

52:9U-1 to 52:9U-9

LEGISLATIVE HISTORY CHECKLIST

NJSA: 52:9U-1 to 52:9U-9 (Cancer Research Act—establishes Commission)

LAWS OF: 1983

CHAPTER: 6

Bill No.: S390

Sponsor(s): Rand and others

Date Introduced: Pre-filed

Committee: Assembly: Revenue, Finance and Appropriations

Senate: Institutions, Health and Welfare

Amended during passage: Yes // Amendments during passage denoted by asterisks. Substituted for A531 (not attached since substantially similar to S390)

Date of Passage: Assembly: Nov. 29, 1982

Senate: June 17, 1982

Date of Approval: Jan. 17, 1983

Following statements are attached if available:

Sponsor statement: Yes //

Committee statement: Assembly Yes //

Senate Yes // 3-15-83 & 6-3-82

Fiscal Note: /// No

Veto Message: /// No

Message on Signing: /// No

Following were printed:

Reports: /// No

Hearings: /// No

LEGISLATIVE HISTORY COPY

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[THIRD OFFICIAL COPY REPRINT]

SENATE, No. 390

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1982 SESSION

By Senators RAND, PERSKIE, HURLEY, COSTELLO, DALTON,
DUMONT, FORAN, LASKIN, ZANE, LIPMAN, SAXTON and
GRAVES

AN ACT establishing a New Jersey State Commission on Cancer
Research and making an appropriation therefor.

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

1 1. This act shall be known and may be cited as the "Cancer
2 Research Act."

1 2. The Legislature finds and declares that although this State
2 has the highest cancer death rate in the nation for many of the
3 most frequently fatal types of cancer, it has provided relatively
4 little encouragement for cancer studies at any of its local insti-
5 tutions involved in basic biological research; and that this failure
6 has made New Jersey ***[unatrtractive]*** **unatrtractive** for the
7 recruitment of highly skilled cancer investigators, has reduced the
8 State's capacity to compete for its fair share of federal and private
9 research dollars, and has been responsible for delaying the develop-
10 ment of services and facilities necessary to conduct productive
11 research. New Jersey's failure to make a concerted and intense
12 effort in the war against cancer has deprived its citizens of the
13 benefits resulting from the latest advances in basic cancer research.

14 The Legislature further finds that the State can ill afford to
15 continue its present policy in this regard. Corrective measures
16 should be adopted promptly and funded adequately to make up for
17 lost ground and to make the State competitive in the area of cancer
18 research within the next 5 years.

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

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Senate committee amendments adopted March 15, 1982.**

****—Senate committee amendments adopted June 3, 1982.**

*****—Assembly committee amendments adopted November 15, 1982.**

1 3. As used in this act :

2 a. "Approved research project" means a scientific and biomedical
3 research project at the cellular or molecular level which is approved
4 by the commission and which focuses on the genetic, biochemical,
5 viral, microbiological and environmental causes of cancer but does
6 not include behavioral, socio-economic, demographic and psycho-
7 social research or research into methods of clinical treatment.

8 b. "Commission" means the New Jersey State Commission on
9 Cancer Research established pursuant to this act.

10 c. "Institutional support services" means all services, facilities,
11 equipment, personnel and expenditures associated with the creation
12 and maintenance of approved research projects.

13 d. "Qualifying research institution" means the Institute for
14 Medical Research in Camden, New Jersey, the University of
15 Medicine and Dentistry of New Jersey, Rutgers—The State Uni-
16 versity, Princeton University and any other institution approved
17 by the commission which is conducting an approved research
18 project.

1 4. a. There is established in the Executive Branch of the State
2 government, the New Jersey State Commission on Cancer Research.
3 For the purposes of complying with the provisions of Article V,
4 Section IV, paragraph 1 of the New Jersey Constitution, the
5 commission is allocated within the Department of Health, but not
6 withstanding that allocation, the commission shall be independent
7 of any supervision or control by the department or by any board
8 or officer thereof.

9 b. The commission shall consist of nine members including the
10 Commissioners of the Department of Health and the Department
11 of Environmental Protection or their appointed designees, and
12 seven citizens of New Jersey or persons otherwise associated
13 with the State who are known for their knowledge, competence,
14 experience or interest in medical research, appointed by the Gov-
15 ernor with the advice and consent of the Senate.

