

R.S. 30:4C-12

5/21/73

LEGISLATIVE HISTORY OF R.S.30:4C-12
(Complaint; investigation; hearing; order
making child ward of court; duration of
order; extension)

L.1951 - chap.138 - S215

Mar. 5 - Introduced by Clapp.

May 2 - Passed in Senate, amended.

May 4 - Passed in Assembly.

May 31 - Approved, chapter 138.

Statement (copy enclosed).

Amended during passage (amendment to this section noted on
enclosed copy of this part of the original bill).

Amended by:

✓ L.1962 - chap.197 - A493

Mar. 19 - Introduced by Hughes and Werner.

Apr. 30 - Passed Assembly under emergency resolution, amended.

Dec. 3 - Assembly Committee Substitute passed under emergency
resolution.

Dec. 11 - Approved, chapter 197.

Statement (copy enclosed).

Committee Substitute passed (copy enclosed of appropriate
section from original bill and from the Committee Sub-
stitute).

1950, 1961, 1962 Judicial Conference Proceedings were checked
for comments but without success.

No hearings or reports were located.

JH/EH

Encl.

GC 1951-S215 - No

1962 - A493 - Yes - May be
consulted at State Library

SENATE, No. 215

STATE OF NEW JERSEY

INTRODUCED MARCH 5, 1951

By Mr. CLAPP

Referred to Committee on Institutions and Agencies

AN ACT concerning the care, custody, guardianship, maintenance and supervision of dependent and neglected children, promoting home life therefor, providing for the financing thereof, and repealing certain statutes relating thereto.

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

ARTICLE I

CONSTRUCTION, DEFINITIONS, POWERS, DUTIES, AND GENERAL PROVISIONS

1 1. This act is to be administered strictly in accordance with the gen-
2 eral principles laid down in this section, which are declared to be the public
3 policy of this State:

4 (a) that the preservation and strengthening of family life is a matter
5 of public concern as being in the interests of the general welfare;

6 (b) that the prevention and correction of dependency and delinquency
7 among children should be accomplished so far as practicable through wel-
8 fare services which will seek to continue the living of such children in
9 their own homes;

10 (c) that necessary welfare services to children should be strengthened
11 and extended through the development of private and voluntary agencies
12 qualified to provide such services; and

13 (d) that wherever in this State necessary welfare services are not
14 available to children who are dependent or delinquent, or in danger of so
15 becoming, then such services should be provided by this State until such
16 time as they are made available by private and voluntary agencies.

1 2. For the purposes of this act the following words and terms shall,
2 unless otherwise indicated, be deemed and taken to have the meanings herein
3 given to them:

4 (a) The title "State Board of Child Welfare" means the State agency
5 for the care, custody, guardianship, maintenance and protection of children,
6 as more specifically described by the provisions of this act, and as other-
7 wise designated by the laws of this State as the State Board of Child Wel-
8 fare or the State Board of Children's Guardians.

9 (b) The word "child" includes stepchild and illegitimate child, and fur-
10 ther means any person under the age of twenty-one years.

11 (c) The term "care" means cognizance of a child for the purpose of
12 providing necessary welfare services, or maintenance, or both.

13 (d) The term "custody" means control over the person of a child, as
14 established by surrenders and releases of custody or consents to adoption,
15 for the purpose of providing necessary welfare services, or maintenance,
16 or both.

17 (e) The term "guardianship" means control over the person and prop-
18 erty of a child as established by the order of a court of competent juris-
19 diction, and as more specifically defined by the provisions of this act.

20 (f) The term "maintenance" means board, clothing and medical, dental
21 and hospital care, or any of them, as furnished to or for a child pursuant to
22 the provisions of this act.

23 (g) The term "welfare services" means consultation, counselling, and
24 referral to or utilization of available resources, for the purpose of determin-
25 ing and correcting or adjusting matters and circumstances which are endan-
26 gering the welfare of a child, and for the purpose of promoting his proper
27 development and adjustment in the family and the community.

28 (h) The singular includes the plural form.

29 (i) The masculine noun and pronoun include the feminine.

30 The word "may" shall be construed to be permissive.

1 3. The State Board of Child Welfare, in administering the provisions
2 of this act, shall:

3 (a) provide care and custody for children eligible therefor in such man-
4 ner that the children may, so far as practicable, continue to live in their
5 own homes and family life be thereby preserved and strengthened;

6 (b) provide necessary welfare services as may be required by such
7 children, so far as practicable, without assumption of custody;

8 (c) encourage the development of private and voluntary agencies qual-
9 ified to provide welfare services for children to the end that through co-
10 operative effort the need for such services may be limited or reduced.

1 4. The State Board of Child Welfare shall have the requisite powers to:

2 (a) exercise general supervision over children for whom care, custody
3 or guardianship is provided in accordance with article two of this act;

4 (b) administer for the Department of Institutions and Agencies the
5 powers and duties provided in chapter three of Title 9 of the Revised Stat-
6 utes (adoption), as amended and supplemented, as the same may be dele-
7 gated and assigned by the said department;

8 (c) administer for the Commissioner of Institutions and Agencies the
9 powers and duties as provided in chapter seven of Title 9 of the Revised
10 Statutes (dependent children; bringing into State), as amended and supple-
11 mented, as the same may be delegated and assigned by the said commissioner;

12 (d) administer for the State Board of Control of Institutions and
13 Agencies the powers and duties provided in sections 30:1-14 through 30:1-17
14 of chapter one of Title 30 of the Revised Statutes (visitation and inspec-
15 tion), as amended and supplemented, so far as the same may be delegated
16 and assigned by the said State Board of Control with respect to institu-
17 tions, organizations and noninstitutional agencies for the care, custody and
18 welfare of children;

19 (e) provide care and exercise supervision over children paroled or re-
20 leased from State correctional institutions for juveniles in accordance with
21 rules and regulations established by the State Board of Control of Institu-
22 tions and Agencies;

23 (f) make investigations or provide supervision of any child in this State
24 at the request and on behalf of a public or private agency or institution of
25 any other State;

26 (g) co-operate with the public welfare boards and the private agencies
27 and institutions for the care of children in this State in order that the pro-
28 grams of such boards, agencies and institutions may be developed and fully
29 utilized and that there may be a co-ordination of all public and private fa-
30 cilities for the protection and care of children

31 (h) issue such reasonable rules and regulations as may be necessary for
32 the purpose of carrying into effect the meaning of this act, which rules and
33 regulations shall be binding so far as they are consistent with such purpose.

1 5. Nothing in this act shall authorize the State Board of Child Welfare
2 to accept the care or custody of any child, nor to provide welfare services
3 for any child, except with the voluntary approval and consent of the parent,
4 parents, legal custodian, guardian or other person with whom the child may
5 be living.

1 6. No person to whom or for whom payments for maintenance are
2 made under this act shall be deemed to be or classified as a pauper by reason
3 thereof.

1 7. All birth, death and marriage certificates which may be required
2 under the provisions of this act, or under any rule or regulation issued by
3 the State Board of Child Welfare, shall be issued free of charge upon the
4 order of the State Board of Child Welfare.

1 8. All amounts paid for maintenance under the provisions of this act,
2 except such amounts as are paid for medical, dental and hospital care, shall
3 be exempt from any tax levied by the State or by any subdivision thereof.

1 9. The provisions of this act shall not be construed to terminate, alter

2 or effect any order of commitment or grant of assistance heretofore made
 3 under any law relating to the State Board of Child Welfare or the State
 4 Board of Children's Guardians, such order or grant being in effect as of the
 5 effective date of this act.

6 Any action heretofore taken by the State Board of Child Welfare or the
 7 State Board of Children's Guardians pursuant to any law of this State, or
 8 any rule or regulation of the said State Board of Child Welfare or the
 9 State Board of Children's Guardians, shall remain in full force and effect
 10 until altered, amended or revoked by the State Board of Child Welfare
 11 pursuant to its powers and duties as now or hereafter established. Any
 12 legal agreement, contract or obligation previously entered into by the State
 13 Board of Child Welfare or the State Board of Children's Guardians shall
 14 continue in full force and effect and shall be binding upon the State Board
 15 of Child Welfare for the intents and purposes of such agreement, contract
 16 or obligation.

1 10. This act shall be liberally construed. Any particular grant of power
 2 contained in this act shall be held to be in specification but not in limitation
 3 of general powers.

4 Nothing in this act shall be construed as repealing any other law or
 5 part of any law providing for the settlement, relief, assistance and support
 6 of the poor, except in so far as inconsistent therewith; nor shall the provi-
 7 sions contained in this act be construed to repeal other provisions of the law
 8 not inconsistent herewith.

9 Nothing in this act shall operate to repeal or nullify the provisions of
 10 Title 11 of the Revised Statutes (11:1-1 et seq.).

ARTICLE II

CARE, CUSTODY AND GUARDIANSHIP

1 11. Whenever it shall appear that any child within this State is of such
 2 circumstances that his welfare will be endangered unless proper care or cus-
 3 tody is provided, an application setting forth the facts in the case may be

4 filed with the State Board of Child Welfare by a parent or other relative of
5 such child, by a person standing in loco parentis to such child, or by a person
6 or association or agency or public official having a special interest in such
7 child, seeking that the State Board of Child Welfare accept and provide
8 such care or custody of such child as the circumstances may require. Such
9 application shall be in writing, and shall contain a statement of the relation-
10 ship to or special interest in such child which justifies the filing of such ap-
11 plication. The provisions of this section shall be deemed to include an
12 application for welfare services on behalf of an unborn child when the
13 prospective mother is within this State at the time of application for such
14 services.

1 12. Upon receipt of an application as provided in section eleven hereof,
2 the State Board of Child Welfare shall verify the statements set forth in
3 such application and shall investigate all the matters pertaining to the cir-
4 cumstances of the child. If upon such verification and investigation it shall
5 appear (a) that the welfare of such child will be endangered unless proper
6 care or custody is provided; (b) that there is no welfare or child-caring
7 society or institution duly organized under the laws of this State which can
8 and will provide the welfare services required by such child; (c) that the
9 needs of such child cannot properly be provided for by financial assistance
10 as made available by the Public Assistance Code of 1951; (d) that there is
11 no person legally responsible for the support of such child whose identity
12 and whereabouts are known and who is willing and able to provide for the
13 care and support required by such child; and (e) that such child does not
14 require immediate institutional care because of physical or mental disability;
15 then the State Board of Child Welfare may accept and provide such care
16 or custody as the circumstances of such child may require.

1 13. If in the course of verifying and investigating any applications, as
2 provided for in sections eleven and twelve hereof, it shall appear that there
3 is a welfare or child-caring society or institution duly organized under the
4 laws of this State which can and will provide the welfare services required

5 by the child; or it shall appear that there is a person legally responsible for
6 the support of the child who is willing and able to provide the care and
7 support required by such child; or it shall appear that the needs of the child
8 can properly be provided for by financial assistance as made available by
9 the Public Assistance Code of 1951; then, the State Board of Child Wel-
10 fare, before accepting and providing care or custody, shall first make proper
11 referral of the matter to such society, institution, or person, or to the agency
12 charged with the administration of such financial assistance.

1 14. The State Board of Child Welfare shall give due notice in writing to
2 the applicant of the action taken on any application as provided in sections
3 twelve and thirteen hereof.

1 15. Whenever (a) it appears that a court, wherein a complaint has been
2 proffered as provided in chapter six of Title 9 of the Revised Statutes, has
3 entered a conviction against the parent or parents, guardian, or person
4 having custody and control of any child because of abuse, abandonment,
5 neglect of or cruelty to such child; and (b) it appears that any child has been
6 adjudged delinquent by a court of proper jurisdiction in this State; or (c)
7 it appears that the best interests of any child under the care or custody of
8 the State Board of Child Welfare require that he be placed under guardian-
9 ship; a petition, setting forth the facts in the case, may be filed with the
10 juvenile and domestic relations court of the county where such child may
11 be at the time of the filing of such petition. A petition as provided in this
12 section may be filed by any person or any association or agency, interested
13 in such child, or by the State Board of Child Welfare in the circumstances
14 set forth in item (c) hereof.

1 16. Where the petitioner under section fifteen hereof is an association or
2 agency, such petitioner shall file with the petition a summary of its records
3 of the case.

1 17. When a petition is filed under section fifteen hereof by a person,
2 association or agency other than the State Board of Child Welfare, the
3 court, in addition to causing service to be made upon the parent, parents,

4 guardian or person having custody and control of such child in accordance
5 with rules of court, shall also cause a copy of the petition and notice of the
6 time and place of hearing to be served on or mailed to the State Board of
7 Child Welfare at least twenty days before the time of such hearing.

8 Whenever a petition is filed under section fifteen hereof, and there shall
9 be filed with such petition a statement or statements made under oath and
10 attesting that the best interests of the child require that he be placed under
11 the guardianship of the State Board of Child Welfare immediately and
12 pending final hearing, the court, at a special summary hearing held upon no-
13 tice to the State Board of Child Welfare, may make an interlocutory order
14 committing such child to the State Board of Child Welfare until a final hear-
15 ing on the petition. Such interlocutory order shall have the same force and
16 effect as an order of commitment provided for in section twenty hereof.

1 18. Immediately upon receipt of the copy of a petition served on or
2 mailed to the State Board of Child Welfare as provided by section seven-
3 teen hereof, such State board shall verify such petition and investigate all
4 the facts pertaining to the eligibility of the child for commitment, and
5 prior to the day set for hearing shall file with the court a report of its find-
6 ings. Such report shall show such facts as will assist the court in making a
7 decision in the matter.

1 19. Adjournment of any hearing on a petition filed under section fifteen
2 hereof shall not exceed a total period of ninety days.

1 20. If upon the completion of such hearing the court is satisfied that
2 the best interests of such child require that he be placed under proper
3 guardianship, such court shall make an order committing such child to the
4 guardianship and control of the State Board of Child Welfare, and such
5 child shall thereupon become the legal ward of such board, and such board
6 shall be the legal guardian of such child for all purposes.

7 If the court shall have made an interlocutory order as provided in sec-
8 tion seventeen hereof, but at the final hearing a further order of commit-
9 ment shall not be made as provided in this section, the State Board of Child

10 Welfare shall return the child forthwith to the parent or parents, guardian
11 or person having had custody of the child immediately prior to the filing of
12 the petition; *provided, however*, that if such parent or parents, guardian or
13 person having had custody cannot be found or, for other reason satisfactory
14 to the court, is unable to accept the child, the State Board of Child Wel-
15 fare, upon order of the court, may place the child with such other person
16 or persons who, at the time of final hearing, expressed willingness to ac-
17 cept the child, but such order shall in no wise be construed as a grant of
18 custody or guardianship. In all such cases the interlocutory order shall
19 continue in full force and effect until the State Board of Child Welfare
20 shall have made disposition of the child as provided herein, but in no case
21 for a period longer than thirty days after the final hearing.

1 21. The order of the court committing a child to the guardianship of
2 the State Board of Child Welfare shall in no wise be restrictive of the du-
3 ties, powers and authority of such board in the care, custody, placement,
4 welfare and exclusive guardianship of the child as provided in this act, and
5 such board shall be removed as such guardian only by a court of competent
6 jurisdiction upon charges preferred and upon good cause shown after an
7 opportunity to be heard.

1 22. The guardianship of the State Board of Child Welfare shall be full
2 and complete for all purposes and shall vest in such board the custody and
3 control of both the person and property of its wards, whether committed
4 prior or subsequent to the effective date of this act, without the necessity
5 of giving bond, and notwithstanding any previous appointment of a guard-
6 ian for such wards.

7 Such guardianship of the State Board of Child Welfare shall enable
8 such board, acting as in a corporate capacity, to prosecute suits, claims and
9 any and all manner of proceedings or actions in law or equity for and on
10 behalf of its wards; to demand and receive from all persons, including
11 guardians previously appointed, any and all property of its wards; and to
12 hold and administer the real and personal property of its wards, or any

13 interest they may have therein; *provided, however,* that it shall be proper
14 for the said board, in its discretion, to hold funds of its wards on deposit
15 in one or more banks or trust companies in this State, and to apply funds,
16 other than earnings, of any ward against expenditures for the maintenance
17 of such ward.

18 The County Court of the county where the commitment was made shall
19 have jurisdiction to hear and determine any and all proceedings affecting
20 the guardianship of the State Board of Child Welfare. The County Court
21 of each county shall have jurisdiction to hear and determine petitions by
22 such board, on behalf of its wards, for the transfer of any or all assets being
23 held by guardians previously appointed. The County Court shall have juris-
24 diction, in its discretion, to waive costs in any proceedings by the State
25 Board of Child Welfare on behalf of its wards.

1 23. In addition to the methods otherwise provided in this article for
2 establishing guardianship by the State Board of Child Welfare, and when
3 necessary to carry out the provisions of this act, the State Board of Child
4 Welfare, after due investigation and consideration, may, in cases where it
5 would be to the permanent advantage of the child, take voluntary surrenders
6 and releases of custody and consents to adoption from the parent, parents or
7 other persons or agencies having the right or authority to give such sur-
8 renders, releases and consents. Such surrenders, releases and consents, when
9 properly acknowledged in the manner and form as provided by section
10 46:14-6 of the Revised Statutes, shall be valid and binding irrespective of
11 the age of the person giving the same, and shall be irrevocable except at the
12 discretion of the State Board of Child Welfare or upon order of a court of
13 competent jurisdiction.

1 24. Whenever the director of welfare of any county or municipality in
2 this State shall be called upon to provide for any child whose needs cannot
3 properly be provided for by financial assistance as made available by the
4 Public Assistance Code of 1951, such director shall, within twenty-four hours
5 thereafter, give written notice thereof to the State Board of Child Welfare,

6 and shall file an application for care or custody, as provided in section eleven
 7 of this act, or shall file a petition as provided in section fifteen of this act, as
 8 the case may be. Such notice shall contain all available information concern-
 9 ing such child and its circumstances as will enable such State board to take
 10 proper action in the case. If the immediate needs of such child so require,
 11 such director shall provide for the care of such child in a suitable place ap-
 12 proved for that purpose by the State Board of Child Welfare, paying there-
 13 for as a charge against assistance funds until such time as the child has been
 14 found eligible for care, custody or guardianship in accordance with the pro-
 15 visions of this act.

ARTICLE III

MAINTENANCE AND SUPERVISION

1 25. The State Board of Child Welfare, by its agent or agents, shall regu-
 2 larly visit all children receiving care, custody or guardianship under the
 3 provisions of this act in order to assure the maximum benefit from such
 4 services.

1 26. Whenever the circumstances of a child are such that proper care,
 2 custody, and guardianship cannot be provided for such child in his own
 3 home, the State Board of Child Welfare may place such child in a suitable
 4 family home, with or without payment of board, as the needs of the child may
 5 require; *provided, however*, that while such State board is seeking such family
 6 home, or if the special needs of any such child may so require, such State
 7 board may place such child in an institution in this State for the care of
 8 children or in any other suitable place which such State board, in its dis-
 9 cretion, may find proper and necessary for the care of the child. In the
 10 placement of any child the State Board of Child Welfare shall make every
 11 reasonable effort to select a family home or an institution of the same
 12 religious faith as the parent or parents of such child.

13 Whenever the State Board of Child Welfare shall place any child, as
 14 provided by this section, in any municipality and county of this State, such

15 child shall be deemed a resident of such municipality and county for all pur-
16 poses, and such child shall be entitled to the use and benefit of the health,
17 educational, recreational, vocational and other facilities of such municipality
18 and county in the same manner and extent as any other child living in such
19 municipality and county.

1 27. Pursuant to the providing of care, custody or guardianship for any
2 child, in accordance with the provisions of this act, the State Board of Child
3 Welfare may expend such sums as may be necessary for the reasonable and
4 proper cost of maintenance, including board, clothing and medical, dental and
5 hospital care, or any of them, as the needs of any such child may require.
6 Such cost shall be chargeable against State funds as made available in accord-
7 ance with article four of this act; *provided, however*, that no such cost shall
8 be so chargeable if incurred earlier than the date of acceptance of care or
9 custody of a child, as provided in section twelve hereof, or earlier than the
10 effective date of an order of commitment, as provided in section twenty
11 hereof.

1 28. The State Board of Child Welfare may at any time discharge from
2 its care, custody or guardianship any child, if in the opinion of such board
3 the best interests of the child will be promoted thereby.

ARTICLE IV

FINANCIAL PROVISIONS

1 29. Subject to the provisions of section thirty hereof, payments for
2 maintenance authorized by this act shall be made by the State Board of Child
3 Welfare.

4 The treasurer of the State Board of Child Welfare is hereby empowered
5 to receive from the State Treasurer such sums as shall be appropriated for
6 the purposes of this act, and shall cause such sums to be set up in a special
7 account or accounts subject to disbursement by the State Board of Child
8 Welfare in accordance with the provisions of this act.

1 30. The Governor shall fix and determine and state in his annual budget
2 message a sum sufficient to pay the estimated amount required to carry into
3 effect the provisions of this act, together with the deficiencies, if any, in-
4 curred in the previous year. The Legislature shall include the amount so
5 determined and stated in the annual appropriation bill.

6 Payments from funds appropriated for the provision of maintenance
7 as authorized by this act shall be made monthly in advance by the State
8 Treasurer, on the warrant of the Commissioner of Taxation and Finance to
9 the treasurer of the State Board of Child Welfare, upon statements furnished
10 by the State Board of Child Welfare, approved by the Department of Institu-
11 tions and Agencies.

1 31. The State Board of Control of Institutions and Agencies or its duly
2 authorized representative is hereby empowered to negotiate with the Federal
3 Government to secure such financial assistance for the carrying out of this
4 act as may be provided in the Federal Social Security Act, and the State
5 Treasurer is hereby empowered to receive such moneys and shall cause them
6 to be placed in the account or accounts of the State Board of Child Welfare,
7 acting as the agent of the State Board of Control of Institutions and Agen-
8 cies, for the purpose of carrying into effect the provisions of this act.

9 The State Board of Control is further empowered to organize the work
10 of the several departments coming under its jurisdiction in behalf of de-
11 pendent and neglected children to comply with the reasonable requirements
12 of the Social Security Board and the Federal Children's Bureau as set forth
13 in Title IV and section 521 of Title V of the Federal Social Security Act,
14 and to co-operate, through the State Board of Child Welfare, in extending
15 and strengthening public welfare services for the protection and care of
16 homeless, dependent and neglected children and children in danger of becom-
17 ing delinquent.

1 32. Whenever a child receiving care, custody, or guardianship as pro-
2 vided by this act has died, and an investigation by the State Board of Child
3 Welfare discloses that there are insufficient funds from any other source to

4 provide proper burial, such State board may authorize the expenditure of an
5 amount reasonably necessary to provide proper burial for such child, and
6 such amount shall be a proper charge against State funds, within the limits
7 of available appropriations, in the same manner and extent as expenditures
8 for maintenance.

1 33. The State Board of Child Welfare may compromise and settle any
2 claim due or which may become due such board for reimbursement of moneys
3 paid to any individual or organization for maintenance of a child. A memo-
4 randum of the compromise and settlement shall be entered in the official
5 minutes of the proceedings of the board.

1 34. Whenever the State Board of Child Welfare shall recover or receive
2 reimbursement of any moneys paid to any individual or organization for the
3 maintenance of a child, the moneys so recovered or received shall be credited
4 to the State treasury or to the Federal Government in the same proportion
5 as they were charged in the original instance. The State Board of Child
6 Welfare is hereby authorized to take all necessary and proper action under
7 the laws of this State for the recovery of any such moneys wrongfully re-
8 ceived or retained by any individual or organization, or for the recovery from
9 the person or persons responsible under the laws of this State for the support
10 of such child the value of maintenance furnished to such child.

1 35. The State Board of Child Welfare is authorized to retain any volun-
2 tary contributions of money heretofore received by it, and to receive future
3 contributions. All such contributions, whether already received or hereafter
4 received, shall be kept in a separate fund, and shall be used only upon order
5 of the board for the purposes for which the contributions were made, and such
6 funds shall be in the custody and control of the treasurer of the State
7 Board of Child Welfare, and his official bond given as such treasurer shall
8 be responsible for the faithful keeping and distribution of such fund.

1 36. On application in writing by the State Board of Child Welfare the
2 State Treasurer on warrant of the Comptroller may pay to the treasurer of
3 the board from its annual appropriation such amount not exceeding five

4 thousand dollars (\$5,000.00) as may be necessary to establish a petty cash
5 fund for the payment of traveling expenses and such other current expenses
6 as require a prompt cash outlay.

7 The treasurer of the State Board of Child Welfare shall file an account
8 with vouchers attached showing all expenditures from his petty cash fund
9 and on receipt of the amount thereof from the State Treasurer shall reim-
10 burse the fund. Any questions with reference to the allowance, expenditure,
11 accounting and reimbursement of petty cash moneys shall be finally de-
12 termined by ruling of the State Comptroller.

1 37. Whenever the State Board of Child Welfare shall have issued, or
2 shall hereafter issue, any checks, drafts or warrants to be paid from moneys
3 received from the Federal Government, the State, or any county of this
4 State for the cost of maintenance, and such checks, drafts or warrants shall
5 not be cashed for a period of one year from the date of issue, the following
6 procedure shall be taken:

7 (a) The State Board of Child Welfare shall give due notice to the bank
8 on which such checks, drafts or warrants were issued that no payment shall
9 be made thereon.

