

COMMITTEE STATEMENT:

ASSEMBLY: No

SENATE: [Yes](#)

Identical to Senate Statement for A2419 (SCS)

FLOOR AMENDMENT STATEMENTS:

No

LEGISLATIVE FISCAL ESTIMATE:

[Yes](#)

Identical to Legislative Fiscal Estimate to A2419

VETO MESSAGE:

No

GOVERNOR'S PRESS RELEASE ON SIGNING:

[Yes](#)

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

"Dollar extra in fines to go to spine research", [New York Times](#), 9-14-99, p. B6

"Whitman signs spinal-cord bill", Newark [Star Ledger](#), 9-14-99, p. 41

"New law will boost paralysis research", Bergen [Record](#), 9-14-99, p. A3

Title 52.
Chapter 9E (New)
New Jersey
Commission on
Spinal Cord
Research
§§ 1-9,11
C. 52:9E-1
To 52:9E-10
§9
Note To 52:18A-8
§12
Note To §§ 1-11

P.L. 1999, CHAPTER 201, *approved September 13, 1999*
Senate Committee Substitute (*First Reprint*) for
Assembly, No. 2419

- 1 **AN ACT** establishing a New Jersey Commission on Spinal Cord
2 Research, supplementing Title 52 of the Revised Statutes and
3 amending R.S.39:5-41.
4
- 5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7
- 8 1. (New section) This act shall be known and may be cited as the
9 "Spinal Cord Research Act."
10
- 11 2. (New section) As used in this act:
12 a. "Approved research project" means a peer reviewed scientific
13 research project, which is approved by the commission and which
14 focuses on the treatment and cure of spinal cord injuries and diseases
15 that damage the spinal cord.
16 b. "Commission" means the New Jersey Commission on Spinal
17 Cord Research established pursuant to this act.
18 c. "Institutional support services" means all services, facilities,
19 equipment, personnel and expenditures associated with the creation
20 and maintenance of approved research projects.
21 d. "Qualifying research institution" means the University of
22 Medicine and Dentistry of New Jersey; Rutgers, The State University;
23 Princeton University; the Kessler Medical Rehabilitation Research and
24 Education Corporation; the Coriell Institute for Medical Research; and
25 any other research institution in the State approved by the commission.
26
- 27 3. (New section) a. There is established in the Executive Branch
28 of the State government, the New Jersey Commission on Spinal Cord
29 Research. For the purposes of complying with the provisions of

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate floor amendments adopted June 21, 1999.

1 Article V, Section IV, paragraph 1 of the New Jersey Constitution, the
2 commission is allocated within the Department of Health and Senior
3 Services, but notwithstanding that allocation, the commission shall be
4 independent of any supervision or control by the department or by any
5 board or officer thereof.

6 b. The commission shall consist of 11 members, including the
7 Commissioner of Health and Senior Services, or his designee, who
8 shall serve ex officio; one representative of the University of Medicine
9 and Dentistry of New Jersey; one representative of Rutgers, The State
10 University; one representative of the federally designated Spinal Cord
11 Injury Model System; one representative from the American Paralysis
12 Association; and six public members who are residents of the State
13 knowledgeable about spinal cord injuries and who include at least one
14 physician licensed in this State and at least one person with a spinal
15 cord injury. The members shall be appointed by the Governor with the
16 advice and consent of the Senate.

17 c. The term of office of each appointed member shall be three
18 years, but of the members first appointed, three shall be appointed for
19 a term of one year, four for terms of two years, and three for terms of
20 three years. All vacancies shall be filled for the balances of the
21 unexpired terms in the same manner as the original appointments.
22 Appointed members are eligible for reappointment upon the expiration
23 of their terms. A member shall continue to serve upon the expiration
24 of his term until a successor is appointed.

25 The members of the commission shall not receive compensation for
26 their services, but shall be reimbursed for the actual and necessary
27 expenses incurred in the performance of their duties as members of the
28 commission.

29

30 4. (New section) The commission shall:

31 a. Review and authorize approved research projects, for which
32 purpose the commission may establish an independent scientific
33 advisory panel composed of scientists and clinicians who are not
34 members of the commission to review proposals submitted to the
35 commission and make funding recommendations to the commission;

36 b. Apportion all available funds to qualifying research institutions
37 to finance approved research projects and necessary institutional
38 support services;

39 c. Ensure that funds so apportioned to approved research projects
40 are not diverted to any other use;

41 d. Take steps necessary to encourage the development within the
42 State of spinal cord research projects;

43 e. Compile a directory of all spinal cord research projects being
44 conducted in the State; and

45 f. Provide the Governor and the Legislature with a report by
46 January 30 of each year describing the status of the commission's

1 activities and the results of its funded research efforts.

2

3 5. (New section) The commission is authorized to:

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

8 b. Maintain offices at such places within the State as it may
9 designate;

10 c. Employ an executive director and other personnel as may be
11 necessary, whose employment shall be in the unclassified service of the
12 State, except that employees performing stenographic or clerical duties
13 shall be appointed pursuant to Title 11A (Civil Service) of the New
14 Jersey Statutes;

15 d. Design a fair and equitable system for the solicitation,
16 evaluation and approval of proposals for spinal cord research projects;

17 e. Apply for and accept any grant of money from the federal
18 government, which may be available for programs relating to research
19 on the spinal cord;

20 f. Enter into contracts with individuals, organizations and
21 institutions necessary or incidental to the performance of its duties and
22 the execution of its powers under this act; and

23 g. Accept gifts, grants and bequests of funds from individuals,
24 foundations, corporations, governmental agencies and other
25 organizations and institutions.

26

27 6. (New section) The commission shall annually elect a chairman
28 and a vice-chairman from among its members. The chairman shall be
29 the chief executive officer of the commission, shall preside at all
30 meetings of the commission and shall perform other duties that the
31 commission may prescribe.

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

34

35 7. (New section) Nothing in this act shall preclude a qualifying
36 research institution or any other research facility in the State from
37 directly applying for or receiving funds from any public or private
38 agency to conduct spinal cord research.

39

40 8. (New section) a. The commission shall establish and maintain,
41 in conjunction with the Department of Health and Senior Services, a
42 central registry of persons who sustain spinal cord injuries other than
43 through disease, whether or not the injury results in a permanent
44 disability, in order to provide a database that indicates the incidence
45 and prevalence of spinal cord injuries and which will serve as a
46 resource for research, evaluation and information on spinal cord

1 injuries and available services.

2 b. The commission shall require the reporting of all cases of spinal
3 cord injuries, except those caused through disease, and the submission
4 of specified additional information on reported cases as it deems
5 necessary and appropriate.

6 The commission shall, by regulation, specify the health care
7 facilities and providers required to make the report of a spinal cord
8 injury to the registry, information that shall be included in the report
9 to the registry, the method for making the report and the time period
10 in which the report shall be made.

11 c. The reports made pursuant to this section are to be used only
12 by the commission and the Department of Health and Senior Services
13 and such other agencies as may be designated by the commission or
14 the department and shall not otherwise be divulged or made public so
15 as to disclose the identity of any person to whom they relate; and to
16 that end, the reports shall not be included under materials available to
17 public inspection pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.).

