

LEGISLATIVE HISTORY CHECKLIST

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LAWS of 1999

CHAPTER: 22

NJSA: 30:4C-1

(Child placement--safety--priority)

BILL NO: S613(Substituted for A1386)

SPONSOR(S): Turner

DATE INTRODUCED: February 23, 1998

COMMITTEE:

ASSEMBLY: Senior Issues

SENATE: Women's Issues

AMENDED DURING PASSAGE: No

DATES OF PASSAGE:

ASSEMBLY: December 17, 1998

SENATE: July 30, 1998

DATE OF APPROVAL: February 8, 1999

THE FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: Original
(Amendments during passage denoted by superscript numbers)

S613

SPONSORS STATEMENT: *Yes* (Begins on page 2 of original bill)

COMMITTEE STATEMENT:

ASSEMBLY: *Yes*

SENATE: *Yes*

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *No*

A1386

SPONSORS STATEMENT: *Yes (Begins on page 2 of original bill)*

Bill and Sponsor's Statement identical to S613

COMMITTEE STATEMENT:

ASSEMBLY: *Yes*

Identical to Assembly Statement for S613

SENATE: *No*

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *No*

GOVERNOR'S ACTIONS

VETO MESSAGE: *No*

GOVERNOR'S PRESS RELEASE ON SIGNING: *Yes*

THE FOLLOWING WERE PRINTED:

To check for circulating copies contact New Jersey State Government Publications at the State Library (609) 278-2640 ext. 102 or refdesk@njstatelib.org

REPORTS: *No*

HEARINGS: *No*

NEWSPAPER ARTICLES: *Yes*

"Child Safety Now Priority", Asbury Park Press, 2-9-99, p. A8.

P.L. 1999, CHAPTER 22, *approved February 8, 1999*

Senate, No. 613

1 AN ACT concerning foster care and amending P.L.1951, c.138.

2

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

5

6 1. Section 1 of P.L.1951, c.138 (C:30:4C-1) is amended to read as
7 follows:

8 1. This act is to be administered strictly in accordance with the
9 general principles laid down in this section, which are declared to be
10 the public policy of this State:

11 (a) That the preservation and strengthening of family life is a
12 matter of public concern as being in the interests of the general
13 welfare, but in a case where a child has been placed outside the home
14 due to circumstances that endanger the child's life, the health and
15 safety of the child shall be the State's paramount concern when making
16 a decision on whether or not it is in the child's best interest to preserve
17 the family unit;

18 (b) That the prevention and correction of dependency and
19 delinquency among children should be accomplished so far as
20 practicable through welfare services which will seek to continue the
21 living of such children in their own homes;

22 (c) That necessary welfare services to children should be
23 strengthened and extended through the development of private and
24 voluntary agencies qualified to provide such services;

25 (d) That wherever in this State necessary welfare services are not
26 available to children who are dependent or adjudged delinquent by
27 proper judicial tribunal, or in danger of so becoming, then such
28 services should be provided by this State until such times as they are
29 made available by private and voluntary agencies; and

30 (e) That the State may assist private, public and voluntary agencies
31 to construct, purchase, upgrade or renovate youth facilities for the
32 residential care or day treatment of children in need of these services.

33 (cf. P.L.1979, c.309, s.1)

34

35 2. This act shall take effect immediately.

36

37

38

STATEMENT

39

40 This bill amends the State's public policy regarding children in
41 foster care, as outlined in section 1 of P.L.1951, c.138 (C.30:4C-1),

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

Matter underlined thus is new matter.

1 to require that the health and safety of a child be the State's paramount
2 concern in cases where a child is placed outside the home due to
3 circumstances that endanger a child's life and a decision must be made
4 on whether or not it is in the child's best interest that the family unit be
5 preserved. Under current State policy, the State's primary concern is
6 the preservation and strengthening of family life.

7

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9

10

11 Redefines State policy to require that the health and safety of a child
12 be the State's paramount concern in cases where a child is placed
13 outside the home.

