



**LEGISLATIVE FISCAL ESTIMATE:**

Yes

**VETO MESSAGE:**

No

**GOVERNOR'S PRESS RELEASE ON SIGNING:**

Yes

**FOLLOWING WERE PRINTED:**

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**REPORTS:**

No

**HEARINGS:**

No

**NEWSPAPER ARTICLES:**

Yes

"Gov. Corzine signs seven autism bills into law," Asbury Park Press, 9-13-07, p.A7

"New laws aim at fighting autism, improving services," Home News Tribune, 9-13-07, p.\_\_\_\_

"Corzine OKs laws aimed at autism," Courier-Post, 9-13-07, p.\_\_\_\_

"Corzine signs bills to bolster autism fight," The Star-Ledger, 9-13-07, p.22

"New Jersey gives \$4M boost to autism research," The Record, 9-13-07, p.A01

"New Jersey targets nation's highest autism rate," Burlington County Times, p.\_\_\_\_

"State probes needs of autistic adults," Courier News, 9-13-07. p.\_\_\_\_

P.L. 2007, CHAPTER 174, *approved September 12, 2007*  
Assembly, No. 4059

1 AN ACT concerning funding for the “Autism Medical Research and  
2 Treatment Fund” and amending R.S.39:5-41.

3

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

6

7 1. R.S.39:5-41 is amended to read as follows:

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

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

42 All fines, penalties and forfeitures imposed and collected under  
43 authority of law for any violations of the provisions of this Title, in  
44 which the complaining witness is a member of a county police  
45 department and force or a county park police system in a county

**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 that has established a central municipal court, shall be forwarded by  
2 the judge to whom the same have been paid to the financial officer,  
3 designated by the governing body of the county, for all violations  
4 occurring within the jurisdiction of that court, to be used for general  
5 county use and to defray the cost of operating the central municipal  
6 court.

7 Whenever any county has deposited moneys collected pursuant  
8 to this section in a special trust fund in lieu of expending the same  
9 for the purposes authorized by this section, it may withdraw from  
10 said special trust fund in any year an amount which is not in excess  
11 of the amount expended by the county over the immediately  
12 preceding three-year period from general county revenues for said  
13 purposes. Such moneys withdrawn from the trust fund shall be  
14 accounted for and used as are other general county revenues.

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

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

34 e. Notwithstanding the provisions of subsections a. and b. of this  
35 section, \$1 shall be added to the amount of each fine and penalty  
36 imposed and collected through a court under authority of any law  
37 for any violation of the provisions of Title 39 of the Revised  
38 Statutes or any other motor vehicle or traffic violation in this State  
39 and shall be forwarded by the person to whom the same are paid to  
40 the State Treasurer. The State Treasurer shall annually deposit  
41 those moneys so forwarded in the "New Jersey Spinal Cord  
42 Research Fund" established pursuant to section 9 of P.L.1999, c.201  
43 (C.52:9E-9). In order to comply with the provisions of Article VIII,  
44 Section II, paragraph 5 of the State Constitution, a municipal or  
45 county agency which forwards moneys to the State Treasurer  
46 pursuant to this subsection may retain an amount equal to 2% of the  
47 moneys which it collects pursuant to this subsection as

1 compensation for its administrative costs associated with  
2 implementing the provisions of this subsection.

3 f. Notwithstanding the provisions of subsections a. and b. of this  
4 section, [during the period beginning on the effective date of this  
5 act and ending five years thereafter,] \$1 shall be added to the  
6 amount of each fine and penalty imposed and collected through a  
7 court under authority of any law for any violation of the provisions  
8 of Title 39 of the Revised Statutes or any other motor vehicle or  
9 traffic violation in this State and shall be forwarded by the person to  
10 whom the same are paid to the State Treasurer. The State Treasurer  
11 shall annually deposit those moneys so forwarded in the "Autism  
12 Medical Research and Treatment Fund" established pursuant to  
13 section 1 of P.L.2003, c.144 (C.30:6D-62.2).

14 g. Notwithstanding the provisions of subsection a. and b. of this  
15 section, \$2 shall be added to the amount of each fine and penalty  
16 imposed and collected by a court under authority of any law for any  
17 violation of the provisions of Title 39 of the Revised Statutes or any  
18 other motor vehicle or traffic violation in this State and shall be  
19 forwarded by the person to whom the same are paid to the State  
20 Treasurer. The State Treasurer shall annually deposit those moneys  
21 so forwarded in the "New Jersey Forensic DNA Laboratory Fund"  
22 established pursuant to P.L.2003, c.183. Prior to depositing the  
23 moneys into the fund, the State Treasurer shall forward to the  
24 Administrative Office of the Courts an amount not to exceed  
25 \$475,000 from moneys initially collected pursuant to this  
26 subsection to be used exclusively to establish a collection  
27 mechanism and to provide funding to update the Automated Traffic  
28 System Fund created pursuant to N.J.S.2B:12-30 to implement the  
29 provisions of this subsection.

30 The authority to impose additional fines and penalties under this  
31 subsection shall take effect 90 days after the effective date of  
32 P.L.2003, c.183 and shall expire five years thereafter. Not later  
33 than the 180th day prior to such expiration, the Attorney General  
34 shall prepare and submit to the Governor and the Legislature a  
35 report on the collection and use of DNA samples under P.L.1994,  
36 c.136. The report shall cover the period beginning on that effective  
37 date and ending four years thereafter. The report shall indicate  
38 separately, for each one-year period during those four years that  
39 begins on that effective date or an anniversary thereof, the number  
40 of each type of biological sample taken and the total cost of taking  
41 that type of sample, and also the number of identifications and  
42 exonerations achieved through the use of the samples. In addition,  
43 the report shall evaluate the effectiveness, including cost  
44 effectiveness, of having the samples available to further police  
45 investigations and other forensic purposes.