18 d. No individual or organization providing information to the
19 commission in accordance with this section shall be deemed to be, or
20 held liable for, divulging confidential information. Nothing in this
21 section shall be construed to compel any individual to submit to
22 medical, commission or department examination or supervision.

23 e. A health care facility or health care provider who is required to
24 report a spinal cord injury to the commission that fails to comply with
25 the provisions of this section shall be liable to a penalty of up to \$100
26 per unreported spinal cord injury case. A penalty sued for under the
27 provisions of this section shall be recovered by and in the name of the
28 commission and shall be deposited in the "New Jersey Spinal Cord
29 Research Fund" established pursuant to this act.

30

31 9. (New section) a. There is established in the Department of the
32 Treasury a nonlapsing revolving fund to be known as the "New Jersey
33 Spinal Cord Research Fund." This fund shall be the repository for
34 moneys provided pursuant to subsection e. of R.S.39:5-41. Moneys
35 deposited in the fund, and any interest earned thereon, shall be used
36 exclusively for the purpose of making grants for approved spinal cord
37 research projects at qualified research institutions.

38 b. Any costs incurred by the department in the collection or
39 administration of the fund may be deducted from the funds deposited
40 therein, as determined by the Director of the Division of Budget and
41 Accounting.

42

43 10. R.S.39:5-41 is amended to read as follows:

44 39:5-41. a. All fines, penalties and forfeitures imposed and
45 collected under authority of law for any violations of R.S.39:4-63 and
46 R.S.39:4-64 shall be forwarded by the judge to whom the same have

1 been paid to the proper financial officer of a county, if the violation
2 occurred within the jurisdiction of that county's central municipal
3 court, established pursuant to N.J.S.2B:12-1 et seq. or the
4 municipality wherein the violation occurred, to be used by the county
5 or municipality to help finance litter control activities in addition to or
6 supplementing existing litter pickup and removal activities in the
7 municipality.

8 b. Except as otherwise provided by subsection a. of this section,
9 all fines, penalties and forfeitures imposed and collected under
10 authority of law for any violations of the provisions of this Title, other
11 than those violations in which the complaining witness is the director,
12 a member of his staff, a member of the State Police, a member of a
13 county police department and force or a county park police system in
14 a county that has established a central municipal court, an inspector of
15 the Board of Public Utilities, or a law enforcement officer of any other
16 State agency, shall be forwarded by the judge to whom the same have
17 been paid as follows: one-half of the total amount collected to the
18 financial officer, as designated by the local governing body, of the
19 respective municipalities wherein the violations occurred, to be used
20 by the municipality for general municipal use and to defray the cost of
21 operating the municipal court; and one-half of the total amount
22 collected to the proper financial officer of the county wherein they
23 were collected, to be used by the county as a fund for the
24 construction, reconstruction, maintenance and repair of roads and
25 bridges, snow removal, the acquisition and purchase of rights-of-way,
26 and the purchase, replacement and repair of equipment for use on said
27 roads and bridges therein. Up to 25% of the money received by a
28 municipality pursuant to this subsection, but not more than the actual
29 amount budgeted for the municipal court, whichever is less, may be
30 used to upgrade case processing.

31 All fines, penalties and forfeitures imposed and collected under
32 authority of law for any violations of the provisions of this Title, in
33 which the complaining witness is a member of a county police
34 department and force or a county park police system in a county that
35 has established a central municipal court, shall be forwarded by the
36 judge to whom the same have been paid to the financial officer,
37 designated by the governing body of the county, for all violations
38 occurring within the jurisdiction of that court, to be used for general
39 county use and to defray the cost of operating the central municipal
40 court.

41 Whenever any county has deposited moneys collected pursuant to
42 this section in a special trust fund in lieu of expending the same for the
43 purposes authorized by this section, it may withdraw from said special
44 trust fund in any year an amount which is not in excess of the amount
45 expended by the county over the immediately preceding three-year
46 period from general county revenues for said purposes. Such moneys

1 withdrawn from the trust fund shall be accounted for and used as are
2 other general county revenues.

3 c. (Deleted by amendment, P.L.1993, c.293.)

4 d. Notwithstanding the provisions of subsections a. and b. of this
5 section, \$1.00 shall be added to the amount of each fine and penalty
6 imposed and collected under authority of any law for any violation of
7 the provisions of Title 39 of the Revised Statutes or any other motor
8 vehicle or traffic violation in this State and shall be forwarded by the
9 person to whom the same are paid to the State Treasurer. In addition,
10 upon the forfeiture of bail, \$1.00 of that forfeiture shall be forwarded
11 to the State Treasurer. The State Treasurer shall annually deposit
12 those moneys so forwarded in the "Body Armor Replacement" fund
13 established pursuant to section 1 of P.L.1997, c.177 (C.52:17B-4.4).
14 Beginning in the fiscal year next following the effective date of this
15 act, the State Treasurer annually shall allocate from those moneys so
16 forwarded an amount not to exceed \$400,000 to the Department of
17 Personnel to be expended exclusively for the purposes of funding the
18 operation of the "Law Enforcement Officer Crisis Intervention
19 Services" telephone hotline established and maintained under the
20 provisions of P.L.1998, c.149 (C.11A:2-25 et al.).

21 e. Notwithstanding the provisions of subsections a. and b. of this
22 section, \$1 shall be added to the amount of each fine and penalty
23 imposed and collected under authority of any law for any violation of
24 the provisions of Title 39 of the Revised Statutes or any other motor
25 vehicle or traffic violation in this State and shall be forwarded by the
26 person to whom the same are paid to the State Treasurer. The State
27 Treasurer shall annually deposit those moneys so forwarded in the
28 "New Jersey Spinal Cord Research Fund" established pursuant to
29 section 9 of P.L. , c. (C.)(pending before the Legislature as
30 this bill). ¹In order to comply with the provisions of Article VIII,
31 Section II, paragraph 5 of the State Constitution, a municipal or
32 county agency which forwards monies to the State Treasurer pursuant
33 to this subsection may retain an amount equal to 2% of the monies
34 which it collects pursuant to this subsection as compensation for its
35 administrative costs associated with implementing the provisions of
36 this subsection.¹

37 (cf: P.L.1998, c.149, s.4)

38

39 11. The commission shall adopt such regulations pursuant to the
40 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.)
41 as are necessary to carry out the provisions of this act.

42

43 12. This act shall take effect on the 90th day following enactment.

1

2

3 "Spinal Cord Research Act;" and establishes \$1 surcharge on motor

4 vehicle fines and penalties for deposit in "New Jersey Spinal Cord

5 Research Fund."

SENATE HEALTH COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR ASSEMBLY, No. 2419

STATE OF NEW JERSEY

DATED: MARCH 15, 1999

The Senate Health Committee reports favorably a Senate Committee Substitute for Assembly Bill No. 2419.