10 (b) The State Board of Child Welfare shall then from time to time de-
11 posit in a special fund moneys in an amount equal to that represented by
12 such checks, drafts or warrants, which moneys shall be held for the pay-
13 ments of such checks, drafts or warrants. Such special fund shall be in the
14 custody and control of the treasurer of the State Board of Child Welfare,
15 and his official bond given as such treasurer shall be responsible for the
16 faithful keeping and distribution of such fund.

17 (c) The moneys so deposited shall be maintained in such special fund
18 for a period of six years from the date of deposit, and, if still unclaimed
19 after that time by anyone having a legal right thereto, shall be credited to
20 the Federal Government, the State, or any county of this State in the same
21 proportion as such moneys were received by the State Board of Child Wel-
22 fare in the original instance.

23 Whenever the State Board of Child Welfare shall have credited any
24 moneys to the Federal Government, the State or any county of this State pur-
25 suant to the provisions of this section, it shall thereupon be free of all obli-
26 gations as to those checks, drafts or warrants for which such moneys had
27 been held for payment.

1 38. The following acts and statutes together with all amendments thereof
2 and supplements thereto are repealed:

3 Chapter five of Title 30 of the Revised Statutes;

4 "An act defining the guardianship of the State Board of Children's
5 Guardians and providing for the administration thereof," approved May
6 eleventh, one thousand nine hundred and thirty-eight (P. L. 1938, c. 160);

7 "An act concerning the care, maintenance, supervision and guardianship
8 of dependent and neglected children, promoting home life therefor, providing
9 penalties for violation thereof, and amending sections 30:5-1, 30:5-33,
10 30:5-36, 30:5-43 and 30:5-44 of the Revised Statutes," approved May
11 eleventh, one thousand nine hundred and thirty-eight (P. L. 1938, c. 161);

12 "An act to amend an act entitled 'An act concerning the care, main-
13 tenance, supervision and guardianship of dependent and neglected children,
14 promoting home life therefor, providing penalties for violation thereof, and
15 amending sections 30:5-1, 30:5-33, 30:5-36, 30:5-43 and 30:5-44 of the Re-
16 vised Statutes,' approved May eleventh, one thousand nine hundred and
17 thirty-eight," approved June twenty-second, one thousand nine hundred and
17A thirty-eight (P. L. 1938, c. 400);

18 "An act concerning checks, drafts or warrants issued by the State Board
19 of Children's Guardians which remain uncashed for a period of one year,
20 and providing for the disposition of moneys held for payment thereof,"
21 approved July twelfth one thousand nine hundred and thirty-nine (P. L.
22 1939, c. 213);

22A "An act concerning the care, maintenance, supervision and guardian-
22B ship of dependent and neglected children, promoting home life therefor,
22C providing penalties for violation thereof, and amending section 30:5-4 of the

22b Revised Statutes," approved July eighteenth, one thousand nine hundred
22a and thirty-nine (P. L. 1939, c. 245);

23 "An act concerning the care, maintenance, supervision and guardian-
24 ship of dependent and neglected children, promoting home life therefor,
25 providing penalties for violation thereof, and amending sections 30:5-9,
26 30:5-33, 30:5-35 and 30:5-36 of the Revised Statutes as previously
27 amended," approved November eighteenth, one thousand nine hundred and
28 thirty-nine (P. L. 1939, c. 377);

29 "An act concerning the care, maintenance, supervision and guardian-
30 ship of dependent and neglected children, promoting home life therefor,
31 providing penalties for violation thereof, and amending section 30:5-1 of
32 the Revised Statutes," approved June eighteenth, one thousand nine hun-
33 dred and forty (P. L. 1940, c. 118);

34 "An act concerning the care, maintenance, supervision and guardian-
35 ship of dependent and neglected children, and the promotion of home life
36 therefor, and amending section 30:5-36 of the Revised Statutes," approved
37 May sixth, one thousand nine hundred and forty-two (P. L. 1942, c. 121);

38 "An act concerning the care, maintenance, supervision and guardian-
39 ship of dependent and neglected children, promoting home life therefor,
40 providing penalties for violation thereof, and amending sections 30:5-7 and
41 30:5-8 of the Revised Statutes," approved May sixth, one thousand nine
42 hundred and forty-two (P. L. 1942, c. 140);

43 "An act concerning the care, maintenance, supervision and guardian-
44 ship of dependent and neglected children, promoting home life therefor, pro-
45 viding penalties for violation thereof, and amending sections 30:5-19,
46 30:5-21 and 30:5-26 of the Revised Statutes," approved May fourteenth, one
47 thousand nine hundred and forty-two (P. L. 1942, c. 223);

48 "An act authorizing the State Board of Children's Guardians and the
49 welfare boards of the several counties to compromise and settle certain
50 claims for reimbursement of financial assistance furnished any individual
51 under chapter five of Title 30 of the Revised Statutes," approved April
52 sixth, one thousand nine hundred and forty-three (P. L. 1943, c. 89);

53 "An act concerning aid to dependent children and their mothers, and
54 amending sections 30:5-7, 30:5-33, 30:5-37 and 30:5-44 of the Revised Stat-
55 utes," approved April twenty-first, one thousand nine hundred and forty-
56 four (P. L. 1944, c. 194);

57 "An act concerning grants of home life assistance by the State Board
58 of Children's Guardians, and amending section 30:5-33 of the Revised Stat-
59 utes," approved April thirtieth, one thousand nine hundred and forty-five
60 (P. L. 1945, c. 264);

61 "An act concerning aid to dependent children and their mothers, and
62 amending section 30:5-8 of the Revised Statutes," approved May seventh,
63 one thousand nine hundred and forty-seven (P. L. 1947, c. 128);

64 "An act to change the name of the State Board of Children's Guardians
65 to the State Board of Child Welfare, and supplementing chapter five of
66 Title 30 of the Revised Statutes," approved June eleventh, one thousand nine
67 hundred and forty-seven (P. L. 1947, c. 257);

68 "An act concerning grants of home life assistance by the State Board
69 of Child Welfare, and amending section 30:5-33 of the Revised Statutes,"
70 approved July sixth, one thousand nine hundred and fifty (P. L. 1950, c. 317);

71 Chapter five A of Title 30 of the Revised Statutes.

1 39. To the extent that this act contains provisions not inconsistent with
2 those of prior laws it shall be construed as a continuation of such laws. The
3 repeal of the acts and statutes as provided by section thirty-eight hereof
4 shall not revive or re-establish any office, positions, functions, powers, or
5 duties heretofore abolished by such acts and statutes.

1 40. This act shall take effect January first, one thousand nine hundred
2 and fifty-two.

STATEMENT

At the present time, the State Board of Child Welfare is not authorized to provide services to children unless and until they have been committed to the agency by court order. This generally means that the family situation has

deteriorated to the point where the court is called upon to make a decision which takes away parental rights in favor of public guardianship. In many cases, however, it clearly appears that the family life would have been preserved, or children protected from treatment as delinquents if services from a children's agency could have been obtained, directly or by referral, when the problems first arose. This has been demonstrated by the private and voluntary agencies in the areas where they now function, and in a certain few counties where the State Board of Child Welfare has been able to establish a flexible program of child welfare services through limited grants of Federal funds.

The proposed legislation, in its statement of policy and procedure, calls for preservation of family life in meeting the problems of children; the utilization of private and voluntary services when able and available to meet the problems presented; the providing of public services in areas where private agencies do not presently exist; and the "working together" of all facilities dedicated to the welfare of children and youth.

In many areas of the State, particularly in the rural counties, there are no local private agencies or no local offices of those private agencies carrying State-wide programs. It is in these areas that the State Board of Child Welfare would be enabled to provide service to children without court commitment, which service might consist of referral to other agencies which can afford general or specialized forms of care.

The present means of court established guardianship is continued for those types of problems which require such action. However, the State Board of Child Welfare would be enabled to provide care and custody for children, without court action, when the parents or other persons having custody of the children voluntarily seek or co-operate in the program. In proper cases, this would permit foster home placement where the family home is temporarily disrupted, and adoption placements where the agency and the parents agree that this would be to the permanent advantage of the child. State funds for maintenance would be used when necessary for the welfare of the child, but

provisions are made for assuring that parents meet their obligations of support within their means. The ability to afford consultation in adoption plans would deter "black marketing" of children in areas where no agency adoption service now exists.

In many instances, the State Board of Child Welfare is requested to provide supervision for children on behalf of agencies of other States, or in the administration of national programs such as for displaced persons. At the present time, this cannot be done through the public agency, although no financial obligations are involved. The proposed legislation would correct this situation in order that help may be afforded to persons who are understanding and desirous of agency consultation.

Discussions at the recent White House Conference on Children and Youth led to a sound statement of principles concerned in a program for their proper development. The purpose of the proposed legislation is to enable the New Jersey public child welfare agency to participate in the attainment of these principles.

CHAPTER 197 LAWS OF N. J. 1962

APPROVED 12-11-62

ASSEMBLY COMMITTEE SUBSTITUTE FOR

ASSEMBLY, No. 493

STATE OF NEW JERSEY

ADOPTED DECEMBER 3, 1962

AN ACT to reorganize the administration of public welfare functions within the Department of Institutions and Agencies; and for that purpose to amend sections 30:1-7, 30:4-1, 30:4-26.2, and 30:6-1 of the Revised Statutes, to amend and supplement "An act concerning the care, custody, guardianship, maintenance and supervision of dependent and neglected children, promoting home life therefor, providing for the financing thereof, and repealing certain statutes relating thereto," approved May 31, 1951 (P. L. 1951, c. 138), as amended, to amend "An act relating to the reorganization of the executive and administrative offices, departments, instrumentalities of the State Government; concerning the Division of Welfare in the State Department of Institutions and Agencies, and supplementing Title 30 of the Revised Statutes," approved June 1, 1950, (P. L. 1950, c. 166), to repeal sections 30:6-3, 30:6-4, 30:6-5, 30:6-8, 30:6-9, 30:6-10 and 30:6-14 of the Revised Statutes, to repeal "An act relating to assistance to needy blind persons in New Jersey, supplementing chapter 6 of Title 30, and amending sections 30:6-3, 30:6-5 and 30:6-14 of the Revised Statutes," approved April 25, 1946 (P. L. 1946, c. 168), and to supplement chapter 7 of Title 44 of the Revised Statutes.

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

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

1 1. Section 30:1-7 of the Revised Statutes is amended to read as follows:

2 30:1-7. Within the limitations imposed by general legislation applicable to
 3 all agencies of the State, the State board is hereby granted complete and
 4 exclusive jurisdiction, supreme and final authority, and the requisite power to
 5 accomplish its aims and purposes in and upon the institutions, boards, com-
 6 missions and other agencies, hereinafter in this section named, and desig-
 7 nated as charitable, hospital, relief, training institutions and correctional
 8 institutions of this State, to the end that they shall be humanely, scientifically,
 9 efficiently and economically operated. Any particular grant of power herein-
 10 after in this Title contained shall be in specification but not in limitation of
 11 the general grant of power.

12 The charitable, hospital, relief and training institutions and noninstitu-
 13 tional agencies of this State, within the meaning of this Title, shall include the
 14 following, and, as well, any institution established hereafter for any similar
 15 purpose, as now established and as the same are to be hereafter maintained
 16 and operated pursuant to law:

17 New Jersey State Hospital at Trenton,
 18 New Jersey State Hospital at Greystone Park,
 19 New Jersey State Hospital at Marlboro,
 20 New Jersey State Hospital at Ancora,
 21 New Jersey [State Village for Epileptics at Skillman] *Neuropsychiatric*
 22 *Institute*,
 23 New Jersey Sanatorium for Chest Diseases at Glen Gardner,
 24 New Jersey Training School at Totowa,
 25 State Colony at New Lisbon,
 26 State Colony at Woodbine,
 27 Vineland State School at Vineland,
 28 *Woodbridge State School*,
 29 New Jersey Memorial Home for Disabled Soldiers at Menlo Park,
 30 New Jersey Memorial Home for Disabled Soldiers, Sailors, Marines and
 31 Their Wives and Widows at Vineland,

32 Diagnostic Center at Menlo Park,
 33 Arthur Brisbane Child Center at Allaire,
 34 [State Board of Child Welfare at Trenton,]
 35 *Board of Public Welfare*,
 36 Commission for the [Amelioration of the Condition of the] Blind [at
 37 Newark].

38 The correctional institutions of this State, within the meaning of this
 39 Title, shall include the following, and as well, any institution established
 40 hereafter for any similar purpose, as now established and as the same are to
 41 be hereafter maintained and operated pursuant to law :

42 New Jersey State Prison at Trenton,
 43 New Jersey State Prison Farm at Rahway,
 44 New Jersey State Prison Farm at Leesburg,
 45 New Jersey Reformatory at Bordentown,
 46 New Jersey Reformatory for Women at Clinton,
 47 New Jersey Reformatory at Annandale,
 48 State Home for Boys at Jamesburg,
 49 State Home for Girls at Trenton.

1 2. Section 30:4-1 of the Revised Statutes is amended to read as follows:
 2 30:4-1. The State board shall appoint a board of managers for each
 3 institution or agency within the department or for each group or class thereof
 4 as it may determine. Whenever the establishment or assumption of jurisdic-
 5 tion over an additional institution, or the acquisition of a site therefor, is
 6 authorized by the Legislature the State board may appoint a board of man-
 7 agers therefor or in its discretion may authorize or designate any existing
 8 board of managers to assume jurisdiction thereof. Each board of managers
 9 in charge of an institution shall be known as "the board of managers" nam-
 10 ing the institution or group or class for which the board is appointed. The
 11 State board shall determine the names of the boards in charge of [noncon-
 12 stitutional] *noninstitutional* agencies.

13 *Except in the case of the Board of Public Welfare as otherwise specifically*
14 *provided by statute, the* [The] boards of managers shall consist of not less
15 than 5 nor more than 7 members appointed with the approval of the Gov-
16 ernor from residents of the State at large without respect to political affilia-
17 tion or belief. At least 2 women shall be members of each board in charge
18 of the State Home for Boys, the Home for Disabled Soldiers, Sailors, Marines
19 and their Wives and Widows, and the institutions or agencies for the blind,
20 feeble-minded, the tubercular, the epileptic and the insane and at least 2 mem-
21 bers of the Commission for the Blind shall themselves be blind but they shall
22 not be employees, or related by blood, marriage or adoption to any employee,
23 of said commission. At least a majority of the members of each board in
24 charge of the State Home for Girls [,) and the women's reformatory [and the
25 care of dependent children] shall be women.

26 The Department Commander, Department of New Jersey, Grand Army
27 of the Republic, shall be ex officio a member of the board of managers of the
28 New Jersey Memorial Home for Disabled Soldiers, Sailors, Marines and
29 their Wives and Widows and of the board of managers of the New Jersey
30 Memorial Home for Disabled Soldiers. The term of each board member shall
31 be 3 years commencing on July 1 and ending on June 30 of the third year
32 thereafter. A vacancy shall be filled by the State board for the unexpired
33 term only.

34 The members of new or additional boards of managers shall at the time
35 of their appointment be divided into groups so that the terms of 2 members
36 shall expire on June 30 of the year next succeeding appointment; the terms
37 of 2 others on June 30 of the second year succeeding appointment; the term
38 of the fifth member and in case of larger boards the term of the sixth mem-
39 ber, on June 30 of the third year succeeding appointment; the term of the
40 seventh member of a board having 7 members, on June 30 of the fourth year
41 succeeding appointment. Their successors shall be appointed for 3-year terms.

42 The members of such boards shall receive no compensation for services
43 but shall be reimbursed for actual expenditures incurred in the performance

44 of duty. They shall be subject to removal by the State board at any time for
45 good and sufficient cause.

1 3. Section 30:4-26.2 of the Revised Statutes is amended to read as fol-
2 lows:

3 30:4-26.2. If any female committed to any of the institutions referred
4 to in section 30:1-7 of this Title, at the time of such commitment, is the mother
5 of a [nursing] child in her care under 2 years of age, or is pregnant with
6 child, which shall be born after such commitment, such child may accompany
7 its mother to and, subject to the provisions of this [chapter] section, may
8 remain in such institution [until it is 2 years of age and may then be removed
9 therefrom]. The name and history of such child shall be entered upon the
10 records of the institution [in the same manner as if the child had been com-
11 mitted or admitted to such institution as an inmate or patient].

12 If the mother is a State indigent patient, such child shall be maintained
13 at the expense of the State, and if such mother is a county indigent patient,
14 such child shall be maintained at the expense of the county chargeable with
15 maintenance of the mother. The rate for maintenance shall be fixed by the
16 State House Commission. The chief executive officer of the institution, as
17 a condition precedent to charging the maintenance of such child, shall notify
18 the Director of the Division of Budget and Accounting in the case of charg-
19 ing the State, and shall notify the director of the board of freeholders in the
20 case of charging a county.

21 [If,] *Whenever it would be in the best interest of such child, and in any*
22 *event prior to the time when such child arrives at the age of 2 years, [it is*
23 *without family or relatives able and willing to assume its support,] the chief*
24 *executive officer of the institution shall take such action as is authorized by*
25 *the laws of this State to place such child in [may institute a proceeding, or*
26 *may designate an agent to do so for him, in the County Court of the county*
27 *in which the child or its parent or parents have a settlement, setting forth the*
28 *parentage of the child and its settlement, together with such other proof as*
29 *may be necessary to satisfy the court as to the settlement of the child. The*

30 court shall thereupon commit the child to] the care, custody or guardianship
31 [and control] of the [State Board of Child Welfare] *Bureau of Childrens*
32 *Services* [and the child shall thereupon become the legal ward of such board.
33 The court shall also direct the county to pay expenses for the care of such
34 child, including the board, clothing, medical and surgical treatment while
35 the child is under the guardianship of the State Board of Child Welfare.
36 Upon the making of such commitment, as aforesaid, the State Board of Child
37 Welfare shall thereupon become and be constituted the guardian of such
38 juvenile dependent and shall be invested with all the powers and duties now
39 exercised by them in the same manner and to the same effect as if such child
40 had been committed to such board as a public charge].

41 [If, however, at any time the chief executive officer of the institution
42 shall certify to the commissioner that the condition of the mother or the pre-
43 vailing conditions of the institution are inimical to the best interest of such
44 child, and if after investigation the commissioner finds that such child would
45 be benefited by removal from the institution and if it is without family or
46 relatives able and willing to assume its support, the chief executive officer
47 of such institution may thereupon institute a proceeding, or he may desig-
48 nate an agent to do so for him, and secure an order committing the child to
49 the State Board of Child Welfare, as provided above.]

1 4. Section 1 of chapter 166 of the laws of 1950 is amended to read as fol-
2 lows:

3 1. The Division of Welfare established in the State Department of In-
4 stitutions and Agencies by the State Board of Control [of Institutions and
5 Agencies] is continued, *but shall thereafter be known as the Division of Pub-*
6 *lic Welfare and shall be governed by the provisions of this act.* Said divi-
7 sion shall consist of *the Director of Public Welfare, the Bureau of Assistance*
8 *(heretofore known variously as the Division of Old Age Assistance and the*
9 *Bureau of Assistance), the Bureau of Childrens Services (heretofore known*
10 *variously as the State Board of Children's Guardians and the State Board of*
11 *Child Welfare), the Commission for the Blind (including the executive and*

12 *staff of such commission), and of such reconstituted, reorganized or additional*
13 *bureaus and other administrative units as such State Board of Control may,*
14 *from time to time, establish therein.*

1 5. Section 2 of chapter 166 of the laws of 1950 is amended to read as fol-
2 lows:

3 2. All functions, powers and duties relating to [categorical] *public as-*
4 *sistance and welfare services [incident thereto], which are exercised by or*
5 *within the State Department of Institutions and Agencies by any officer or*
6 *agency thereof, [including the State Board of Child Welfare, the Commission*
7 *for the Blind, and the Division of Old Age Assistance, and all functions,*
8 *powers, and duties which are by this act transferred to the said depart-*
9 *ment,]* shall be administered through the said Division of *Public Welfare,*
10 *together with such other related functions and duties as the State Board of*
11 *Control [of Institutions and Agencies] may, from time to time, find appro-*
12 *priate to be administered through the said division.*

1 6. Section 3 of chapter 166 of the laws of 1950 is amended to read as fol-
2 lows:

3 3. *There is hereby created and established within the Department of In-*
4 *stitutions and Agencies a board to be known as the Board of Public Welfare.*
5 *Said board shall consist of 15 members, at least 3 of whom shall be women.*
6 *Twelve of such members shall be appointed by the State Board of Control*
7 *with the approval of the Governor, from among citizens of the State with*
8 *demonstrated interest in community service programs, at least 3 of whom*
9 *shall be executives of privately sponsored agencies providing family and*
10 *and children's services. They shall be appointed without regard to political*
11 *belief or affiliation. They shall receive no compensation for services, but shall*
12 *be reimbursed for actual expenditures incurred in the performance of their*
13 *duties. All such 12 members shall hold office for a term of 3 years commenc-*
14 *ing on July 1 and ending on June 30 of the third year thereafter; except*
15 *that of the members first to be appointed hereunder, 4 shall be assigned to*
16 *terms expiring on June 30 of the year next succeeding appointment, and 4*

17 to terms expiring on June 30 of the second year succeeding appointment, but
18 their successors shall be appointed for 3-year terms, and any vacancy occur-
19 ring otherwise than by expiration of term shall be filled for the unexpired
20 term only. In addition to such 12 members, 3 additional members shall be
21 persons annually designated for such purpose by the State Board of Control
22 from among persons concurrently serving as members of the Commission for
23 the Blind. The Commissioner of Institutions and Agencies shall, with the
24 advice and consent of the Board of Public Welfare, appoint the [The head]
25 chief executive officer of the Division of Public Welfare who shall be known
26 as the director of such division [Deputy Commissioner for Welfare of the
27 Department of Institutions and Agencies,] and who shall be in charge of the
28 work of the division under the immediate direction and supervision of the
29 Commissioner of Institutions and Agencies. In the event of disagreement
30 iwth respect to such appointment between the commissioner and the Board of
31 Public Welfare, the State Board of Control shall make the appointment. The
32 Board of Public Welfare, acting on behalf of the State Board of Control and
33 subject to the authority and direction thereof, shall organize to meet at such
34 times as it may determine or as may be prescribed by the State Board of Con-
35 trol. It shall establish within itself committees directly concerned with the
36 Bureau of Assistance and the Bureau of Childrens Services respectively, and
37 may establish such other committees as it may determine. It shall become
38 and continue to be thoroughly acquainted with the operations of the Division
39 of Public Welfare and regularly review all programs and practices within the
40 division and within the respective bureaus and other units thereof. It shall
41 establish policies and procedures within general directives of the State Board
42 of Control. It shall assist the director of the division and the bureau chiefs in
43 formulating the annual budget requests. It shall promote and maintain con-
44 structive relationships with the county welfare boards, local assistance
45 boards, and other official bodies and organized agencies concerned with public
46 welfare. It may, subject to the approval of the State Board of Control, es-
47 tablish any subsidiary unsalaried advisory or consultant committees or study

48 groups as it may deem necessary and proper and appoint the members
49 thereof.

1 7. Section 4 of chapter 166 of the laws of 1950 is amended to read as
2 follows:

3 4. *The Commissioner of Institutions and Agencies shall, with the advice*
4 *and consent of the Board of Public Welfare and of the director of the divi-*
5 *sion, appoint the chief executive officers of the Bureau of Assistance and the*
6 *Bureau of Childrens Services, which positions shall be in the competitive*
7 *class of the classified civil service. The Commission for the Blind shall, from*
8 *among persons nominated by the commissioner, and with the advice and con-*
9 *sent of the Board of Public Welfare and of the director of the division, ap-*
10 *point the chief executive officer of the commission, which position shall be*
11 *in the unclassified service. In the event of any disagreement with respect to*
12 *any of such appointments as between 2 or more of the parties whose partici-*
13 *pation in such appointment is so required, the State Board of Control shall*
14 *make the appointment. [This act shall not affect the terms of office of the*
15 *present members of the State Board of Child Welfare or of the New Jersey*
16 *State Commission for the Blind. Such agencies shall each continue to be con-*
17 *stituted as provided by existing law.] This act shall not affect the terms of*
18 *office of members of the State Commission for the Blind, and such agency*
19 *shall continue to be constituted and to exercise such functions as otherwise*
20 *provided by law, operating as a constituent agency within the Division of*
21 *Public Welfare pursuant to the provisions of this act.*

1 8. Section 2 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 2. For the purposes of this act the following words and terms shall,
4 unless otherwise indicated, be deemed and taken to have the meanings herein
5 given to them:

6 (a) The title [“State Board of Child Welfare”] “*Bureau of Childrens*
7 *Services*” means the State agency for the care, custody, guardianship, main-
8 tenance and protection of children, as more specifically described by the pro-

9 visions of this act, and *succeeding the agency heretofore* [as otherwise]
10 *variously* designated by the laws of this State as the State Board of Child
11 Welfare or the State Board of Children's Guardians.