46 h. Notwithstanding the provisions of subsections a. and b. of this  
47 section, \$1 shall be added to the amount of each fine and penalty  
48 imposed and collected under authority of any law for any violation

1 of the provisions of Title 39 of the Revised Statutes or any other  
2 motor vehicle or traffic violation in this State and shall be  
3 forwarded by the person to whom the same are paid to the State  
4 Treasurer. The State Treasurer shall annually deposit those moneys  
5 so forwarded in the "New Jersey Brain Injury Research Fund"  
6 established pursuant to section 9 of P.L.2003, c.200 (C.52:9EE-9).  
7 The Administrative Office of the Courts may retain an amount  
8 equal to \$475,000 from the moneys which it initially collects  
9 pursuant to this subsection, prior to depositing any moneys in the  
10 "New Jersey Brain Injury Research Fund," in order to meet the  
11 expenses associated with utilizing the Automated Traffic System  
12 Fund created pursuant to N.J.S.2B:12-30 to implement the  
13 provisions of this subsection and serve other statutory purposes.  
14 (cf: P.L.2003, c.200, s.10)

15

16 2. This act shall take effect immediately.

17

18

19

STATEMENT

20

21 This bill provides extended funding for autism medical research  
22 and treatment in New Jersey.

23 Specifically, the bill eliminates the five-year "sunset" for the \$1  
24 surcharge established under P.L.2003, c.144 for each motor vehicle  
25 fine and penalty imposed by the court pursuant to R.S.39:5-41,  
26 which is deposited in the "Autism Medical Research and Treatment  
27 Fund." The fund provides funding for the grant- and contract-  
28 awarding activity of the Governor's Council for Medical Research  
29 and Treatment of Infantile Autism established under P.L.1999,  
30 c.105 (C.30:6D-56 et seq.).

31

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33

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35 \_\_\_\_\_  
Extends funding for autism medical research and treatment.

**ASSEMBLY, No. 4059**

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**STATE OF NEW JERSEY**

**212th LEGISLATURE**

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INTRODUCED FEBRUARY 26, 2007

**Sponsored by:**

**Assemblyman JOSEPH J. ROBERTS, JR.**

**District 5 (Camden and Gloucester)**

**Assemblyman DAVID R. MAYER**

**District 4 (Camden and Gloucester)**

**Assemblywoman JOAN M. VOSS**

**District 38 (Bergen)**

**Assemblyman JIM WHELAN**

**District 2 (Atlantic)**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Camden)**

**Co-Sponsored by:**

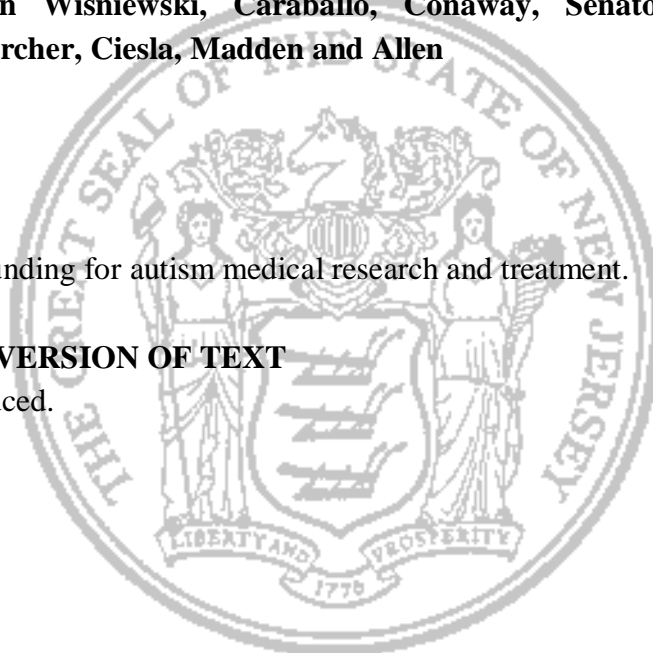
**Assemblywoman Vainieri Huttle, Assemblyman Schaer, Assemblywoman Greenstein, Assemblymen Holzapfel, Wolfe, McKeon, Vas, Baroni, Blee, Burzichelli, Steele, Manzo, Moriarty, Assemblywoman Lampitt, Assemblymen Albano, Gusciora, Assemblywoman Watson Coleman, Assemblymen Wisniewski, Caraballo, Conaway, Senators Weinberg, Coniglio, Karcher, Ciesla, Madden and Allen**

**SYNOPSIS**

Extends funding for autism medical research and treatment.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 6/22/2007)

A4059 ROBERTS, MAYER

2

1 AN ACT concerning funding for the “Autism Medical Research and  
2 Treatment Fund” and amending R.S.39:5-41.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State  
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12 violation occurred within the jurisdiction of that county's central  
13 municipal court, established pursuant to N.J.S.2B:12-1 et seq. or the  
14 municipality wherein the violation occurred, to be used by the  
15 county or municipality to help finance litter control activities in  
16 addition to or supplementing existing litter pickup and removal  
17 activities in the municipality.

