

30:40-45 to 49

LEGISLATIVE FACT SHEET

on Subsidized adoption

N.J.R.S. 30:40-45 to 49

(1973 ~~Amendment~~) Supp.

LAWS OF 1973

SENATE BILL 1040 (OCR)

INTRODUCED May 18, 1972

SPONSOR'S STATEMENT

ASSEMBLY COMMITTEE STATEMENT

SENATE COMMITTEE STATEMENT

FISCAL NOTE

AMENDED DURING PASSAGE

HEARING *None discovered*

VETO

GOVERNOR'S STATEMENT ON SIGNING

CHAPTER 81

ASSEMBLY BILL

BY *Hagedorn and others*

YES NO

YES NO

YES NO

YES NO

YES NO

YES *2pp.*

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SENATE, No. 1040

STATE OF NEW JERSEY

INTRODUCED MAY 18, 1972

By Senators HAGEDORN, WALLWORK and LIPMAN

Referred to Committee on Institutions, Health and Welfare

AN ACT concerning subsidized adoption of certain children and supplementing "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).

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

1 1. It is the intent of the Legislature in enacting this act to bene-
2 fit hard-to-place children ***[residing]*** in foster ***[homes]*** **care**
3 at State expense by providing the stability and security of per-
4 manent homes.

1 2. The Bureau of Children's Services **or its successor, the*
2 *Division of Youth and Family Services** may make payments to
3 adoptive parents on behalf of a child placed for adoption by the
3A bureau whenever:

4 a. the child because of physical or mental condition, race, age, or
5 membership in a sibling group, or for any other reason falls into
6 the category of a child hard to place for adoption; and

7 b. the adoptive family is capable of providing the permanent
8 family relationships needed by the child in all respects other than
9 financial, and the needs of the child are beyond the economic ability
10 and resources of the family.

1 3. Payments in subsidization of adoption may include but are
2 not limited to the maintenance costs, medical and surgical expenses,
3 and other costs incidental to the care, training and education of
4 the child*, *including all medical costs for any child in connection*
5 *with any physical or mental condition which existed prior to the*
6 *date of entry of the judgment of adoption.** Such payments for
7 maintenance costs may not exceed 80% of the cost of providing

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

8 comparable assistance in foster care and shall not be made after
9 the adoptive child becomes 18 years of age.

1 4. Qualification for payments in subsidization of adoption shall
2 be determined and approved by the bureau **or its successor, the*
2A *Division of Youth and Family Services,** prior to the completion
3 of the adoption proceeding, and shall be redetermined annually
4 thereafter.

1 5. The bureau **or its successor, the Division of Youth and Family*
2 *Services** shall make all necessary rules and regulations for ad-
3 ministering the program for payments in subsidization of adoptions.

1 6. This act shall take effect ***[immediately]*** **60 days after*
2 *enactment.**

FISCAL NOTE TO
SENATE, No. 1040
[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

DATED: DECEMBER 21, 1972

The Official Copy Reprint of Senate Bill No. 1040 provides for subsidizing the adoption of children by their foster parents in certain cases.

The Department of Institutions and Agencies conducted a survey regarding hard to place children. On the basis of this survey and the examination of expenditures in other States, the department estimates that enactment of this legislation would save \$21,206.00 in each of the fiscal years 1972-73, 1973-74 and 1974-75. It is further estimated that county governments would save \$7,069.00 in each of the above mentioned fiscal years.

The above estimates are based on the assumption that 75 children would be placed on subsidized adoption according to the Official Copy Reprint of Senate Bill No. 1040. The estimated savings would result from the difference in the per capita cost of children in foster care at 80% subsidy and the cost of care in our regular program at 100%.

In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1962, c. 27.

FROM THE OFFICE OF THE GOVERNOR

APRIL 12, 1973

FOR RELEASE:
IMMEDIATE

Governor William T. Cahill today signed a subsidized adoption bill that will assure real homes for many of the State's hard-to-place children who might otherwise spend their youth going from one foster care placement to another.

The bill, Senate 1040, sponsored by Senator Garrett Hagedorn (R., Bergen), enables the new Division of Youth and Family Services to provide financial assistance to lower-income families willing to adopt these children -- many with serious physical or mental handicaps. Unlike many social services plans, however, it will not dip into the pockets of the taxpayers since no additional funds are needed to implement it.

"For the foster parents who have grown to love the children in their care, the financial assistance will abolish the inevitable suffering which comes from separation," the Governor said. "And for the children, it will mean being happily settled in caring surroundings without the constant fear of being shipped somewhere else. Both parents and children can be secure in the knowledge of a stable family relationship."

The signing makes New Jersey the 23rd State in the nation to enact such a law.

"Funds for the subsidies are currently budgeted and utilized for foster care of these children," Governor Cahill added. "The legislation will enable foster parents or others who meet all the requirements, except for the financial ability to support a child permanently, to become adoptive parents."

The law, which will not go into effect for 60 days, does not cover persons with the economic ability to adopt. Nor does it mean a bonus to those who already have foster children in their care, since it authorizes subsidy payments of up to 80 per cent of the foster care maintenance

funds now budgeted by the State for each child and ceases when the child becomes 18.

At present, the Division of Youth and Family Services annually spends approximately \$1,838 per year for children in foster homes and up to \$4,800 for those in institutions. Of the foster home costs, \$1,200 is for board payments to foster parents and the other \$638 goes for clothing costs. Under the new program, however, the maximum annual subsidy cannot exceed \$960 — 80 per cent of the board payment alone.

"If not adopted, these children would be likely to remain in foster care until they are 18," the Governor said.

"It is expected, too, that as the financial circumstances of the adoptive families improves over the years, the need for a subsidy will be eliminated. While the legislation assures the stability of family life for these children after the adoption process is complete, it also releases caseworkers to devote more time to providing preventive services to keep natural families together to reduce the need for outside placements," Governor Cahill said.

Former Assemblywoman Millicent Fenwick, who is now Director of the State Division of Consumer Affairs, was also a prime force in bringing the program into being.

Throughout the past three years, the plan has been supported by the New Jersey Junior Leagues, especially through its Adoption Task Force.

Other State and national organizations which supported the legislation included various adoptive parents' groups, the Council on Adoptable Children, Frontiers in Adoption, the South Jersey Adoption Association, the Foster Parents Association, the Concerned Citizens for Children of New Jersey, several newspapers, the American Academy of Pediatrics, the New Jersey Bar Association, the Child Welfare League of America, the National Council of Adoptive Parents, and the U. S. Department of Health, Education and Welfare.