This committee substitute, designated the "Spinal Cord Research Act," establishes a New Jersey Commission on Spinal Cord Research. The commission's responsibility would be to design and administer a grant program to fund approved medical and scientific research projects that focus on the treatment of spinal cord injuries and diseases that damage the spinal cord.

The moneys for these grants would be generated by a \$1 surcharge on all motor vehicle fines. These moneys are to be deposited in a special nonlapsing fund, known as the "New Jersey Spinal Cord Research Fund."

The commission will consist of 11 members, including the Commissioner of Health and Senior Services, or his designee, as an ex officio member. The other 10 members shall include: one representative of the University of Medicine and Dentistry of New Jersey; one representative of Rutgers, The State University; one representative of a federally designated Spinal Cord Injury Model System; one representative from the American Paralysis Association; and six public members who are residents of the State knowledgeable about spinal cord injuries and who include at least one physician licensed in this State and at least one person with a spinal cord injury. The members shall be appointed by the Governor with the advice and consent of the Senate.

The commission is directed to:

a. Review and authorize approved research projects, for which purpose the commission may establish an independent scientific advisory panel composed of scientists and clinicians who are not members of the commission to review proposals submitted to the commission and make funding recommendations to the commission;

b. Apportion all available funds to qualifying research institutions to finance approved research projects and necessary institutional support services;

c. Ensure that funds so apportioned to approved research projects are not diverted to any other use;

d. Take steps necessary to encourage the development within the State of spinal cord research projects;

e. Compile a directory of all spinal cord research projects being conducted in the State; and

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

In addition, the commission is directed to establish and maintain, in conjunction with the Department of Health and Senior Services, a central registry of persons who sustain spinal cord injuries other than through disease, whether or not the injury results in a permanent disability, in order to provide a database that indicates the incidence and prevalence of spinal cord injuries and which will serve as a resource for research, evaluation and information on spinal cord injuries and available services.

The substitute requires that health care facilities and health care providers report all cases of spinal cord injuries, except those caused through disease, and submit specified additional information on reported cases, to the commission. The commission shall, by regulation, specify the health care facilities and providers required to make the report, information that shall be included in the report, the method for making the report and the time period in which the report shall be made.

The reports made to the registry are to be used only by the commission and the Department of Health and Senior Services and such other agencies as may be designated by the commission or the department and shall not otherwise be divulged or made public so as to disclose the identity of any person to whom they relate. To insure that the required reports are made to the commission, the substitute establishes a penalty of up to \$100 per unreported spinal cord injury case.

Finally, the substitute specifies that its provisions shall not preclude a qualifying research institution or any other research facility in the State from directly applying for or receiving funds from any public or private agency to conduct spinal cord research.

This substitute is identical to Senate Bill No. 1585 SCA (Sinagra/Singer), which also was reported favorably by this committee on this date.

STATEMENT TO
SENATE COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 2419

with Senate Floor Amendments
(Proposed By Senator SINAGRA)

ADOPTED: JUNE 21, 1999

This amendment permits a municipal or county agency which forwards monies to the State Treasurer pursuant to this committee substitute, from a \$1 surcharge added to all motor vehicle fines for deposit in a newly created "New Jersey Spinal Cord Research Fund," to retain an amount equal to 2% of the monies which it collects from the surcharge as compensation for its administrative costs associated with this process. The purpose of this amendment is to ensure that the State does not impose an unfunded mandate on municipalities and counties in violation of the provisions of Article VIII, Section II, paragraph 5 of the State Constitution.

ASSEMBLY, No. 2419

STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED SEPTEMBER 17, 1998

Sponsored by:

Assemblyman NICHOLAS R. FELICE

District 40 (Bergen and Passaic)

Assemblyman ANTHONY IMPREVEDUTO

District 32 (Bergen and Hudson)

Co-Sponsored by:

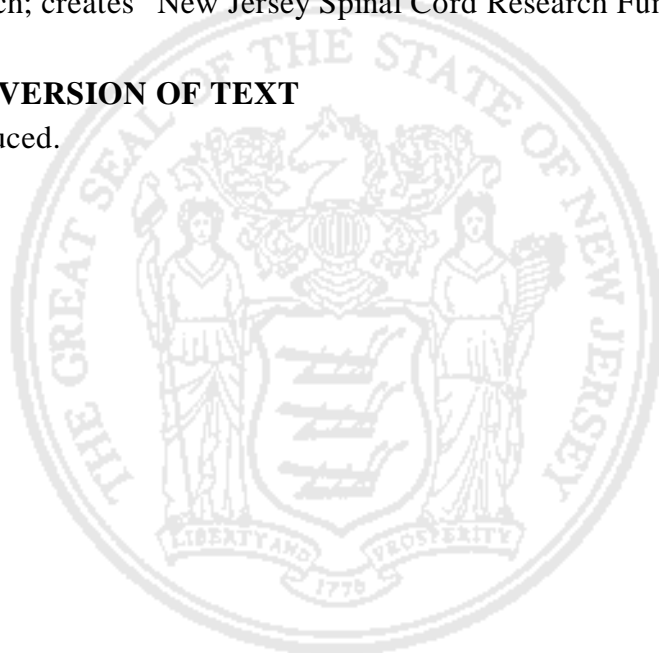
**Assemblyman Thompson, Assemblywoman Weinberg, Assemblymen Zisa,
Barnes, Assemblywoman Buono, Assemblymen Jones, Biondi, R.Smith,
Wisniewski and Conaway**

SYNOPSIS

Establishes a grant program administered by N.J. Commission on Spinal Cord Research; creates "New Jersey Spinal Cord Research Fund."

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/11/1998)

A2419 FELICE, IMPREVEDUTO

2

1 AN ACT establishing a New Jersey Commission on Spinal Cord
2 Research, supplementing Title 52 of the Revised Statutes and
3 amending R.S.39:5-41.

4

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

7

8 1. (New section) This act shall be known and may be cited as the
9 "Spinal Cord Research Act."

10

11 2. (New section)As used in this act:

12 a. "Approved research project" means a scientific research
13 project, which is approved by the commission and which focuses on
14 the treatment of spinal cord injuries and diseases that damage the
15 spinal cord.

16 b. "Commission" means the New Jersey State Commission on
17 Spinal Cord Research established pursuant to this act.

18 c. "Institutional support services" means all services, facilities,
19 equipment, personnel and expenditures associated with the creation
20 and maintenance of approved research projects.

21 d. "Qualifying research institution" means the Institute for
22 Medical Research in Camden, New Jersey; the University of Medicine
23 and Dentistry of New Jersey, Rutgers--The State University;
24 Princeton University and any other institution approved by the
25 commission, which is conducting an approved research project.

26

27 3. (New section) a. There is established in the Executive Branch
28 of the State government, the New Jersey State Commission on Spinal
29 Cord Research. For the purposes of complying with the provisions of
30 Article V, Section IV, paragraph 1 of the New Jersey Constitution, the
31 commission is allocated within the Department of Health and Senior
32 Services, but notwithstanding that allocation, the commission shall be
33 independent of any supervision or control by the department or by any
34 board or officer thereof.