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



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7 Whenever any county has deposited moneys collected pursuant  
8 to this section in a special trust fund in lieu of expending the same  
9 for the purposes authorized by this section, it may withdraw from  
10 said special trust fund in any year an amount which is not in excess  
11 of the amount expended by the county over the immediately  
12 preceding three-year period from general county revenues for said  
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43 (C.52:9E-9). In order to comply with the provisions of Article VIII,  
44 Section II, paragraph 5 of the State Constitution, a municipal or  
45 county agency which forwards moneys to the State Treasurer  
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47 moneys which it collects pursuant to this subsection as

1 compensation for its administrative costs associated with  
2 implementing the provisions of this subsection.

3 f. Notwithstanding the provisions of subsections a. and b. of this  
4 section, [during the period beginning on the effective date of this  
5 act and ending five years thereafter,] \$1 shall be added to the  
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7 court under authority of any law for any violation of the provisions  
8 of Title 39 of the Revised Statutes or any other motor vehicle or  
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24 Administrative Office of the Courts an amount not to exceed  
25 \$475,000 from moneys initially collected pursuant to this  
26 subsection to be used exclusively to establish a collection  
27 mechanism and to provide funding to update the Automated Traffic  
28 System Fund created pursuant to N.J.S.2B:12-30 to implement the  
29 provisions of this subsection.

30 The authority to impose additional fines and penalties under this  
31 subsection shall take effect 90 days after the effective date of  
32 P.L.2003, c.183 and shall expire five years thereafter. Not later  
33 than the 180th day prior to such expiration, the Attorney General  
34 shall prepare and submit to the Governor and the Legislature a  
35 report on the collection and use of DNA samples under P.L.1994,  
36 c.136. The report shall cover the period beginning on that effective  
37 date and ending four years thereafter. The report shall indicate  
38 separately, for each one-year period during those four years that  
39 begins on that effective date or an anniversary thereof, the number  
40 of each type of biological sample taken and the total cost of taking  
41 that type of sample, and also the number of identifications and  
42 exonerations achieved through the use of the samples. In addition,  
43 the report shall evaluate the effectiveness, including cost  
44 effectiveness, of having the samples available to further police  
45 investigations and other forensic purposes.

46 h. Notwithstanding the provisions of subsections a. and b. of this  
47 section, \$1 shall be added to the amount of each fine and penalty  
48 imposed and collected under authority of any law for any violation

1 of the provisions of Title 39 of the Revised Statutes or any other  
2 motor vehicle or traffic violation in this State and shall be  
3 forwarded by the person to whom the same are paid to the State  
4 Treasurer. The State Treasurer shall annually deposit those moneys  
5 so forwarded in the "New Jersey Brain Injury Research Fund"  
6 established pursuant to section 9 of P.L.2003, c.200 (C.52:9EE-9).  
7 The Administrative Office of the Courts may retain an amount  
8 equal to \$475,000 from the moneys which it initially collects  
9 pursuant to this subsection, prior to depositing any moneys in the  
10 "New Jersey Brain Injury Research Fund," in order to meet the  
11 expenses associated with utilizing the Automated Traffic System  
12 Fund created pursuant to N.J.S.2B:12-30 to implement the  
13 provisions of this subsection and serve other statutory purposes.  
14 (cf: P.L.2003, c.200, s.10)

15

16 2. This act shall take effect immediately.

17

18

19

#### STATEMENT

20

21 This bill provides extended funding for autism medical research  
22 and treatment in New Jersey.

23 Specifically, the bill eliminates the five-year "sunset" for the \$1  
24 surcharge established under P.L.2003, c.144 for each motor vehicle  
25 fine and penalty imposed by the court pursuant to R.S.39:5-41,  
26 which is deposited in the "Autism Medical Research and Treatment  
27 Fund." The fund provides funding for the grant- and contract-  
28 awarding activity of the Governor's Council for Medical Research  
29 and Treatment of Infantile Autism established under P.L.1999,  
30 c.105 (C.30:6D-56 et seq.).

ASSEMBLY HEALTH AND SENIOR SERVICES COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 4059**

**STATE OF NEW JERSEY**

DATED: MARCH 5, 2007

The Assembly Health and Senior Services Committee reports favorably Assembly Bill No. 4059.

This bill provides extended funding for autism medical research and treatment in New Jersey.

Specifically, the bill eliminates the five-year “sunset” for the \$1 surcharge established under P.L.2003, c.144 for each motor vehicle fine and penalty imposed by the court pursuant to R.S.39:5-41, which is deposited in the “Autism Medical Research and Treatment Fund.” The fund provides funding for the grant- and contract-awarding activity of the Governor’s Council for Medical Research and Treatment of Infantile Autism established under P.L.1999, c.105 (C.30:6D-56 et seq.).

This bill is identical to Senate Bill No. 2569 (Weinberg/Coniglio), which is currently pending in the Senate Health, Human Services and Senior Citizens Committee.

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 4059**

**STATE OF NEW JERSEY**

DATED: MARCH 12, 2007

The Assembly Budget Committee reports favorably Assembly Bill No. 4059.

The bill provides extended funding for autism medical research and treatment in New Jersey.