SENATE, No. 613

STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED FEBRUARY 23, 1998

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Mercer)

Co-Sponsored by:

**Senator Ciesla, Assemblyman Gusciora, Assemblywoman Vandervalk,
Assemblyman Suliga, Assemblywomen Previte, Gill, Assemblymen
Holzapfel, Wolfe and Assemblywoman Watson Coleman**

SYNOPSIS

Redefines State policy to require that the health and safety of a child be the State's paramount concern in cases where a child is placed outside the home.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/18/1998)

S613 TURNER

2

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4 of New Jersey:

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12 matter of public concern as being in the interests of the general
13 welfare, but in a case where a child has been placed outside the home
14 due to circumstances that endanger the child's life, the health and
15 safety of the child shall be the State's paramount concern when making
16 a decision on whether or not it is in the child's best interest to preserve
17 the family unit;

18 (b) That the prevention and correction of dependency and
19 delinquency among children should be accomplished so far as
20 practicable through welfare services which will seek to continue the
21 living of such children in their own homes;

22 (c) That necessary welfare services to children should be
23 strengthened and extended through the development of private and
24 voluntary agencies qualified to provide such services;

25 (d) That wherever in this State necessary welfare services are not
26 available to children who are dependent or adjudged delinquent by
27 proper judicial tribunal, or in danger of so becoming, then such
28 services should be provided by this State until such times as they are
29 made available by private and voluntary agencies; and

30 (e) That the State may assist private, public and voluntary agencies
31 to construct, purchase, upgrade or renovate youth facilities for the
32 residential care or day treatment of children in need of these services.
33 (cf. P.L.1979, c.309, s.1)

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35 2. This act shall take effect immediately.

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STATEMENT

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40 This bill amends the State's public policy regarding children in
41 foster care, as outlined in section 1 of P.L.1951, c.138 (C.30:4C-1),
42 to require that the health and safety of a child be the State's paramount
43 concern in cases where a child is placed outside the home due to

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

Matter underlined thus is new matter.

S613 TURNER

3

1 circumstances that endanger a child's life and a decision must be made
2 on whether or not it is in the child's best interest that the family unit be
3 preserved. Under current State policy, the State's primary concern is
4 the preservation and strengthening of family life.

ASSEMBLY SENIOR ISSUES AND COMMUNITY SERVICES
COMMITTEE

STATEMENT TO

SENATE, No. 613

STATE OF NEW JERSEY

DATED: OCTOBER 5, 1998

The Assembly Senior Issues and Community Services Committee favorably reports Senate Bill No. 613.

This bill amends the State's public policy regarding children in foster care, as outlined in section N.J.S.A.30:4C-1, to provide that the health and safety of the child shall be the State's paramount concern in cases in which a decision must be made on whether or not it is in the best interest of the child placed outside the home due to circumstances that endanger the child's life, to preserve the family unit. Under current State policy, the preservation and strengthening of family life is a matter of public concern as being in the interests of the general welfare.

This bill is identical to Assembly Bill No. 1386 (Gusciora), which the committee also reported favorably on this date.

SENATE WOMEN'S ISSUES, CHILDREN AND FAMILY
SERVICES COMMITTEE

STATEMENT TO

SENATE, No. 613

STATE OF NEW JERSEY

DATED: MARCH 26, 1998

The Senate Women's Issues, Children and Family Services Committee reports favorably Senate Bill No. 613.

This bill amends the State's public policy regarding children in foster care, as outlined in section 1 of P.L.1951, c.138 (C.30:4C-1), to require that the health and safety of a child be the State's paramount concern in cases where a child is placed outside the home due to circumstances that endanger a child's life and a decision must be made on whether or not it is in the child's best interest that the family unit be preserved. Under current State policy, the State's primary concern is the preservation and strengthening of family life.

ASSEMBLY, No. 1386

STATE OF NEW JERSEY 208th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 1998 SESSION

Sponsored by:

Assemblyman REED GUSCIORA

District 15 (Mercer)

Assemblywoman CHARLOTTE VANDERVALK

District 39 (Bergen)

Co-Sponsored by:

