

[First Reprint]
ASSEMBLY, No. 13

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 7, 1996

By Assemblywoman VANDERVALK,
Assemblymen O'TOOLE and Blee

1 AN ACT concerning the Work First New Jersey program,
2 supplementing Title 44 of the Revised Statutes and amending
3 ¹[P.L.1993, c.13] various parts of the statutory law¹.

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

7
8 1. (New section) As used in this act:

9 "Assistance unit" means: a single person without dependent
10 children; a couple without dependent children; dependent children
11 only; or a person ¹or couple¹ with one or more dependent children
12 who are legally or blood-related, or who is their legal guardian, and
13 who live together as a household unit.

14 "Benefits" means any assistance provided to needy persons and
15 their dependent children and ¹needy¹single persons ¹and couples
16 without dependent children¹ under the Work First New Jersey
17 program established pursuant to P.L. , c. (C.) (pending
18 before the Legislature as Assembly Bill No. 12 of 1996).

19 "Commissioner" means the Commissioner of Human Services.

20 "County agency" means the ¹county¹ agency ¹ [, including, but not
21 limited to, a county planning council, designated by a county and
22 approved by the commissioner to] that was administering the aid to
23 families with dependent children program at the time the federal
24 "Personal Responsibility and Work Opportunity Reconciliation Act of
25 1996," Pub.L.104-193, was enacted and which, upon the enactment
26 of P.L. , c. (C.)(pending before the Legislature as this bill) shall
27 also¹ administer the Work First New Jersey program in that county.

28 "Department" means the Department of Human Services.

29 "Dependent child" means a child:

30 a. under the age of 18;

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 Assembly APR committee amendments adopted December 5, 1996.

1 b. under the age of 19 and a full-time student in a secondary school
2 or an equivalent level of vocational or technical training, if, before the
3 student attains age 19, the student may reasonably be expected to
4 complete the student's program of secondary school or training; or

5 c. under the age of 21 and enrolled in a special education program,
6 who is living in New Jersey with the child's natural or adoptive parent
7 or legal guardian, or with a relative designated by the commissioner in
8 a place of residence maintained by the relative as the relative's home.

9 "Full-time employment" means employment unsubsidized by any
10 level of government in which a person is engaged for at least 35 hours
11 a week.

12 ¹"Legal guardian" means the person who exercises continuing
13 control over the person or property, or both, of a child, including any
14 specific right of control over an aspect of the child's upbringing,
15 pursuant to a court order.¹

16 "Program" means the Work First New Jersey program established
17 pursuant to P.L. , c. (C.)(pending before the Legislature as
18 Assembly Bill No. 12 of 1996).

19 "Recipient" means a recipient of benefits under the Work First New
20 Jersey program established pursuant to P.L. , c. (C.)
21 (pending before the Legislature as Senate Bill No. 12 of 1996).

22
23 2. (New section) a. Effective no later than the 30th day after the
24 date of enactment of this act, a recipient's eligibility for benefits shall
25 be limited to a total of 60 cumulative months, except as otherwise
26 provided in this act, regardless of whether the recipient meets more
27 than one assistance unit criteria during that 60-month period. Receipt
28 of assistance from federal block grant funds for temporary assistance
29 for needy families provided by another state or territory pursuant to
30 the federal "Personal Responsibility and Work Opportunity
31 Reconciliation Act of 1996," Pub.L.104-193, shall count towards the
32 60-month time limit. Receipt of benefits as a dependent child ¹or
33 minor parent¹ shall not count towards the 60-month time limit ¹in the
34 event that the dependent child or minor parent becomes a head of
35 household in the child's or parent's own right for the purposes of
36 receiving benefits.¹

37 b. A recipient shall be exempted from the 60-month time limit
38 established pursuant to subsection a. of this section if the recipient is:

39 (1) over 60 years of age;

40 (2) the parent or other relative of a disabled child or other
41 ¹disabled¹ dependent who must provide full-time care for the disabled
42 child or other ¹disabled¹ dependent;

43 (3) permanently disabled, including, but not limited to, a person
44 eligible for disability insurance benefits under Title II of the federal
45 Social Security Act (42 U.S.C. §401 et seq.), as defined by regulation
46 of the commissioner; or

1 (4) chronically unemployable as defined by regulation of the
2 commissioner.