The bill eliminates the five-year “sunset” for the \$1 surcharge established under P.L.2003, c.144 for each motor vehicle fine and penalty imposed by the court pursuant to R.S.39:5-41, which is deposited in the “Autism Medical Research and Treatment Fund.” The fund provides the financial support funding for the grant and contract awards of the Governor’s Council for Medical Research and Treatment of Infantile Autism established under P.L.1999, c.105 (C.30:6D-56 et seq.).

FISCAL IMPACT:

Absent this bill, imposition of the motor vehicle fine and penalty surcharge deposited to the “Autism Medical Research and Treatment Fund” would expire on February 2, 2009. Deposits to the fund were recorded as \$3.95 million for State FY2005 and \$4.54 million for State FY2006.

SENATE HEALTH, HUMAN SERVICES AND SENIOR  
CITIZENS COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 4059**

**STATE OF NEW JERSEY**

DATED: MAY 21, 2007

The Senate Health, Human Services and Senior Citizens Committee reports favorably Assembly Bill No. 4059.

The bill provides extended funding for autism medical research and treatment in New Jersey.

The bill eliminates the five-year “sunset” for the \$1 surcharge established under P.L.2003, c.144 for each motor vehicle fine and penalty imposed by the court pursuant to R.S.39:5-41, which is deposited in the “Autism Medical Research and Treatment Fund.” The fund provides the financial support funding for the grant and contract awards of the Governor’s Council for Medical Research and Treatment of Infantile Autism established under P.L.1999, c.105 (C.30:6D-56 et seq.).

Absent this bill, imposition of the motor vehicle fine and penalty surcharge deposited to the “Autism Medical Research and Treatment Fund” would expire on February 2, 2009. Deposits to the fund were recorded as \$3.95 million for State FY2005 and \$4.54 million for State FY2006.

This bill is identical to Senate No. 2569 (Weinberg/Coniglio), which the committee also reported favorably on this date.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 4059

# STATE OF NEW JERSEY

DATED: JUNE 14, 2007

The Senate Budget and Appropriations Committee reports favorably Assembly Bill No. 4059.

This bill provides extended funding for autism medical research and treatment in New Jersey.

The bill eliminates the five-year “sunset” for the \$1 surcharge established under P.L.2003, c.144 for each motor vehicle fine and penalty imposed by the court pursuant to R.S.39:5-41, which is deposited in the “Autism Medical Research and Treatment Fund.” The fund provides the financial support funding for the grant and contract awards of the Governor’s Council for Medical Research and Treatment of Infantile Autism established under P.L.1999, c.105 (C.30:6D-56 et seq.).

As reported by the committee, this bill is identical to Senate Bill No. 2569, as also reported by the committee.

#### FISCAL IMPACT:

Absent this bill, imposition of the motor vehicle fine and penalty surcharge deposited to the “Autism Medical Research and Treatment Fund” would expire on February 2, 2009. Deposits to the fund were recorded as \$3.95 million for State FY2005 and \$4.54 million for State FY2006. The Office of Legislative Services (OLS) anticipates that the amount of revenue collected will remain in the range of about \$4.0 million annually.

The OLS also notes that the bill requires municipal and county agencies to collect the surcharge and forward it to the State Treasurer for deposit in the fund. Local government activity costs in connection with the charge will not be recouped. State administrative costs, however, will be offset by the revenues collected under the provisions of the bill.

**LEGISLATIVE FISCAL ESTIMATE**  
**ASSEMBLY, No. 4059**  
**STATE OF NEW JERSEY**  
**212th LEGISLATURE**

DATED: APRIL 23, 2007

**SUMMARY**

- Synopsis:** Extends funding for autism medical research and treatment.
- Type of Impact:** Maintains current recurring revenue.
- Agencies Affected:** Department of the Treasury, Municipal Courts, Governor's Council for Medical Research and Treatment of Infantile Autism.

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Revenue</b>	Approximately \$4 million annually		

- Removes sunset provision for current \$1 surcharge on all fines and penalties imposed for any motor vehicle or traffic regulation violation.
- The Office of Legislative Services revenue estimate is based on the number of offenses processed in 2005 that would require payment of the charge. Actual revenue will be slightly offset by costs incurred to manage the fund, and by variance in compliance rate.

**BILL DESCRIPTION**

Assembly Bill No. 4059 of 2007 proposes to eliminate the five-year “sunset” for the \$1 surcharge established under P.L.2003, c.144 for each motor vehicle fine and penalty imposed by the court pursuant to R.S.39:5-41, which is deposited in the “Autism Medical Research and Treatment Fund.” The fund provides funding for the grant- and contract-awarding activity of the Governor’s Council for Medical Research and Treatment of Infantile Autism established under P.L.1999, c.105 (C.30:6D-56 et seq.).



## FISCAL ANALYSIS

### *EXECUTIVE BRANCH*

None received.

### *OFFICE OF LEGISLATIVE SERVICES*

According to information provided by the Administrative Office of the Courts, there were approximately 4 million traffic, parking and DUI offenses processed in 2005, that would require payment of the \$1 charge. The total anticipated revenue is therefore about \$4 million annually. Office of Legislative Services notes that State administrative costs will be offset by the revenues collected under the provisions of the bill. The bill requires municipal and county agencies to collect the surcharge and forward it to the State Treasurer for deposit in the fund. Local government activity costs in connection with the charge will not be recouped.

