

\*\*\* THIS SECTION IS CURRENT THROUGH NEW JERSEY 214TH LEGISLATURE \*\*\*  
2ND ANNUAL SESSION (P.L. 2011 CHAPTER 51 AND JR 3)  
STATE CONSTITUTION CURRENT THROUGH THE NOVEMBER, 2010 ELECTION  
ANNOTATIONS CURRENT THROUGH MAY 5, 2011.

TITLE 52. STATE GOVERNMENT, DEPARTMENTS AND OFFICERS  
SUBTITLE 1. GENERAL PROVISIONS  
CHAPTER 9U. CANCER RESEARCH ACT

**GO TO THE NEW JERSEY ANNOTATED STATUTES ARCHIVE DIRECTORY**

*N.J. Stat. § 52:9U-1 (2011)*

§ 52:9U-1. Short title

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

**HISTORY:** L. 1983, c. 6, 1, eff. Jan. 17, 1983.

**NOTES:**

Cross References:

Legislative appropriations; breast cancer research project defined, see *54A:9-25.8*.

Appropriation of monies deposited, see *54A:9-25.22*.

§ 52:9U-2. Legislative findings and declarations

The Legislature finds and declares that, although this State has the highest cancer death rate in the nation for many of the most frequently fatal types of cancer, it has provided relatively little encouragement for cancer studies at any of its local institutions involved in basic biological research; and that this failure has made New Jersey unattractive for the recruitment of highly skilled cancer investigators, has reduced the State's capacity to compete for its fair share of federal and private research dollars, and has been responsible for delaying the development of services and facilities necessary to conduct productive research. New Jersey's failure to make a concerted and intense effort in the war against cancer has deprived its citizens of the benefits resulting from the latest advances in basic cancer research.

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

**HISTORY:** L. 1983, c. 6, 2, eff. Jan. 17, 1983.

§ 52:9U-3. Definitions

As used in this act:

a. "Approved research project" means a scientific research project, which is approved by the commission and which focuses on the genetic, biochemical, viral, microbiological and environmental causes of cancer, and may include, but is not limited to, behavioral, socio-economic, demographic and psychosocial research or research into methods of clinical treatment; or which focuses on pain management and palliative care for persons diagnosed with cancer.

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

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

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

**HISTORY:** L. 1983, c. 6, § 3; amended 1984, c. 237, § 1; 2000, c. 63, § 1, eff. July 13, 2000.  
§ 52:9U-4. Commission on Cancer Research

a. There is established in the Executive Branch of the State government, the New Jersey State Commission on Cancer Research. For the purposes of complying with the provisions of *Article V, Section IV, paragraph 1 of the New Jersey Constitution*, the commission is allocated within the Department of Health, but notwithstanding that allocation, the commission shall be independent of any supervision or control by the department or by any board or officer thereof.

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

c. The term of office of each appointed member shall be three years, but of the members first appointed, three shall be appointed for terms of one year, three for terms of two years, and one for a term of three years. The terms of office of the two additional members appointed pursuant to this amendatory act shall expire upon the expiration of the term of office of the member first appointed for a term of three years. All vacancies shall be filled for the balances of the unexpired terms in the same manner as the original appointments. The members of the commission shall not receive any compensation for their services, but shall be reimbursed for the actual and necessary expenses incurred in the performance of their duties as members of the commission.

§ 52:9U-5. Duties of commission

The commission shall:

a. Review and authorize approved research projects;

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

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

d. Take steps necessary to encourage the development within the State of research projects on:

(1) the causes of cancer; and

(2) pain management and palliative care for persons diagnosed with cancer;

e. Compile a directory of all cancer 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.

The commission is authorized to:

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

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

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

d. Design a fair and equitable system for the solicitation, evaluation and approval of proposals for cancer research projects;

e. Apply for and accept any grant of money from the federal government, which may be available for programs relating to research on the causes of cancer;

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

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

#### § 52:9U-6.1. Grants; qualified research institution defined

The New Jersey State Commission on Cancer Research shall solicit, receive, evaluate and approve applications of qualified research institutions for grants from the "New Jersey Breast Cancer Research Fund," established pursuant to section 1 of P.L.1995, c.26 (*C. 54A:9-25.7*), to conduct research relating to the causes, prevention, screening, treatment and cure of breast cancer. As used in this section, "qualified research institution" may include academic medical institutions, State or local government agencies, public or private organizations within New Jersey, and any other institution approved by the commission, which is conducting a breast cancer research project.

#### § 52:9U-6.2. Applications for grants

The New Jersey State Commission on Cancer Research shall solicit, receive, evaluate and approve applications of qualified research institutions for grants from the "New Jersey Prostate Cancer Research Fund," established pursuant to section 1 of P.L. 2001, c. 305 (*C. 54A:9-25.21*), to conduct research relating to the causes, prevention, screening, treatment and cure of prostate cancer. As used in this section, "qualified research institution" may include academic medical institutions, State or local government agencies, public or private organizations within New Jersey, and any other institution approved by the commission, which is conducting a prostate cancer research project.

#### § 52:9U-6.3. Grants from "New Jersey Lung Cancer Research Fund"

The New Jersey State Commission on Cancer Research shall solicit, receive, evaluate and approve applications of qualified research institutions for grants from the "New Jersey Lung Cancer Research Fund," established pursuant to section 1 of P.L.2009, c.172 (*C. 54A:9-25.27*), to conduct research relating to the causes, prevention, education, screening, treatment and cure of lung cancer. As used in this section, "qualified research institution" may include academic medical institutions, State or local government agencies, public or private organizations within New Jersey, and any other institution approved by the commission, which is conducting a lung cancer research project.

#### § 52:9U-7. Chairman and vice-chairman; election; duties; duties of executive director

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

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

#### § 52:9U-8. Annual appropriation

\$ 1,000,000.00 shall be appropriated annually from the Cancer Research Fund established by P.L.1982, c. 40 (*C. 54:40A-8* et al.) to effectuate the purposes of this act, except that only \$ 500,000.00 shall be appropriated from the fund in fiscal year 1982-1983.

§ 52:9U-9. Research facilities; direct application for or receipt of funds from public or private agency

Nothing in this act shall 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 cancer research.