35 b. The commission shall consist of 11 members, including the
36 Commissioner of the Department of Health and Senior Services or an
37 appointed designee, and 10 citizens of New Jersey or persons
38 otherwise associated with the State, who are known for their
39 knowledge, competence, experience or interest in medical research,
40 appointed by the Governor with the advice and consent of the Senate.

41 c. The term of office of each appointed member shall be three
42 years, but of the members first appointed, three shall be appointed for
43 terms of one year, three for terms of two years, and four for terms of

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 underlined thus is new matter.

1 three years. All vacancies shall be filled for the balances of the
2 unexpired terms in the same manner as the original appointments. The
3 members of the commission shall not receive compensation for their
4 services, but shall be reimbursed for the actual and necessary expenses
5 incurred in the performance of their duties as members of the
6 commission.

7

8 4. (New section) The commission shall:

9 a. Review and authorize approved research projects;

10 b. Apportion all available funds to qualifying research institutions
11 to finance approved research projects and necessary institutional
12 support services;

13 c. Ensure that funds so apportioned to approved research projects
14 are not diverted to any other use;

15 d. Take steps necessary to encourage the development within the
16 State of spinal cord research projects;

17 e. Compile a directory of all spinal cord research projects being
18 conducted in the State; and

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

22

23 5. (New section) The commission is authorized to:

24 a. Adopt rules and regulations concerning the operation of the
25 commission, the functions and responsibilities of its officers and
26 employees and other matters as may be necessary to carry out the
27 purposes of this act;

28 b. Maintain offices at such places within the State as it may
29 designate;

30 c. Employ an executive director and other personnel as may be
31 necessary, whose employment shall be in the unclassified service of the
32 State, except that employees performing stenographic or clerical duties
33 shall be appointed pursuant to Title 11A (Civil Service) of the New
34 Jersey Statutes;

35 d. Design a fair and equitable system for the solicitation, evaluation
36 and approval of proposals for spinal cord research projects;

37 e. Apply for and accept any grant of money from the federal
38 government, which may be available for programs relating to research
39 on the spinal cord;

40 f. Enter into contracts with individuals, organizations and
41 institutions necessary or incidental to the performance of its duties and
42 the execution of its powers under this act; and

43 g. Accept gifts, grants and bequests of funds from individuals,
44 foundations, corporations, governmental agencies and other
45 organizations and institutions.

A2419 FELICE, IMPREVEDUTO

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

6 The executive director shall serve as secretary to the commission and
7 shall carry out its policies under the direction of the chairman.
8

9 7. (New section) Nothing in this act shall preclude a qualifying
10 research institution or any other research facility in the State from
11 directly applying for or receiving funds from any public or private
12 agency to conduct spinal cord research.
13

14 8. (New section) a. There is established in the Department of the
15 Treasury a nonlapsing revolving fund to be known as the "New Jersey
16 Spinal Cord Research Fund." This fund shall be the repository for
17 moneys provided pursuant to subsection e. of R.S.39:5-41. Moneys
18 deposited in the fund, and any interest earned thereon, shall be used
19 exclusively for the purpose of making grants for approved spinal cord
20 research projects at qualified research institutions.

21 b. Any costs incurred by the department in the collection or
22 administration of the fund may be deducted from the funds deposited
23 therein, as determined by the Director of the Division of Budget and
24 Accounting.
25

26 9. R.S.39:5-41 is amended to read as follows:

27 39:5-41. a. All fines, penalties and forfeitures imposed and collected
28 under authority of law for any violations of R.S.39:4-63 and
29 R.S.39:4-64 shall be forwarded by the judge to whom the same have
30 been paid to the proper financial officer of a county, if the violation
31 occurred within the jurisdiction of that county's central municipal
32 court, established pursuant to N.J.S.2B:12-1 et seq. or the
33 municipality wherein the violation occurred, to be used by the county
34 or municipality to help finance litter control activities in addition to or
35 supplementing existing litter pickup and removal activities in the
36 municipality.

37 b. Except as otherwise provided by subsection a. of this section, all
38 fines, penalties and forfeitures imposed and collected under authority
39 of law for any violations of the provisions of this Title, other than
40 those violations in which the complaining witness is the director, a
41 member of his staff, a member of the State Police, a member of a
42 county police department and force or a county park police system in
43 a county that has established a central municipal court, an inspector of
44 the Board of Public Utilities, or a law enforcement officer of any other
45 State agency, shall be forwarded by the judge to whom the same have
46 been paid as follows: one-half of the total amount collected to the

1 financial officer, as designated by the local governing body, of the
2 respective municipalities wherein the violations occurred, to be used
3 by the municipality for general municipal use and to defray the cost of
4 operating the municipal court; and one-half of the total amount
5 collected to the proper financial officer of the county wherein they
6 were collected, to be used by the county as a fund for the
7 construction, reconstruction, maintenance and repair of roads and
8 bridges, snow removal, the acquisition and purchase of rights-of-way,
9 and the purchase, replacement and repair of equipment for use on said
10 roads and bridges therein. Up to 25% of the money received by a
11 municipality pursuant to this subsection, but not more than the actual
12 amount budgeted for the municipal court, whichever is less, may be
13 used to upgrade case processing.

14 All fines, penalties and forfeitures imposed and collected under
15 authority of law for any violations of the provisions of this Title, in
16 which the complaining witness is a member of a county police
17 department and force or a county park police system in a county that
18 has established a central municipal court, shall be forwarded by the
19 judge to whom the same have been paid to the financial officer,
20 designated by the governing body of the county, for all violations
21 occurring within the jurisdiction of that court, to be used for general
22 county use and to defray the cost of operating the central municipal
23 court.

24 Whenever any county has deposited moneys collected pursuant to
25 this section in a special trust fund in lieu of expending the same for the
26 purposes authorized by this section, it may withdraw from said special
27 trust fund in any year an amount which is not in excess of the amount
28 expended by the county over the immediately preceding three-year
29 period from general county revenues for said purposes. Such moneys
30 withdrawn from the trust fund shall be accounted for and used as are
31 other general county revenues.

32 c. (Deleted by amendment, P.L.1993, c.293.)

33 d. Notwithstanding the provisions of subsections a. and b. of this
34 section, \$1.00 shall be added to the amount of each fine and penalty
35 imposed and collected under authority of any law for any violation of
36 the provisions of Title 39 of the Revised Statutes or any other motor
37 vehicle or traffic violation in this State and shall be forwarded by the
38 person to whom the same are paid to the State Treasurer. In addition,
39 upon the forfeiture of bail, \$1.00 of that forfeiture shall be forwarded
40 to the State Treasurer. The State Treasurer shall annually deposit
41 those moneys so forwarded in the "Body Armor Replacement" fund
42 established pursuant to section 1 of P.L.1997, c.177 (C.52:17B-4.4).
43 Beginning in the fiscal year next following the effective date of this
44 act, the State Treasurer annually shall allocate from those moneys so
45 forwarded an amount not to exceed \$250,000 to the Department of
46 Personnel to be expended exclusively for the purposes of funding the

A2419 FELICE, IMPREVEDUTO

6

1 operation of the "Law Enforcement Officer Crisis Intervention
2 Services" telephone hotline established and maintained under the
3 provisions of P.L. , c. (C.)(now pending before the
4 Legislature as Assembly, No. 806 of 1996).