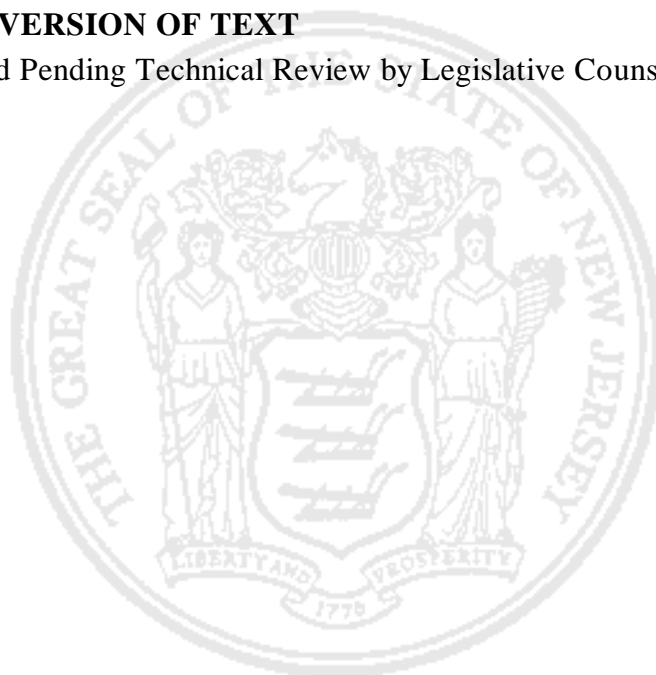
Assemblyman Suliga, Assemblywomen Previte and Gill

SYNOPSIS

Redefines State policy to require that the health and safety of a child be the State's paramount concern in cases where a child is placed outside the home.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 10/6/1998)

A1386 GUSCIORA, VANDERVALK

2

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15 safety of the child shall be the State's paramount concern when making
16 a decision on whether or not it is in the child's best interest to preserve
17 the family unit;

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19 delinquency among children should be accomplished so far as
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22 (c) That necessary welfare services to children should be
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24 voluntary agencies qualified to provide such services;

25 (d) That wherever in this State necessary welfare services are not
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27 proper judicial tribunal, or in danger of so becoming, then such
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A1386 GUSCIORA, VANDERVALK

3

1 circumstances that endanger a child's life and a decision must be made
2 on whether or not it is in the child's best interest that the family unit be
3 preserved. Under current State policy, the State's primary concern is
4 the preservation and strengthening of family life.

ASSEMBLY SENIOR ISSUES AND COMMUNITY SERVICES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1386

STATE OF NEW JERSEY

DATED: OCTOBER 1, 1998

The Assembly Senior Issues and Community Services Committee favorably reports Assembly Bill No. 1386.

This bill amends the State's public policy regarding children in foster care, as outlined in section N.J.S.A.30:4C-1, to provide that the health and safety of the child shall be the State's paramount concern in cases in which a decision must be made on whether or not it is in the best interest of the child placed outside the home due to circumstances that endanger the child's life, to preserve the family unit. Under current State policy, the preservation and strengthening of family life is a matter of public concern as being in the interests of the general welfare.

This bill is identical to Senate Bill No. 613 (Turner), which the committee also reported favorably on this date.

This bill was prefiled for introduction in the 1998-1999 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

Office of the Governor
NEWS RELEASE

PO BOX 004
TRENTON, NJ 08625

CONTACT: Jayne O'Connor
Wendi Patella
609-777-2600

RELEASE: February 8, 1999

Gov. Christie Whitman today signed the following legislation:

A-156, sponsored by Assembly Members Christopher "Kip" Bateman (R-Morris/Somerset) and Joseph V. Doria, Jr. (D-Hudson), classifies voluntary compliance reviews (self-audits) as privileged information which will not be available to third parties and which will be inadmissible in court proceedings. The bill intends to encourage depository institutions to initiate voluntary self-audits to identify and correct problems in their operations and procedures. The bill permits a court to order disclosure of the voluntary self-audits in an administrative civil action or criminal action.

A-1514, sponsored by Assembly Members Joseph R. Malone, 3d (R-Burlington/Monmouth/Ocean) and Francis J. Blee (R-Atlantic), provides that future voluntary contributions to public-spirited causes allowable through state income tax forms will be accomplished by identifying a charitable cause in a generic check off box on the tax form. It requires that information relating to new charitable causes appear separate from the income tax forms as part of the general instruction booklet. The legislation does not affect charitable causes that currently have contribution check off boxes and information notices printed on the income tax forms.