*Section: Authorities, Utilities, Transportation and Communications*

*Analyst: Mark J. Trease  
Associate Fiscal Analyst*

*Approved: David J. Rosen  
Legislative Budget and Finance Officer*

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

# SENATE, No. 2569

## STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED FEBRUARY 26, 2007

**Sponsored by:**

**Senator LORETTA WEINBERG**

**District 37 (Bergen)**

**Senator JOSEPH CONIGLIO**

**District 38 (Bergen)**

**Co-Sponsored by:**

**Senators Karcher, Ciesla, Madden and Allen**

**SYNOPSIS**

Extends funding for autism medical research and treatment.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/22/2007)**

S2569 WEINBERG, CONIGLIO

2

1 AN ACT concerning funding for the “Autism Medical Research and  
2 Treatment Fund” and amending R.S.39:5-41.

3

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

6

7 1. R.S.39:5-41 is amended to read as follows:

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

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

42 All fines, penalties and forfeitures imposed and collected under  
43 authority of law for any violations of the provisions of this Title, in  
44 which the complaining witness is a member of a county police  
45 department and force or a county park police system in a county

**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 that has established a central municipal court, shall be forwarded by  
2 the judge to whom the same have been paid to the financial officer,  
3 designated by the governing body of the county, for all violations  
4 occurring within the jurisdiction of that court, to be used for general  
5 county use and to defray the cost of operating the central municipal  
6 court.

7 Whenever any county has deposited moneys collected pursuant  
8 to this section in a special trust fund in lieu of expending the same  
9 for the purposes authorized by this section, it may withdraw from  
10 said special trust fund in any year an amount which is not in excess  
11 of the amount expended by the county over the immediately  
12 preceding three-year period from general county revenues for said  
13 purposes. Such moneys withdrawn from the trust fund shall be  
14 accounted for and used as are other general county revenues.

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

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

34 e. Notwithstanding the provisions of subsections a. and b. of this  
35 section, \$1 shall be added to the amount of each fine and penalty  
36 imposed and collected through a court under authority of any law  
37 for any violation of the provisions of Title 39 of the Revised  
38 Statutes or any other motor vehicle or traffic violation in this State  
39 and shall be forwarded by the person to whom the same are paid to  
40 the State Treasurer. The State Treasurer shall annually deposit  
41 those moneys so forwarded in the "New Jersey Spinal Cord  
42 Research Fund" established pursuant to section 9 of P.L.1999, c.201  
43 (C.52:9E-9). In order to comply with the provisions of Article VIII,  
44 Section II, paragraph 5 of the State Constitution, a municipal or  
45 county agency which forwards moneys to the State Treasurer  
46 pursuant to this subsection may retain an amount equal to 2% of the  
47 moneys which it collects pursuant to this subsection as

1 compensation for its administrative costs associated with  
2 implementing the provisions of this subsection.

3 f. Notwithstanding the provisions of subsections a. and b. of this  
4 section, [during the period beginning on the effective date of this  
5 act and ending five years thereafter,] \$1 shall be added to the  
6 amount of each fine and penalty imposed and collected through a  
7 court under authority of any law for any violation of the provisions  
8 of Title 39 of the Revised Statutes or any other motor vehicle or  
9 traffic violation in this State and shall be forwarded by the person to  
10 whom the same are paid to the State Treasurer. The State Treasurer  
11 shall annually deposit those moneys so forwarded in the "Autism  
12 Medical Research and Treatment Fund" established pursuant to  
13 section 1 of P.L.2003, c.144 (C.30:6D-62.2).

14 g. Notwithstanding the provisions of subsection a. and b. of this  
15 section, \$2 shall be added to the amount of each fine and penalty  
16 imposed and collected by a court under authority of any law for any  
17 violation of the provisions of Title 39 of the Revised Statutes or any  
18 other motor vehicle or traffic violation in this State and shall be  
19 forwarded by the person to whom the same are paid to the State  
20 Treasurer. The State Treasurer shall annually deposit those moneys  
21 so forwarded in the "New Jersey Forensic DNA Laboratory Fund"  
22 established pursuant to P.L.2003, c.183. Prior to depositing the  
23 moneys into the fund, the State Treasurer shall forward to the  
24 Administrative Office of the Courts an amount not to exceed  
25 \$475,000 from moneys initially collected pursuant to this  
26 subsection to be used exclusively to establish a collection  
27 mechanism and to provide funding to update the Automated Traffic  
28 System Fund created pursuant to N.J.S.2B:12-30 to implement the  
29 provisions of this subsection.

30 The authority to impose additional fines and penalties under this  
31 subsection shall take effect 90 days after the effective date of  
32 P.L.2003, c.183 and shall expire five years thereafter. Not later  
33 than the 180th day prior to such expiration, the Attorney General  
34 shall prepare and submit to the Governor and the Legislature a  
35 report on the collection and use of DNA samples under P.L.1994,  
36 c.136. The report shall cover the period beginning on that effective  
37 date and ending four years thereafter. The report shall indicate  
38 separately, for each one-year period during those four years that  
39 begins on that effective date or an anniversary thereof, the number  
40 of each type of biological sample taken and the total cost of taking  
41 that type of sample, and also the number of identifications and  
42 exonerations achieved through the use of the samples. In addition,  
43 the report shall evaluate the effectiveness, including cost  
44 effectiveness, of having the samples available to further police  
45 investigations and other forensic purposes.