5 e. Notwithstanding the provisions of subsections a. and b. of this
6 section, \$1 shall be added to the amount of each fine and penalty
7 imposed and collected under authority of any law for any violation of
8 the provisions of Title 39 of the Revised Statutes or any other motor
9 vehicle or traffic violation in this State and shall be forwarded by the
10 person to whom the same are paid to the State Treasurer. The State
11 Treasurer shall annually deposit those moneys so forwarded in the
12 "New Jersey Spinal Cord Research Fund" established pursuant to
13 section 8 of P.L. , c. (C.)(now pending before the
14 Legislature as this bill).

15 (cf: P.L.1997, c.177, s.2)

16

17 10. This act shall take effect on the first day of the third month
18 following enactment.

19

20

21

STATEMENT

22

23 This bill would establish a New Jersey State Commission on Spinal
24 Cord Research. The commission's responsibility would be to design
25 and administer a grant program to fund approved medical and
26 scientific research projects that focus on the treatment of spinal cord
27 injuries and diseases that damage the spinal cord.

28 The moneys for these grants would be generated by a \$1 surcharge
29 on all motor vehicle fines. These moneys are to be deposited in a
30 special nonlapsing fund, known as the "New Jersey Spinal Cord
31 Research Fund."

32 The commission is to consist of 11 members, including the
33 Commissioner of Health and Senior Services. The other 10 members
34 are to be recognized for their knowledge, competence, experience or
35 interest in medical research relating to the treatment of spinal cord
36 injuries and diseases. These public members are appointed by the
37 Governor, with the advice and consent of the Senate, and serve for
38 terms of three years. The initial appointment terms are staggered to
39 insure continuity. The members are not entitled to compensation for
40 their services, but are to be reimbursed for the actual and necessary
41 expenses incurred in the performance of their duties.

ASSEMBLY HEALTH COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2419

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 3, 1998

The Assembly Health Committee reports favorably and with committee amendments Assembly Bill No. 2419.

As amended by the committee, this bill establishes a New Jersey State Commission on Spinal Cord Research. The commission would be allocated within the Department of Health and Senior Services, but would be independent of any supervision or control by the department or by any board or officer thereof.

The commission's responsibility would be to design and administer a grant program to fund approved medical and scientific research projects that focus on the treatment of spinal cord injuries and diseases that damage the spinal cord.

The moneys for these grants would be generated by a \$1 surcharge on all motor vehicle fines. These moneys would be deposited in a special nonlapsing fund in the Department of the Treasury to be known as the "New Jersey Spinal Cord Research Fund."

The commission would consist of 11 members, including the Commissioner of Health and Senior Services and 10 appointed members who are persons known for their knowledge, competence, experience or interest in medical research relating to the treatment of spinal cord injuries and diseases. These public members are to be appointed by the Governor, with the advice and consent of the Senate, and serve for terms of three years. The initial appointment terms are staggered to ensure continuity. The members are not entitled to compensation for their services, but are to be reimbursed for the actual and necessary expenses incurred in the performance of their duties.

The committee amendments:

- clarify the definition of "approved research project" as a peer reviewed scientific research project, which is approved by the commission and which focuses on the treatment and cure of spinal cord injuries and diseases that damage the spinal cord (an example of a possible qualifying project sponsor would be the Kessler Medical Rehabilitation Research and Education Corporation);
- require that at least one of the commission members be a person with a spinal cord injury;
- provide the commission with the authority to establish an

independent scientific advisory panel composed of scientists and clinicians who are not members of the commission to review proposals submitted to the commission and make funding recommendations to the commission; and

- direct the commission to establish and maintain, in conjunction with the Department of Health and Senior Services, a central registry of persons who sustain spinal cord injuries other than through disease, whether or not the injury results in a permanent disability, in order to provide a database that indicates the incidence and prevalence of spinal cord injuries and which will serve as a resource for research, evaluation and information on spinal cord injuries and available services.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 2419

with Assembly Committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 21, 1999

The Assembly Appropriations Committee reports favorably Assembly Bill No. 2419 (1R) with committee amendments.

Assembly No. 2419 (1R), as amended, establishes a New Jersey State Commission on Spinal Cord Research. The commission would be allocated within the Department of Health and Senior Services (DHSS), but would be independent of supervision or control by the DHSS or by any board or officer thereof.

The commission's responsibility would be to design and administer a grant program to fund approved medical and scientific research projects that focus on the treatment of spinal cord injuries and diseases that damage the spinal cord.

The moneys for these grants would be generated by a \$1 surcharge on all motor vehicle fines. These moneys would be deposited in a special nonlapsing fund in the Department of the Treasury to be known as the "New Jersey Spinal Cord Research Fund."

The commission would consist of 11 members, including the Commissioner of Health and Senior Services and 10 appointed members known for their knowledge, competence, experience or interest in medical research relating to the treatment of spinal cord injuries and diseases. These public members are to be appointed by the Governor, with the advice and consent of the Senate, and serve for terms of three years. The initial appointment terms are staggered to ensure continuity. The members are not entitled to compensation for their services, but are to be reimbursed for the actual and necessary expenses incurred in the performance of their duties.

FISCAL IMPACT:

No fiscal note has been prepared for this legislation. The bill provides that a \$1 surcharge be added to all motor vehicle fines and be annually deposited in the "New Jersey Spinal Cord Research Fund," established under the bill. The fund will be used to provide grants for approved spinal cord research projects at qualified research

institutions. According to the fiscal notes on similar subjects, this surcharge should generate approximately \$1.3 million to \$2.0 million annually.

COMMITTEE AMENDMENTS:

The committee amendments delay the effective date to the seventh month following enactment to provide time to implement the new fee and make technical changes to reflect to current law enacted as P.L.1998, c.149 concerning fines and penalties for the "Body Armor Replacement Fund."

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 2419

STATE OF NEW JERSEY

208th LEGISLATURE

DATED: FEBRUARY 23, 1999

Bill Summary:

Assembly Bill No. 2419 [1R] of 1998 establishes a New Jersey State Commission on Spinal Cord Research in, but not of, the Department of Health and Senior Services (DHSS). The commission's responsibility would be to design and administer a grant program to fund approved medical and scientific research projects that focus on the treatment of spinal cord injuries and diseases that damage the spinal cord. The monies for these grants would be generated by a \$1 surcharge on all motor vehicle fines. These monies would be deposited in a special nonlapsing fund in the Department of the Treasury to be known as the "New Jersey Spinal Cord Research Fund."

Agency Comments:

DHSS and the Office of Management and Budget have not provided any fiscal information on the legislation.