A-843, sponsored by Assembly Members Anthony Impreveduto (D-Bergen/Hudson) and John Kelly (R-Bergen/Essex/Passaic) and Senators Jack Sinagra (R-Middlesex) and John A. Lynch (D-Middlesex/Somerset/Union), establishes a certification process for massage, bodywork, and somatic therapists. The legislation creates a Massage, Bodywork and Somatic Therapy Examining Committee, under the New Jersey Board of Nursing, to handle certifications. The certification is voluntary, but those who are not certified by the committee will be unable to use the title of "massage, bodywork and somatic therapist," or "registered massage, bodywork and somatic therapist," or "certified massage, bodywork and somatic therapist," or the abbreviations, "MBT," "RMBT," "CMBT," "COBT," or "CMT."

A-1134, sponsored by Assemblyman E. Scott Garrett (R-Sussex/Hunderdon/Morris), authorizes investment pools of property and casualty insurers and establishes criteria for these pools. The bill establishes requirements an investment pool must follow for an insurer to be allowed to invest in the pool and it specifies requirements for the managers of investment pools. More specifically, the bill requires a pooling agreement for each investment pool to be in writing. In addition, an investment pool must be a business entity, and it subjects investment activities of the pool and transactions between pools and participants to be reported on the annual registration statement required by law. The bill also provides that the investment pools only invest in short term, high quality obligations, government money market funds, class one money market mutual funds or securities, and repurchase and reverse repurchase transactions. The bill is based upon a model formulated by the National Association of Insurance Commissioners.

S-88, sponsored by Senators Joseph A. Palaia (R-Monmouth) and Shirley K. Turner (D-Mercer) and Assembly Members Peter J. Biondi (R-Morris/Somerset), Christopher "Kip" Bateman (R-Morris/Somerset) and Nellie Pou (D-Passaic), authorizes the establishment of a pilot program for carbon monoxide sensor devices to be placed in multi-dwelling units, hotels and boarding homes. The Governor had recommended the pilot program when she conditionally vetoed an earlier version of the law on Sept. 17. The bill also requires the Department of Community Affairs (DCA) to conduct an 18-month study of the technology for sensors as applied to multiple dwelling units, hotels and boarding homes, which Governor Whitman had recommended in her conditional

veto. Following the DCA study, the legislation requires DCA to submit to the Governor and Legislature a report regarding whether to expand this program to all residential dwellings. The Commissioner of DCA will have the authority to expand the pilot program, if warranted, without additional legislation.

S-891, sponsored by Senators Robert J. Martin (R-Essex/Morris/Passaic) and C. Louis Bassano (R-Essex/Union) and Assembly Members Sam Thompson (R-Middlesex/Monmouth) and Barbara Wright (R-Mercer/Middlesex), is part of a package of four bills that were recommended by the Governor's Task Force for the Review of the Treatment of the Criminally Insane. The bill is intended to ensure that mentally ill inmates receive mental health services while incarcerated. The bill requires courts to order treatment in jails or prisons for mentally ill defendants who are found competent to stand trial, but are in need of mental health services and do not require treatment in a psychiatric facility. These defendants are pre-trial detainees and as such, are housed in county facilities. The bill also requires the Department of Corrections (DOC) to provide mental health services to State-sentenced inmates who are mentally ill, but do not require institutional psychiatric treatment. Governor Whitman previously conditionally-vetoed an earlier version of the bill because it required the DOC to provide or arrange for mental health services in county facilities, duplicating services already provided by the counties. The bill requires the counties to provide or arrange for such mental health services when the defendant is housed in a county correctional facility. The bill also requires the DOC to reimburse the counties for the reasonable cost of the treatment, as recommended by the Governor in her conditional veto.

S-1119, sponsored by Senator Walter J. Kavanaugh (R-Morris) and Assembly Member Joel M. Weingarten (R-Essex/Union), allows charitable and civic organizations that are licensed to conduct bingo games or raffles to hire approved personnel to run the bingo game or raffle. Currently, only members of the charitable organization may conduct the bingo or raffle. The hired personnel must be licensed by the Legalized Games of Chance Control Commission, which is required to promulgate regulations regarding the qualifications and compensation of hired employees.

S-613, sponsored by Senator Shirley K. Turner (D-Mercer) and Assembly Member Reed Gusciora (D-Mercer) redefines state policy regarding children in foster care. The bill requires that the health and safety of a child be the State's paramount concern in cases where a child is placed outside the home due to circumstances that endanger a child's life, and where a decision must be made on whether or not it is in the child's best interest to preserve the family unit.