12 (b) The word "child" includes stepchild and illegitimate child, and
13 further means any person under the age of 21 years.

14 (c) The term "care" means cognizance of a child for the purpose of
15 providing necessary welfare services, or maintenance, or both.

16 (d) The term "custody" means continuing responsibility for the person
17 of a child, as established by a surrender and release of custody or consent
18 to adoption, for the purpose of providing necessary welfare services, or
19 maintenance, or both.

20 (e) The term "guardianship" means control over the person and prop-
21 erty of a child as established by the order of a court of competent jur-
22 isdiction, and as more specifically defined by the provisions of this act.
23 *Guardianship by the Bureau of Childrens Services shall be treated as guard-*
24 *ianship by the Commissioner of Institutions and Agencies, exercised on his*
25 *behalf wholly by and in the name of the Bureau of Childrens Services, act-*
26 *ing through the chief executive officer of the bureau or his authorized rep-*
27 *resentative. Such exercise of guardianship by the bureau shall be at all*
28 *times and in all respects subject to the supervision of the commissioner.*

29 (f) The term "maintenance" means *moneys expended by the Bureau of*
30 *Childrens Services to procure board, lodging, clothing, [and] medical, den-*
31 *tal, and hospital care, or any [of them, as] other similar or specialized com-*
32 *modity or service* furnished to, *on behalf of*, or for a child pursuant to the
33 provisions of this act.

34 (g) The term "welfare services" means consultation, counselling, and
35 referral to or utilization of available resources, for the purpose of deter-
36 mining and correcting or adjusting matters and circumstances which are
37 endangering the welfare of a child, and for the purpose of promoting his
38 proper development and adjustment in the family and the community.

39 (h) *The term "foster parent" means any person other than a natural*
 40 *or adoptive parent with whom a child in the care, custody or guardianship*
 41 *of the Bureau of Childrens Services is placed by said bureau, or with its*
 42 *approval, for temporary or long-term care, but shall not include any persons*
 43 *with whom a child is placed for the purpose of adoption.*

44 (i) *The term "foster home" means and includes both private residences*
 45 *and institutions wherein any child in the care, custody or guardianship of*
 46 *the Bureau of Childrens Services may be placed by the said bureau or with*
 47 *its approval for temporary or long-term care, and shall include any private*
 48 *residence maintained by persons with whom any such child is placed for*
 49 *adoption.*

50 [(h)] (j) The singular includes the plural form.

51 [(i)] (k) The masculine noun and pronoun include the feminine.

52 [(j)] (l) The word "may" shall be construed to be permissive.

53 [(k) The term "assistance" means money payments made to, or in be-
 54 half of, persons determined to be eligible therefor in accordance with the
 55 provisions of Article IV, chapter 5, Title 30, of the Revised Statutes.]

1 9. Section 3 of chapter 138 of the laws of 1951 is amended to read as
 2 follows:

3 3. The [State Board of Child Welfare] *Bureau of Childrens Services*, in
 4 administering the provisions of this act, shall:

5 (a) provide care and custody for children eligible therefor in such man-
 6 ner that the children may, so far as practicable, continue to live in their
 7 own homes and family life be thereby preserved and strengthened;

8 (b) provide necessary welfare services as may be required by such chil-
 9 dren, so far as practicable, without assumption of custody;

10 (c) encourage the development of private and voluntary agencies qualified
 11 to provide welfare services for children to the end that through cooperative
 12 effort the need for such services may be limited or reduced.

1 10. Section 4 of chapter 138 of the laws of 1951 is amended to read as
 2 follows:

3 4. The **【State Board of Child Welfare】** *Bureau of Childrens Services*
4 shall have the requisite powers to:

5 (a) exercise general supervision over children for whom care, custody
6 or guardianship is provided in accordance with article 2 of this act;

7 (b) administer for the Department of Institutions and Agencies the
8 powers and duties provided in chapter 3 of Title 9 of the Revised Statutes
9 (Adoption), as amended and supplemented, as the same may be delegated
10 and assigned by the said department;

11 (c) administer for the Commissioner of Institutions and Agencies the
12 powers and duties as provided in chapter 7 of Title 9 of the Revised Statutes
13 (dependent children; bringing into State), as amended and supplemented, as
14 the same may be delegated and assigned by the said commissioner;

15 (d) administer for the State Board of Control **【of Institutions and**
16 **Agencies】** the powers and duties provided in sections 30:1-14 through 30:1-17
17 of chapter 1 of Title 30 of the Revised Statutes (visitation and inspection), as
18 amended and supplemented, so far as the same may be delegated and assigned
19 by the said State Board of Control with respect to institutions, organizations
20 and noninstitutional agencies for the care, custody and welfare of children;

21 (e) provide care and exercise supervision over children paroled or re-
22 leased from State correctional institutions for juveniles in accordance with
23 rules and regulations established by the State Board of Control **【of Institu-**
24 **tions and Agencies】**;

25 (f) make investigations or provide supervision of any child in this State
26 at the request and on behalf of a public or private agency or institution of any
27 other State;

28 (g) **【to】** meet and confer, **【at least annually】** *as the unmet needs of*
29 *New Jersey's children may require*, with representatives of the public welfare
30 boards and the private agencies and institutions for the care of children in
31 this State in order that the programs of such boards, agencies and institu-
32 tions may be developed and fully utilized and that there may be a co-ordina-
33 tion of all public and private facilities for the protection and care of children;

34 (h) issue such reasonable rules and regulations as may be necessary for
 35 the purpose of carrying into effect the meaning of this act, which rules and
 36 regulations shall be binding so far as they are consistent with such purpose.

37 (i) promulgate and file with the Secretary of State, subject to the ap-
 38 proval of the Board of Public Welfare, rules and regulations as may be nec-
 39 essary as a basis for the provision for payment for services rendered by
 40 privately sponsored agencies or institutions to children under the care, cus-
 41 tody or guardianship of the Bureau of Childrens Services. Such rules and
 42 regulations shall include, but shall not be limited to, standards of professional
 43 training, experience and practices, and requirements relating to the moral
 44 responsibility of the trustees, officers or other persons supervising or con-
 45 ducting the program, the adequacy of the facilities, the maintenance of ade-
 46 quate casework records, and the furnishing of comprehensive reports.

1 11. Section 5 of chapter 138 of the laws of 1951 is amended to read as
 2 follows:

3 5. Except as provided in section 12 and sections 15 through 22 of this act,
 4 nothing [Nothing] in this act shall authorize the [State Board of Child Wel-
 5 fare] Bureau of Childrens Services to accept the care or custody of any child,
 6 nor to provide welfare services for any child, except with the voluntary ap-
 7 proval and consent of the parent, parents, legal custodian, guardian or other
 8 person with whom the child may be living.

1 12. Section 6 of chapter 138 of the laws of 1951 is amended to read as
 2 follows:

3 6. No person to whom or for whom payments for maintenance are made
 4 under this act shall be deemed to be or classified as a pauper by reason
 5 thereof.

6 The provisions of this act shall not be construed to deny treatment by
 7 spiritual means or prayer, of any child, in accordance with the religious
 8 faith of the parent or parents of such child. The provisions of this act shall
 9 not be construed to authorize or empower the [State Board of Child Wel-
 10 fare] Bureau of Childrens Services to compel a child to undergo medical or

11 surgical treatment, if the child, or parent or guardian of said child, objects
12 thereto in a signed statement upon the ground that the proposed action inter-
13 feres with the free exercise of his religious principles.

1 13. Section 7 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 7. All birth, death and marriage certificates which may be required under
4 the provisions of this act, or under any rule or regulation issued by the [State
5 Board of Child Welfare] *Bureau of Childrens Services*, shall be issued free
6 of charge upon the order of [the State Board of Child Welfare] *such bureau*.

1 14. Section 11 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 11. Whenever it shall appear that any child within this State is of such
4 circumstances that his welfare will be endangered unless proper care or
5 custody is provided, an application setting forth the facts in the case may be
6 filed with the [State Board of Child Welfare] *Bureau of Childrens Services*
7 by a parent or other relative of such child, by a person standing in loco
8 parentis to such child, [or] by a person or association or agency or public
9 official having a special interest in such child *or by the child himself*, seeking
10 that the [State Board of Child Welfare] *Bureau of Childrens Services* accept
11 and provide such care or custody of such child as the circumstances may re-
12 quire. Such application shall be in writing, and shall contain a statement of
13 the relationship to or special interest in such child which justifies the filing of
14 such application. The provisions of this section shall be deemed to include an
15 application [for welfare services] on behalf of an unborn child when the
16 prospective mother is within this State at the time of application for such
17 services.

18 *Upon receipt of an application as provided in this section, the Bureau of*
19 *Childrens Services shall verify the statements set forth in such application*
20 *and shall investigate all the matters pertaining to the circumstances of the*
21 *child. If upon such verification and investigation it shall appear (a) that the*
22 *welfare of such child will be endangered unless proper care or custody is pro-*

23 vided; (b) that the needs of such child cannot properly be provided for by
24 financial assistance as made available by the laws of this State; (c) that there
25 is no person legally responsible for the support of such child whose identity
26 and whereabouts are known and who is willing and able to provide for the
27 care and support required by such child; and (d) that such child, if suffering
28 from a mental or physical disability requiring institutional care, is not im-
29 mediately admissable to any public institution providing such care; then the
30 Bureau of Childrens Services may accept and provide such care or custody as
31 the circumstances of such child may require.

1 15. Section 12 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 12. [Upon receipt of an application as provided in section 11 hereof, the
4 State Board of Child Welfare shall verify the statements set forth in such
5 application and shall investigate all the matters pertaining to the circum-
6 stances of the child. If upon such verification and investigation it shall ap-
7 pear (a) that the welfare of such child will be endangered unless proper care
8 or custody is provided; (b) that there is no welfare or child-caring society
9 or institution duly organized under the laws of this State which can and will
10 provide the welfare services required by such child; (c) that the needs of
11 such child cannot properly be provided for by financial assistance as made
12 available by the laws of this State; (d) that there is no person legally respon-
13 sible for the support of such child whose identity and whereabouts are known
14 and who is willing and able to provide for the care and support required by
15 such child; and (e) that such child does not require immediate institutional
16 care because of physical or mental disability; then the State Board of Child
17 Welfare may accept and provide such care or custody as the circumstances
18 of such child may require.]

19 *Whenever it shall appear that the parent or parents, guardian, or per-*
20 *son having custody and control of any child within this State is grossly im-*
21 *moral or unfit to be entrusted with the care and education of such child, or*
22 *shall fail to provide such child with proper protection, maintenance and edu-*

23 cation, or is of such vicious, careless or dissolute habits as to endanger the wel-
24 fare of such child, a written or oral complaint may be filed with the Bureau of
25 Childrens Services by any person or by any public or private agency or institu-
26 tion interested in such child. When such a complaint is filed by a public or
27 private agency or institution, it shall be accompanied by a summary setting
28 forth the reason for such complaint and other social history of the child and
29 his situation which justifies such complaint; or, if this is not feasible, such
30 summary shall be made available to the Bureau of Childrens Services as
31 soon thereafter as possible.

32 Upon receipt of a complaint as provided in this section, the Bureau of
33 Childrens Services shall investigate, or shall cause to be investigated, the
34 statements set forth in such complaint. If the circumstances so warrant, the
35 parent, parents, guardian, or person having custody and control of the child
36 shall be afforded an opportunity to file an application for care, as provided
37 in section 11 of this act. If the parent, parents, guardian, or person having
38 custody and control of the child shall refuse to permit or shall in any way
39 impede investigation, and the bureau determines that further investigation
40 is necessary in the best interests of the child, the bureau may thereupon apply
41 to the Juvenile and Domestic Relations Court of the county where the child
42 resides, for an order directing the parent, parents, guardian, or person hav-
43 ing custody and control of the child to permit immediate investigation. The
44 court, upon such application, may proceed to hear the matter in a summary
45 manner and if satisfied that the best interests of the child so require may
46 issue an order as requested.

47 If, after such investigation has been completed, it appears that the child
48 requires care and supervision by the Bureau of Childrens Services but the
49 parent, parents, guardian, or person having custody and control of the child
50 continue to refuse to apply for care in the manner provided in section 11, the
51 bureau may apply to the Juvenile and Domestic Relations Court of the county
52 where the child resides for an order making the child a ward of the court and

53 placing such child under the care and supervision of the Bureau of Childrens
54 Services.

55 The court, at a summary hearing held upon notice to the Bureau of
56 Childrens Services, and to the parent, parents, guardian, or person having
57 custody and control of the child, if satisfied that the best interests of the child
58 so require, may issue an order as requested, which order shall have the same
59 force and effect as the acceptance of a child for care by the bureau as pro-
60 vided in section 11 of this act; provided, however, that such order shall not be
61 effective beyond a period of 6 months from the date of entry unless the court,
62 upon application by the Bureau of Childrens Services, at a summary hearing
63 held upon notice to the parent, parents, guardian, or person having custody of
64 the child, extends the time of the order.

1 16. Section 13 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 13. If in the course of verifying and investigating any applications or
4 complaints, as provided for in sections 11 and 12 hereof, it shall appear that
5 there is a [welfare or child-caring society or institution duly organized under
6 the laws of this State which can and will provide the welfare services required
7 by the child; or it shall appear that there is a] person legally responsible for
8 the support of the child who is willing and able to provide the care and support
9 required by such child; or it shall appear that the needs of the child can prop-
10 erly be provided for by financial assistance as made available by the laws of
11 this State; then, the [State Board of Child Welfare] Bureau of Childrens
12 Services, before accepting and providing care or custody, shall first make
13 proper referral of the matter to such [society, institution, or] legally respon-
14 sible person, or to the agency charged with the administration of such financial
15 assistance. If it shall appear that the welfare of the child is endangered, and
16 that such condition can be eliminated or ameliorated by making available to or
17 for such child any one or more of whatever specific services the Bureau of Chil-
18 drens Services may be authorized, within the limits of legislative appropria-
19 tions, to provide for all children in similar circumstances, the the child shall

20 *be found eligible for care or custody, and the bureau shall proceed to furnish*
 21 *such services either by direct provision or, if the bureau so determines in the*
 22 *specific case, by purchasing such services from any appropriate privately*
 23 *sponsored agency or institution which complies with whatever rules and regu-*
 24 *lations, established pursuant to this act, may govern such arrangements for*
 25 *purchase of service.*

1 17. Section 14 of chapter 138 of the laws of 1951 is amended to read as
 2 follows:

3 14. The ~~State Board of Child Welfare~~ *Bureau of Childrens Services*
 4 shall give due notice in writing to the applicant *or complainant* of the action
 5 taken on any application as provided in sections ~~12~~ 11 and ~~13~~ 12 hereof.

1 18. Section 15 of chapter 138 of the laws of 1951 is amended to read as
 2 follows:

3 15. Whenever (a) it appears that a court wherein a complaint has been
 4 proffered as provided in chapter 6 of Title 9 of the Revised Statutes, has
 5 entered a conviction against the parent or parents, guardian, or person having
 6 custody and control of any child because of abuse, abandonment, neglect of or
 7 cruelty to such child; or (b) it appears that any child has been adjudged de-
 8 linquent by a court of proper jurisdiction in this State; or (c) it appears that
 9 the best interests of any child under the care or custody of the ~~State Board of~~
 10 ~~Child Welfare~~ *Bureau of Childrens Services* require that he be placed under
 11 guardianship; ~~or (d) it appears that the parent or parents, guardian, or per-~~
 12 ~~son having custody and control of any child is grossly immoral or unfit to be~~
 13 ~~intrusted with the care and education of such child, or shall fail to provide~~
 14 ~~such child with proper protection, maintenance and education, or is of such~~
 15 ~~vicious, careless or dissolute habits as to endanger the welfare of such child;~~
 16 ~~or (e) (d) it appears that a parent or guardian of a child, following the~~
 17 ~~acceptance of such child by the State Board of Child Welfare~~ *Bureau of*
 18 *Childrens Services* pursuant to sections 11 ~~and~~ or 12 of this act, or follow-
 19 ing the placement or commitment of such child in the care of an authorized
 20 agency, whether in an institution or in a foster home, and notwithstanding the

21 diligent efforts of such agency to encourage and strengthen the parental [re-
22 lation] *relationship*, has failed substantially and continuously or repeatedly
23 for a period of more than 1 year to maintain contact with and plan for the
24 future of the child; although physically and financially able to do so; a peti-
25 tion, setting forth the facts in the case, may be filed with the juvenile and
26 domestic relations court of the county where such child may be at the time of
27 the filing of such petition. A petition as provided in this section may be filed
28 by any person or any association or agency, interested in such child, or by the
29 [State Board of Child Welfare] *Bureau of Childrens Services* in the circum-
30 stances set forth in items (c) and [(e)] (d) hereof. [No petition shall be filed
31 in the circumstances set forth in item (d) hereof unless and until action has
32 been taken with respect to the child pursuant to sections 11 and 12 of this act.]

1 19. Section 17 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 17. When a petition is filed under section 15 hereof by a person, associa-
4 tion or agency other than the [State Board of Child Welfare] *Bureau of*
5 *Childrens Services*, the court, in addition to causing service to be made upon
6 the parent, parents, guardian or person having custody and control of such
7 child in accordance with rules of court, shall also cause a copy of the petition
8 and notice of the time and place of hearing to be served on or mailed to the
9 [State Board of Child Welfare] *Bureau of Childrens Services* at least 20 days
10 before the time of such hearing.

11 Whenever a petition is filed under section 15 hereof, and there shall be
12 filed with such petition a statement or statements made under oath and attest-
13 ing that the best interests of the child require that he be placed under the
14 guardianship of the [State Board of Child Welfare] *Bureau of Childrens*
15 *Services* immediately and pending final hearing; the court, at a special sum-
16 mary hearing held upon notice to the [State Board of Child Welfare] *Bureau*
17 *of Childrens Services*, may make an interlocutory order committing such child
18 to the [State Board of Child Welfare] *Bureau of Childrens Services* until a
19 final hearing on the petition. Such interlocutory order shall have the same

20 force and effect as an order of commitment provided for in section 20 hereof. 22

1 20. Section 18 of chapter 138 of the laws of 1951 is amended to read as 23
2 follows: 24

3 18. Immediately upon receipt of the copy of a petition served on or mailed 25
4 to the [State Board of Child Welfare] *Bureau of Childrens Services* as pro- 26
5 vided by section 17 hereof, such [State board] *bureau* shall verify such peti-
6 tion and investigate all the facts pertaining to the eligibility of the child for
7 commitment, and prior to the day set for hearing shall file with the court a
8 report of its findings. Such report shall show such facts as will assist the court
9 in making a decision in the matter.

1 21. Section 20 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 20. If upon the completion of such hearing the court is satisfied that
4 the best interests of such child require that he be placed under proper
5 guardianship, such court shall make an order *terminating parental rights*
6 *and* committing such child to the guardianship and control of the [State
7 Board of Child Welfare] *Bureau of Childrens Services*, and such child shall
8 thereupon become the legal ward of such [board] *bureau*, and such [board]
9 *bureau* shall be the legal guardian of such child for all purposes, *including*
10 *the placement of such child for adoption.*

11 If the court shall have made an interlocutory order as provided in sec-
12 tion 17 hereof, but at the final hearing a further order of commitment shall
13 not be made as provided in this section, the [State Board of Child Wel-
14 fare] *Bureau of Childrens Services* shall return the child forthwith to the
15 parent or parents, guardian or person having had custody of the child
16 immediately prior to the filing of the petition; provided, however, that if
17 such parent or parents, guardian or person having had custody cannot be
18 found or, for other reason satisfactory to the court, is unable to accept the
19 child, the [State Board of Child Welfare] *Bureau of Childrens Services*,
20 upon order of the court, may place the child with such other person or
21 persons who, at the time of final hearing, expressed willingness to accept

22 the child, but such order shall in no wise be construed as a grant of custody
23 or guardianship. In all such cases the interlocutory order shall continue in
24 full force and effect until the [State Board of Child Welfare] *Bureau of*
25 *Childrens Services* shall have made disposition of the child as provided herein,
26 but in no case for a period longer than 30 days after the final hearing.

1 22. Section 21 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 21. The order of the court committing a child to the guardianship of
4 the [State Board of Child Welfare] *Bureau of Childrens Services*, shall in
5 no wise be restrictive of the duties, powers and authority of such [board]
6 *bureau* in the care, custody, placement, welfare and exclusive guardianship
7 of the child as provided in this act, and such [board] *bureau* shall be re-
8 moved as such guardian only by a court of competent jurisdiction upon
9 charges preferred and upon good cause shown after an opportunity to be
10 heard.

1 23. Section 22 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 22. The guardianship of the [State Board of Child Welfare] *Bureau of*
4 *Childrens Services* shall be full and complete for all purposes and shall vest
5 in such [board] *bureau* the custody and control of both the person and
6 property of its wards, whether committed prior or subsequent to the effec-
7 tive date of this act, without the necessity of giving bond, and notwithstand-
8 ing any previous appointment of a guardian for such wards.

9 Such guardianship of the [State Board of Child Welfare] *Bureau of*
10 *Childrens Services* shall enable such [board] *bureau*, acting through the
11 *chief executive officer of the bureau or his authorized representative* [as in
12 a corporate capacity], to prosecute suits, claims and any and all manner of
13 proceedings or actions in law or equity for and on behalf of its wards; to
14 demand and receive from all persons, including guardians previously ap-
15 pointed, any and all property of its wards; and to hold and administer the
16 real and personal property of its wards, or any interest they may have therein;

17 provided, however, that it shall be proper for the said [board] *bureau*, in its
18 discretion, to hold funds of its wards on deposit in one or more banks, *build-*
19 *ing and loan associations*, or trust companies in this State, and to apply
20 funds, other than earnings, of any ward against expenditures for the mainte-
21 nance of such ward.

22 The County Court of the county where the commitment was made shall
23 have jurisdiction to hear and determine any and all proceedings affecting
24 the guardianship of the [State Board of Child Welfare] *Bureau of Chil-*
25 *drens Services*. The County Court of each county shall have jurisdiction to
26 hear and determine petitions by such [board] *bureau*, on behalf of its wards,
27 for the transfer of any or all assets being held by guardians previously
28 appointed. The County Court shall have jurisdiction, in its discretion, to
29 waive costs in any proceedings by the [State Board of Child Welfare]
30 *Bureau of Childrens Services* on behalf of its wards.

1 24. Section 23 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 23. In addition to the methods otherwise provided in this article for
4 establishing guardianship by the [State Board of Child Welfare] *Bureau*
5 *of Childrens Services*, and when necessary to carry out the provisions of this
6 act, the [State Board of Child Welfare] *Bureau of Childrens Services*,
7 after due investigation and consideration, may, in cases where it would be
8 to the permanent advantage of the child, take voluntary surrenders and re-
9 leases of custody and consents to a adoption from the parent, parents, *guard-*
10 *ians* or other persons or agencies having the right or authority to give such
11 surrenders, releases [and] *or* consents. Such surrenders, releases [and]
12 *or* consents, when properly acknowledged [in the manner and form as pro-
13 vided by section 46:14-6 of the Revised Statutes] *before a person author-*
14 *ized to take acknowledgments of proofs in the State of New Jersey*, shall be
15 valid and binding irrespective of the age of the person giving the same, and
16 shall be irrevocable except at the discretion of the [State Board of Child
17 Welfare] *Bureau of Childrens Services* or upon order of a court of competent
18 jurisdiction.

1 25. Section 24 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 24. Whenever the director of welfare of any county or municipality in
4 this State shall be called upon to [provide for] *serve* any child whose needs
5 cannot properly be provided for by financial assistance as made available by
6 the laws of this State, such director shall, within 24 hours thereafter, give
7 written notice thereof to the [State Board of Child Welfare] *Bureau of Chil-*
8 *drens Services*, and shall file an application for care or custody, as provided
9 in section 11 of this act, *or shall file a complaint as provided in section 12 of*
10 *this act*, or shall file a petition as provided in section 15 of this act, as the
11 [case may be] *situation of the child may require*. Such notice shall contain
12 all available information concerning [such] *the* child and [its] *his* circum-
13 stances [as], *which* will enable [such State board] *the Bureau of Childrens*
14 *Services* to take proper action [in the case]. If the immediate needs of [such]
15 *the* child so require, [such] *the* director shall provide for [the] *his* care [of
16 such child] in a suitable place, approved *with reasonable promptness* for that
17 purpose by the [State Board of Child Welfare] *bureau*, paying therefor as a
18 charge against county or municipal funds until such time as the child has
19 been found eligible for care, custody or guardianship in accordance with the
20 provisions of this act.

1 26. Section 25 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 25. The [State Board of Child Welfare] *Bureau of Childrens Services*, by
4 its agent or agents, shall regularly visit all children [receiving] *under its*
5 care, custody or guardianship under the provisions of this act in order to as-
6 sure the maximum benefit from such services.