Office of Legislative Services Comments:

Evaluation Data in the FY 1999 recommended budget indicates that Municipal Courts will handle nearly 5.7 million moving and parking violations in FY 1999. Assuming that 50% of the 5.7 million violations result in convictions and that the fine is actually collected, a \$1 surcharge would generate about \$2.9 million.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

SENATE, No. 1585

STATE OF NEW JERSEY
208th LEGISLATURE

INTRODUCED DECEMBER 17, 1998

Sponsored by:

Senator JACK SINAGRA

District 18 (Middlesex)

Senator ROBERT W. SINGER

District 30 (Burlington, Monmouth and Ocean)

Co-Sponsored by:

Senator Kosco

SYNOPSIS

"Spinal Cord Research Act;" and establishes \$1 surcharge on motor vehicle fines and penalties for deposit in "New Jersey Spinal Cord Research Fund."

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/13/1999)

S1585 SINGER, SINAGRA

2

1 AN ACT establishing a New Jersey Commission on Spinal Cord
2 Research, supplementing Title 52 of the Revised Statutes and
3 amending R.S.39:5-41.

4

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

7

8 1. (New section) This act shall be known and may be cited as the
9 "Spinal Cord Research Act."

10

11 2. (New section) As used in this act:

12 a. "Approved research project" means a peer reviewed scientific
13 research project, which is approved by the commission and which
14 focuses on the treatment and cure of spinal cord injuries and diseases
15 that damage the spinal cord.

16 b. "Commission" means the New Jersey Commission on Spinal
17 Cord Research established pursuant to this act.

18 c. "Institutional support services" means all services, facilities,
19 equipment, personnel and expenditures associated with the creation
20 and maintenance of approved research projects.

21 d. "Qualifying research institution" means the University of
22 Medicine and Dentistry of New Jersey; Rutgers, The State University;
23 Princeton University; the Kessler Medical Rehabilitation Research and
24 Education Corporation; and any other nonprofit research institution in
25 the State approved by the commission.

26

27 3. (New section) a. There is established in the Executive Branch
28 of the State government, the New Jersey Commission on Spinal Cord
29 Research. For the purposes of complying with the provisions of
30 Article V, Section IV, paragraph 1 of the New Jersey Constitution, the
31 commission is allocated within the Department of Health and Senior
32 Services, but notwithstanding that allocation, the commission shall be
33 independent of any supervision or control by the department or by any
34 board or officer thereof.

35 b. The commission shall consist of 11 members, including the
36 Commissioners of the Department of Health and Senior Services and
37 the Department of Human Services, or their designees, who shall serve
38 ex officio; one representative of the University of Medicine and
39 Dentistry of New Jersey; one representative of Rutgers, The State
40 University; one representative of the federally designated Spinal Cord
41 Injury Model System; one representative from the American Paralysis
42 Association; and five public members who are residents of the State
43 knowledgeable about spinal cord injuries and who include at least one

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 underlined thus is new matter.

1 physician licensed in this State and at least one person with a spinal
2 cord injury. The members shall be appointed by the Governor with the
3 advice and consent of the Senate.

4 c. The term of office of each appointed member shall be three
5 years, but of the members first appointed, three shall be appointed for
6 a term of one year, three for terms of two years, and three for terms
7 of three years. All vacancies shall be filled for the balances of the
8 unexpired terms in the same manner as the original appointments.
9 Appointed members are eligible for reappointment upon the expiration
10 of their terms. A member shall continue to serve upon the expiration
11 of his term until a successor is appointed.

12 The members of the commission shall not receive compensation for
13 their services, but shall be reimbursed for the actual and necessary
14 expenses incurred in the performance of their duties as members of the
15 commission.

16
17 4. (New section) The commission shall:

18 a. Review and authorize approved research projects, for which
19 purpose the commission may establish an independent scientific
20 advisory panel composed of scientists and clinicians who are not
21 members of the commission to review proposals submitted to the
22 commission and make funding recommendations to the commission;

23 b. Apportion all available funds to qualifying research institutions
24 to finance approved research projects and necessary institutional
25 support services;

26 c. Ensure that funds so apportioned to approved research projects
27 are not diverted to any other use;

28 d. Take steps necessary to encourage the development within the
29 State of spinal cord research projects;

30 e. Compile a directory of all spinal cord research projects being
31 conducted in the State; and

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

35
36 5. (New section) The commission is authorized to:

37 a. Adopt rules and regulations concerning the operation of the
38 commission, the functions and responsibilities of its officers and
39 employees and other matters as may be necessary to carry out the
40 purposes of this act;

41 b. Maintain offices at such places within the State as it may
42 designate;

43 c. Employ an executive director and other personnel as may be
44 necessary, whose employment shall be in the unclassified service of the
45 State, except that employees performing stenographic or clerical duties
46 shall be appointed pursuant to Title 11A (Civil Service) of the New

1 Jersey Statutes;

2 d. Design a fair and equitable system for the solicitation, evaluation
3 and approval of proposals for spinal cord research projects;

4 e. Apply for and accept any grant of money from the federal
5 government, which may be available for programs relating to research
6 on the spinal cord;

7 f. Enter into contracts with individuals, organizations and
8 institutions necessary or incidental to the performance of its duties and
9 the execution of its powers under this act; and

10 g. Accept gifts, grants and bequests of funds from individuals,
11 foundations, corporations, governmental agencies and other
12 organizations and institutions.

13

14 6. (New section) The commission shall annually elect a chairman
15 and a vice-chairman from among its members. The chairman shall be
16 the chief executive officer of the commission, shall preside at all
17 meetings of the commission and shall perform other duties that the
18 commission may prescribe.

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

21

22 7. (New section) Nothing in this act shall preclude a qualifying
23 research institution or any other research facility in the State from
24 directly applying for or receiving funds from any public or private
25 agency to conduct spinal cord research.

26

27 8. (New section) a. The commission shall establish and maintain, in
28 conjunction with the Department of Health and Senior Services, a
29 central registry of persons who sustain spinal cord injuries other than
30 through disease, whether or not the injury results in a permanent
31 disability, in order to provide a database that indicates the incidence
32 and prevalence of spinal cord injuries and which will serve as a
33 resource for research, evaluation and information on spinal cord
34 injuries and available services.

35 b. The commission shall require the reporting of all cases of spinal
36 cord injuries, except those caused through disease, and the submission
37 of specified additional information on reported cases as it deems
38 necessary and appropriate.

39 The commission shall, by regulation, specify the health care
40 facilities and providers required to make the report of a spinal cord
41 injury to the registry, information that shall be included in the report
42 to the registry, the method for making the report and the time period
43 in which the report shall be made.

44 c. The reports made pursuant to this section are to be used only by
45 the commission and the Department of Health and Senior Services and
46 such other agencies as may be designated by the commission or the

1 department and shall not otherwise be divulged or made public so as
2 to disclose the identity of any person to whom they relate; and to that
3 end, the reports shall not be included under materials available to
4 public inspection pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.).

5 d. No individual or organization providing information to the
6 commission in accordance with this section shall be deemed to be, or
7 held liable for, divulging confidential information. Nothing in this
8 section shall be construed to compel any individual to submit to
9 medical, commission or department examination or supervision.

