

SENATE, No. 1923

STATE OF NEW JERSEY

INTRODUCED MARCH 20, 1997

By Senators RICE, Lipman and Codey

1 AN ACT concerning the New Jersey Youth Corps, amending the title
2 and body of P.L.1984, c.198 and P.L.1985, c.158 and
3 supplementing P.L.1984, c.198.

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

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8 1. The title of P.L.1984, c.198 is amended to read as follows:

9 AN ACT to authorize the establishment of the New Jersey Youth
10 Corps in the Department of [Community Affairs] Human Services
11 and prescribing the purposes and organization thereof.

12 (cf: P.L.1984, c.198, title)

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14 2. Section 3 of P.L.1984, c.198 (C.9:25-3) is amended to read as
15 follows:

16 3. For the purposes of this act:

17 a. "Corps" means the New Jersey Youth Corps created by section
18 4 of this act.

19 b. "Administrator" means the Commissioner of the Department of
20 [Community Affairs] Human Services or any community service
21 project sponsor under an agreement pursuant to section 5 of this act.

22 c. "Community Service Project" means any undertaking designed
23 to provide, or assist in providing, services to promote public health,
24 education and welfare among the general population or segments
25 thereof having identifiable needs or deficiencies in those areas. The
26 term includes, without limiting the generality of the foregoing,
27 projects for the rehabilitation of substandard housing; the repair,
28 restoration and maintenance of public facilities and amenities;
29 assisting in the organization and delivery of educational and health
30 services and other social services required by various segments of
31 urban populations.

32 d. "Eligible youth" means any person who (1) is between such
33 ages as may be specified by rule or regulation adopted pursuant to
34 section 9 of this act, but in any event is not less than 16 nor more than

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 25 years of age, (2) is in compliance with section 6 of this act, and
2 who (3) is unable, through lack of employable skills or unavailability
3 of job opportunities appropriate to the nature or level of his skills, to
4 obtain socially worthwhile and reasonably remunerative employment
5 in or near the municipality of his residence; or (4) possesses skills and
6 interests peculiarly appropriate to a particular community service
7 project or projects in which he is recruited to serve.

8 e. "Community service project sponsor" means any county,
9 municipality or school district, or public or private non-profit
10 corporations.

11 (cf: P.L.1984, c.198, s.3)

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13 3. Section 4 of P.L.1984, c.198 (C.9:25-4) is amended to read as
14 follows:

15 4. a. The Commissioner of the Department of [Community
16 Affairs] Human Services is hereby authorized to create the New
17 Jersey Youth Corps within the Department of [Community Affairs]
18 Human Services. The function of the corps shall be to recruit, train
19 and employ eligible youth in community service projects designated by
20 the administrator, so as to accomplish the purposes set forth in section
21 2 of this act.

22 b. The commissioner or person administering the office of
23 commissioner of that department shall be the administrator of the
24 corps, and all personnel, budgetary and other administrative services
25 necessary or incidental to its proper functioning shall be provided by
26 and through that department.

27 c. The administrator may enter into agreements with the
28 Department of Education or the Department of Labor, or with any
29 public or private educational institution approved for the purpose and
30 for the design, provision or supervision of educational,
31 vocational-training or apprenticeship programs necessary or expedient
32 to the implementation of this act. Approval of any public or private
33 educational institution for purposes of this subsection shall be, in all
34 cases, by the Commissioner of Education and, in regard to programs
35 involving job training by the Commissioner of Labor.

36 d. The administrator may enter into agreements with recognized
37 labor unions, or any member or representative thereof, for provision
38 of supervisory services on any project, or of vocational training or
39 apprenticeship programs, or, where appropriate, a combination of
40 supervisory and training services in connection with any project, and
41 may provide for just compensation for such services. The agreements
42 shall be subject to approval by the Commissioner of Labor.

43 (cf: P.L.1984, c.198, s.4)

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45 4. Section 1 of P.L. 1985, c.158 (C.9:25-4.1) is amended to read
46 as follows:

1 1. The Commissioner of [Community Affairs] Human Services is
2 authorized to appoint a supervisor and an assistant supervisor of the
3 New Jersey Youth Corps created pursuant to P.L.1984, c.198, and,
4 within the limit of funds appropriated or otherwise made available for
5 the purpose, to fix their compensation and other terms and conditions
6 of employment. The supervisor and assistant supervisor of the New
7 Jersey Youth Corps shall serve at the pleasure of the commissioner,
8 and their positions shall not be in the classified service of the Civil
9 Service, notwithstanding any provision of Title [11 of the Revised]
10 11A of the New Jersey Statutes or of any other law to the contrary.
11 (cf: P.L. 1985, c.158, s.1)

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13 5. Section 5 of P.L.1984, c.198 (C.9:25-5) is amended to read as
14 follows:

15 5. a. The Commissioner of [Community Affairs] Human Services
16 is authorized to enter into agreements with sponsors of community
17 service projects for the employment of the corps in these projects.
18 The agreement may delegate to the sponsor the recruitment of eligible
19 youth into the corps for employment in the project or provision for
20 recruitment of their training or both. The sponsor may be required to
21 contribute a portion of the cost. Any eligible youth employed or
22 assigned pursuant to the provisions of this act shall be so employed or
23 assigned without regard to the provisions of Title [II or the Revised]
24 11A of the New Jersey Statutes where otherwise applicable.

25 b. An agreement under subsection a. of this section shall set forth:

26 (1) A general description of each community service project
27 designated.

28 (2) The number of corps members to be assigned to each project;
29 a description of the nature and duration of their employment.

30 (3) The amount of funds required to sustain each project,
31 distinguishing between the amounts required for corps members'
32 stipends and the amounts required for other purposes.