1 27. Section 26 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 26. Whenever the circumstances of a child are such that [proper care,
4 custody, and guardianship cannot be provided for such child] *his needs can-*
5 *not be adequately met* in his own home, the [State Board of Child Welfare]

6 *Bureau of Childrens Services* may [place such child in a suitable family
7 home] *effect his placement in a foster home*, with or without payment of
8 board, [as the needs of the child may require; provided, however, that while
9 such State Board is seeking such family home, or if the special needs of any
10 such child may so require, such State board may place such child in an
11 institution in this State for the care of children or in any other suitable
12 place which such State board, in its discretion, may find proper and nec-
13 essary for the care of the child. In the placement of any child the] *or in an*
14 *appropriate institution if such care is deemed essential for him. The* [State
15 Board of Child Welfare] *Bureau of Childrens Services* shall make every
16 reasonable effort to select a [family] *foster home* or an institution of the
17 same religious faith as the parent or parents of such child.

18 Whenever the [State Board of Child Welfare] *Bureau of Childrens*
19 *Services* shall place any child, as provided by this section, in any municipal-
20 ity and county of this State, [such] *the child* shall be deemed a resident of
21 such municipality and county for all purposes, and [such child] *he* shall be
22 entitled to the use and benefit of [the] *all* health, educational, recreational,
23 vocational and other facilities of such municipality and county in the same
24 manner and extent as any other child living in such municipality and county.

25 *No municipality shall enact a planning or zoning ordinance governing*
26 *the use of land by, or for, single family dwellings which shall, by any of its*
27 *terms or provisions or by any rule or regulation adopted in accordance there-*
28 *with, discriminate between children who are members of such single families*
29 *by reason of their relationship by blood, marriage or adoption, and foster chil-*
30 *dren placed with such families in such dwellings by the Bureau of Childrens*
31 *Services.*

32 *Any planning or zoning ordinance, heretofore or hereafter enacted by a*
33 *municipality, which violates the provisions of this section, shall be invalid and*
34 *inoperative.*

1 28. Section 27 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 27. Pursuant to the providing of care, custody or guardianship for any
4 child, in accordance with the provisions of this act, the [State Board of Child
5 Welfare] *Bureau of Childrens Services* may expend such sums as may be
6 necessary for the reasonable and proper cost of maintenance, including
7 board, *lodging*, clothing, [and] medical, dental, and hospital care, or any [of
8 them, as] *other similar or specialized commodity or service* as the needs of
9 any such child may require[.], *except that the bureau shall not maintain a*
10 *clothing warehouse for the distribution of clothing to children under its juris-*
11 *diction. In lieu thereof, the bureau may pay foster parents caring for children*
12 *under their supervision a sufficient amount to enable them to purchase neces-*
13 *sary clothing items required by the children from the local merchants of the*
14 *locality in which they reside. Such maintenance costs shall be chargeable*
15 *against State and county funds as made available in accordance with article*
16 *4 of this act, except that the total cost of hospital care for children as pro-*
17 *vided for herein shall be borne by the State and contributions required to be*
18 *paid by the counties toward the cost of maintenance of the children involved*
19 *shall include no part of the cost of such hospital care. [; provided, however,*
20 *that] However, no [such cost] costs shall be [so] chargeable if incurred*
21 *earlier than the date of the child's acceptance [of] in care [or custody of a*
22 *child,] as provided in section 12 hereof, or earlier than the [effective] date of*
23 *an order of commitment to guardianship as provided in section 20 hereof.*

24 Whenever a *medical or psychological* examination shall be required [of]
25 *for any child as a condition to providing care or custody, or whenever the*
26 *Bureau of Childrens Services avails itself of the facilities and services of*
27 *any privately sponsored agency or institution, the cost of [such] the exam-*
28 *ination or service shall be a proper charge against State and county funds,*
29 *within the limits of available appropriations, in the same manner and extent*
30 *as expenditures for maintenance.*

31 *In providing care, custody or guardianship for any child or in the course*
32 *of determining the eligibility of any child for care, custody or guardianship in*
33 *accordance with the provisions of this act, the Bureau of Childrens Services*

34 *may avail itself of the facilities and services of any privately sponsored agency*
 35 *or institution, with due regard to the religious background of the child, which*
 36 *complies with those rules and regulations as established pursuant to this act,*
 37 *paying such fees for service as may be mutually agreed upon by the bureau*
 38 *and the privately sponsored agency or institution providing service.*

39 Whenever a child [receiving] *under care, custody or guardianship* is in
 40 need of operation, anaesthesia, diagnostic tests or treatment, [and the State
 41 Board of Child Welfare has determined by reasonable inquiry that the par-
 42 ent or other person having custody of such child is not available to give con-
 43 sent, the State Board of Child Welfare] *the Bureau of Childrens Services*
 44 may give its consent thereto. A consent to operation, anaesthesia, diagnostic
 45 tests or treatment when given by the [State Board of Child Welfare] *Bureau*
 46 *of Childrens Services* on behalf of any child receiving care, custody or guard-
 47 ianship shall be deemed legal and valid for all purposes with respect to any
 48 person or hospital affording service to such child pursuant to and in reliance
 49 upon such consent.

50 Nothing contained herein shall modify the provisions of section 6 of the
 51 act of which this act is amendatory.

1 29. Section 28 of chapter 138 of the laws of 1951 is amended to read as
 2 follows:

3 28. The [State Board of Child Welfare] *Bureau of Childrens Services*
 4 may at any time discharge from its care, custody or guardianship any child, if
 5 in the opinion of such [board] *bureau* the best interests of the child will be
 6 promoted thereby.

1 30. Section 29 of chapter 138 of the laws of 1951 is amended to read as
 2 follows:

3 29. Subject to the provisions of section 30 hereof, payments for mainte-
 4 nance [or assistance] shall be made by the [State Board of Child Welfare]
 5 *Bureau of Childrens Services.*

6 The [treasurer of the State Board of Child Welfare] *Bureau of Childrens*
 7 *Services* is hereby empowered to receive from the State Treasurer and from

8 the county treasurer of each county such sums as shall be appropriated for the
9 purposes of this act, and shall cause such sums to be set up in a special account
10 or accounts subject to disbursement by the [State Board of Child Welfare]
11 *Bureau of Childrens Services*.

1 31. Section 30 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 30. *Except as provided in section 27 hereof relating to hospital care, the*
4 [The] cost of maintenance provided under this act for or on behalf of any
5 child shall be shared equally by the State and by that county where such child
6 may be or may have been at the time of the filing of an application seeking
7 care or custody or at the time of the filing of a petition seeking guardianship.

8 The Governor shall fix and determine and state in his annual budget
9 message a sum sufficient to pay the estimated amount required to carry into
10 effect the provisions of this act, together with the deficiencies, if any, incurred
11 in the previous year. The Legislature shall include the amount so determined
12 and stated in the annual appropriation bill.

13 Payments from State funds appropriated for the provision of mainte-
14 nance as authorized by this act shall be made monthly in advance by the State
15 Treasurer, on the warrant of the [Commissioner of Taxation and Finance]
16 *Director of the Division of Budget and Accounting* to the [treasurer of the
17 State Board of Child Welfare] *Bureau of Childrens Services*, upon state-
18 ments furnished by the [State Board of Child Welfare] *Bureau of Childrens*
19 *Services*, approved by the Department of Institutions and Agencies.

20 The [State Board of Child Welfare] *Bureau of Childrens Services* shall
21 annually fix and determine and report to the board of chosen freeholders of
22 each county a sum sufficient to pay the estimated amount of the county's pro-
23 portionate share of maintenance. Each board of chosen freeholders shall ap-
24 propriate and make available such amount to the order of the [State Board of
25 Child Welfare] *Bureau of Childrens Services*. Should the amount so appro-
26 priated, however, be expended or exhausted during the year and for the pur-
27 pose for which it was appropriated, additional sums shall be appropriated by

28 such board of chosen freeholders as occasion demands to carry out the pro-
29 visions of this act, from funds in the county treasury available therefor. Where
30 such county funds are not available or adequate, or should there be no such
31 county funds, such additional sums shall be raised by temporary loans or
32 notes, certificates of indebtedness or temporary loan bonds, to be issued as
33 otherwise provided and limited by law for counties of this State, and the
34 amounts necessary to pay such obligations shall be placed in the budget for the
35 next ensuing fiscal year.

36 Payments from county funds appropriated for the provision of mainte-
37 nance as authorized by this act shall be made monthly in advance by the treas-
38 urer of the county to the [treasurer of the State Board of Child Welfare]
39 *Bureau of Childrens Services* on the basis of commitments for such county
40 upon bills furnished by the [State Board of Child Welfare] *Bureau of Chil-*
41 *drens Services.*

1 32. Section 31 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 31. The State Board of Control [of Institutions and Agencies] or its
4 duly authorized representative is hereby empowered to negotiate with the
5 Federal Government to secure such financial assistance for the carrying out of
6 this act as may be provided in the Federal Social Security Act, and the State
7 Treasurer is hereby empowered to receive such moneys and shall cause them
8 to be placed in the account or accounts of the [State Board of Child Welfare]
9 *Bureau of Childrens Services*, acting as the agent of the State Board of Con-
10 trol [of Institutions and Agencies], for the purpose of carrying into effect the
11 provisions of this act.

12 The State Board of Control is further empowered to organize the work of
13 the [several departments coming under its jurisdiction] *Department of*
14 *Institutions and Agencies* in behalf of [dependent and neglected] children to
15 comply, *in any manner consistent with law*, with the reasonable requirements
16 of the [Social Security Board and the Federal Children's Bureau as set forth
17 in Title IV and section 521 of Title V of the Federal Social Security Act].

18 *Federal Department of Health, Education and Welfare pursuant to Federal*
19 *law, and to cooperate [, through the State Board of Child Welfare] in extend-*
20 *ing and strengthening public welfare services for the protection and care of*
21 *homeless, dependent and neglected children and children in danger of becom-*
22 *ing delinquent.*

1 33. Section 32 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 32. Whenever a child receiving care, custody, or guardianship as pro-
4 vided by this act has died, and an investigation by the [State Board of Child
5 Welfare] *Bureau of Childrens Services* discloses that there are insufficient
6 funds from any other source to provide proper burial, such [State board]
7 *bureau* may authorize the expenditure of an amount reasonably necessary
8 to provide proper burial for such child, and such amount shall be a proper
9 charge against State *and county* funds, within the limits of available ap-
10 propriations, in the same manner and extent as expenditures for mainte-
11 nance.

1 34. Section 33 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 33. The [State Board of Child Welfare] *Bureau of Childrens Services*
4 may compromise and settle any claim due or which may become due such
5 [board] *bureau* for reimbursement of moneys paid to any individual or or-
6 ganization for maintenance of a child. A memorandum of the compromise
7 and settlement shall be entered in the official [minutes] *records* of the [pro-
8 ceedings of the board] *bureau*.

1 35. Section 34 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 34. Whenever the [State Board of Child Welfare] *Bureau of Childrens*
4 *Services* shall recover or receive reimbursement of any moneys paid to any
5 individual or organization for the maintenance of a child, the moneys so re-
6 covered or received shall be credited to the State treasury or to the Federal
7 Government in the same proportion as they were charged in the original in-

8 stance. The [State Board of Child Welfare] *Bureau of Childrens Services*
9 is hereby authorized to take all necessary and proper action under the laws
10 of this State for the recovery of any such moneys wrongfully received or
11 retained by any individual or organization, or for the recovery from the per-
12 son or persons responsible under the laws of this State for the support of
13 such child the value of maintenance to such child.

1 36. Section 35 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 35. The [State Board of Child Welfare] *Bureau of Childrens Services*
4 is authorized to retain any voluntary contributions of money heretofore re-
5 ceived by it, and to receive future contributions. All such contributions,
6 whether already received or hereafter received, shall be kept in a separate
7 fund, and shall be used only upon order of the [board] *bureau* for the pur-
8 poses for which the contributions were made, and such funds shall be in the
9 custody and control of the [treasurer of the State Board of Child Welfare
10 and his official bond given as such treasurer shall be responsible for the
11 faithful keeping and distribution of such fund] *Bureau of Childrens Serv-*
12 *ices; provided, however, that any such contribution made to the bureau, the*
13 *original purpose of which is no longer practicable or possible of achieve-*
14 *ment, may be used by the bureau, at its discretion, for the general benefit*
15 *and welfare of children under its supervision.*

1 37. Section 36 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 36. On application in writing by the [State Board of Child Welfare]
4 *Bureau of Childrens Services* the State Treasurer on warrant of the [Comp-
5 troller] *Director of the Division of Budget and Accounting* may pay to the
6 [treasurer of the board] *bureau* from its annual appropriation such amount
7 not exceeding \$5,000.00 as may be necessary to establish a petty cash fund
8 for the payment of traveling expenses and such other current expenses as
9 require a prompt cash outlay.

10 The [treasurer of the State Board of Child Welfare] *Bureau of Chil-*
11 *drens Services* shall file an account with vouchers attached showing all ex-
12 penditures from [his] *its* petty cash fund and on receipt of the amount
13 thereof from the State Treasurer shall reimburse the fund. Any questions
14 with reference to the allowance, expenditure, accounting and reimbursement
15 of petty cash moneys shall be finally determined by ruling of the [State
16 Comptroller] *Director of the Division of Budget and Accounting*.

1 38. Section 37 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 37. Whenever the [State Board of Child Welfare] *Bureau of Childrens*
4 *Services* shall have issued, or shall hereafter issue, any checks, drafts or
5 warrants to be paid from moneys received from the Federal Government,
6 the State, or any county of this State for the cost of maintenance, and such
7 checks, drafts or warrants shall not be cashed for a period of 1 year from
8 the date of issue, the following procedure shall be taken:

9 (a) The [State Board of Child Welfare] *Bureau of Childrens Services*
10 shall give due notice to the bank on which such checks, drafts or warrants
11 were issued that no payment shall be made thereon.

12 (b) The [State Board of Child Welfare] *Bureau of Childrens Services*
13 shall then from time to time deposit in a special fund moneys in an amount
14 equal to that represented by such checks, drafts or warrants, which moneys
15 shall be held for the payments of such checks, drafts or warrants. Such spe-
16 cial fund shall be in the custody and control of the [treasurer of the State
17 Board of Child Welfare, and his official bond given as such treasurer shall
18 be responsible for the faithful keeping and distribution of such fund] *Bur-*
19 *eau of Childrens Services*.

20 (c) The moneys so deposited shall be maintained in such special fund
21 for a period of 6 years from the date of deposit, and, if still unclaimed after
22 that time by anyone having a legal right thereto, shall be credited to the
23 Federal Government, the State, or any county of this State in the same pro-
24 portion as such moneys were received by the [State Board of Child Wel-
25 fare] *Bureau of Childrens Services* in the original instance.

26 Whenever the [State Board of Child Welfare] *Bureau of Childrens*
27 *Services* shall have credited any moneys to the Federal Government, the
28 State or any county of this State pursuant to the provisions of this section,
29 it shall thereupon be free of all obligations as to those checks, drafts or war-
30 rants for which such moneys have been held for payment.

1 39. Except as otherwise provided by this act, the Bureau of Childrens
2 Services shall in all respects and for all purposes be deemed a continuation
3 of the agency heretofore known as the State Board of Children's Guardians
4 or the State Board of Child Welfare.

1 40. Section 30:6-1 of the Revised Statutes is amended to read as follows:

2 30:6-1. The commission for the amelioration of the condition of the
3 blind, hereinafter in this article [designated] *referred* to as the "commis-
4 sion," *shall hereafter be known as the Commission for the Blind. It shall*
5 *provide all means which it deems feasible for ameliorating the condition of*
6 *the blind and shall prepare and maintain a register of all the blind within*
7 *the State. Every physician shall report to the commission every case of*
8 *defective vision which in his judgment may result in permanent blindness.*
9 *Every municipal and county, health and welfare agency, and every institu-*
10 *tion and noninstitutional agency within the State Department of Institutions*
11 *and Agencies shall promptly report to the commission every individual com-*
12 *ing to its attention who is known to be or is believed likely to become per-*
13 *manently blind.*

1 41. Subject to the provisions of this act and the provisions of chapter 7
2 of Title 44 of the Revised Statutes as hereinafter specified, any needy person
3 residing in New Jersey who has attained the age of 18 years and who is
4 blind, shall be entitled to receive assistance from the county welfare board
5 of the county in which he resides.

1 42. The assistance to be extended under this act shall be known as
2 "assistance for the blind," but shall in all other respects be governed by the
3 conditions of eligibility and all other requirements, conditions, limitations
4 and procedures established by and pursuant to chapter 7 of Title 44 of the

5 Revised Statutes, excepting section 44:7-3, subsection a. of section 44:7-5, sec-
6 tions 44:7-14 to 44:7-16 inclusive, and section 44:7-25 of the Revised
7 Statutes.

1 43. Under general policies established by the State Board of Control, the
2 Commissioner of Institutions and Agencies is authorized, directed and em-
3 powered to issue, or to cause to be issued by the appropriate departmental
4 officers or agencies, all necessary rules and regulations and administrative
5 orders, and to do or cause to be done all other acts and things necessary
6 to secure for the State of New Jersey the maximum Federal financial partic-
7 ipation that is available with respect to a program of assistance for the blind
8 and otherwise to accomplish the purposes of this act, including specifically
9 the following:

10 (a) To assure that the program shall be in effect in all counties of the
11 State and be mandatory upon them;

12 (b) To assure that all individuals wishing to make application for
13 assistance for the blind shall have opportunity to do so, and that assistance
14 shall be furnished with reasonable promptness to or for all eligible
15 individuals;

16 (c) To provide that, in determining need for financial assistance and the
17 amount of assistance to be granted, there shall be taken into consideration
18 all other income and resources of the person seeking or receiving assist-
19 ance, except that, in making such determination, *there shall be disregarded*
20 *the first \$85.00 per month of earned income plus ½ of earned income in*
21 *excess of \$85.00 per month, of such person, and there shall further be dis-*
22 *regarded [;] , for a period not in excess of 12 months, such additional*
23 *amounts of other income and resources in the case of an individual who has*
24 *a plan for achieving self-support approved by the county welfare board, as*
25 *may be necessary for the fulfillment of such plan;*

26 (d) To provide safeguards which restrict the use or disclosure of infor-
27 mation concerning applicants and recipients to purposes directly connected
28 with the administration of the program;

29 (e) To assure that all persons to or for whom assistance is being paid
30 under the provisions of this act shall not receive, during the same period,
31 any other financial assistance from this State or any political subdivision
32 thereof, with respect to any maintenance requirements or other items for
33 which allowance is made in the assistance grant paid pursuant to this act;

34 (f) To prescribe appropriate services which shall be made available by
35 or utilized by the county welfare boards for the purpose of helping needy
36 blind individuals to attain self-support or self-care, including particularly the
37 services of the Commission for the Blind, and requiring every county wel-
38 fare board to promptly report to such commission every individual coming
39 to its attention who is known to be or is believed likely to become permanently
40 blind, and to prescribe administrative and procedural methods assuring op-
41 portunity for the commission to review all such cases to make appropriate
42 recommendations, and otherwise to participate in the planning and providing
43 of special services for such cases;

44 (g) To assure that payments of assistance will be denied or promptly
45 terminated with respect to any person who publicly solicits alms by wearing,
46 carrying or exhibiting signs denoting blindness, or carrying receptacles for
47 the reception of alms, or doing same by proxy or by begging from house to
48 house.

1 44. The State shall pay to each county welfare board the full amount of
2 any funds received by the State from the Federal Government as Federal
3 participation with respect to expenditures made by such county welfare board
4 for assistance for the blind, plus an additional amount equal to 50% of the
5 balance of such expenditures after deducting the amount of such Federal
6 participation.

7 The State shall also pay to each county welfare board the full amount
8 of any funds received by the State from the Federal Government as Federal
9 participation with respect to the costs of administration of the program of
10 assistance for the blind by such county welfare board.

1 45. All of the functions, powers and duties of, and records and property
2 maintained by, and unexpended appropriation balances available to the Com-
3 mission for the Blind, under and with respect to statutes repealed by sec-
4 tions 47 and 48 of this act, are hereby transferred to and vested in the Bureau
5 of Assistance and shall be exercised, performed and used by the bureau in
6 accordance with the provisions of sections 41 through 44 of this act and as
7 otherwise provided by law.

1 46. Sections 41 through 45 of this act shall supplement chapter 7 of Title
2 44 of the Revised Statutes.

1 47. Sections 30:6-3, 30:6-4, 30:6-5, 30:6-8, 30:6-9, 30:6-10 and 30:6-14
2 of the Revised Statutes are repealed.

1 48. The act entitled "An act relating to assistance to needy blind per-
2 sons in New Jersey, supplementing chapter 6 of Title 30, and amending sec-
3 tions 30:6-3, 30:6-5 and 30:6-14 of the Revised Statutes," approved April 25,
4 1946 (P. L. 1946, c. 168) is repealed.

1 49. This act shall become effective July 1, 1963, but all arrangements nec-
2 essary or appropriate to enable the act to become fully effective on said date
3 shall be made as promptly as possible as though the act were effective im-
4 mediately.

ASSEMBLY, No. 493

STATE OF NEW JERSEY

INTRODUCED MARCH 19, 1962

By Assemblywoman HUGHES and Assemblyman WERNER

Referred to Committee on Institutions, Public Health and Welfare

AN ACT to reorganize the administration of public welfare functions within the Department of Institutions and Agencies; and for that purpose to amend sections 30:1-7, 30:4-1, 30:4-26.2, and 30:6-1 of the Revised Statutes, to amend "An act concerning the care, custody, guardianship, maintenance and supervision of dependent and neglected children, promoting home life therefor, providing for the financing thereof, and repealing certain statutes relating thereto," approved May 31, 1951 (P. L. 1951, c. 138), to amend "An act relating to the reorganization of the executive and administrative offices, departments, and instrumentalities of the State Government; concerning the Division of Welfare in the State Department of Institutions and Agencies, and supplementing Title 30 of the Revised Statutes," approved June 1, 1950, (P. L. 1950, c. 166), to repeal sections 30:6-3, 30:6-4, 30:6-5, 30:6-8, 30:6-9, 30:6-10 and 30:6-14 of the Revised Statutes, to repeal "An act relating to assistance to needy blind persons in New Jersey, supplementing chapter 6 of Title 30, and amending sections 30:6-3, 30:6-5 and 30:6-14 of the Revised Statutes," approved April 25, 1946 (P. L. 1946, c. 168), and to supplement chapter 7 of Title 44 of the Revised Statutes.

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

1 1. Section 30:1-7 of the Revised Statutes is amended to read as follows:
2 30:1-7. Within the limitations imposed by general legislation applicable
3 to all agencies of the State, the State board is hereby granted complete and

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

4 exclusive jurisdiction, supreme and final authority, and the requisite power to
5 accomplish its aims and purposes in and upon the institutions, boards, com-
6 missions and other agencies, hereinafter in this section named, and designated
7 as charitable, hospital, relief, training institutions and correctional institu-
8 tions of this State, to the end that they shall be humanely, scientifically, effi-
9 ciently and economically operated. Any particular grant of power hereinafter
10 in this Title contained shall be in specification but not in limitation of the
11 general grant of power.

12 The charitable, hospital, relief and training institutions and noninstitu-
13 tional agencies of this State, within the meaning of this Title, shall include the
14 following, and, as well, any institution established hereafter for any similar
15 purpose, as now established and as the same are to be hereafter maintained
16 and operated pursuant to law:

17 New Jersey State Hospital at Trenton,

18 New Jersey State Hospital at Greystone Park,

19 New Jersey State Hospital at Marlboro,

20 New Jersey State Hospital at Ancora,

21 New Jersey [State Village for Epileptics at Skillman] *Neuropsychiatric*
22 *Institute,*

23 New Jersey Sanatorium for Chest Diseases at Glen Gardner,

24 New Jersey Training School at Totowa,

25 State Colony at New Lisbon,

26 State Colony at Woodbine,

27 Vineland State School at Vineland,

28 *Woodbridge State School,*

29 New Jersey Memorial Home for Disabled Soldiers at Menlo Park,

30 New Jersey Memorial Home for Disabled Soldiers, Sailors, Marines and
31 Their Wives and Widows at Vineland,

32 Diagnostic Center at Menlo Park,

33 Arthur Brisbane Child Center at Allaire,

34 [State Board of Child Welfare at Trenton,]
 35 *Board of Public Welfare,*
 36 Commission for the [Amelioration of the Condition of the] Blind [at
 37 Newark].

38 The correctional institutions of this State, within the meaning of this
 39 Title, shall include the following, and as well, any institution established
 40 hereafter for any similar purpose, as now established and as the same are to
 41 be hereafter maintained and operated pursuant to law :

42 New Jersey State Prison at Trenton,
 43 New Jersey State Prison Farm at Rahway,
 44 New Jersey State Prison Farm at Leesburg,
 45 New Jersey Reformatory at Bordentown,
 46 New Jersey Reformatory for Women at Clinton,
 47 New Jersey Reformatory at Annandale,
 48 State Home for Boys at Jamesburg,
 49 State Home for Girls at Trenton.