46 h. Notwithstanding the provisions of subsections a. and b. of this  
47 section, \$1 shall be added to the amount of each fine and penalty  
48 imposed and collected under authority of any law for any violation

1 of the provisions of Title 39 of the Revised Statutes or any other  
2 motor vehicle or traffic violation in this State and shall be  
3 forwarded by the person to whom the same are paid to the State  
4 Treasurer. The State Treasurer shall annually deposit those moneys  
5 so forwarded in the "New Jersey Brain Injury Research Fund"  
6 established pursuant to section 9 of P.L.2003, c.200 (C.52:9EE-9).  
7 The Administrative Office of the Courts may retain an amount  
8 equal to \$475,000 from the moneys which it initially collects  
9 pursuant to this subsection, prior to depositing any moneys in the  
10 "New Jersey Brain Injury Research Fund," in order to meet the  
11 expenses associated with utilizing the Automated Traffic System  
12 Fund created pursuant to N.J.S.2B:12-30 to implement the  
13 provisions of this subsection and serve other statutory purposes.  
14 (cf: P.L.2003, c.200, s.10)

15

16 2. This act shall take effect immediately.

17

18

19

#### STATEMENT

20

21 This bill provides extended funding for autism medical research  
22 and treatment in New Jersey.

23 Specifically, the bill eliminates the five-year "sunset" for the \$1  
24 surcharge established under P.L.2003, c.144 for each motor vehicle  
25 fine and penalty imposed by the court pursuant to R.S.39:5-41,  
26 which is deposited in the "Autism Medical Research and Treatment  
27 Fund." The fund provides funding for the grant- and contract-  
28 awarding activity of the Governor's Council for Medical Research  
29 and Treatment of Infantile Autism established under P.L.1999,  
30 c.105 (C.30:6D-56 et seq.).

SENATE HEALTH, HUMAN SERVICES AND SENIOR  
CITIZENS COMMITTEE

STATEMENT TO

**SENATE, No. 2569**

**STATE OF NEW JERSEY**

DATED: MAY 21, 2007

The Senate Health, Human Services and Senior Citizens Committee reports favorably Senate Bill No. 2569.

This bill provides extended funding for autism medical research and treatment in New Jersey.

Specifically, the bill eliminates the five-year “sunset” for the \$1 surcharge established under P.L.2003, c.144 for each motor vehicle fine and penalty imposed by the court pursuant to R.S.39:5-41, which is deposited in the “Autism Medical Research and Treatment Fund.” The fund provides funding for the grant- and contract-awarding activity of the Governor’s Council for Medical Research and Treatment of Infantile Autism established under P.L.1999, c.105 (C.30:6D-56 et seq.).

Absent this bill, imposition of the motor vehicle fine and penalty surcharge deposited to the “Autism Medical Research and Treatment Fund” would expire on February 2, 2009. Deposits to the fund were recorded as \$3.95 million for State FY2005 and \$4.54 million for State FY2006.

This bill is identical to Assembly No. 4059 (Roberts/Mayer/Voss/Whelan/Greenwald), which the committee also reported favorably on this date.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

### SENATE, No. 2569

# STATE OF NEW JERSEY

DATED: JUNE 14, 2007

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 2569.

This bill provides extended funding for autism medical research and treatment in New Jersey.

The bill eliminates the five-year “sunset” for the \$1 surcharge established under P.L.2003, c.144 for each motor vehicle fine and penalty imposed by the court pursuant to R.S.39:5-41, which is deposited in the “Autism Medical Research and Treatment Fund.” The fund provides the financial support funding for the grant and contract awards of the Governor’s Council for Medical Research and Treatment of Infantile Autism established under P.L.1999, c.105 (C.30:6D-56 et seq.).

As reported, this bill is identical to Assembly Bill No. 4059, as also reported by the committee.

#### FISCAL IMPACT:

Absent this bill, imposition of the motor vehicle fine and penalty surcharge deposited to the “Autism Medical Research and Treatment Fund” would expire on February 2, 2009. Deposits to the fund were recorded as \$3.95 million for State FY2005 and \$4.54 million for State FY2006. The Office of Legislative Services (OLS) anticipates that the amount of revenue collected will remain in the range of about \$4.0 million annually.

The OLS also notes that the bill requires municipal and county agencies to collect the surcharge and forward it to the State Treasurer for deposit in the fund. Local government activity costs in connection with the charge will not be recouped. State administrative costs, however, will be offset by the revenues collected under the provisions of the bill.



**LEGISLATIVE FISCAL ESTIMATE**  
**SENATE, No. 2569**  
**STATE OF NEW JERSEY**  
**212th LEGISLATURE**

DATED: JUNE 25, 2007

**SUMMARY**

- Synopsis:** Extends funding for autism medical research and treatment.
- Type of Impact:** Maintains current recurring revenue.
- Agencies Affected:** Department of the Treasury, Municipal Courts, Governor's Council for Medical Research and Treatment of Infantile Autism.

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Revenue</b>	Approximately \$4 million annually		

- Removes sunset provision for current \$1 surcharge on all fines and penalties imposed for any motor vehicle or traffic regulation violation.
- The Office of Legislative Services revenue estimate is based on the number of offenses processed in 2005 that would require payment of the charge. Actual revenue will be slightly offset by costs incurred to manage the fund, and by variance in compliance rate.

**BILL DESCRIPTION**

Senate Bill No. 2569 of 2007 proposes to eliminate the five-year “sunset” for the \$1 surcharge established under P.L.2003, c.144 for each motor vehicle fine and penalty imposed by the court pursuant to R.S.39:5-41, which is deposited in the “Autism Medical Research and Treatment Fund.” The fund provides funding for the grant- and contract-awarding activity of the Governor’s Council for Medical Research and Treatment of Infantile Autism established under P.L.1999, c.105 (C.30:6D-56 et seq.).

