site, is authorized by the Legislature.

Each board of trustees of an institution shall be known as "the board of trustees" naming the institution or group or class for which the board is appointed. The State board, with the approval of the Governor, shall name the boards of noninstitutional agencies.

Except as otherwise specifically provided by statute, the boards of trustees shall consist of not less than five nor more than seven members. At least two women shall be members of each board in charge of the institutions or agencies for persons who are blind, or who have a mental illness or developmental disability, and at least two members of the Commission for the Blind and Visually Impaired shall themselves be legally blind but not employees, or related to an employee by blood, marriage, or adoption. <u>At least one member of each board in charge of the institutions or agencies for persons who have a mental illness or developmental disability shall be a family member of a resident of the institution or agency, and shall fill the first vacancy on a board if there is no family member on the board.</u>

The term of each board member shall be three years commencing on July 1 and ending on June 30, of the third year thereafter. A vacancy shall be filled by the State board, with the approval of the Governor, for the unexpired term only.

The members of new or additional boards of trustees shall at the time of their appointment be divided into groups so that the terms of two members shall expire on June 30 of the year next succeeding appointment; the terms of two others on June 30 of the second year succeeding appointment; the term of the fifth member and in case of larger boards the term of the sixth member, on June 30 of the third year succeeding appointment; the term of the seventh member of a

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 <u>thus</u> is new matter.

board having seven members, on June 30 of the fourth year succeeding appointment. Their successors shall be appointed for three-year terms.

The members of boards of trustees shall receive no compensation for services but shall be reimbursed for actual expenditures incurred in the performance of duty. They shall be subject to removal by the State board, with the approval of the Governor, at any time for good and sufficient cause.

Annually, on or before July 1 each board of trustees shall elect from its members a chair and vice chair and shall appoint a secretary, with the approval of the chief executive officer of the institution, who shall be an employee of the institution or agency and serve at the pleasure of the board without additional compensation. The term of office of the chair and vice chair shall be until June 30 of the following year or until their successors are elected and qualified.

(cf: P.L.2013, c.103, s.76)

2. This act shall take effect immediately.

STATEMENT

This bill would provide that at least one member of each board in charge of the institutions or agencies for persons who have a mental illness or developmental disability shall be a family member of a resident of the institution or agency, and shall fill the first vacancy on a board if there is no family member on the board. It is the sponsor’s belief that this bill will help to ensure that family members of residents in State institutions or agencies for persons who have a mental illness or developmental disability will have a say in decisions made on behalf of their loved ones.