1 2. Section 30:4-1 of the Revised Statutes is amended to read as follows :

2 30:4-1. The State board shall appoint a board of managers for each
 3 institution or agency within the department or for each group or class thereof
 4 as it may determine. Whenever the establishment or assumption of juris-
 5 diction over an additional institution, or the acquisition of a site therefor, is
 6 authorized by the Legislature the State board may appoint a board of man-
 7 agers therefor or in its discretion may authorize or designate any existing
 8 board of managers to assume jurisdiction thereof. Each board of managers
 9 in charge of an institution shall be known as "the board of managers" nam-
 10 ing the institution or group or class for which the board is appointed. The
 11 State board shall determine the names of the boards in charge of [noncon-
 12 stitutional] *noninstitutional* agencies.

13 *Except in the case of the Board of Public Welfare as otherwise spe-*
 14 *cifically provided by statute, the* [The] boards of managers shall consist of
 15 not less than 5 nor more than 7 members appointed with the approval of the

16 Governor from residents of the State at large without respect to political
17 affiliation or belief. At least 2 women shall be members of each board in
18 charge of the State Home for Boys, the Home for Disabled Soldiers, Sailors,
19 Marines and their Wives and Widows, and the institutions or agencies for the
20 blind, feeble-minded, the tubercular, the epileptic and the insane and at least
21 2 members of the Commission for the Blind shall themselves be blind but they
22 shall not be employees, or related by blood, marriage or adoption to any em-
23 ployee, of said commission. At least a majority of the members of each board
24 in charge of the State Home for Girls [;] and the women's reformatory [and
25 the care of dependent children] shall be women.

26 The Department Commander, Department of New Jersey, Grand Army
27 of the Republic, shall be ex officio a member of the board of managers of
28 the New Jersey Memorial Home for Disabled Soldiers, Sailors, Marines and
29 their Wives and Widows and of the board of managers of the New Jersey
30 Memorial Home for Disabled Soldiers. The term of each board member shall
31 be 3 years commencing on July 1 and ending on June 30 of the third year
32 thereafter. A vacancy shall be filled by the State board for the unexpired
33 term only.

34 The members of new or additional boards of managers shall at the time
35 of their appointment be divided into groups so that the terms of 2 members
36 shall expire on June 30 of the year next succeeding appointment; the terms
37 of 2 others on June 30 of the second year succeeding appointment; the term
38 of the fifth member and in case of larger boards the term of the sixth mem-
39 ber, on June 30 of the third year succeeding appointment; the term of the
40 seventh member of a board having 7 members, on June 30 of the fourth year
41 succeeding appointment. Their successors shall be appointed for 3-year terms.

42 The members of such boards shall receive no compensation for services
43 but shall be reimbursed for actual expenditures incurred in the performance
44 of duty. They shall be subject to removal by the State board at any time for
45 good and sufficient cause.

1 3. Section 30:4-26.2 of the Revised Statutes is amended to read as
2 follows:

3 30:4-26.2. If any female committed to any of the institutions referred
4 to in section 30:1-7 of this Title, at the time of such commitment, is the
5 mother of a [nursing] child in her care under 2 years of age, or is pregnant
6 with child, which shall be born after such commitment, such child may ac-
7 company its mother to and, subject to the provisions of this [chapter] sec-
8 tion, may remain in such institution [until it is 2 years of age and may then
9 be removed therefrom]. The name and history of such child shall be entered
10 upon the records of the institution [in the same manner as if the child had
11 been committed or admitted to such institution as an inmate or patient].

12 If the mother is a State indigent patient, such child shall be maintained
13 at the expense of the State, and if such mother is a county indigent patient,
14 such child shall be maintained at the expense of the county chargeable with
15 maintenance of the mother. The rate for maintenance shall be fixed by the
16 State House Commission. The chief executive officer of the institution, as a
17 condition precedent to charging the maintenance of such child, shall notify
18 the Director of the Division of Budget and Accounting in the case of charging
19 the State, and shall notify the director of the board of freeholders in the
20 case of charging a county.

21 [If,] *Whenever it would be in the best interest of such child, and in any*
22 *event prior to the time when such child arrives at the age of 2 years, [it is*
23 *without family or relatives able and willing to assume its support,]* the chief
24 executive officer of the institution *shall take such action as is authorized by*
25 *the laws of this State to place such child in [may institute a proceeding, or*
26 *may designate an agent to do so for him, in the County Court of the county*
27 *in which the child or its parent or parents have a settlement, setting forth*
28 *the parentage of the child and its settlement, together with such other proof*
29 *as may be necessary to satisfy the court as to the settlement of the child.*
30 *The court shall thereupon commit the child to] the care, custody or guard-*
31 *ianship [and control] of the [State Board of Child Welfare] Bureau of Chil-*

32 *drens Services* [and the child shall thereupon become the legal ward of
33 such board. The court shall also direct the county to pay expenses for the
34 care of such child, including the board, clothing, medical and surgical treat-
35 ment while the child is under the guardianship of the State Board of Child
36 Welfare. Upon the making of such commitment, as aforesaid, the State Board
37 of Child Welfare shall thereupon become and be constituted the guardian of
38 such juvenile dependent and shall be invested with all the powers and duties
39 now exercised by them in the same manner and to the same effect as if such
40 child had been committed to such board as a public charge].

41 [If, however, at any time the chief executive officer of the institution shall
42 certify to the commissioner that the condition of the mother or the prevail-
43 ing conditions of the institution are inimical to the best interest of such
44 child, and if after investigation the commissioner finds that such child would
45 be benefited by removal from the institution and if it is without family or
46 relatives able and willing to assume its support, the chief executive officer of
47 such institution may thereupon institute a proceeding, or he may designate
48 an agent to do so for him, and secure an order committing the child to the
49 State Board of Child Welfare, as provided above.]

1 4. Section 1 of chapter 166 of the laws of 1950 is amended to read as
2 follows:

3 1. The Division of Welfare established in the State Department of In-
4 stitutions and Agencies by the State Board of Control [of Institutions and
5 Agencies] is continued, *but shall hereafter be known as the Division of*
6 *Public Welfare and shall be governed by the provisions of this act.* Said divi-
7 sion shall consist of *the Director of Public Welfare, the Bureau of Assistance*
8 *(heretofore known variously as the Division of Old Age Assistance and*
9 *the Bureau of Assistance), the Bureau of Childrens Services (heretofore*
10 *known variously as the State Board of Children's Guardians and the State*
11 *Board of Child Welfare), the Commission for the Blind (including the ex-*
12 *ecutive and staff of such commission), and of such reconstituted, reorgan-*

13 ized or additional bureaus and other administrative units as such State
14 Board of Control may, from time to time, establish therein.

1 5. Section 2 of chapter 166 of the laws of 1950 is amended to read as
2 follows:

3 2. All functions, powers and duties relating to [categorical] public as-
4 sistance and welfare services [incident thereto], which are exercised by or
5 within the State Department of Institutions and Agencies by any officer or
6 agency thereof, [including the State Board of Child Welfare, the Commis-
7 sion for the Blind, and the Division of Old Age Assistance, and all functions,
8 powers, and duties which are by this act transferred to the said depart-
9 ment,] shall be administered through the said Division of Public Welfare,
10 together with such other related functions and duties as the State Board of
11 Control [of Institutions and Agencies] may, from time to time, find appro-
12 priate to be administered through the said division.

1 6. Section 3 of chapter 166 of the laws of 1950 is amended to read as
2 follows:

3 3. *There is hereby created and established within the Department of*
4 *Institutions and Agencies a board to be known as the Board of Public Wel-*
5 *fare. Said board shall consist of 12 members, at least 3 of whom shall be*
6 *women. Nine of such members shall be appointed by the State Board of*
7 *Control with the approval of the Governor, from among citizens of the State*
8 *with demonstrated interest in community service programs. They shall be*
9 *appointed without regard to political belief or affiliation. They shall receive*
10 *no compensation for services, but shall be reimbursed for actual expenditures*
11 *incurred in the performance of their duties. All such 9 members shall hold*
12 *office for a term of 3 years commencing on July 1 and ending on June 30 of*
13 *the third year thereafter; except that of the members first to be appointed*
14 *hereunder, 3 shall be assigned to terms expiring on June 30 of the year next*
15 *succeeding appointment, and 3 to terms expiring on June 30 of the second*
16 *year succeeding appointment, but their successors shall be appointed for 3-year*
17 *terms, and any vacancy occurring otherwise than by expiration of term shall*

18 be filled for the unexpired term only. In addition to such 9 members, 3 addi-
19 tional members shall be persons annually designated for such purpose by
20 the State Board of Control from among persons concurrently serving as mem-
21 bers of the Commission for the Blind. The Commissioner of Institutions and
22 Agencies shall, with the advice and consent of the Board of Public Welfare,
23 appoint the [The head] chief executive officer of the Division of Public Wel-
24 fare who shall be known as the director of such division [Deputy Commis-
25 sioner for Welfare of the Department of Institutions and Agencies,] and who
26 shall be in charge of the work of the division under the immediate direction and
27 supervision of the Commissioner of Institutions and Agencies. In the event
28 of disagreement with respect to such appointment between the Commis-
29 sioner and the Board of Public Welfare, the State Board of Control shall
30 make the appointment. The Board of Public Welfare, acting on behalf of the
31 State Board of Control and subject to the authority and direction thereof,
32 shall organize to meet at such times as it may determine or as may be pre-
33 scribed by the State Board of Control. It shall establish within itself com-
34 mittees directly concerned with the Bureau of Assistance and the Bureau of
35 Childrens Services respectively, and may establish such other committees as
36 it may determine. It shall become and continue to be thoroughly acquainted
37 with the operations of the Division of Public Welfare and regularly review all
38 programs and practices within the division and within the respective bureaus
39 and other units thereof. It shall establish policies and procedures within
40 general directives of the State Board of Control. It shall assist the director
41 of the division and the bureau chiefs in formulating the annual budget re-
42 quests. It shall promote and maintain constructive relationships with the
43 county welfare boards, local assistance boards, and other official bodies and
44 organized agencies concerned with public welfare. It may, subject to the
45 approval of the State Board of Control, establish any subsidiary unsalaried
46 advisory or consultant committees or study groups as it may deem necessary
47 and proper and appoint the members thereof.

1 7. Section 4 of chapter 166 of the laws of 1950 is amended to read as
2 follows:

3 4. *The Commissioner of Institutions and Agencies shall, with the advice*
4 *and consent of the Board of Public Welfare and of the director of the division,*
5 *appoint the chief executive officers of the Bureau of Assistance and the Bureau*
6 *of Childrens Services, which positions shall be in the competitive class of the*
7 *classified civil service. The Commission for the Blind shall, from*
8 *among persons nominated by the commissioner, and with the advice and*
9 *consent of the Board of Public Welfare and of the director of the division, ap-*
10 *point the chief executive officer of the commission, which position shall be in*
11 *the unclassified service. In the event of any disagreement with respect to any*
12 *of such appointments as between 2 or more of the parties whose partici-*
13 *pation in such appointment is so required, the State Board of Control shall*
14 *make the appointment. [This act shall not affect the terms of office of the*
15 *present members of the State Board of Child Welfare or of the New Jersey*
16 *State Commission for the Blind. Such agencies shall each continue to be con-*
17 *stituted as provided by existing law.] This act shall not affect the terms of*
18 *office of members of the State Commission for the Blind, and such agency*
19 *shall continue to be constituted and to exercise such functions as otherwise*
20 *provided by law, operating as a constituent agency within the Division of*
21 *Public Welfare pursuant to the provisions of this act.*

1 8. Section 2 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 2. For the purposes of this act the following words and terms shall,
4 unless otherwise indicated, be deemed and taken to have the meanings
5 herein given to them.

6 (a) The title [“State Board of Child Welfare”] “*Bureau of Childrens*
7 *Services*” means the State agency for the care, custody, guardianship, main-
8 tenance and protection of children, as more specifically described by the
9 provisions of this act, and *succeeding the agency heretofore [as otherwise]*
10 *variously* designated by the laws of this State as the State Board of Child
11 Welfare or the State Board of Children’s Guardians.

12 (b) The word "child" includes stepchild and illegitimate child, and
13 further means any person under the age of 21 years.

14 (c) The term "care" means cognizance of a child for the purpose of
15 providing necessary welfare services, or maintenance, or both.

16 (d) The term "custody" means continuing responsibility for the person
17 of a child, as established by a surrender and release of custody or consent
18 to adoption, for the purpose of providing necessary welfare services, or
19 maintenance, or both.

20 (e) The term "guardianship" means control over the person and
21 property of a child as established by the order of a court of competent
22 jurisdiction, and as more specifically defined by the provisions of this act.
23 *Guardianship by the Bureau of Childrens Services shall be treated as guard-*
24 *ianship by the Commissioner of Institutions and Agencies, exercised on his*
25 *behalf wholly by and in the name of the Bureau of Childrens Services, act-*
26 *ing through the chief executive officer of the bureau or his authorized repre-*
27 *sentative. Such exercise of guardianship by the bureau shall be at all times*
28-30 *and in all respects subject to the supervision of the commissioner.*

30A (f) The term "maintenance" means board, clothing and medical, dental
30B and hospital care, or any of them, as furnished to or for a child pursuant
30C to the provisions of this act.

31 (g) The term "welfare services" means consultation, counselling, and
32 referral to or utilization of available resources, for the purpose of determin-
33 ing and correcting or adjusting matters and circumstances which are en-
34 dangering the welfare of a child, and for the purpose of promoting his proper
35 development and adjustment in the family and the community.

36 (h) The singular includes the plural form.

37 (i) The masculine noun and pronoun include the feminine.

38 (j) The word "may" shall be construed to be permissive.

39 [(k) The term "assistance" means money payments made to, or in be-
40 half of, persons determined to be eligible therefor in accordance with the
41 provisions of article IV, chapter 5, Title 30, of the Revised Statutes.]

1 9. Section 3 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 3. The **【State Board of Child Welfare】** *Bureau of Childrens Services*, in
4 administering the provisions of this act, shall:

5 (a) provide care and custody for children eligible therefor in such man-
6 ner that the children may, so far as practicable, continue to live in their
7 own homes and family life be thereby preserved and strengthened;

8 (b) provide necessary welfare services as may be required by such
9 children, so far as practicable, without assumption of custody;

10 (c) encourage the development of private and voluntary agencies quali-
11 fied to provide welfare services for children to the end that through co-
12 operative effort the need for such services may be limited or reduced.

1 10. Section 4 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 4. The **【State Board of Child Welfare】** *Bureau of Childrens Services*
4 shall have the requisite powers to:

5 (a) exercise general supervision over children for whom care, custody or
6 guardianship is provided in accordance with article 2 of this act;

7 (b) administer for the Department of Institutions and Agencies the
8 powers and duties provided in chapter 3 of Title 9 of the Revised Statutes
9 (Adoption), as amended and supplemented, as the same may be delegated
10 and assigned by the said department;

11 (c) administer for the Commissioner of Institutions and Agencies the
12 powers and duties as provided in chapter 7 of Title 9 of the Revised Statutes
13 (dependent children; bringing into State), as amended and supplemented, as
14 the same may be delegated and assigned by the said commissioner;

15 (d) administer for the State Board of Control **【of Institutions and**
16 **Agencies】** the powers and duties provided in sections 30:1-14 through
17 30:1-17 of chapter 1 of Title 30 of the Revised Statutes (visitation and in-
18 spection), as amended and supplemented, so far as the same may be dele-
19 gated and assigned by the said State Board of Control with respect to

20 institutions, organizations and noninstitutional agencies for the care, cus-
21 tody and welfare of children;

22 (e) provide care and exercise supervision over children paroled or re-
23 leased from State correctional institutions for juveniles in accordance with
24 rules and regulations established by the State Board of Control [of Institu-
25 tions and Agencies];

26 (f) make investigations or provide supervision of any child in this
27 State at the request and on behalf of a public or private agency or insti-
28 tution of any other State;

29 (g) to meet and confer, at least annually, with representatives of the
30 public welfare boards and the private agencies and institutions for the care
31 of children in this State in order that the programs of such boards, agencies
32 and institutions may be developed and fully utilized and that there may be
33 a co-ordination of all public and private facilities for the protection and
34 care of children;

35 (h) issue such reasonable rules and regulations as may be necessary
36 for the purpose of carrying into effect the meaning of this act, which rules
37 and regulations shall be binding so far as they are consistent with such
38 purpose.

1 11. Section 5 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 5. *Except as provided in sections 15 through 22 of this act, noth-*
4 *ing* [Nothing] in this act shall authorize the [State Board of Child
5 Welfare] *Bureau of Childrens Services* to accept the care or custody of any
6 child, nor to provide welfare services for any child, except with the voluntary
7 approval and consent of the parent, parents, legal custodian, guardian or
8 other person with whom the child may be living.

1 12. Section 6 of chapter 138 of the laws of 1951 is amended to read
2 as follows:

3 6. No person to whom or for whom payments for maintenance are made
4 under this act shall be deemed to be or classified as a pauper by reason
5 thereof.

6 The provisions of this act shall not be construed to deny treatment by
7 spiritual means or prayer, of any child, in accordance with the religious
8 faith of the parent or parents of such child. The provisions of this act shall
9 not be construed to authorize or empower the [State Board of Child Wel-
10 fare] *Bureau of Childrens Services* to compel a child to undergo medical
11 or surgical treatment, if the child, or parent or guardian of said child,
12 objects thereto in a signed statement upon the ground that the proposed
13 action interferes with the free exercise of his religious principles.

1 13. Section 7 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 7. All birth, death and marriage certificates which may be required
4 under the provisions of this act, or under any rule or regulation issued by
5 the [State Board of Child Welfare] *Bureau of Childrens Services*, shall be
6 issued free of charge upon the order of [the State Board of Child Welfare]
7 *such bureau*.

1 14. Section 11 of chapter 138 of the laws of 1951 is amended to read
2 as follows:

3 11. Whenever it shall appear that any child within this State is of such
4 circumstances that his welfare will be endangered unless proper care or
5 custody is provided, an application setting forth the facts in the case may
6 be filed with the [State Board of Child Welfare] *Bureau of Childrens*
7 *Services* by a parent or other relative of such child, by a person standing
8 in loco parentis to such child, or by a person or association or agency or
9 public official having a special interest in such child, seeking that the [State
10 Board of Child Welfare] *Bureau of Childrens Services* accept and provide
11 such care or custody of such child as the circumstances may require. Such
12 application shall be in writing, and shall contain a statement of the rela-
13 tionship to or special interest in such child which justifies the filing of such
14 application. The provisions of this section shall be deemed to include an
15 application for welfare services on behalf of an unborn child when the pro-
16 spective mother is within this State at the time of application for such
17 services.

1 15. Section 12 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 12. Upon receipt of an application as provided in section 11 hereof, the
4 **[State Board of Child Welfare]** *Bureau of Childrens Services* shall verify
5 the statements set forth in such application and shall investigate all the
6 matters pertaining to the circumstances of the child. If upon such verification
7 and investigation it shall appear (a) that the welfare of such child will be
8 endangered unless proper care or custody is provided; (b) that there is no
9 welfare or child-caring society or institution duly organized under the laws
10 of this State which can and will provide the welfare services required by such
11 child; (c) that the needs of such child cannot properly be provided for by
12 financial assistance as made available by the laws of this State; (d) that there
13 is no person legally responsible for the support of such child whose identity
14 and whereabouts are known and who is willing and able to provide for the
15 care and support required by such child; and (e) that such child does not re-
16 quire immediate institutional care because of physical or mental disability;
17 then the **[State Board of Child Welfare]** *Bureau of Childrens Services* may
18 accept and provide such care or custody as the circumstances of such child may
19 require.

1 16. Section 13 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 13. If in the course of verifying and investigating any applications, as pro-
4 vided for in sections 11 and 12 hereof, it shall appear that there is a welfare
5 or child-caring society or institution duly organized under the laws of this
6 State which can and will provide the welfare services required by the child;
7 or it shall appear that there is a person legally responsible for the support of
8 the child who is willing and able to provide the care and support required by
9 such child; or it shall appear that the needs of the child can properly be pro-
10 vided for by financial assistance as made available by the laws of this State;
11 then, the **[State Board of Child Welfare]** *Bureau of Childrens Services*, be-
12 fore accepting and providing care or custody, shall first make proper referral

13 of the matter to such society, institution, or person, or to the agency charged
14 with the administration of such financial assistance.

1 17. Section 14 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 14. The **[State Board of Child Welfare]** *Bureau of Childrens Services*
4 shall give due notice in writing to the applicant of the action taken on any
5 application as provided in sections 12 and 13 hereof.

1 18. Section 15 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 15. Whenever (a) it appears that a court wherein a complaint has been
4 proffered as provided in chapter 6 of Title 9 of the Revised Statutes, has
5 entered a conviction against the parent or parents, guardian, or person hav-
6 ing custody and control of any child because of abuse, abandonment, neglect
7 of or cruelty to such child; or (b) it appears that any child has been adjudged
8 delinquent by a court of proper jurisdiction in this State; or (c) it appears
9 that the best interests of any child under the care or custody of the **[State**
10 **Board of Child Welfare]** *Bureau of Childrens Services* require that he be
11 placed under guardianship; or (d) it appears that the parent or parents,
12 guardian, or person having custody and control of any child is grossly im-
13 moral or unfit to be intrusted with the care and education of such child, or
14 shall fail to provide such child with proper protection, maintenance and edu-
15 cation, or is of such vicious, careless or dissolute habits as to endanger the
16 welfare of such child; a petition, setting forth the facts in the case, may be
17 filed with the juvenile and domestic relations court of the county where such
18 child may be at the time of the filing of such petition. A petition as pro-
19 vided in this section may be filed by any person or any association or
20 agency, interested in such child, or by the **[State Board of Child Welfare]**
21 *Bureau of Childrens Services* in the circumstances set forth in item (c)
22 hereof. No petition shall be filed in the circumstances set forth in item
23 (d) hereof unless and until action has been taken with respect to the child
24 pursuant to sections 11 and 12 of this act.

1 19. Section 17 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 17. When a petition is filed under section 15 hereof by a person, associa-
4 tion or agency other than the [State Board of Child Welfare] *Bureau of*
5 *Childrens Services*, the court, in addition to causing service to be made upon
6 the parent, parents, guardian or person having custody and control of such
7 child in accordance with rules of court, shall also cause a copy of the petition
8 and notice of the time and place of hearing to be served on or mailed to the
9 [State Board of Child Welfare] *Bureau of Childrens Services* at least 20
10 days before the time of such hearing.

11 Whenever a petition is filed under section 15 hereof, and there shall be
12 filed with such petition a statement or statements made under oath and
13 attesting that the best interests of the child require that he be placed under
14 the guardianship of the [State Board of Child Welfare] *Bureau of Chil-*
15 *drens Services* immediately and pending final hearing, the court, at a special
16 summary hearing held upon notice to the [State Board of Child Welfare]
17 *Bureau of Childrens Services*, may make an interlocutory order committing
18 such child to the [State Board of Child Welfare] *Bureau of Childrens Serv-*
19 *ices* until a final hearing on the petition. Such interlocutory order shall have
20 the same force and effect as an order of commitment provided for in section
21 20 hereof.

1 20. Section 18 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 18. Immediately upon receipt of the copy of a petition served on or
4 mailed to the [State Board of Child Welfare] *Bureau of Childrens Services*
5 as provided by section 17 hereof, such [State board] *bureau* shall verify
6 such petition and investigate all the facts pertaining to the eligibility of the
7 child for commitment, and prior to the day set for hearing shall file with the
8 court a report of its findings. Such report shall show such facts as will assist
9 the court in making a decision in the matter.

1 21. Section 20 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 20. If upon completion of such hearing the court is satisfied that the
4 best interests of such child require that he be placed under proper guardian-
5 ship, such court shall make an order committing such child to the guardian-
6 ship and control of the [State Board of Child Welfare] *Bureau of Childrens*
7 *Services*, and such child shall thereupon become the legal ward of such
8 [board] *bureau*, and such [board] *bureau* shall be the legal guardian of
9 such child for all purposes.

10 If the court shall have made an interlocutory order as provided in sec-
11 tion 17 hereof, but at the final hearing a further order of commitment shall
12 not be made as provided in this section, the [State Board of Child Welfare]
13 *Bureau of Childrens Services* shall return the child forthwith to the parent
14 or parents, guardian or person having had custody of the child immediately
15 prior to the filing of the petition; provided, however, that if such parent or
16 parents, guardian or person having had custody cannot be found or, for
17 other reason satisfactory to the court, is unable to accept the child, the [State
18 Board of Child Welfare] *Bureau of Childrens Services*, upon order of the
19 court, may place the child with such other person or persons who, at the time
20 of final hearing, expressed willingness to accept the child, but such order
21 shall in no wise be construed as a grant of custody or guardianship. In all
22 such cases the interlocutory order shall continue in full force and effect until
23 the [State Board of Child Welfare] *Bureau of Childrens Services* shall have
24 made disposition of the child as provided herein, but in no case for a period
25 longer than 30 days after the final hearing.

1 22. Section 21 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 21. The order of the court committing a child to the guardianship of the
4 [State Board of Child Welfare] *Bureau of Childrens Services*, shall in no
5 wise be restrictive of the duties, powers and authority of such [board] *bureau*
6 in the care, custody, placement, welfare and exclusive guardianship of the

7 child as provided in this act, and such [board] *bureau* shall be removed as
8 such guardian only by a court of competent jurisdiction upon charges
9 preferred and upon good cause shown after an opportunity to be heard.