10 e. A health care facility or health care provider who is required to
11 report a spinal cord injury to the commission that fails to comply with
12 the provisions of this section shall be liable to a penalty of up to \$100
13 per unreported spinal cord injury case. A penalty sued for under the
14 provisions of this section shall be recovered by and in the name of the
15 commission and shall be deposited in the "New Jersey Spinal Cord
16 Research Fund" established pursuant to this act.

17
18 9. (New section) a. There is established in the Department of the
19 Treasury a nonlapsing revolving fund to be known as the "New Jersey
20 Spinal Cord Research Fund." This fund shall be the repository for
21 moneys provided pursuant to subsection e. of R.S.39:5-41. Moneys
22 deposited in the fund, and any interest earned thereon, shall be used
23 exclusively for the purpose of making grants for approved spinal cord
24 research projects at qualified research institutions.

25 b. Any costs incurred by the department in the collection or
26 administration of the fund may be deducted from the funds deposited
27 therein, as determined by the Director of the Division of Budget and
28 Accounting.

29
30 10. R.S.39:5-41 is amended to read as follows:

31 39:5-41. a. All fines, penalties and forfeitures imposed and collected
32 under authority of law for any violations of R.S.39:4-63 and
33 R.S.39:4-64 shall be forwarded by the judge to whom the same have
34 been paid to the proper financial officer of a county, if the violation
35 occurred within the jurisdiction of that county's central municipal
36 court, established pursuant to N.J.S.2B:12-1 et seq. or the
37 municipality wherein the violation occurred, to be used by the county
38 or municipality to help finance litter control activities in addition to or
39 supplementing existing litter pickup and removal activities in the
40 municipality.

41 b. Except as otherwise provided by subsection a. of this section, all
42 fines, penalties and forfeitures imposed and collected under authority
43 of law for any violations of the provisions of this Title, other than
44 those violations in which the complaining witness is the director, a
45 member of his staff, a member of the State Police, a member of a
46 county police department and force or a county park police system in

1 a county that has established a central municipal court, an inspector of
2 the Board of Public Utilities, or a law enforcement officer of any other
3 State agency, shall be forwarded by the judge to whom the same have
4 been paid as follows: one-half of the total amount collected to the
5 financial officer, as designated by the local governing body, of the
6 respective municipalities wherein the violations occurred, to be used
7 by the municipality for general municipal use and to defray the cost of
8 operating the municipal court; and one-half of the total amount
9 collected to the proper financial officer of the county wherein they
10 were collected, to be used by the county as a fund for the
11 construction, reconstruction, maintenance and repair of roads and
12 bridges, snow removal, the acquisition and purchase of rights-of-way,
13 and the purchase, replacement and repair of equipment for use on said
14 roads and bridges therein. Up to 25% of the money received by a
15 municipality pursuant to this subsection, but not more than the actual
16 amount budgeted for the municipal court, whichever is less, may be
17 used to upgrade case processing.

18 All fines, penalties and forfeitures imposed and collected under
19 authority of law for any violations of the provisions of this Title, in
20 which the complaining witness is a member of a county police
21 department and force or a county park police system in a county that
22 has established a central municipal court, shall be forwarded by the
23 judge to whom the same have been paid to the financial officer,
24 designated by the governing body of the county, for all violations
25 occurring within the jurisdiction of that court, to be used for general
26 county use and to defray the cost of operating the central municipal
27 court.

28 Whenever any county has deposited moneys collected pursuant to
29 this section in a special trust fund in lieu of expending the same for the
30 purposes authorized by this section, it may withdraw from said special
31 trust fund in any year an amount which is not in excess of the amount
32 expended by the county over the immediately preceding three-year
33 period from general county revenues for said purposes. Such moneys
34 withdrawn from the trust fund shall be accounted for and used as are
35 other general county revenues.

36 c. (Deleted by amendment, P.L.1993, c.293.)

37 d. Notwithstanding the provisions of subsections a. and b. of this
38 section, \$1.00 shall be added to the amount of each fine and penalty
39 imposed and collected under authority of any law for any violation of
40 the provisions of Title 39 of the Revised Statutes or any other motor
41 vehicle or traffic violation in this State and shall be forwarded by the
42 person to whom the same are paid to the State Treasurer. In addition,
43 upon the forfeiture of bail, \$1.00 of that forfeiture shall be forwarded
44 to the State Treasurer. The State Treasurer shall annually deposit
45 those moneys so forwarded in the "Body Armor Replacement" fund
46 established pursuant to section 1 of P.L.1997, c.177 (C.52:17B-4.4).

1 Beginning in the fiscal year next following the effective date of this
2 act, the State Treasurer annually shall allocate from those moneys so
3 forwarded an amount not to exceed \$250,000 to the Department of
4 Personnel to be expended exclusively for the purposes of funding the
5 operation of the "Law Enforcement Officer Crisis Intervention
6 Services" telephone hotline established and maintained under the
7 provisions of P.L. , c. (C.)(now pending before the
8 Legislature as Assembly, No. **【806 of 1996】 1801 of 1998**).

9 e. Notwithstanding the provisions of subsections a. and b. of this
10 section, \$1 shall be added to the amount of each fine and penalty
11 imposed and collected under authority of any law for any violation of
12 the provisions of Title 39 of the Revised Statutes or any other motor
13 vehicle or traffic violation in this State and shall be forwarded by the
14 person to whom the same are paid to the State Treasurer. The State
15 Treasurer shall annually deposit those moneys so forwarded in the
16 "New Jersey Spinal Cord Research Fund" established pursuant to
17 section 9 of P.L. , c. (C.)(pending before the Legislature as
18 this bill).

19 (cf: P.L.1997, c.177, s.2)

20
21 11. This act shall take effect on the first day of the third month
22 following enactment.

23
24
25 STATEMENT

26
27 This bill, designated the "Spinal Cord Research Act," establishes a
28 New Jersey Commission on Spinal Cord Research. The commission's
29 responsibility would be to design and administer a grant program to
30 fund approved medical and scientific research projects that focus on
31 the treatment of spinal cord injuries and diseases that damage the
32 spinal cord.

33 The moneys for these grants would be generated by a \$1 surcharge
34 on all motor vehicle fines. These moneys are to be deposited in a
35 special nonlapsing fund, known as the "New Jersey Spinal Cord
36 Research Fund."

37 The commission will consist of 11 members, including the
38 Commissioners of Health and Senior Services and Human Services or
39 their designees, as ex officio members. The other nine members shall
40 include: one representative of the University of Medicine and Dentistry
41 of New Jersey; one representative of Rutgers, The State University;
42 one representative of a federally designated Spinal Cord Injury Model
43 Systems; one representative from the American Paralysis Association;
44 and five public members who are residents of the State knowledgeable
45 about spinal cord injuries and who include at least one physician
46 licensed in this State and at least one person with a spinal cord injury.