3 c. A recipient may receive an extension of no more than 12
4 cumulative months beyond the 60-month time limit established
5 pursuant to subsection a. of this section, to be granted in increments
6 that shall not exceed six months, if the commissioner determines that
7 the recipient meets one of the following criteria:

8 (1) the recipient or the recipient's dependent child would be subject
9 to extreme hardship or incapacity, as defined by regulation of the
10 commissioner, in the event of a termination of benefits;

11 (2) the recipient is engaged in full-time employment but remains
12 eligible for benefits due to earned income disregards ¹provided for
13 under section 4 of P.L. , c. (pending before the Legislature as
14 Assembly Bill No. 14 of 1996) ¹;

15 (3) the recipient has not received an opportunity to engage in work
16 activities as specified in the individual responsibility plan pursuant to
17 subsection f. of section 8 of P.L. , c. (C.)(pending before
18 the Legislature as Assembly Bill No. 12 of 1996); or

19 (4) the recipient was engaged in full-time employment and was
20 income-ineligible for benefits but was terminated from the employment
21 through no fault of the recipient.

22 d. The provisions of this section shall apply to a person who
23 receives general public assistance pursuant to P.L.1947, c.156
24 (C.44:8-107 et seq.) after the effective date of this act and is
25 subsequently transferred directly into the Work First New Jersey
26 program.

27
28 3. (New section) a. The county agency ¹and municipal welfare
29 agency¹ shall be responsible for implementing the Work First New
30 Jersey program in accordance with regulations adopted by the
31 commissioner and ensuring that all ¹[recipients] eligible persons¹
32 residing in the county have access to benefits.

33 b. ¹(1)¹ The administration by county agencies of the program for
34 eligible single persons and couples without dependent children shall
35 commence January 1, 1998, in accordance with a schedule to be
36 determined by the commissioner for the respective geographic areas
37 of the State¹; except that a municipality which provided general public
38 assistance to less than 100 eligible single adults and couples without
39 dependent children, excluding emergency assistance, for the month of
40 June 1996, shall continue to: administer general public assistance
41 through the program in accordance with the provisions of P.L.1947,
42 c.156 (C.44:8-107 et seq.), and fund the administrative costs thereof,
43 subject to the provisions of paragraph (2) of this subsection.

44 (2) A municipality which is covered by the provisions of paragraph
45 (1) of this subsection may transfer its administration of general public
46 assistance to the county at the municipality's discretion, in accordance

1 with procedures established by the commissioner, in which case the
2 State shall reimburse the county for 100% of the administrative costs
3 incurred by the county agency with respect to the provision of cash
4 assistance benefits to the eligible single adults and couples without
5 dependent children residing in that municipality, up to the maximum
6 amount allocated for that county by the commissioner within the limits
7 of available funds.

8 (3) With respect to a municipality which is covered by the
9 provisions of paragraph (1) of this subsection, the commissioner is
10 authorized to: provide for the issuance of cash assistance benefits, as
11 determined by the municipal welfare director, by paper check,
12 electronic benefit distribution, or other appropriate means; and to
13 require the municipality to report information to the commissioner
14 which the commissioner deems necessary to the proper administration
15 of the program through electronic means, as prescribed by regulation
16 of the commissioner¹.

17 c. The county agency ¹and municipal welfare agency¹, and any
18 other State, local, public or private entity or person working with the
19 department ¹[or],¹ county agency ¹or municipal welfare agency¹ to
20 effectuate the purposes of this act, shall collect and provide on a
21 timely basis to the commissioner any information requested by the
22 commissioner on the operation and administration of the program.