1 23. Section 22 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 22. The guardianship of the [State Board of Child Welfare] *Bureau of*
4 *Childrens Services* shall be full and complete for all purposes and shall vest
5 in such [board] *bureau* the custody and control of both the person and
6 property of its wards, whether committed prior or subsequent to the effective
7 date of this act, without the necessity of giving bond, and notwithstanding
8 any previous appointment of a guardian for such wards.

9 Such guardianship of the [State Board of Child Welfare] *Bureau of*
10 *Childrens Services* shall enable such [board] *bureau*, acting through the
11 *chief executive officer of the bureau or his authorized representative* [as in
12 a corporate capacity], to prosecute suits, claims and any and all manner of
13 proceedings or actions in law or equity for and on behalf of its wards; to
14 demand and receive from all persons, including guardians previously ap-
15 pointed, any and all property of its wards; and to hold and administer the
16 real and personal property of its wards, or any interest they may have
17 therein; provided, however, that it shall be proper for the said [board]
18 *bureau*, in its discretion, to hold funds of its wards on deposit in one or more
19 banks or trust companies in this State, and to apply funds, other than earn-
20 ings, of any ward against expenditures for the maintenance of such ward.

21 The County Court of the county where the commitment was made shall
22 have jurisdiction to hear and determine any and all proceedings affecting the
23 guardianship of the [State Board of Child Welfare] *Bureau of Childrens*
24 *Services*. The County Court of each county shall have jurisdiction to hear
25 and determine petitions by such [board] *bureau*, on behalf of its wards, for
26 the transfer of any or all assets being held by guardians previously ap-
27 pointed. The County Court shall have jurisdiction, in its discretion, to waive
28 costs in any proceedings by the [State Board of Child Welfare] *Bureau of*
29 *Childrens Services* on behalf of its wards.

1 24. Section 23 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 23. In addition to the methods otherwise provided in this article for
4 establishing guardianship by the **【State Board of Child Welfare】** *Bureau of*
5 *Childrens Services*, and when necessary to cary out the provisions of this
6 act, the **【State Board of Child Welfare】** *Bureau of Childrens Services*, after
7 due investigation and consideration, may, in cases where it would be to the
8 permanent advantage of the child, take voluntary surrenders and releases of
9 custody and consents to adoption from the parent, parents or other persons
10 or agencies having the right or authority to give such surrenders, releases and
11 consents. Such surrenders, releases and consents, when properly acknow-
12 ledged in the manner and form as provided by section 46:14-6 of the Revised
13 Statutes, shall be valid and binding irrespective of the age of the person giv-
14 ing the same, and shall be irrevocable except at the discretion of the **【State**
15 **Board of Child Welfare】** *Bureau of Childrens Services* or upon order of a
16 court of competent jurisdiction.

1 25. Section 24 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 24. Whenever the director of welfare of any county or municipality in this
4 State shall be called upon to provide for any child whose needs cannot prop-
5 erly be provided for by financial assistance as made available by the laws of
6 this State, such director shall, within 24 hours thereafter, give written notice
7 thereof to the **【State Board of Child Welfare】** *Bureau of Childrens Services*,
8 and shall file an application for care or custody, as provided in section 11
9 of this act, or shall file a petition as provided in section 15 of this act, as the
10 case may be. Such notice shall contain all available information concerning
11 such child and its circumstances as will enable such **【State board】** *bureau*
12 to take proper action in the case. If the immediate needs of such child so
13 require, such director shall provide for the care of such child in a suitable
14 place approved for that purpose by the *bureau*, **【State Board of Child Wel-**
15 **fare,】** paying therefor as a charge against county or municipal funds until

16 such time as the child has been found eligible for care, custody or guardian-
17 ship in accordance with the provisions of this act.

1 26. Section 25 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 25. The **[State Board of Child Welfare]** *Bureau of Childrens Services*,
4 by its agent or agents, shall regularly visit all children receiving care, cus-
5 tody or guardianship under the provisions of this act in order to assure the
6 maximum benefit from such services.

1 27. Section 26 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 26. Whenever the circumstances of a child are such that proper care,
4 custody, and guardianship cannot be provided for such child in his own
5 home, the **[State Board of Child Welfare]** *Bureau of Childrens Services*
6 may place such child in a suitable family home, with or without payment of
7 board, as the needs of the child may require; provided, however, that while
8 such **[State board]** *bureau* is seeking such family home, or if the special
9 needs of any such child may so require, such **[State board]** *bureau* may place
10 such child in an institution in this State for the care of children or in any
11 other suitable place which such **[State board]** *bureau*, in its discretion, may
12 find proper and necessary for the care of the child. In the placement of any
13 child the **[State Board of Child Welfare]** *Bureau of Childrens Services* shall
14 make every reasonable effort to select a family home or an institution of the
15 same religious faith as the parent or parents of such child.

16 Whenever the **[State Board of Child Welfare]** *Bureau of Childrens Serv-*
17 *ices* shall place any child, as provided by this section, in any municipality and
18 county of this State, such child shall be deemed a resident of such municipal-
19 ity and county for all purposes, and such child shall be entitled to the use
20 and benefit of the health, educational, recreational, vocational and other facil-
21 ities of such municipality and county in the same manner and extent as any
22 other child living in such municipality and county.

1 28. Section 27 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 27. Pursuant to the providing of care, custody or guardianship for any
4 child, in accordance with the provisions of this act, the [State Board of
5 Child Welfare] *Bureau of Childrens Services* may expend such sums as may
6 be necessary for the reasonable and proper cost of maintenance, including
7 board, clothing and medical, dental and hospital care, or any of them, as
8 the needs of any such child may require. Such cost shall be chargeable
9 against State *and county* funds as made available in accordance with article
10 4 of this act; provided, however, that no such cost shall be so chargeable if
11 incurred earlier than the date of acceptance of care or custody of a child, as
12 provided in section 12 hereof, or earlier than the effective date of an order of
13 commitment as provided in section 20 hereof.

14 Whenever a medical examination shall be required of any child as a con-
15 dition to providing care or custody, the cost of such examination shall be a
16 proper charge against State and county funds, within the limits of available
17 appropriations, in the same manner and extent as expenditures for
18 maintenance.

19 Whenever a child receiving care is in need of operation, anaesthesia,
20 diagnostic tests or treatment, and the [State Board of Child Welfare]
21 *Bureau of Childrens Services* has determined by reasonable inquiry that the
22 parent or other person having custody of such child is not available to give
23 consent, the [State Board of Child Welfare] *Bureau of Childrens Services*
24 may give its consent thereto. A consent to operation, anaesthesia, diagnostic
25 tests or treatment when given by the [State Board of Child Welfare]
26 *Bureau of Childrens Services* on behalf of any child receiving care, custody
27 or guardianship shall be deemed legal and valid for all purposes with re-
28 spect to any person or hospital affording service to such child pursuant to
29 and in reliance upon such consent.

30 Nothing contained herein shall modify the provisions of section 6 of the
31 act of which this act is amendatory.

1 29. Section 28 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 28. The **【State Board of Child Welfare】** *Bureau of Childrens Services*
4 may at any time discharge from its care, custody or guardianship any child,
5 if in the opinion of such **【board】** *bureau* the best interests of the child will
6 be promoted thereby.

1 30. Section 29 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 29. Subject to the provisions of section 30 hereof, payments for main-
4 tenance **【or assistance】** shall be made by the **【State Board of Child Welfare】**
5 *Bureau of Childrens Services*.

6 The **【treasurer of the State Board of Child Welfare】** *Bureau of Chil-*
7 *drens Services* is hereby empowered to receive from the State Treasurer
8 and from the county treasurer of each county such sums as shall be appro-
9 priated for the purposes of this act, and shall cause such sums to be set up
10 in a special account or accounts subject to disbursement by the **【State Board**
11 **of Child Welfare】** *Bureau of Childrens Services*.

1 31. Section 30 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 30. The cost of maintenance provided under this act for or on behalf of
4 any child shall be shared equally by the State and by that county where such
5 child may be or may have been at the time of the filing of an application seek-
6 ing care or custody or at the time of the filing of a petition seeking
7 guardianship.

8 The Governor shall fix and determine and state in his annual budget
9 message a sum sufficient to pay the estimated amount required to carry into
10 effect the provisions of this act, together with the deficiencies, if any, incurred
11 in the previous year. The Legislature shall include the amount so deter-
12 mined and stated in the annual appropriation bill.

13 Payments from State funds appropriated for the provision of mainte-
14 nance as authorized by this act shall be made monthly in advance by the

15 State Treasurer, on the warrant of the [Commissioner of Taxation and Fi-
16 nance] *Director of the Division of Budget and Accounting* to the [treasurer
17 of the State Board of Child Welfare] *Bureau of Childrens Services*, upon
18 statements furnished by the [State Board of Child Welfare] *Bureau of Chil-*
19 *drens Services*, approved by the Department of Institutions and Agencies.

20 The [State Board of Child Welfare] *Bureau of Childrens Services* shall
21 annually fix and determine and report to the board of chosen freeholders of
22 each county a sum sufficient to pay the estimated amount of the county's
23 proportionate share of maintenance. Each board of chosen freeholders shall
24 appropriate and make available such amount to the order of the [State
25 Board of Child Welfare] *Bureau of Childrens Services*. Should the amount
26 so appropriated, however, be expended or exhausted during the year and for
27 the purpose for which it was appropriated, additional sums shall be appro-
28 priated by such board of chosen freeholders as occasion demands to carry
29 out the provisions of this act, from funds in the county treasury available
30 therefor. Where such county funds are not available or adequate, or should
31 there be no such county funds, such additional sums shall be raised by tem-
32 porary loans or notes, certificates of indebtedness or temporary loan bonds,
33 to be issued as otherwise provided and limited by law for counties of this
34 State, and the amounts necessary to pay such obligations shall be placed in
35 the budget for the next ensuing fiscal year.

36 Payments from county funds appropriated for the provision of mainte-
37 nance as authorized by this act shall be made monthly in advance by the
38 treasurer of the county to the [treasurer of the State Board of Child Wel-
39 fare] *Bureau of Childrens Services* on the basis of commitments for such
40 county upon bills furnished by the [State Board of Child Welfare] *Bureau*
41 *of Childrens Services*.

1 32. Section 31 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 31. The State Board of Control [of Institutions and Agencies] or its
4 duly authorized representative is hereby empowered to negotiate with the

5 Federal Government to secure such financial assistance for the carrying out
6 of this act as may be provided in the Federal Social Security Act, and the
7 State Treasurer is hereby empowered to receive such moneys and shall cause
8 them to be placed in the account or accounts of the [State Board of Child
9 Welfare] *Bureau of Childrens Services*, acting as the agent of the State Board
10 of Control [of Institutions and Agencies], for the purpose of carrying into
11 effect the provisions of this act.

12 The State Board of Control is further empowered to organize the work
13 of the [several departments coming under its jurisdiction] *Department of*
14 *Institutions and Agencies* in behalf of [dependent and neglected] children
15 to comply, *in any manner consistent with law*, with the reasonable require-
16 ments of the [Social Security Board and the Federal Children's Bureau as
17 set forth in Title IV and section 521 of Title V of the Federal Social Secur-
18 ity Act] *Federal Department of Health, Education and Welfare pursuant*
19 *to Federal law*, and to co-operate [, through the State Board of Child Wel-
20 fare] in extending and strengthening public welfare services for the protec-
21 tion and care of homeless, dependent and neglected children and children in
22 danger of becoming delinquent.

1 33. Section 32 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 32. Whenever a child receiving care, custody, or guardianship as pro-
4 vided by this act has died, and an investigation by the [State Board of Child
5 Welfare] *Bureau of Childrens Services* discloses that there are insufficient
6 funds from any other source to provide proper burial, such [State board]
7 *bureau* may authorize the expenditure of an amount reasonably necessary to
8 provide proper burial for such child, and such amount shall be a proper charge
9 against *State and county* funds, within the limits of available appropriations,
10 in the same manner and extent as expenditures for maintenance.

1 34. Section 33 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 33. The **[State Board of Child Welfare]** *Bureau of Childrens Services*
4 may compromise and settle any claim due or which may become due such
5 **[board]** *bureau* for reimbursement of moneys paid to any individual or
6 organization for maintenance of a child. A memorandum of the compromise
7 and settlement shall be entered in the official **[minutes]** *records* of the **[pro-**
8 *ceedings of the board]* *bureau*.

1 35. Section 34 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 34. Whenever the **[State Board of Child Welfare]** *Bureau of Childrens*
4 *Services* shall recover or receive reimbursement of any moneys paid to any
5 individual or organization for the maintenance of a child, the moneys so
6 recovered or received shall be credited to the State treasury or to the Federal
7 Government in the same proportion as they were charged in the original
8 instance. The **[State Board of Child Welfare]** *Bureau of Children Services*
9 is hereby authorized to take all necessary and proper action under the laws
10 of this State for the recovery of any such moneys wrongfully received or
11 retained by any individual or organization, or for the recovery from the
12 person or persons responsible under the laws of this State for the support of
13 such child the value of maintenance furnished to such child.

1 36. Section 35 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 35. The **[State Board of Child Welfare]** *Bureau of Childrens Services*
4 is authorized to retain any voluntary contributions of money heretofore
5 received by it, and to receive future contributions. All such contributions,
6 whether already received or hereafter received, shall be kept in a separate
7 fund, and shall be used only upon order of the **[board]** *bureau* for the pur-
8 poses for which the contributions were made, and such funds shall be in the
9 custody and control of the **[treasurer of the State Board of Child Welfare**
10 **and his official bond given as such treasurer shall be responsible for the**
11 **faithful keeping and distribution of such fund]** *Bureau of Childrens Services*.

1 37. Section 36 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 36. On application in writing by the [State Board of Child Welfare]
4 *Bureau of Childrens Services* the State Treasurer on warrant of the [Comp-
5 troller] *Director of the Division of Budget and Accounting* may pay to the
6 [treasurer of the board] *bureau* from its annual appropriation such amount
7 not exceeding \$5,000.00 as may be necessary to establish a petty cash fund
8 for the payment of traveling expenses and such other current expenses as
9 require a prompt cash outlay.

10 The [treasurer of the State Board of Child Welfare] *Bureau of Chil-*
11 *drens Services* shall file an account with vouchers attached showing all ex-
12 penditures from [his] *its* petty cash fund and on receipt of the amount
13 thereof from the State Treasurer shall reimburse the fund. Any questions
14 with reference to the allowance, expenditure, accounting and reimbursement
15 of petty cash moneys shall be finally determined by ruling of the [State
16 Comptroller] *Director of the Division of Budget and Accounting*.

1 38. Section 37 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 37. Whenever the [State Board of Child Welfare] *Bureau of Childrens*
4 *Services* shall have issued, or shall hereafter issue, any checks, drafts or
5 warrants to be paid from moneys received from the Federal Government, the
6 State, or any county of this State for the cost of maintenance, and such
7 checks, drafts or warrants shall not be cashed for a period of one year from
8 the date of issue, the following procedure shall be taken:

9 (a) The [State Board of Child Welfare] *Bureau of Childrens Services*
10 shall give due notice to the bank on which such checks, drafts or warrants
11 were issued that no payment shall be made thereon.

12 (b) The [State Board of Child Welfare] *Bureau of Childrens Serv-*
13 *ices* shall then from time to time deposit in a special fund moneys in an
14 amount equal to that represented by such checks, drafts or warrants, which
15 moneys shall be held for the payments of such checks, drafts or warrants.

16 Such special fund shall be in the custody and control of the [treasurer of
17 the State Board of Child Welfare, and his official bond given as such treas-
18 urer shall be responsible for the faithful keeping and distribution of such
19 fund] *Bureau of Childrens Services.*

20 (c) The moneys so deposited shall be maintained in such special fund for a
21 period of 6 years from the date of deposit, and, if still unclaimed after that
22 time by anyone having a legal right thereto, shall be credited to the Federal
23 Government, the State, or any county of this State in the same proportion as
24 such moneys were received by the [State Board of Child Welfare] *Bureau*
25 *of Childrens Services* in the original instance.

26 Whenever the [State Board of Child Welfare] *Bureau of Childrens*
27 *Services* shall have credited any moneys to the Federal Government, the
28 State or any county of this State pursuant to the provisions of this section,
29 it shall thereupon be free of all obligations as to those checks, drafts or
30 warrants for which such moneys have been held for payment.

1 39. Except as otherwise provided by this act, the Bureau of Childrens
2 Services shall in all respects and for all purposes be deemed a continuation
3 of the agency heretofore known as the State Board of Children's Guardians
4 or the State Board of Child Welfare.

1 40. Section 30:6-1 of the Revised Statutes is amended to read as follows:

2 30:6-1. The commission for the amelioration of the condition of the blind,
3 hereinafter in this article [designated] *referred* to as the "commission,"
4 *shall hereafter be known as the Commission for the Blind. It shall provide all*
5 *means which it deems feasible for ameliorating the condition of the blind and*
6 *shall prepare and maintain a register of all the blind within the State. Every*
7 *physician shall report to the commission every case of defective vision*
8 *which in his judgment may result in permanent blindness. Every municipal*
9 *and county health and welfare agency, and every institution and noninstitu-*
10 *tional agency within the State Department of Institutions and Agencies shall*
11 *promptly report to the commission every individual coming to its attention*
12 *who is known to be or is believed likely to become permanently blind.*

1 41. Subject to the provisions of this act and the provisions of chapter
2 7 of Title 44 of the Revised Statutes as hereinafter specified, any needy
3 person residing in New Jersey who has attained the age of 18 years and who is
4 blind, shall be entitled to receive assistance from the county welfare board
5 of the county in which he resides.

1 42. The assistance to be extended under this act shall be known as "as-
2 sistance for the blind," but shall in all other respects be governed by the con-
3 ditions of eligibility and all other requirements, conditions, limitations and
4 procedures established by and pursuant to chapter 7 of Title 44 of the Re-
5 vised Statutes, excepting section 44:7-3, subsection a. of section 44:7-5, sec-
6 tions 44:7-14 to 44:7-16 inclusive, and section 44:7-25 of the Revised Statutes.

1 43. Under general policies established by the State Board of Control, the
2 Commissioner of Institutions and Agencies is authorized, directed and em-
3 powered to issue, or to cause to be issued by the appropriate departmental
4 officers or agencies, all necessary rules and regulations and administrative
5 orders, and to do or cause to be done all other acts and things necessary to
6 secure for the State of New Jersey the maximum Federal financial partici-
7 pation that is available with respect to a program of assistance for the blind
8 and otherwise to accomplish the purposes of this act, including specifically
9 the following:

10 (a) To assure that the program shall be in effect in all counties of the
11 State and be mandatory upon them;

12 (b) To assure that all individuals wishing to make application for as-
13 sistance for the blind shall have opportunity to do so, and that assistance shall
14 be furnished with reasonable promptness to or for all eligible individuals;

15 (c) To provide that, in determining need for financial assistance and
16 the amount of assistance to be granted, there shall be taken into considera-
17 tion all other income and resources of the person seeking or receiving as-
18 sistance, except that, in making such determination, the first \$85.00 per month
19 of earned income plus $\frac{1}{2}$ of earned income in excess of \$85.00 per month, of
20 such person, shall be disregarded;

21 (d) To provide safeguards which restrict the use or disclosure of infor-
22 mation concerning applicants and recipients to purposes directly connected
23 with the administration of the program;

24 (e) To assure that all persons to or for whom assistance is being paid
25 under the provisions of this act shall not receive, during the same period,
26 any other financial assistance from this State or any political subdivision
27 thereof, with respect to any maintenance requirements or other items for
28 which allowance is made in the assistance grant paid pursuant to this act;

29 (f) To prescribe appropriate services which shall be made available by
30 or utilized by the county welfare boards for the purpose of helping needy
31 blind individuals to attain self-support or self-care, including particularly
32 the services of the Commission for the Blind, and requiring every county
33 welfare board to promptly report to such commission every individual com-
34 ing to its attention who is known to be or is believed likely to become perma-
35 nently blind, and to prescribe administrative and procedural methods assur-
36 ing opportunity for the commission to review all such cases to make
37 appropriate recommendations, and otherwise to participate in the planning
38 and providing of special services for such cases;

39 (g) To assure that payments of assistance will be denied or promptly
40 terminated with respect to any person who publicly solicits alms by wearing,
41 carrying or exhibiting signs denoting blindness, or carrying receptacles for
42 the reception of alms, or doing same by proxy or by begging from house to
43 house.

1 44. The State shall pay to each county welfare board the full amount
2 of any funds received by the State from the Federal Government as Federal
3 participation with respect to expenditures made by such county welfare
4 board for assistance for the blind, plus an additional amount equal to 50%
5 of the balance of such expenditures after deducting the amount of such
6 Federal participation.

7 The State shall also pay to each county welfare board the full amount of
8 any funds received by the State from the Federal Government as Federal

9 participation with respect to the costs of administration of the program of
10 assistance for the blind by such county welfare board.

1 45. All of the functions, powers and duties of, and records and property
2 maintained by, and unexpended appropriation balances available to the Com-
3 mission for the Blind, under and with respect to statutes repealed by sections
4 47 and 48 of this act, are hereby transferred to and vested in the Bureau of
5 Assistance and shall be exercised, performed and used by the bureau in ac-
6 cordance with the provisions of sections 41 through 44 of this act and as
7 otherwise provided by law.

1 46. Sections 41 through 45 of this act shall supplement chapter 7 of
2 Title 44 of the Revised Statutes.

1 47. Sections 30:6-3, 30:6-4, 30:6-5, 30:6-8, 30:6-9, 30:6-10 and 30:6-14
2 of the Revised Statutes are repealed.

1 48. The act entitled "An act relating to assistance to needy blind per-
2 sons in New Jersey, supplementing chapter 6 of Title 30, and amending
3 sections 30:6-3, 30:6-5 and 30:6-14 of the Revised Statutes," approved
4 April 25, 1946 (P. L. 1946, c. 168) is repealed.

1 49. This act shall become effective July 1, 1962, but all arrangements
2 necessary or appropriate to enable the act to become fully effective on said
3 date shall be made as promptly as possible as though the act were effective
4 immediately.

STATEMENT

The general purpose of this bill is to make certain changes in the admin-
istrative structure of the Department of Institutions and Agencies which have
been recommended by the State Board of Control, and which are consistent with
and will implement a part of the public welfare findings and recommendations
of the Commission to Study the Department of Institutions and Agencies (the
"Alexander Commission").

Specifically, the bill will:

1. Disestablish the present board of managers known as the State Board of
Child Welfare, reconstituting this agency as the Bureau of Childrens Services;

2. Create a new citizen board, to be known as the Board of Public Welfare, to function in relation to a reorganized Division of Public Welfare which will embrace and integrate the operations of the Bureau of Assistance, the Bureau of Childrens Services, and the Commission for the Blind;

3. Organize such Board of Public Welfare to consist of 12 nonsalaried members, 9 of whom shall have terms of 3 years each, 3 expiring in each year, with requirements that at least 3 members shall be women; the remaining 3 members to be persons concurrently serving as members of the Commission for the Blind; all to be appointed by the State Board of Control, with approval of the Governor.

4. Define the functions of the Board of Public Welfare and its organizational relationship to the State Board of Control, the Division of Public Welfare, and the units and officers within such division;

5. Retain the present structure of the Commission for the Blind and all functions of that agency, except for those responsibilities which it now exercises in connection with the administration of the categorical public assistance program known as blind assistance;

6. Reorganize the blind assistance program so that it will be administered by the County Welfare Boards, under State supervision by the Bureau of Assistance, according to the same pattern that now exists for the other 3 Federally matched public assistance programs, viz. Old Age Assistance, Disability Assistance, and Assistance for Dependent Children, and with a changed fiscal formula providing equal division between State and county of the non-federal remainder of assistance costs;

7. Require all public health and welfare agencies to report to the Blind Commission all known or suspected cases of blindness and to require the county welfare boards to utilize the available services of the Blind Commission for all recipients of assistance for whom such services are appropriate.

ASSEMBLY ~~COMMITTEE~~ AMENDMENTS TO
ASSEMBLY, No. 493

STATE OF NEW JERSEY

ADOPTED APRIL 30, 1962

Amend page 14, section 15, line 8, omit "(b) that there is no".

Amend page 14, section 15, lines 9 and 10, omit.

Amend page 14, section 15, line 11, omit "child; (c)", insert "(b)".

Amend page 14, section 15, line 12, omit "(d)", insert "(c)".

Amend page 14, section 15, line 15, omit "(e)", insert "(d)".

Amend page 14, section 15, line 19, after "require", insert "or avail itself of the facilities and services of any child-caring society by employing its facilities and services under a contract for the purchase of care from such society. In providing care under contract with a child-caring society the bureau shall make every reasonable effort to select a society with due regard to the religious background of the child."

Amend page 14, section 16, lines 4 and 5, omit "welfare or".

Amend page 14, section 16, line 5, after "society", omit remainder of line.