**FISCAL ANALYSIS**

***EXECUTIVE BRANCH***

None received.

***OFFICE OF LEGISLATIVE SERVICES***

According to information provided by the Administrative Office of the Courts, there were approximately 4 million traffic, parking and DUI offenses processed in 2005, that would require payment of the \$1 charge. The total anticipated revenue is therefore about \$4 million annually. Office of Legislative Services notes that State administrative costs will be offset by the revenues collected under the provisions of the bill. The bill requires municipal and county agencies to collect the surcharge and forward it to the State Treasurer for deposit in the fund. Local government activity costs in connection with the charge will not be recouped.

*Section: Authorities, Utilities, Transportation and Communications*

*Analyst: Mark J. Trease  
Associate Fiscal Analyst*

*Approved: David J. Rosen  
Legislative Budget and Finance Officer*

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.

Title

- [Home](#)
- [About the Governor](#)
- [Message](#)
- [Cabinet](#)
- [News Room](#)
- [Press Releases](#)
- [Press Archives](#)
- [Event Photos](#)
- [Video Clips](#)
- [Audio Clips](#)
- [Newsletters](#)
- [Speeches](#)
- [Reports](#)
- [Executive Orders/Resolutions](#)
- [Kids Site](#)
- [Governor's Internship Program](#)
- [Boards, Authorities and Commissions](#)

[Home](#) > [News Room](#) > [Press Releases](#) > Sep-12-07 Governor Corzine Signs Bills On Autism  
Sep-12-07 Governor Corzine Signs Bills On Autism

**NEWS RELEASE**

Governor Jon S. Corzine  
September 12, 2007

**FOR MORE INFORMATION:**

Press Office  
609-777-2600

**GOVERNOR CORZINE SIGNS BILLS ON AUTISM**

**West Windsor** - Governor Jon S. Corzine today signed a package of seven bills relating to autism spectrum disorders. These disorders are often characterized by substantial impairments in social interaction and communication and the presence of unusual behaviors and interests.

“Today, we are enhancing New Jersey’s pioneer status in the fight against autism spectrum disorders by bolstering our arsenal of programs, training, education, and research,” said Governor Jon S. Corzine. “This is an opportunity for New Jersey to become a model for other states in researching the nature of autism and its causes as well as in treating those with these disorders.

“More importantly, through these initiatives, we will be enabling those impacted by autism spectrum disorders to function as independent, productive, and empowered individuals.”

The rate and diagnosis of autism spectrum disorders in New Jersey is disproportionately high. While experts estimate the national rate has increased to about 1 in 150 children, the incidence in New Jersey is approximately 1 in 95.

“With new studies showing New Jersey with the highest reported autism rates in the country, it is critically important that the state do all it can to help the growing number of individuals and families confronting autism spectrum

disorders,” said Assembly Speaker Joseph J. Roberts, Jr. (D-Camden) who championed the legislative effort to improve the detection, treatment and awareness of autism in New Jersey.

“For families whose loved ones are locked in the grasp of this disorder, today’s action sends a reassuring message of hope that New Jersey is working to do more to improve its safety net of services and care,” Roberts said. “These measures will enable New Jersey to address the startling number of children being diagnosed with autism and they will allow us to extend a helping hand to countless autistic young adults and others who have aged out of the state’s special education system.”

“A diagnosis of autism or developmental disability presents real challenges for parents and caregivers,” said Senator Ellen Karcher (D-Mercer/Monmouth). “While the medical community seeks to find answers to the causes of autism and developmental disability, states have an obligation to promote programs which help those living with the disability. These new lifesaving laws will help families deal with the hardships of caring for individuals with autism.”

“According to federal statistics, New Jersey has the highest number of autism cases in the nation,” said Senator Loretta Weinberg, (D-Bergen). “We are still learning about the autism spectrum disorders, but while we are learning, we must be able to provide much-needed assistance to families living with autism. As the number of residents living with autism increases, we must have the resources in place to provide them with support programs and work to find ways to decrease the incidence of autism in New Jersey.”

The Governor signed A4055/S2558, providing for teacher training in awareness and instruction methods for students with autism and other developmental disabilities for candidates for teaching certificates, current teachers and paraprofessionals. The Commissioner of Education will develop recommendations to address a variety of issues including the characteristics of students with autism and other developmental disabilities; curriculum planning, assistive technology; and inclusive educational practices.

“In a state with high autism rates, it’s imperative that educators have the tools to recognize autism and help children with this confounding disorder,” said Assemblyman Jim Whelan (D-Atlantic), a veteran teacher with a master’s in education. “Teachers are an untapped resource in this state’s growing efforts to help children and adults with autism.”

Other primary bill sponsors in the Assembly were: Assemblywoman Valerie Vainieri Huttle (District 37) and Assemblywoman Joan Voss (District 38). Primary Senate sponsors were: Senator Loretta Weinberg (District 37) and Senator Ellen Karcher (District 12).

Governor Corzine also signed A4056/S2568, requiring the Early Intervention Program in the Department of Health and Senior Services to address the specific needs of children with autism spectrum disorders and their families. These activities involve developing guidelines for health care professionals to use in evaluating infants and toddlers for autism, ensuring the timely referral by health care professionals of infants and toddlers suspected of being on the autism spectrum to the Early Intervention Program and collecting data on statewide autism screening, diagnosis, and intervention programs and systems.