33 (4) A statement of the amount and purpose of State funds to be
34 contributed toward the expenses set forth in paragraph (3), above, and
35 the manner and timing of their disbursement.

36 (5) A further description of projects or budgetary detail as the
37 Commissioner of [Community Affairs] Human Services may require.

38 c. No disadvantaged youth shall be employed or assigned pursuant
39 to the provisions of this act for a period in excess of 52 weeks unless
40 the commissioner shall find, in the exercise of his discretion, that a
41 longer period is required, if appropriate.

42 d. Each community service project sponsor shall submit to the
43 commissioner, within 60 days of the termination of each community
44 service project for which a grant has been received, a report on the
45 accomplishments of the goals and objectives of the project and may
46 be required to submit an audit of the project conducted by an

1 independent certified public accountant, according to regulations
2 specified by the commissioner.

3 e. It is lawful for the governing body of a municipality to
4 appropriate funds of the municipality, or to receive and expend money
5 or anything of value made available to it for the purpose from any
6 public or private source, for the support of any activities or projects
7 of the corps within the municipality, pursuant to delegation of
8 administrative authority under this section.

9 (cf: P.L.1984, c.198, s.5)

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11 6. Section 7 of P.L.1984, c.198 (C.9:25-7) is amended to read as
12 follows:

13 7. a. Members of the corps while engaged in community service
14 projects shall receive reasonably remunerative stipends, to be
15 determined in accordance with guidelines promulgated by the
16 Commissioner of [Community Affairs] Human Services.

17 b. Guidelines established for this purpose shall take into account:

18 (1) the necessity of offering sufficient inducement for participation
19 in the corps by those persons whose enrollment will conduce to a
20 realization of the aims and purposes set forth in section 2 of this act;

21 (2) the requirements, expressed in subsection e. of section 2 of this
22 act, as to efficient operation and avoidance of unfair price and wage
23 competition.

24 (cf: P.L.1984, c.198, s.7)

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26 7. Section 8 of P.L.1984, c.198 (C.9:25-8) is amended to read as
27 follows:

28 8. The Commissioner of [Community Affairs] Human Services
29 shall establish an advisory board to assist him in the formulation of
30 policy and regulations incident to carrying out the terms and purposes
31 of this act. The board shall consist of the Commissioners of
32 Community Affairs, Education, and Labor, ex officio, and of at least
33 five additional members, including at least one from each of the
34 following categories: (1) mayors of urban municipalities, (2) persons
35 of recognized leadership in volunteer civic service and community
36 organization, (3) representatives of organized labor, (4) educators and
37 specialists in vocational training and counseling; and (5) business
38 leaders in the State of New Jersey.

39 (cf: P.L.1984, c.198, s.8)

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41 8. Section 9 of P.L.1984, c.198 (C.9:25-9) is amended to read as
42 follows:

43 9. The Commissioner of [Community Affairs] Human Services is
44 authorized to adopt, in accordance with the "Administrative
45 Procedure Act," P.L.1968, c. 410 (C. 52:14B-1 et seq.), the rules
46 and regulations necessary to carry this act into effect, and to enter

1 into any agreements authorized under this act for that purpose.
2 (cf: P.L.1984, c.198, s.9)

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4 9. Section 10 of P.L.1984, c.198 (C.9:25-10) is amended to read
5 as follows:

6 10. The Commissioner of [Community Affairs] Human Services
7 is authorized to expend such sums from the existing administrative
8 and discretionary grant or aid accounts of the department and related
9 agencies as he may deem required to establish and maintain the
10 Volunteer Youth Corps.

11 (cf: P.L.1984, c.198, s.10)

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13 10. Section 11 of P.L.1984, c.198 (C.9:25-11) is amended to read
14 as follows:

15 11. The Commissioner of [Community Affairs] Human Services
16 is authorized to receive and expend for the purpose of stipends or
17 other expenses of the corps those sums as may from time to time be
18 appropriated for those purposes by the Legislature or otherwise made
19 available out of State funds, grants from the federal government or
20 any of its agencies, or from any private or public source; but an
21 amount not to exceed 10% of the aggregate of these sums may be
22 utilized for administration of the program, subject to such constraints
23 as may be imposed on particular funds by their source. For fiscal year
24 1985, there is appropriated \$1,500,000.00 to enable the planning and
25 initiation of the New Jersey Youth Corps Program. Unexpended
26 funds may be carried over from one fiscal year to the next fiscal year.

27 (cf: P.L.1984, c.198, s.11)

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29 11. (New section) a. All functions, powers and duties now vested
30 in the New Jersey Youth Corps as established in the Department of
31 Community Affairs pursuant to section 4 of P.L.1984, c.198 (C.9:25-
32 4) and currently funded through the Department of Education are
33 transferred to and assumed by the New Jersey Youth Corps in the
34 Department of Human Services.

35 b. Whenever, in any law, rule, regulation, order, contract,
36 document, judicial or administrative proceeding or otherwise,
37 reference is made to the New Jersey Youth Corps, the same shall mean
38 and refer to the New Jersey Youth Corps in the Department of
39 Human Services.

40 c. This transfer shall be subject to the provisions of the "State
41 Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.).

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43 12. This act shall take effect immediately.

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STATEMENT

This bill transfers the New Jersey Youth Corps established in the Department of Community Affairs, pursuant to P.L.1984, c.198 (C.9:25-1 et seq.), and currently funded through the Department of Education, to the Department of Human Services.

This transfer will enable the New Jersey Youth Corps to serve as a model welfare-to-work program for young high school dropouts in accordance with the Governor's Work First N.J. Welfare Reform Initiative.

Transfers New Jersey Youth Corps to DHS.