Amend page 14, section 16, line 6, omit and insert "with whom a contract for the purchase of care has been negotiated;"

Amend page 15, section 16, line 13, after "such", omit "society, institution, or", insert "child-caring society upon the basis of the agreed upon contract for the purchase of care, or to such".

Amend page 20, section 27, line 12, after "child", insert ", provided referral to a child-caring society with whom a contract for the purchase of care has been negotiated is not practicable".

Amend page 21, section 28, line 7, before "as", insert "directly or indirectly as provided by contract with a child-caring society, or".

Amend page 22, section 29, line 6, after "thereby.", insert "If any such child is in the care of a child-caring society under contract, the bureau shall give such society due notice of any such intended action.".

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 493

STATE OF NEW JERSEY

INTRODUCED MARCH 19, 1962

By Assemblywoman HUGHES and Assemblyman WERNER

Referred to Committee on Institutions, Public Health and Welfare

AN ACT to reorganize the administration of public welfare functions within the Department of Institutions and Agencies; and for that purpose to amend sections 30:1-7, 30:4-1, 30:4-26.2, and 30:6-1 of the Revised Statutes, to amend "An act concerning the care, custody, guardianship, maintenance and supervision of dependent and neglected children, promoting home life therefor, providing for the financing thereof, and repealing certain statutes relating thereto," approved May 31, 1951 (P. L. 1951, c. 138), to amend "An act relating to the reorganization of the executive and administrative offices, departments, and instrumentalities of the State Government; concerning the Division of Welfare in the State Department of Institutions and Agencies, and supplementing Title 30 of the Revised Statutes," approved June 1, 1950, (P. L. 1950, c. 166), to repeal sections 30:6-3, 30:6-4, 30:6-5, 30:6-8, 30:6-9, 30:6-10 and 30:6-14 of the Revised Statutes, to repeal "An act relating to assistance to needy blind persons in New Jersey, supplementing chapter 6 of Title 30, and amending sections 30:6-3, 30:6-5 and 30:6-14 of the Revised Statutes," approved April 25, 1946 (P. L. 1946, c. 168), and to supplement chapter 7 of Title 44 of the Revised Statutes.

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

1 1. Section 30:1-7 of the Revised Statutes is amended to read as follows:
2 30:1-7. Within the limitations imposed by general legislation applicable
3 to all agencies of the State, the State board is hereby granted complete and

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

4 exclusive jurisdiction, supreme and final authority, and the requisite power to
5 accomplish its aims and purposes in and upon the institutions, boards, com-
6 missions and other agencies, hereinafter in this section named, and designated
7 as charitable, hospital, relief, training institutions and correctional institu-
8 tions of this State, to the end that they shall be humanely, scientifically, effi-
9 ciently and economically operated. Any particular grant of power hereinafter
10 in this Title contained shall be in specification but not in limitation of the
11 general grant of power.

12 The charitable, hospital, relief and training institutions and noninstitu-
13 tional agencies of this State, within the meaning of this Title, shall include the
14 following, and, as well, any institution established hereafter for any similar
15 purpose, as now established and as the same are to be hereafter maintained
16 and operated pursuant to law:

- 17 New Jersey State Hospital at Trenton,
18 New Jersey State Hospital at Greystone Park,
19 New Jersey State Hospital at Marlboro,
20 New Jersey State Hospital at Ancora,
21 New Jersey [State Village for Epileptics at Skillman] *Neuropsychiatric*
22 *Institute*,
23 New Jersey Sanatorium for Chest Diseases at Glen Gardner,
24 New Jersey Training School at Totowa,
25 State Colony at New Lisbon,
26 State Colony at Woodbine,
27 Vineland State School at Vineland,
28 *Woodbridge State School*,
29 New Jersey Memorial Home for Disabled Soldiers at Menlo Park,
30 New Jersey Memorial Home for Disabled Soldiers, Sailors, Marines and
31 Their Wives and Widows at Vineland,
32 Diagnostic Center at Menlo Park,
33 Arthur Brisbane Child Center at Allaire,

34 【State Board of Child Welfare at Trenton,】
 35 *Board of Public Welfare,*
 36 Commission for the 【Amelioration of the Condition of the】 Blind 【at
 37 Newark】.

38 The correctional institutions of this State, within the meaning of this
 39 Title, shall include the following, and as well, any institution established
 40 hereafter for any similar purpose, as now established and as the same are to
 41 be hereafter maintained and operated pursuant to law:

42 New Jersey State Prison at Trenton,
 43 New Jersey State Prison Farm at Rahway,
 44 New Jersey State Prison Farm at Leesburg,
 45 New Jersey Reformatory at Bordentown,
 46 New Jersey Reformatory for Women at Clinton,
 47 New Jersey Reformatory at Annandale,
 48 State Home for Boys at Jamesburg,
 49 State Home for Girls at Trenton.

1 2. Section 30:4-1 of the Revised Statutes is amended to read as follows:

2 30:4-1. The State board shall appoint a board of managers for each
 3 institution or agency within the department or for each group or class thereof
 4 as it may determine. Whenever the establishment or assumption of juris-
 5 diction over an additional institution, or the acquisition of a site therefor, is
 6 authorized by the Legislature the State board may appoint a board of man-
 7 agers therefor or in its discretion may authorize or designate any existing
 8 board of managers to assume jurisdiction thereof. Each board of managers
 9 in charge of an institution shall be known as “the board of managers” nam-
 10 ing the institution or group or class for which the board is appointed. The
 11 State board shall determine the names of the boards in charge of 【noncon-
 12 stitutional】 *noninstitutional* agencies.

13 *Except in the case of the Board of Public Welfare as otherwise spe-*
 14 *cifically provided by statute, the* 【The】 boards of managers shall consist of
 15 not less than 5 nor more than 7 members appointed with the approval of the

32 *Childs Services* [and the child shall thereupon become the legal ward of
33 such board. The court shall also direct the county to pay expenses for the
34 care of such child, including the board, clothing, medical and surgical treat-
35 ment while the child is under the guardianship of the State Board of Child
36 Welfare. Upon the making of such commitment, as aforesaid, the State Board
37 of Child Welfare shall thereupon become and be constituted the guardian of
38 such juvenile dependent and shall be invested with all the powers and duties
39 now exercised by them in the same manner and to the same effect as if such
40 child had been committed to such board as a public charge]. .

41 [If, however, at any time the chief executive officer of the institution shall
42 certify to the commissioner that the condition of the mother or the prevail-
43 ing conditions of the institution are inimical to the best interest of such
44 child, and if after investigation the commissioner finds that such child would
45 be benefited by removal from the institution and if it is without family or
46 relatives able and willing to assume its support, the chief executive officer of
47 such institution may thereupon institute a proceeding, or he may designate
48 an agent to do so for him, and secure an order committing the child to the
49 State Board of Child Welfare, as provided above.]

1 4. Section 1 of chapter 166 of the laws of 1950 is amended to read as
2 follows:

3 1. The Division of Welfare established in the State Department of In-
4 stitutions and Agencies by the State Board of Control [of Institutions and
5 Agencies] is continued, *but shall hereafter be known as the Division of*
6 *Public Welfare and shall be governed by the provisions of this act.* Said divi-
7 sion shall consist of *the Director of Public Welfare, the Bureau of Assistance*
8 *(heretofore known variously as the Division of Old Age Assistance and*
9 *the Bureau of Assistance), the Bureau of Childs Services (heretofore*
10 *known variously as the State Board of Children's Guardians and the State*
11 *Board of Child Welfare), the Commission for the Blind (including the ex-*
12 *ecutive and staff of such commission), and of such reconstituted, reorgan-*

13 *ized or additional* bureaus and other administrative units as such State
14 Board of Control may, from time to time, establish therein.

1 5. Section 2 of chapter 166 of the laws of 1950 is amended to read as
2 follows:

3 2. All functions, powers and duties relating to [categorical] *public* as-
4 sistance and welfare services [incident thereto], which are exercised by or
5 within the State Department of Institutions and Agencies by any officer or
6 agency thereof, [including the State Board of Child Welfare, the Commis-
7 sion for the Blind, and the Division of Old Age Assistance, and all functions,
8 powers, and duties which are by this act transferred to the said depart-
9 ment,] shall be administered through the said Division of *Public Welfare*,
10 together with such other related functions and duties as the State Board of
11 Control [of Institutions and Agencies] may, from time to time, find appro-
12 priate to be administered through the said division.

1 6. Section 3 of chapter 166 of the laws of 1950 is amended to read as
2 follows:

3 3. *There is hereby created and established within the Department of*
4 *Institutions and Agencies a board to be known as the Board of Public Wel-*
5 *fare. Said board shall consist of 12 members, at least 3 of whom shall be*
6 *women. Nine of such members shall be appointed by the State Board of*
7 *Control with the approval of the Governor, from among citizens of the State*
8 *with demonstrated interest in community service programs. They shall be*
9 *appointed without regard to political belief or affiliation. They shall receive*
10 *no compensation for services, but shall be reimbursed for actual expenditures*
11 *incurred in the performance of their duties. All such 9 members shall hold*
12 *office for a term of 3 years commencing on July 1 and ending on June 30 of*
13 *the third year thereafter; except that of the members first to be appointed*
14 *hereunder, 3 shall be assigned to terms expiring on June 30 of the year next*
15 *succeeding appointment, and 3 to terms expiring on June 30 of the second*
16 *year succeeding appointment, but their successors shall be appointed for 3-year*
17 *terms, and any vacancy occurring otherwise than by expiration of term shall*

18 *be filled for the unexpired term only. In addition to such 9 members, 3 addi-*
19 *tional members shall be persons annually designated for such purpose by*
20 *the State Board of Control from among persons concurrently serving as mem-*
21 *bers of the Commission for the Blind. The Commissioner of Institutions and*
22 *Agencies shall, with the advice and consent of the Board of Public Welfare,*
23 *appoint the [The head] chief executive officer of the Division of Public Wel-*
24 *fare who shall be known as the director of such division [Deputy Commis-*
25 *sioner for Welfare of the Department of Institutions and Agencies,] and who*
26 *shall be in charge of the work of the division under the immediate direction and*
27 *supervision of the Commissioner of Institutions and Agencies. In the event*
28 *of disagreement with respect to such appointment between the Commis-*
29 *sioner and the Board of Public Welfare, the State Board of Control shall*
30 *make the appointment. The Board of Public Welfare, acting on behalf of the*
31 *State Board of Control and subject to the authority and direction thereof,*
32 *shall organize to meet at such times as it may determine or as may be pre-*
33 *scribed by the State Board of Control. It shall establish within itself com-*
34 *mittees directly concerned with the Bureau of Assistance and the Bureau of*
35 *Childrens Services respectively, and may establish such other committees as*
36 *it may determine. It shall become and continue to be thoroughly acquainted*
37 *with the operations of the Division of Public Welfare and regularly review all*
38 *programs and practices within the division and within the respective bureaus*
39 *and other units thereof. It shall establish policies and procedures within*
40 *general directives of the State Board of Control. It shall assist the director*
41 *of the division and the bureau chiefs in formulating the annual budget re-*
42 *quests. It shall promote and maintain constructive relationships with the*
43 *county welfare boards, local assistance boards, and other official bodies and*
44 *organized agencies concerned with public welfare. It may, subject to the*
45 *approval of the State Board of Control, establish any subsidiary unsalaried*
46 *advisory or consultant committees or study groups as it may deem necessary*
47 *and proper and appoint the members thereof.*

1 7. Section 4 of chapter 166 of the laws of 1950 is amended to read as
2 follows:

3 4. *The Commissioner of Institutions and Agencies shall, with the advice*
4 *and consent of the Board of Public Welfare and of the director of the division,*
5 *appoint the chief executive officers of the Bureau of Assistance and the Bureau*
6 *of Childrens Services, which positions shall be in the competitive class of the*
7 *classified civil service. The Commission for the Blind shall, from*
8 *among persons nominated by the commissioner, and with the advice and*
9 *consent of the Board of Public Welfare and of the director of the division, ap-*
10 *point the chief executive officer of the commission, which position shall be in*
11 *the unclassified service. In the event of any disagreement with respect to any*
12 *of such appointments as between 2 or more of the parties whose partici-*
13 *pation in such appointment is so required, the State Board of Control shall*
14 *make the appointment. [This act shall not affect the terms of office of the*
15 *present members of the State Board of Child Welfare or of the New Jersey*
16 *State Commission for the Blind. Such agencies shall each continue to be con-*
17 *stituted as provided by existing law.] This act shall not affect the terms of*
18 *office of members of the State Commission for the Blind, and such agency*
19 *shall continue to be constituted and to exercise such functions as otherwise*
20 *provided by law, operating as a constituent agency within the Division of*
21 *Public Welfare pursuant to the provisions of this act.*

1 8. Section 2 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 2. For the purposes of this act the following words and terms shall,
4 unless otherwise indicated, be deemed and taken to have the meanings
5 herein given to them.

6 (a) The title ["State Board of Child Welfare"] "*Bureau of Childrens*
7 *Services*" means the State agency for the care, custody, guardianship, main-
8 *tenance and protection of children, as more specifically described by the*
9 *provisions of this act, and succeeding the agency heretofore [as otherwise]*
10 *variously designated by the laws of this State as the State Board of Child*
11 *Welfare or the State Board of Children's Guardians.*

12 (b) The word "child" includes stepchild and illegitimate child, and
13 further means any person under the age of 21 years.

14 (c) The term "care" means cognizance of a child for the purpose of
15 providing necessary welfare services, or maintenance, or both.

16 (d) The term "custody" means continuing responsibility for the person
17 of a child, as established by a surrender and release of custody or consent
18 to adoption, for the purpose of providing necessary welfare services, or
19 maintenance, or both.

20 (e) The term "guardianship" means control over the person and
21 property of a child as established by the order of a court of competent
22 jurisdiction, and as more specifically defined by the provisions of this act.
23 *Guardianship by the Bureau of Childrens Services shall be treated as guard-*
24 *ianship by the Commissioner of Institutions and Agencies, exercised on his*
25 *behalf wholly by and in the name of the Bureau of Childrens Services, act-*
26 *ing through the chief executive officer of the bureau or his authorized repre-*
27 *sentative. Such exercise of guardianship by the bureau shall be at all times*
28-30 *and in all respects subject to the supervision of the commissioner.*

30A (f) The term "maintenance" means board, clothing and medical, dental
30B and hospital care, or any of them, as furnished to or for a child pursuant
30C to the provisions of this act.

31 (g) The term "welfare services" means consultation, counselling, and
32 referral to or utilization of available resources, for the purpose of determin-
33 ing and correcting or adjusting matters and circumstances which are en-
34 dangering the welfare of a child, and for the purpose of promoting his proper
35 development and adjustment in the family and the community.

36 (h) The singular includes the plural form.

37 (i) The masculine noun and pronoun include the feminine.

38 (j) The word "may" shall be construed to be permissive.

39 [(k) The term "assistance" means money payments made to, or in be-
40 half of, persons determined to be eligible therefor in accordance with the
41 provisions of article IV, chapter 5, Title 30, of the Revised Statutes.]

1 9. Section 3 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 3. The **[State Board of Child Welfare]** *Bureau of Childrens Services*, in
4 administering the provisions of this act, shall:

5 (a) provide care and custody for children eligible therefor in such man-
6 ner that the children may, so far as practicable, continue to live in their
7 own homes and family life be thereby preserved and strengthened;

8 (b) provide necessary welfare services as may be required by such
9 children, so far as practicable, without assumption of custody;

10 (c) encourage the development of private and voluntary agencies quali-
11 fied to provide welfare services for children to the end that through co-
12 operative effort the need for such services may be limited or reduced.

1 10. Section 4 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 4. The **[State Board of Child Welfare]** *Bureau of Childrens Services*
4 shall have the requisite powers to:

5 (a) exercise general supervision over children for whom care, custody or
6 guardianship is provided in accordance with article 2 of this act;

7 (b) administer for the Department of Institutions and Agencies the
8 powers and duties provided in chapter 3 of Title 9 of the Revised Statutes
9 (Adoption), as amended and supplemented, as the same may be delegated
10 and assigned by the said department;

11 (c) administer for the Commissioner of Institutions and Agencies the
12 powers and duties as provided in chapter 7 of Title 9 of the Revised Statutes
13 (dependent children; bringing into State), as amended and supplemented, as
14 the same may be delegated and assigned by the said commissioner;

15 (d) administer for the State Board of Control **[of Institutions and**
16 **Agencies]** the powers and duties provided in sections 30:1-14 through
17 30:1-17 of chapter 1 of Title 30 of the Revised Statutes (visitation and in-
18 spection), as amended and supplemented, so far as the same may be dele-
19 gated and assigned by the said State Board of Control with respect to

20 institutions, organizations and noninstitutional agencies for the care, cus-
21 tody and welfare of children;

22 (e) provide care and exercise supervision over children paroled or re-
23 leased from State correctional institutions for juveniles in accordance with
24 rules and regulations established by the State Board of Control [of Institu-
25 tions and Agencies];

26 (f) make investigations or provide supervision of any child in this
27 State at the request and on behalf of a public or private agency or insti-
28 tution of any other State;

29 (g) to meet and confer, at least annually, with representatives of the
30 public welfare boards and the private agencies and institutions for the care
31 of children in this State in order that the programs of such boards, agencies
32 and institutions may be developed and fully utilized and that there may be
33 a co-ordination of all public and private facilities for the protection and
34 care of children;

35 (h) issue such reasonable rules and regulations as may be necessary
36 for the purpose of carrying into effect the meaning of this act, which rules
37 and regulations shall be binding so far as they are consistent with such
38 purpose.

1 11. Section 5 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 5. *Except as provided in sections 15 through 22 of this act, noth-*
4 *ing* [Nothing] in this act shall authorize the [State Board of Child
5 Welfare] *Bureau of Childrens Services* to accept the care or custody of any
6 child, nor to provide welfare services for any child, except with the voluntary
7 approval and consent of the parent, parents, legal custodian, guardian or
8 other person with whom the child may be living.

1 12. Section 6 of chapter 138 of the laws of 1951 is amended to read
2 as follows:

3 6. No person to whom or for whom payments for maintenance are made
4 under this act shall be deemed to be or classified as a pauper by reason
5 thereof.

6 The provisions of this act shall not be construed to deny treatment by
7 spiritual means or prayer, of any child, in accordance with the religious
8 faith of the parent or parents of such child. The provisions of this act shall
9 not be construed to authorize or empower the [State Board of Child Wel-
10 fare] *Bureau of Childrens Services* to compel a child to undergo medical
11 or surgical treatment, if the child, or parent or guardian of said child,
12 objects thereto in a signed statement upon the ground that the proposed
13 action interferes with the free exercise of his religious principles.

1 13. Section 7 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 7. All birth, death and marriage certificates which may be required
4 under the provisions of this act, or under any rule or regulation issued by
5 the [State Board of Child Welfare] *Bureau of Childrens Services*, shall be
6 issued free of charge upon the order of [the State Board of Child Welfare]
7 *such bureau*.

1 14. Section 11 of chapter 138 of the laws of 1951 is amended to read
2 as follows:

3 11. Whenever it shall appear that any child within this State is of such
4 circumstances that his welfare will be endangered unless proper care or
5 custody is provided, an application setting forth the facts in the case may
6 be filed with the [State Board of Child Welfare] *Bureau of Childrens*
7 *Services* by a parent or other relative of such child, by a person standing
8 in loco parentis to such child, or by a person or association or agency or
9 public official having a special interest in such child, seeking that the [State
10 Board of Child Welfare] *Bureau of Childrens Services* accept and provide
11 such care or custody of such child as the circumstances may require. Such
12 application shall be in writing, and shall contain a statement of the rela-
13 tionship to or special interest in such child which justifies the filing of such
14 application. The provisions of this section shall be deemed to include an
15 application for welfare services on behalf of an unborn child when the pro-
16 spective mother is within this State at the time of application for such
17 services.

1 15. Section 12 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 12. Upon receipt of an application as provided in section 11 hereof, the
4 **[State Board of Child Welfare]** *Bureau of Childrens Services* shall verify
5 the statements set forth in such application and shall investigate all the
6 matters pertaining to the circumstances of the child. If upon such verification
7 and investigation it shall appear (a) that the welfare of such child will be
8 endangered unless proper care or custody is provided; **[(b) that there is no**
9 **welfare or child-caring society or institution duly organized under the laws**
10 **of this State which can and will provide the welfare services required by such**
11 **child; (c)]** *(b) that the needs of such child cannot properly be provided for*
12 *by financial assistance as made available by the laws of this State; [(d)]* *(c)*
13 *that there is no person legally responsible for the support of such child whose*
14 *identity and whereabouts are known and who is willing and able to provide*
15 *for the care and support required by such child; and [(e)]* *(d) that such child*
16 *does not require immediate institutional care because of physical or mental*
17 *disability; then the [State Board of Child Welfare] Bureau of Childrens*
18 *Services may accept and provide such care or custody as the circumstances*
19 *of such child may require or avail itself of the facilities and services of any*
20 *child-caring society by employing its facilities and services under a contract*
21 *for the purchase of care from such society. In providing care under contract*
22 *with a child-caring society the bureau shall make every reasonable effort*
23 *to select a society with due regard to the religious background of the child.*

1 16. Section 13 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 13. If in the course of verifying and investigating any applications, as pro-
4 vided for in sections 11 and 12 hereof, it shall appear that there is a **[welfare**
5 **or]** child-caring society **[or institution duly organized under the laws of this**
6 **State which can and will provide the welfare services required by the child;]**
6A *with whom a contract for the purchase of care has not been negotiated;*
7 or it shall appear that there is a person legally responsible for the support of

8 the child who is willing and able to provide the care and support required by
9 such child; or it shall appear that the needs of the child can properly be pro-
10 vided for by financial assistance as made available by the laws of this State;
11 then, the **【State Board of Child Welfare】** *Bureau of Childrens Services*, be-
12 fore accepting and providing care or custody, shall first make proper referral
13 of the matter to such **【society, institution, or】** *child-caring society upon the*
14 *basis of the agreed upon contract for the purchase of care, or to such person,*
15 or to the agency charged with the administration of such financial assist-
16 ance.

1 17. Section 14 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 14. The **【State Board of Child Welfare】** *Bureau of Childrens Services*
4 shall give due notice in writing to the applicant of the action taken on any
5 application as provided in sections 12 and 13 hereof.

1 18. Section 15 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 15. Whenever (a) it appears that a court wherein a complaint has been
4 proffered as provided in chapter 6 of Title 9 of the Revised Statutes, has
5 entered a conviction against the parent or parents, guardian, or person hav-
6 ing custody and control of any child because of abuse, abandonment, neglect
7 of or cruelty to such child; or (b) it appears that any child has been adjudged
8 delinquent by a court of proper jurisdiction in this State; or (c) it appears
9 that the best interests of any child under the care or custody of the **【State**
10 **Board of Child Welfare】** *Bureau of Childrens Services* require that he be
11 placed under guardianship; or (d) it appears that the parent or parents,
12 guardian, or person having custody and control of any child is grossly im-
13 moral or unfit to be intrusted with the care and education of such child, or
14 shall fail to provide such child with proper protection, maintenance and edu-
15 cation, or is of such vicious, careless or dissolute habits as to endanger the
16 welfare of such child; a petition, setting forth the facts in the case, may be
17 filed with the juvenile and domestic relations court of the county where such
18 child may be at the time of the filing of such petition. A petition as pro-

19 vided in this section may be filed by any person or any association or
20 agency, interested in such child, or by the [State Board of Child Welfare]
21 *Bureau of Childrens Services* in the circumstances set forth in item (c)
22 hereof. No petition shall be filed in the circumstances set forth in item
23 (d) hereof unless and until action has been taken with respect to the child
24 pursuant to sections 11 and 12 of this act.

1 19. Section 17 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 17. When a petition is filed under section 15 hereof by a person, associa-
4 tion or agency other than the [State Board of Child Welfare] *Bureau of*
5 *Childrens Services*, the court, in addition to causing service to be made upon
6 the parent, parents, guardian or person having custody and control of such
7 child in accordance with rules of court, shall also cause a copy of the petition
8 and notice of the time and place of hearing to be served on or mailed to the
9 [State Board of Child Welfare] *Bureau of Childrens Services* at least 20
10 days before the time of such hearing.

11 Whenever a petition is filed under section 15 hereof, and there shall be
12 filed with such petition a statement or statements made under oath and
13 attesting that the best interests of the child require that he be placed under
14 the guardianship of the [State Board of Child Welfare] *Bureau of Chil-*
15 *drens Services* immediately and pending final hearing, the court, at a special
16 summary hearing held upon notice to the [State Board of Child Welfare]
17 *Bureau of Childrens Services*, may make an interlocutory order committing
18 such child to the [State Board of Child Welfare] *Bureau of Childrens Serv-*
19 *ices* until a final hearing on the petition. Such interlocutory order shall have
20 the same force and effect as an order of commitment provided for in section
21 20 hereof.

1 20. Section 18 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 18. Immediately upon receipt of the copy of a petition served on or
4 mailed to the [State Board of Child Welfare] *Bureau of Childrens Services*

5 as provided by section 17 hereof, such [State board] *bureau* shall verify
6 such petition and investigate all the facts pertaining to the eligibility of the
7 child for commitment, and prior to the day set for hearing shall file with the
8 court a report of its findings. Such report shall show such facts as will assist
9 the court in making a decision in the matter.