“By establishing comprehensive guidelines for New Jersey pediatricians to use in the evaluation and referral of autistic children, we can ensure appropriate treatment for infants and toddlers as soon as possible,” said Assemblyman Herb Conaway, M.D. (D-Burlington/Camden). “For autistic children, early detection is the key to ensuring proper care.”

Other primary bill sponsors in the Assembly were: Assemblyman Michael Panter (District 12); Assemblywoman Valerie Vainieri Huttle (District 37) and Assemblyman Lou Greenwald (District 6). Primary Senate sponsors were: Senator Loretta Weinberg (District 37) and Senator Ellen Karcher (District 12)

Governor Corzine signed A4057/S2559, establishing the New Jersey Adults with Autism Task Force in the Department of Human Services (DHS). The purpose of the task force is to study, evaluate, and develop recommendations relating to specific actionable measures to support and meet the needs of adults with autism. These include job training and placement, housing, and long-term care.

“New Jersey faces new challenges created by the rise in adults classified with autism including the need for job training

and placement, housing and long-term care,” said Assemblyman Gary Schaer (D-Passaic/Bergen/Essex). “It’s critical that we strengthen the community of support for adults living with this lifelong disease.”

Other primary Assembly sponsors were: Assemblywoman Joan Voss (District 38) and Assemblyman John McKeon (District 27). Primary sponsors in the Senate were: Senator Loretta Weinberg (District 37) and Senator Ellen Karcher (District 12).

In addition, Governor Corzine signed S/698A4054, which makes changes to the Governor's Council for Medical Research and Treatment of Infantile Autism, renaming it the Governor's Council for Medical Research and Treatment of Autism.

“There are going to be new challenges created by a growing number of adults who are being classified with autism,” said Assemblywoman Joan Voss (D-Bergen). “The numbers clearly indicate that we need to step up our efforts to help the thousands of families in this state that have loved ones with autism disorders.”

Other primary sponsors in the Assembly were: Assemblyman Gary Schaer (District 36); and Assemblyman John McKeon (District 27). Primary sponsors in the Senate were: Senator Loretta Weinberg (District 37) and Senator Joe Vitale (District 19).

Governor Corzine signed A4059/S2569, extending funding for autism medical research and treatment. The bill eliminates the five-year “sunset” for the \$1 surcharge established under P.L.2003, c.144 for each motor vehicle fine and penalty imposed by the court, which is deposited in the “Autism Medical Research and Treatment Fund.” The fund provides the financial support funding for the grant and contract awards of the Governor’s Council for Medical Research and Treatment of Autism.

“More than ever, New Jersey needs to muster more attention and resources to help families, school districts, communities, and health care providers deal with the challenge of rising autism diagnosis rates,” said Assemblyman David Mayer (D-Gloucester/Camden).

Other primary Assembly sponsors were: Assemblywoman Joan Voss (District 38); Assemblyman Jim Whelan (District 2) and Assemblyman Lou Greenwald (District 6). Primary Senate sponsors were Senator Loretta Weinberg (District 37) and Senator Joseph Coniglio (District 38).

The Governor also signed A2306/S2723 requiring the Department of Health and Senior Services (DHSS) to maintain a registry of reported autism diagnoses. The DHSS, in consultation with the Department of Human Services, will maintain an up-to-date registry to include a record of all reported cases of autism that occur in New Jersey; each reported case of autism in which the initial diagnosis is changed, lost, or considered misdiagnosed; and any other information DHSS deems relevant and appropriate to conduct thorough and complete epidemiologic surveys of autism, to enable analysis of this problem, and to plan for and provide services to children with autism and their families.

“New Jersey has the nation’s highest reported rates of autism and this presents new challenges for families, schools and our state’s health-care network,” said John Assemblyman McKeon (D-Essex). “This registry will serve as an invaluable tool for the state to monitor autism cases while ensuring that New Jersey continues to provide services to meet the needs of the state’s growing autism community.”

Other primary bill sponsors in the Assembly were Assemblyman Nelson Albano (District 1) and Assemblywoman Joan Voss (District 38). Primary sponsors in the Senate were: Senator Andrew Ciesla (District 10) and Senator Diane Allen (District 7).

Governor Corzine also signed A2291/S690, which establishes an Asperger's Syndrome Pilot Initiative in the Department of Human Services. The initiative will provide vocational, educational and social training services to persons with Asperger's Syndrome. This will be accomplished through community-based service sites which offer appropriate support; guidance and education that will enable these individuals to further their education achieve gainful employment and become broadly competent adults who are able to lead fulfilling lives.

“Asperger’s Syndrome was only recognized in the United States in 1994, 60 years after many European countries confirmed its existence,” said Assemblywoman Joan Voss (D-Bergen), whose adult son has Asperger’s. “There are so many adults and young adults who were misdiagnosed over the years because there wasn’t a correct diagnosis for what was troubling them and there were no programs to meet their needs. This pilot program will be a model to help people with Asperger's acquire the socialization skills they need so they can enjoy productive and happy lives.”

Other primary bill sponsors in the Assembly were: Assemblyman Robert Gordon (District 38) and Assemblyman Eric Munoz (District 21). Primary sponsors in the Senate were: Senator Loretta Weinberg (District 37) and Senator Ellen Karcher (District 12).

###



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