23 ¹d. For the first 12 months following the enactment of P.L. ____,
24 c. (C. __)(pending before the Legislature as this bill), a county
25 agency shall not enter into a contract with a private nonprofit or a
26 private for profit entity for eligibility determination functions and
27 benefit computation services that the county agency's current
28 employees are capable of performing.¹

29
30 4. (New section) a. The commissioner shall allocate among the
31 counties the federal funding available for administrative costs from the
32 federal block grant funds for temporary assistance for needy families
33 provided to New Jersey under Pub.L.104-193. The administrative
34 costs incurred by the county agency with respect to recipients with
35 dependent children shall be reimbursed by the State at the rate of 50%
36 of total administrative costs, up to the maximum amount allocated for
37 that county by the commissioner within the limits of available funds.
38 The remaining administrative costs shall be funded by the county. The
39 county's share of cash assistance benefits to recipients with dependent
40 children shall be 5% of total cash assistance benefit costs, and the
41 remaining 95% shall be funded by the State and federal governments.

42 b. The administrative costs incurred by the county agency with
43 respect to recipients who are single adults or couples without
44 dependent children shall be reimbursed by the State at the rate of
45 100% for the incremental costs incurred to perform required program
46 activities that are not required for other federally funded programs.

1 The State shall reimburse the county agency for 100% of cash
2 assistance benefits paid to or on behalf of recipients who are single
3 adults or couples without dependent children.

4 ¹c. The commissioner shall allocate among the counties the funding
5 available for work activities as defined in section 3 of P.L. , c.
6 (C.) (pending before the Legislature as Assembly Bill No. 12 of
7 1996), and case management activities applicable to work activities,
8 from State appropriations and federal block grant funds for temporary
9 assistance for needy families provided to the State pursuant to
10 Pub.L.104-193. Costs incurred by the counties for work activities and
11 case management shall be reimbursed up to the maximum amount
12 allocated for that county by the commissioner, and within the limits of
13 available funds.¹

14

15 5. (New section) a. The department shall implement the electronic
16 benefit distribution system established pursuant to P.L.1985, c.501
17 (C.44:10-5.1 et seq.) in every county of the State.

18 b. All cash assistance and food stamp benefits shall be provided
19 through the issuance of a single benefit card utilizing the electronic
20 benefit distribution system. The commissioner may include additional
21 programs in this system at his discretion.

22 c. No charge, including a fee imposed by a terminal owner, shall be
23 imposed upon a person receiving cash assistance, food stamp or other
24 benefits for participating in the electronic benefit transfer system¹ [,
25 except as follows:

26 (1) after three free cash automatic teller machine withdrawals in a
27 month, the department may deduct a transaction fee from a recipient's
28 account for each subsequent withdrawal;

29 (2) a recipient shall be required to pay a fee for a replacement
30 benefit card in an amount to be determined by the commissioner,
31 which may be deducted from the recipient's account as determined by
32 the commissioner, in accordance with federal law; and

33 (3) a recipient who elects to receive benefits at a point-of-sale
34 location licensed by the Department of Banking and Insurance may be
35 charged a fee not to exceed the limit on fees for cashing checks
36 established under P.L.1993, c.383 (C.17:15A-30 et seq.)¹].

37 d. A retail establishment currently authorized to participate in the
38 food stamp program shall be afforded the opportunity to participate in
39 the electronic benefit distribution system.

40 e. The department shall cycle the issuance of cash assistance and
41 food stamp benefits over multiple dates throughout the month in a
42 manner that best serves cash assistance and food stamp recipients
43 within the framework of the electronic benefit distribution system in
44 each county.

45 f. The commissioner shall have the discretion to determine the need
46 for appropriate benefit card security measures, as well as whatever

1 personal identification technology is included on the benefit card, to
2 access cash assistance, food stamp or other benefits under the
3 electronic benefit distribution system.