1 21. Section 20 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 20. If upon completion of such hearing the court is satisfied that the
4 best interests of such child require that he be placed under proper guardian-
5 ship, such court shall make an order committing such child to the guardian-
6 ship and control of the [State Board of Child Welfare] *Bureau of Childrens*
7 *Services*, and such child shall thereupon become the legal ward of such
8 [board] *bureau*, and such [board] *bureau* shall be the legal guardian of
9 such child for all purposes.

10 If the court shall have made an interlocutory order as provided in sec-
11 tion 17 hereof, but at the final hearing a further order of commitment shall
12 not be made as provided in this section, the [State Board of Child Welfare]
13 *Bureau of Childrens Services* shall return the child forthwith to the parent
14 or parents, guardian or person having had custody of the child immediately
15 prior to the filing of the petition; provided, however, that if such parent or
16 parents, guardian or person having had custody cannot be found or, for
17 other reason satisfactory to the court, is unable to accept the child, the [State
18 Board of Child Welfare] *Bureau of Childrens Services*, upon order of the
19 court, may place the child with such other person or persons who, at the time
20 of final hearing, expressed willingness to accept the child, but such order
21 shall in no wise be construed as a grant of custody or guardianship. In all
22 such cases the interlocutory order shall continue in full force and effect until
23 the [State Board of Child Welfare] *Bureau of Childrens Services* shall have
24 made disposition of the child as provided herein, but in no case for a period
25 longer than 30 days after the final hearing.

1 22. Section 21 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 21. The order of the court committing a child to the guardianship of the
4 ~~State Board of Child Welfare~~ *Bureau of Children's Services*, shall in no
5 wise be restrictive of the duties, powers and authority of such ~~board~~ *bureau*
6 in the care, custody, placement, welfare and exclusive guardianship of the
7 child as provided in this act, and such ~~board~~ *bureau* shall be removed as
8 such guardian only by a court of competent jurisdiction upon charges
9 preferred and upon good cause shown after an opportunity to be heard.

1 23. Section 22 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 22. The guardianship of the ~~State Board of Child Welfare~~ *Bureau of*
4 *Children's Services* shall be full and complete for all purposes and shall vest
5 in such ~~board~~ *bureau* the custody and control of both the person and
6 property of its wards, whether committed prior or subsequent to the effective
7 date of this act, without the necessity of giving bond, and notwithstanding
8 any previous appointment of a guardian for such wards.

9 Such guardianship of the ~~State Board of Child Welfare~~ *Bureau of*
10 *Children's Services* shall enable such ~~board~~ *bureau*, acting through the
11 chief executive officer of the bureau or his authorized representative [as in
12 a corporate capacity], to prosecute suits, claims and any and all manner of
13 proceedings or actions in law or equity for and on behalf of its wards; to
14 demand and receive from all persons, including guardians previously ap-
15 pointed, any and all property of its wards; and to hold and administer the
16 real and personal property of its wards, or any interest they may have
17 therein; provided, however, that it shall be proper for the said ~~board~~
18 *bureau*, in its discretion, to hold funds of its wards on deposit in one or more
19 banks or trust companies in this State, and to apply funds, other than earn-
20 ings, of any ward against expenditures for the maintenance of such ward.

21 The County Court of the county where the commitment was made shall
22 have jurisdiction to hear and determine any and all proceedings affecting the

23 guardianship of the **[State Board of Child Welfare]** *Bureau of Childrens*
 24 *Services*. The County Court of each county shall have jurisdiction to hear
 25 and determine petitions by such **[board]** *bureau*, on behalf of its wards, for
 26 the transfer of any or all assets being held by guardians previously ap-
 27 pointed. The County Court shall have jurisdiction, in its discretion, to waive
 28 costs in any proceedings by the **[State Board of Child Welfare]** *Bureau of*
 29 *Childrens Services* on behalf of its wards.

1 24. Section 23 of chapter 138 of the laws of 1951 is amended to read as
 2 follows:

3 23. In addition to the methods otherwise provided in this article for
 4 establishing guardianship by the **[State Board of Child Welfare]** *Bureau of*
 5 *Childrens Services*, and when necessary to carry out the provisions of this
 6 act, the **[State Board of Child Welfare]** *Bureau of Childrens Services*, after
 7 due investigation and consideration, may, in cases where it would be to the
 8 permanent advantage of the child, take voluntary surrenders and releases of
 9 custody and consents to adoption from the parent, parents or other persons
 10 or agencies having the right or authority to give such surrenders, releases and
 11 consents. Such surrenders, releases and consents, when properly acknow-
 12 ledged in the manner and form as provided by section 46:14-6 of the Revised
 13 Statutes, shall be valid and binding irrespective of the age of the person giv-
 14 ing the same, and shall be irrevocable except at the discretion of the **[State**
 15 **Board of Child Welfare]** *Bureau of Childrens Services* or upon order of a
 16 court of competent jurisdiction.

1 25. Section 24 of chapter 138 of the laws of 1951 is amended to read as
 2 follows:

3 24. Whenever the director of welfare of any county or municipality in this
 4 State shall be called upon to provide for any child whose needs cannot prop-
 5 erly be provided for by financial assistance as made available by the laws of
 6 this State, such director shall, within 24 hours thereafter, give written notice
 7 thereof to the **[State Board of Child Welfare]** *Bureau of Childrens Services*,
 8 and shall file an application for care or custody, as provided in section 11

9 of this act, or shall file a petition as provided in section 15 of this act, as the
 10 case may be. Such notice shall contain all available information concerning
 11 such child and its circumstances as will enable such [State board] *bureau*
 12 to take proper action in the case. If the immediate needs of such child so
 13 require, such director shall provide for the care of such child in a suitable
 14 place approved for that purpose by the *bureau*, [State Board of Child Wel-
 15 fare,] paying therefor as a charge against county or municipal funds until
 16 such time as the child has been found eligible for care, custody or guardian-
 17 ship in accordance with the provisions of this act.

1 26. Section 25 of chapter 138 of the laws of 1951 is amended to read as
 2 follows:

3 25. The [State Board of Child Welfare] *Bureau of Childrens Services*,
 4 by its agent or agents, shall regularly visit all children receiving care, cus-
 5 tody or guardianship under the provisions of this act in order to assure the
 6 maximum benefit from such services.

1 27. Section 26 of chapter 138 of the laws of 1951 is amended to read as
 2 follows:

3 26. Whenever the circumstances of a child are such that proper care,
 4 custody, and guardianship cannot be provided for such child in his own
 5 home, the [State Board of Child Welfare] *Bureau of Childrens Services*
 6 may place such child in a suitable family home, with or without payment of
 7 board, as the needs of the child may require; provided, however, that while
 8 such [State board] *bureau* is seeking such family home, or if the special
 9 needs of any such child may so require, such [State board] *bureau* may place
 10 such child in an institution in this State for the care of children or in any
 11 other suitable place which such [State board] *bureau*, in its discretion, may
 12 find proper and necessary for the care of the child *provided referral to a*
 13 *child-caring society with whom a contract for the purchase of care has been*
 14 *negotiated is not practicable.* In the placement of any child the [State
 15 Board of Child Welfare] *Bureau of Childrens Services* shall make every
 15A reasonable effort to select a family home or an institution of the same re-
 15B ligious faith as the parent or parents of such child.

16 Whenever the [State Board of Child Welfare] *Bureau of Childrens Serv-*
17 *ices* shall place any child, as provided by this section, in any municipality and
18 county of this State, such child shall be deemed a resident of such municipal-
19 ity and county for all purposes, and such child shall be entitled to the use
20 and benefit of the health, educational, recreational, vocational and other facil-
21 ities of such municipality and county in the same manner and extent as any
22 other child living in such municipality and county.

1 28. Section 27 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 27. Pursuant to the providing of care, custody or guardianship for any
4 child, in accordance with the provisions of this act, the [State Board of
5 Child Welfare] *Bureau of Childrens Services* may expend such sums as may
6 be necessary for the reasonable and proper cost of maintenance, including
7 board, clothing and medical, dental and hospital care, or any of them, *directly*
8 *or indirectly as provided by contract with a child-caring society, or as the*
8A needs of any such child may require. Such cost shall be chargeable
9 against State *and county* funds as made available in accordance with article
10 4 of this act; provided, however, that no such cost shall be so chargeable if
11 incurred earlier than the date of acceptance of care or custody of a child, as
12 provided in section 12 hereof, or earlier than the effective date of an order of
13 commitment as provided in section 20 hereof.

14 Whenever a medical examination shall be required of any child as a con-
15 dition to providing care or custody, the cost of such examination shall be a
16 proper charge against State and county funds, within the limits of available
17 appropriations, in the same manner and extent as expenditures for
18 maintenance.

19 Whenever a child receiving care is in need of operation, anaesthesia,
20 diagnostic tests or treatment, and the [State Board of Child Welfare]
21 *Bureau of Childrens Services* has determined by reasonable inquiry that the
22 parent or other person having custody of such child is not available to give
23 consent, the [State Board of Child Welfare] *Bureau of Childrens Services*

24 may give its consent thereto. A consent to operation, anaesthesia, diagnostic
 25 tests or treatment when given by the [State Board of Child Welfare]
 26 *Bureau of Childrens Services* on behalf of any child receiving care, custody
 27 or guardianship shall be deemed legal and valid for all purposes with re-
 28 spect to any person or hospital affording service to such child pursuant to
 29 and in reliance upon such consent.

30 Nothing contained herein shall modify the provisions of section 6 of the
 31 act of which this act is amendatory.

1 29. Section 28 of chapter 138 of the laws of 1951 is amended to read as
 2 follows:

3 28. The [State Board of Child Welfare] *Bureau of Childrens Services*
 4 may at any time discharge from its care, custody or guardianship any child,
 5 if in the opinion of such [board] *bureau* the best interests of the child will
 6 be promoted thereby. *If any such child is in the care of a child-caring society*
 7 *under contract, the bureau shall give such society due notice of any such*
 8 *intended action.*

1 30. Section 29 of chapter 138 of the laws of 1951 is amended to read as
 2 follows:

3 29. Subject to the provisions of section 30 hereof, payments for main-
 4 tenance [or assistance] shall be made by the [State Board of Child Welfare]
 5 *Bureau of Childrens Services.*

6 The [treasurer of the State Board of Child Welfare] *Bureau of Chil-*
 7 *drens Services* is hereby empowered to receive from the State Treasurer
 8 and from the county treasurer of each county such sums as shall be appro-
 9 priated for the purposes of this act, and shall cause such sums to be set up
 10 in a special account or accounts subject to disbursement by the [State Board
 11 of Child Welfare] *Bureau of Childrens Services.*

1 31. Section 30 of chapter 138 of the laws of 1951 is amended to read as
 2 follows:

3 30. The cost of maintenance provided under this act for or on behalf of
 4 any child shall be shared equally by the State and by that county where such

child may be or may have been at the time of the filing of an application seeking care or custody or at the time of the filing of a petition seeking guardianship.

The Governor shall fix and determine and state in his annual budget message a sum sufficient to pay the estimated amount required to carry into effect the provisions of this act, together with the deficiencies, if any, incurred in the previous year. The Legislature shall include the amount so determined and stated in the annual appropriation bill.

Payments from State funds appropriated for the provision of maintenance as authorized by this act shall be made monthly in advance by the State Treasurer, on the warrant of the [Commissioner of Taxation and Finance] *Director of the Division of Budget and Accounting* to the [treasurer of the State Board of Child Welfare] *Bureau of Childrens Services*, upon statements furnished by the [State Board of Child Welfare] *Bureau of Childrens Services*, approved by the Department of Institutions and Agencies.

The [State Board of Child Welfare] *Bureau of Childrens Services* shall annually fix and determine and report to the board of chosen freeholders of each county a sum sufficient to pay the estimated amount of the county's proportionate share of maintenance. Each board of chosen freeholders shall appropriate and make available such amount to the order of the [State Board of Child Welfare] *Bureau of Childrens Services*. Should the amount so appropriated, however, be expended or exhausted during the year and for the purpose for which it was appropriated, additional sums shall be appropriated by such board of chosen freeholders as occasion demands to carry out the provisions of this act, from funds in the county treasury available therefor. Where such county funds are not available or adequate, or should there be no such county funds, such additional sums shall be raised by temporary loans or notes, certificates of indebtedness or temporary loan bonds, to be issued as otherwise provided and limited by law for counties of this State, and the amounts necessary to pay such obligations shall be placed in the budget for the next ensuing fiscal year.

END

36 Payments from county funds appropriated for the provision of mainte-
 37 nance as authorized by this act shall be made monthly in advance by the
 38 treasurer of the county to the [treasurer of the State Board of Child Wel-
 39 fare] *Bureau of Childrens Services* on the basis of commitments for such
 40 county upon bills furnished by the [State Board of Child Welfare] *Bureau*
 41 *of Childrens Services*.

1 32. Section 31 of chapter 138 of the laws of 1951 is amended to read as
 2 follows:

3 31. The State Board of Control [of Institutions and Agencies] or its
 4 duly authorized representative is hereby empowered to negotiate with the
 5 Federal Government to secure such financial assistance for the carrying out
 6 of this act as may be provided in the Federal Social Security Act, and the
 7 State Treasurer is hereby empowered to receive such moneys and shall cause
 8 them to be placed in the account or accounts of the [State Board of Child
 9 Welfare] *Bureau of Childrens Services*, acting as the agent of the State Board
 10 of Control [of Institutions and Agencies], for the purpose of carrying into
 11 effect the provisions of this act.

12 The State Board of Control is further empowered to organize the work
 13 of the [several departments coming under its jurisdiction] *Department of*
 14 *Institutions and Agencies* in behalf of [dependent and neglected] children
 15 to comply, *in any manner consistent with law*, with the reasonable require-
 16 ments of the [Social Security Board and the Federal Children's Bureau as
 17 set forth in Title IV and section 521 of Title V of the Federal Social Secur-
 18 ity Act] *Federal Department of Health, Education and Welfare pursuant*
 19 *to Federal law*, and to co-operate [, through the State Board of Child Wel-
 20 fare] in extending and strengthening public welfare services for the protec-
 21 tion and care of homeless, dependent and neglected children and children in
 22 danger of becoming delinquent.

1 33. Section 32 of chapter 138 of the laws of 1951 is amended to read as
 2 follows:

3 32. Whenever a child receiving care, custody, or guardianship as pro-
 4 vided by this act has died, and an investigation by the [State Board of Child

5 Welfare] *Bureau of Childrens Services* discloses that there are insufficient
6 funds from any other source to provide proper burial, such [State board]
7 *bureau* may authorize the expenditure of an amount reasonably necessary to
8 provide proper burial for such child, and such amount shall be a proper charge
9 against State *and county* funds, within the limits of available appropriations,
10 in the same manner and extent as expenditures for maintenance.

1 34. Section 33 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 33. The [State Board of Child Welfare] *Bureau of Childrens Services*
4 may compromise and settle any claim due or which may become due such
5 [board] *bureau* for reimbursement of moneys paid to any individual or
6 organization for maintenance of a child. A memorandum of the compromise
7 and settlement shall be entered in the official [minutes] *records* of the [pro-
8 ceedings of the board] *bureau*.

1 35. Section 34 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 34. Whenever the [State Board of Child Welfare] *Bureau of Childrens*
4 *Services* shall recover or receive reimbursement of any moneys paid to any
5 individual or organization for the maintenance of a child, the moneys so
6 recovered or received shall be credited to the State treasury or to the Federal
7 Government in the same proportion as they were charged in the original
8 instance. The [State Board of Child Welfare] *Bureau of Children Services*
9 is hereby authorized to take all necessary and proper action under the laws
10 of this State for the recovery of any such moneys wrongfully received or
11 retained by any individual or organization, or for the recovery from the
12 person or persons responsible under the laws of this State for the support of
13 such child the value of maintenance furnished to such child.

1 36. Section 35 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 35. The [State Board of Child Welfare] *Bureau of Childrens Services*
4 is authorized to retain any voluntary contributions of money heretofore

5 received by it, and to receive future contributions. All such contributions,
6 whether already received or hereafter received, shall be kept in a separate
7 fund, and shall be used only upon order of the [board] *bureau* for the pur-
8 poses for which the contributions were made, and such funds shall be in the
9 custody and control of the [treasurer of the State Board of Child Welfare
10 and his official bond given as such treasurer shall be responsible for the
11 faithful keeping and distribution of such fund] *Bureau of Childrens Services*.

1 37. Section 36 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 36. On application in writing by the [State Board of Child Welfare]
4 *Bureau of Childrens Services* the State Treasurer on warrant of the [Comp-
5 troller] *Director of the Division of Budget and Accounting* may pay to the
6 [treasurer of the board] *bureau* from its annual appropriation such amount
7 not exceeding \$5,000.00 as may be necessary to establish a petty cash fund
8 for the payment of traveling expenses and such other current expenses as
9 require a prompt cash outlay.

10 The [treasurer of the State Board of Child Welfare] *Bureau of Chil-*
11 *drems Services* shall file an account with vouchers attached showing all ex-
12 penditures from [his] *its* petty cash fund and on receipt of the amount
13 thereof from the State Treasurer shall reimburse the fund. Any questions
14 with reference to the allowance, expenditure, accounting and reimbursement
15 of petty cash moneys shall be finally determined by ruling of the [State
16 Comptroller] *Director of the Division of Budget and Accounting*.

1 38. Section 37 of chapter 138 of the laws of 1951 is amended to read as
2 follows:

3 37. Whenever the [State Board of Child Welfare] *Bureau of Childrens*
4 *Services* shall have issued, or shall hereafter issue, any checks, drafts or
5 warrants to be paid from moneys received from the Federal Government, the
6 State, or any county of this State for the cost of maintenance, and such
7 checks, drafts or warrants shall not be cashed for a period of one year from
8 the date of issue, the following procedure shall be taken:

9 (a) The [State Board of Child Welfare] *Bureau of Childrens Services*
10 shall give due notice to the bank on which such checks, drafts or warrants
11 were issued that no payment shall be made thereon.

12 (b) The [State Board of Child Welfare] *Bureau of Childrens Serv-*
13 *ices* shall then from time to time deposit in a special fund moneys in an
14 amount equal to that represented by such checks, drafts or warrants, which
15 moneys shall be held for the payments of such checks, drafts or warrants.
16 Such special fund shall be in the custody and control of the [treasurer of
17 the State Board of Child Welfare, and his official bond given as such treas-
18 urer shall be responsible for the faithful keeping and distribution of such
19 fund] *Bureau of Childrens Services*.

20 (c) The moneys so deposited shall be maintained in such special fund for a
21 period of 6 years from the date of deposit, and, if still unclaimed after that
22 time by anyone having a legal right thereto, shall be credited to the Federal
23 Government, the State, or any county of this State in the same proportion as
24 such moneys were received by the [State Board of Child Welfare] *Bureau*
25 *of Childrens Services* in the original instance.

26 Whenever the [State Board of Child Welfare] *Bureau of Childrens*
27 *Services* shall have credited any moneys to the Federal Government, the
28 State or any county of this State pursuant to the provisions of this section,
29 it shall thereupon be free of all obligations as to those checks, drafts or
30 warrants for which such moneys have been held for payment.

1 39. Except as otherwise provided by this act, the Bureau of Childrens
2 Services shall in all respects and for all purposes be deemed a continuation
3 of the agency heretofore known as the State Board of Children's Guardians
4 or the State Board of Child Welfare.

1 40. Section 30:6-1 of the Revised Statutes is amended to read as follows:

2 30:6-1. The commission for the amelioration of the condition of the blind,
3 hereinafter in this article [designated] *referred* to as the "commission,"
4 *shall hereafter be known as the Commission for the Blind*. It shall provide all
5 means which it deems feasible for ameliorating the condition of the blind and

6 shall prepare and maintain a register of all the blind within the State. Every
7 physician shall report to the commission every case of defective vision
8 which in his judgment may result in permanent blindness. *Every municipal*
9 *and county health and welfare agency, and every institution and noninstitu-*
10 *tional agency within the State Department of Institutions and Agencies shall*
11 *promptly report to the commission every individual coming to its attention*
12 *who is known to be or is believed likely to become permanently blind.*

1 41. Subject to the provisions of this act and the provisions of chapter
2 7 of Title 44 of the Revised Statutes as hereinafter specified, any needy
3 person residing in New Jersey who has attained the age of 18 years and who is
4 blind, shall be entitled to receive assistance from the county welfare board
5 of the county in which he resides.

1 42. The assistance to be extended under this act shall be known as "as-
2 sistance for the blind," but shall in all other respects be governed by the con-
3 ditions of eligibility and all other requirements, conditions, limitations and
4 procedures established by and pursuant to chapter 7 of Title 44 of the Re-
5 vised Statutes, excepting section 44:7-3, subsection a. of section 44:7-5, sec-
6 tions 44:7-14 to 44:7-16 inclusive, and section 44:7-25 of the Revised Statutes.

1 43. Under general policies established by the State Board of Control, the
2 Commissioner of Institutions and Agencies is authorized, directed and em-
3 powered to issue, or to cause to be issued by the appropriate departmental
4 officers or agencies, all necessary rules and regulations and administrative
5 orders, and to do or cause to be done all other acts and things necessary to
6 secure for the State of New Jersey the maximum Federal financial partici-
7 pation that is available with respect to a program of assistance for the blind
8 and otherwise to accomplish the purposes of this act, including specifically
9 the following:

10 (a) To assure that the program shall be in effect in all counties of the
11 State and be mandatory upon them;

12 (b) To assure that all individuals wishing to make application for as-
13 sistance for the blind shall have opportunity to do so, and that assistance shall
14 be furnished with reasonable promptness to or for all eligible individuals;

15 (c) To provide that, in determining need for financial assistance and
16 the amount of assistance to be granted, there shall be taken into considera-
17 tion all other income and resources of the person seeking or receiving as-
18 sistance, except that, in making such determination, the first \$85.00 per month
19 of earned income plus $\frac{1}{2}$ of earned income in excess of \$85.00 per month, of
20 such person, shall be disregarded;

21 (d) To provide safeguards which restrict the use or disclosure of infor-
22 mation concerning applicants and recipients to purposes directly connected
23 with the administration of the program;

24 (e) To assure that all persons to or for whom assistance is being paid
25 under the provisions of this act shall not receive, during the same period,
26 any other financial assistance from this State or any political subdivision
27 thereof, with respect to any maintenance requirements or other items for
28 which allowance is made in the assistance grant paid pursuant to this act;

29 (f) To prescribe appropriate services which shall be made available by
30 or utilized by the county welfare boards for the purpose of helping needy
31 blind individuals to attain self-support or self-care, including particularly
32 the services of the Commission for the Blind, and requiring every county
33 welfare board to promptly report to such commission every individual com-
34 ing to its attention who is known to be or is believed likely to become perma-
35 nently blind, and to prescribe administrative and procedural methods assur-
36 ing opportunity for the commission to review all such cases to make
37 appropriate recommendations, and otherwise to participate in the planning
38 and providing of special services for such cases;

39 (g) To assure that payments of assistance will be denied or promptly
40 terminated with respect to any person who publicly solicits alms by wearing,
41 carrying or exhibiting signs denoting blindness, or carrying receptacles for
42 the reception of alms, or doing same by proxy or by begging from house to
43 house.

1 44. The State shall pay to each county welfare board the full amount
2 of any funds received by the State from the Federal Government as Federal

3 participation with respect to expenditures made by such county welfare
4 board for assistance for the blind, plus an additional amount equal to 50%
5 of the balance of such expenditures after deducting the amount of such
6 Federal participation.

7 The State shall also pay to each county welfare board the full amount of
8 any funds received by the State from the Federal Government as Federal
9 participation with respect to the costs of administration of the program of
10 assistance for the blind by such county welfare board.

1 45. All of the functions, powers and duties of, and records and property
2 maintained by, and unexpended appropriation balances available to the Com-
3 mission for the Blind, under and with respect to statutes repealed by sections
4 47 and 48 of this act, are hereby transferred to and vested in the Bureau of
5 Assistance and shall be exercised, performed and used by the bureau in ac-
6 cordance with the provisions of sections 41 through 44 of this act and as
7 otherwise provided by law.

1 46. Sections 41 through 45 of this act shall supplement chapter 7 of
2 Title 44 of the Revised Statutes.

1 47. Sections 30:6-3, 30:6-4, 30:6-5, 30:6-8, 30:6-9, 30:6-10 and 30:6-14
2 of the Revised Statutes are repealed.

1 48. The act entitled "An act relating to assistance to needy blind per-
2 sons in New Jersey, supplementing chapter 6 of Title 30, and amending
3 sections 30:6-3, 30:6-5 and 30:6-14 of the Revised Statutes," approved
4 April 25, 1946 (P. L. 1946, c. 168) is repealed.

1 49. This act shall become effective July 1, 1962, but all arrangements
2 necessary or appropriate to enable the act to become fully effective on said
3 date shall be made as promptly as possible as though the act were effective
4 immediately.