16 c. The term of office of each appointed member shall be 3 years,
17 but of the members first appointed, three shall be appointed for
18 terms of 1 year, three for terms of 2 years, and one for a term of
19 3 years. All vacancies shall be filled for the balance of the un-
20 expired term in the same manner as the original appointment.
21 The members of the commission shall not receive any compensation
22 for their services, but shall be reimbursed for the actual and neces-
23 sary expenses incurred in the performance of their duties as
24 members of the commission.

1 5. The commission shall:

2 a. Review and authorize approved research projects;

3 b. Apportion all available funds to qualifying research institu-
4 tions to finance approved research projects and necessary insti-
5 tutional support services;

6 c. Ensure that funds appropriated to approved research projects
7 are not diverted to any other use and that all authorized projects
8 focus on research at the cellular or molecular level on the causes
9 of cancer;

10 d. Take steps necessary to encourage the development within
11 the State of cellular research projects on the causes of cancer;

12 e. Compile a directory of all cancer research projects being con-
13 ducted in the State; and,

14 f. Provide the Governor and the Legislature with a report by
15 January 30 of each year describing the status of the commission's
16 activities and the results of its funded research efforts.

1 6. The commission is authorized to :

2 a. Adopt rules and regulations concerning the operation of the
3 commission, the functions and responsibilities of its officers and
4 employees and other matters as may be necessary to carry out the
5 purposes of this act;

6 b. Maintain offices at such places within the State as it may
7 designate;

8 c. Employ an executive director and other personnel as may
9 be necessary whose employment shall be in the unclassified service
10 of the State, except that employees performing stenographic or
11 clerical duties shall be appointed pursuant to Title 11 (Civil Ser-
12 vice) of the Revised Statutes;

13 d. Design a fair and equitable system for the solicitation, evalu-
14 ation and approval of proposals for cancer research projects;

15 e. Apply for and accept any grant of money from the federal
16 government which may be available for programs relating to
17 cellular or molecular research on the causes of cancer;

18 f. Enter into contracts with individuals, organizations and in-
19 stitutions necessary or incidental to the performance of its duties
20 and the execution of its powers under this act; and,

21 g. Accept gifts, grants and bequests of funds from individuals,
22 foundations, corporations, governmental agencies and other organi-
23 zations and institutions.

1 7. The members of the commission shall annually elect a chairman
2 and a vice-chairman from among their number. The chairman
3 shall be the chief executive officer of the commission, shall preside
4 at all meetings of the commission and shall perform other duties
5 that the commission may prescribe.

6 The executive director shall serve as secretary to the commission
7 and shall carry out its policies under the direction of the chairman.

1 8. **["There is appropriated \$2,000,000.00"]** **["\$1,000,000.00 shall**
2 *be appropriated annually from the Cancer Research Fund esta-*
3 *blished by P. L. 1982, c. 40 (C. 54:40A-8 et al.)*
4 **["(now pending before the Legislature as Assembly Bill No. 1540**
5 **of 1982)"]** **to effectuate the purposes of this act** **["and there**
6 **shall annually be appropriated additional sums as are necessary to**
7 **finance the work of the commission"]** ****, except that only**
8 **\$500,000.00 shall be appropriated from the fund in fiscal year**
9 **1982-1983**.**

1 **9. There is appropriated \$500,000.00** **in fiscal year 1982-**
2 **83** **from the Cancer Research Fund** **to the commission** **to**
3 **effectuate the purposes of this act.****

1 **9.]** **10.** Nothing in this act shall preclude a qualifying**
2 **research institution or any other research facility in the State from**
3 **directly applying for or receiving funds from any public or private**
4 **agency to conduct cancer research.***

1 **9.]** **10.]** **11.** This act shall take effect** **["imme-**
2 **diately"]** **["30 days following the enactment of Assembly**
3 **Bill No. 1540 of 1982"]** **immediately**.**

STATEMENT

This bill provides for the establishment of the New Jersey State Commission on Cancer Research which is charged with encouraging, reviewing, approving and funding scientific and biomedical research projects at the cellular or molecular level on the causes of cancer. Approved research projects will focus on the genetic, biochemical, viral, microbiological and environmental causes of cancer. In some instances, a research project may involve the study of aging or human genetic disorders as they may relate to the actual development of cancer.

Although a great deal of money is going into disease treatment in New Jersey, relatively little planning and support is being given to the basic cellular research which holds the key to unlocking the causes of cancer. It will only be through an investment in research that the means of cancer cure and prevention will be identified just as they were for polio and infectious diseases earlier in this century; and that this State and nation will be able to save not only the billions of dollars being spent on cancer treatment but more importantly the countless human lives being lost to the disease.

As a State with one of the highest cancer death rates in the country, New Jersey has an obligation to give special attention to the basic research that offers hope of cancer prevention and cure.