1 The members shall be appointed by the Governor with the advice and
2 consent of the Senate.

3 The commission is directed to:

4 a. Review and authorize approved research projects, for which
5 purpose the commission may establish an independent scientific
6 advisory panel composed of scientists and clinicians who are not
7 members of the commission to review proposals submitted to the
8 commission and make funding recommendations to the commission;

9 b. Apportion all available funds to qualifying research institutions
10 to finance approved research projects and necessary institutional
11 support services;

12 c. Ensure that funds so apportioned to approved research projects
13 are not diverted to any other use;

14 d. Take steps necessary to encourage the development within the
15 State of spinal cord research projects;

16 e. Compile a directory of all spinal cord research projects being
17 conducted in the State; and

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

21 In addition, the commission is directed to establish and maintain, in
22 conjunction with the Department of Health and Senior Services, a
23 central registry of persons who sustain spinal cord injuries other than
24 through disease, whether or not the injury results in a permanent
25 disability, in order to provide a database that indicates the incidence
26 and prevalence of spinal cord injuries and which will serve as a
27 resource for research, evaluation and information on spinal cord
28 injuries and available services.

29 The bill requires that health care facilities and health care providers
30 report all cases of spinal cord injuries, except those caused through
31 disease, and submit specified additional information on reported cases,
32 to the commission. The commission shall, by regulation, specify the
33 health care facilities and providers required to make the report,
34 information that shall be included in the report, the method for making
35 the report and the time period in which the report shall be made.

36 The reports made to the registry are to be used only by the
37 commission and the Department of Health and Senior Services and
38 such other agencies as may be designated by the commission or the
39 department and shall not otherwise be divulged or made public so as
40 to disclose the identity of any person to whom they relate. To insure
41 that the required reports are made to the commission, the bill
42 establishes a penalty of up to \$100 per unreported spinal cord injury
43 case.

44 Finally, the bill specifies that its provisions shall not preclude a
45 qualifying research institution or any other research facility in the State
46 from directly applying for or receiving funds from any public or private
47 agency to conduct spinal cord research.

SENATE HEALTH COMMITTEE

STATEMENT TO

SENATE, No. 1585

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 15, 1999

The Senate Health Committee reports favorably and with committee amendments Senate Bill No. 1585.

As amended by committee, this bill, designated the "Spinal Cord Research Act," establishes a New Jersey Commission on Spinal Cord Research. The commission's responsibility would be to design and administer a grant program to fund approved medical and scientific research projects that focus on the treatment of spinal cord injuries and diseases that damage the spinal cord.

The moneys for these grants would be generated by a \$1 surcharge on all motor vehicle fines. These moneys are to be deposited in a special nonlapsing fund, known as the "New Jersey Spinal Cord Research Fund."

The commission will consist of 11 members, including the Commissioner of Health and Senior Services, or his designee, as an ex officio member. The other 10 members shall include: one representative of the University of Medicine and Dentistry of New Jersey; one representative of Rutgers, The State University; one representative of a federally designated Spinal Cord Injury Model System; one representative from the American Paralysis Association; and six public members who are residents of the State knowledgeable about spinal cord injuries and who include at least one physician licensed in this State and at least one person with a spinal cord injury. The members shall be appointed by the Governor with the advice and consent of the Senate.

The commission is directed to:

- a. Review and authorize approved research projects, for which purpose the commission may establish an independent scientific advisory panel composed of scientists and clinicians who are not members of the commission to review proposals submitted to the commission and make funding recommendations to the commission;
- b. Apportion all available funds to qualifying research institutions to finance approved research projects and necessary institutional support services;
- c. Ensure that funds so apportioned to approved research projects

are not diverted to any other use;

d. Take steps necessary to encourage the development within the State of spinal cord research projects;

e. Compile a directory of all spinal cord research projects being conducted in the State; and

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

In addition, the commission is directed to establish and maintain, in conjunction with the Department of Health and Senior Services, a central registry of persons who sustain spinal cord injuries other than through disease, whether or not the injury results in a permanent disability, in order to provide a database that indicates the incidence and prevalence of spinal cord injuries and which will serve as a resource for research, evaluation and information on spinal cord injuries and available services.

The bill requires that health care facilities and health care providers report all cases of spinal cord injuries, except those caused through disease, and submit specified additional information on reported cases, to the commission. The commission shall, by regulation, specify the health care facilities and providers required to make the report, information that shall be included in the report, the method for making the report and the time period in which the report shall be made.

The reports made to the registry are to be used only by the commission and the Department of Health and Senior Services and such other agencies as may be designated by the commission or the department and shall not otherwise be divulged or made public so as to disclose the identity of any person to whom they relate. To ensure that the required reports are made to the commission, the bill establishes a penalty of up to \$100 per unreported spinal cord injury case.

Finally, the bill specifies that its provisions shall not preclude a qualifying research institution or any other research facility in the State from directly applying for or receiving funds from any public or private agency to conduct spinal cord research.

The committee amended the bill to include in the definition of "qualifying research institution" the Coriell Institute for Medical Research and to delete the requirement that a qualifying research institution be a nonprofit institution. Other amendments revise the composition of the New Jersey Commission on Spinal Cord Research to delete the Commissioner of Human Services and add one additional public member who will be appointed by the Governor with the advice and consent of the Senate. Other amendments update the provisions of R.S.39:5-41 to reflect changes made in the law pursuant to P.L.1998, c.149.

As amended, this bill is identical to the Senate Committee Substitute for Assembly Bill No. 2419(2R) (Felice/Impoveduto) which the committee also reported on this date.

LEGISLATIVE FISCAL ESTIMATE

SENATE, No. 1585

STATE OF NEW JERSEY

208th LEGISLATURE

DATED: APRIL 23, 1999

BILL SUMMARY

Senate Bill No. 1585 of 1998 establishes a New Jersey State Commission on Spinal Cord Research in, but not of, the Department of Health and Senior Services (DHSS). The commission's responsibility would be to design and administer a grant program to fund approved medical and scientific research projects that focus on the treatment of spinal cord injuries and diseases that damage the spinal cord. The monies for these grants would be generated by a \$1 surcharge on all motor vehicle fines. These monies would be deposited in a special nonlapsing fund in the Department of the Treasury to be known as the "New Jersey Spinal Cord Research Fund."

AGENCY COMMENTS

DHSS and the Office of Management and Budget have not provided any fiscal information on the legislation.

OFFICE OF LEGISLATIVE SERVICES COMMENTS

Evaluation Data in the FY 1999 recommended budget indicates that Municipal Courts will handle nearly 5.7 million moving and parking violations in FY 1999. Assuming that 50% of the 5.7 million violations result in convictions and that the fine is actually collected, a \$1 surcharge would generate about \$2.9 million.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

PO BOX 004
TRENTON, NJ 08625

Office of the Governor
NEWS RELEASE

CONTACT: Jayne O'Connor
Winnie Comfort
609-777-2600

RELEASE: September 13, 1999

**Gov. Whitman to Sign Spinal Cord Research Act,
Acknowledge Christopher Reeve for National Efforts**

Gov. Christie Whitman will sign **A2419, The Spinal Cord Research Act**, which will create the New Jersey State Commission on Spinal Cord Research and establish a research funding source and data base.

Mr. Reeve, chairman of the board of the Christopher Reeve Paralysis Foundation, will join Gov. Whitman to celebrate the bill signing and speak on the importance of funding for research and information sharing on spinal cord injuries.