5390 (1983)

SENATE INSTITUTIONS, HEALTH AND WELFARE
COMMITTEE

STATEMENT TO
SENATE, No. 390
with Senate committee amendment

STATE OF NEW JERSEY

DATED: MARCH 15, 1982

This bill establishes a nine member "New Jersey State Commission on Cancer Research" and appropriates \$2,000,000.00 to finance the activities of the commission.

The commission is directed to: review and authorize scientific and biomedical research projects on the causes of cancer; apportion available funds to qualifying research institutions to finance research projects; encourage the development of cellular research projects; compile a directory of all cancer research projects in the State; and report annually to the legislature and Governor on its activities.

The committee amended the bill to clarify that research institutions may apply for and receive research funds from any public or private source without having to channel their requests through the commission. It is also the intent of the committee that the allocation of cancer research funds by the commission shall be based on the merits of the research proposals and the institutions applying rather than on merely geographic considerations.

SENATE REVENUE, FINANCE AND APPROPRIATIONS
COMMITTEE

STATEMENT TO

SENATE, No. 390

[OFFICIAL COPY REPRINT]

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 3, 1982

Senate Bill No. 390 [OCR] establishes a nine member "New Jersey State Commission on Cancer Research" to:

- Review and authorize scientific and biomedical research projects on causes of cancer;
- Apportion all available funds to finance approved research projects;
- Encourage cellular research projects;
- Compile a directory of all cancer research projects being conducted in the State; and
- Annually report the commission's activities and results of funded research efforts to the Governor and Legislature.

The committee amended the bill to conform to the provisions of Assembly Bill No. 1540, that, as part of the cigarette tax increase, establishes the Cancer Research Fund. The amendments direct that \$1,000,000.00 be appropriated annually to the Cancer Research Fund, but for fiscal year 1982-83, appropriates only \$500,000.00.

Further, the amendments make the bill effective 30 days following enactment of Assembly Bill No. 1540.

ASSEMBLY REVENUE, FINANCE AND APPROPRIATIONS
COMMITTEE

STATEMENT TO

SENATE, No. 390

[SECOND OFFICIAL COPY REPRINT]

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 4, 1982

This bill establishes and provides funding for a nine member "New Jersey State Commission on Cancer Research" in, but not of, the Department of Health.

The commission membership includes the Commissioners of the Department of Health and the Department of Environmental Protection and seven citizens of New Jersey or persons otherwise associated with the State who are known for their knowledge, competence, experience or interest in medical research, to be appointed by the Governor with the advice and consent of the Senate.

The commission is directed to:

- Review and authorize scientific and biomedical research projects at the cellular or molecular level which focus on the genetic, biochemical, viral, microbiological and environmental causes of cancer.
- Apportion available funds to approved research projects and necessary institutional support services; and ensuring that such funding is not diverted to any other use.
- Encourage and develop within the State cellular research projects on the causes of cancer.
- Compile a directory of all cancer research projects being conducted in the State.
- Provide the Governor and the Legislature with an annual report describing the status of the commission's activities and results of its funded research efforts.

The commission is authorized to:

- Adopt operating rules and regulations including the functions and responsibilities of its officers and employees, and otherwise as deemed necessary.
- Maintain offices within the State; employ an executive director and other personnel.
- Enter into contracts necessary or incidental to the performance of its duties and execution of its powers.

- Design a system to solicit, evaluate and approve proposals for cancer research.
- Apply for and accept grants from the Federal Government for programs relating to cellular or molecular research on causes of cancer; accept gifts, grants and bequests.

The commission is funded through the "Cancer Research Fund" established in P. L. 1982, c. 40. The bill directs an annual appropriation of \$1 million except for a \$500,000.00 appropriation in fiscal year 1983. This is consistent with the provisions of P. L. 1982, c. 40, section 5, which capitalizes the "Cancer Research Fund" from the proceeds of the Cigarette Tax Act.

The bill appropriates \$500,000.00 from the "Cancer Research Fund" for fiscal year 1983.

This bill, after committee amendment, is identical to Assembly Bill No. 531 after committee amendment.

COMMITTEE AMENDMENTS

A technical amendment of the effective date makes the bill effective immediately. As amended and passed by the Senate, the bill was contingent upon passage of Assembly Bill No. 1540 of 1982. That bill is now P. L. 1982, c. 40 and the contingency can be removed. A further amendment makes this bill a duplicate of Assembly Bill No. 531 (Official Copy Reprint), by recommendation of the sponsor.