4 g. A county agency shall issue a photo-identification card to each
5 adult recipient as a condition of receiving benefits until implementation
6 of the electronic benefit distribution system in that county agency.
7 Once a county begins to implement the electronic benefit distribution
8 system, the county agency shall no longer be required to issue a photo-
9 identification card to each adult recipient but may continue the
10 issuance of photo-identification cards separate from the benefit cards.

11 h. Notwithstanding any provisions of law to the contrary, until
12 such time as the electronic benefit distribution system is implemented
13 Statewide, contracts for the provision of food stamp coupons are not
14 subject to the requirements of the "Local Public Contracts Law,"
15 P.L.1971, c.198 (C.40A:11-1 et seq.).

16

17 6. (New section) The federal Social Security number shall be used
18 as the common identifier of individuals ¹[on] for¹ any record, license,
19 certificate or other document identifying a person by name which is
20 used by an agency of State government in accordance with the
21 requirements of federal law. Each such agency shall be required to
22 implement the provisions of this section no later than July 1, 1998.

23

24 7. (New section) The commissioner, in consultation with the State
25 Treasurer, is authorized to establish and implement necessary
26 technological investments appropriate to create a Statewide
27 community-based electronic network designed to link federal, State
28 and local government agencies, nonprofit entities and private business
29 entities, for the effective and efficient exchange of information relating
30 to, and management of, the Work First New Jersey program and other
31 related programs.

32

33 8. Section 1 of P.L.1993, c.13 (C.2C:20-35) is amended to read as
34 follows:

35 1. As used in this act:

36 "ATP card" means a document issued by a State or federal agency,
37 to a certified household, to show the food stamp allotment a
38 household is authorized to receive on presentation.

39 "Benefit card" means a card used or intended for use to access
40 Work First New Jersey, food stamp or other benefits as determined by
41 the Commissioner of Human Services under the electronic benefit
42 distribution system established pursuant to the "Public Assistance
43 Electronic Benefit Distribution System Act," P.L.1985, c.501
44 (C.44:10-5.1 et seq.) and continued pursuant to P.L. _____, c.
45 (C. _____)(pending before the Legislature as this bill).

46 "Department" means the Department of Human Services.

1 "Food stamp coupon" means any coupon or stamp used or intended
2 for use in the purchase of food pursuant to the federal food stamp
3 program, 7 U.S.C.2011 et seq.

4 (cf: P.L.1995, c.215, s.1)

5
6 9. Section 2 of P.L.1993, c.13 (C.2C:20-36) is amended to read as
7 follows:

8 2. If the face value of food stamp coupons or an ATP card or
9 benefit card is equal to or greater than \$150, an individual shall be
10 guilty of a crime of the fourth degree if he purposely or knowingly and
11 without authorization:

12 a. Receives or uses the proceeds of food stamp coupons or an ATP
13 card or benefit card for which he has not applied or has not been
14 approved by the department to use;

15 b. Engages in any transaction to convert food stamp coupons or an
16 ATP card or benefit card to other property contrary to federal and
17 State government rules and regulations governing the Work First New
18 Jersey program, the food stamp program, or any other program
19 included in the electronic benefit distribution system; or

20 c. Transfers food stamp coupons or an ATP card or benefit card to
21 another person who is not lawfully entitled or approved by the
22 department to use the coupons or ATP card or benefit card.

23 (cf: P.L.1995, c.215, s.2)

24
25 10. Section 3 of P.L.1993, c.13 (C.2C:20-37) is amended to read
26 as follows:

27 3. If the face value of food stamp coupons or an ATP card or
28 benefit card is less than \$150, an individual shall be guilty of a
29 disorderly persons offense if he purposely or knowingly and without
30 authorization:

31 a. Receives or uses the proceeds of food stamp coupons or an ATP
32 card or benefit card for which he has not applied or has not been
33 approved, by the department, to use;

34 b. Engages in any transaction to convert food stamp coupons or an
35 ATP card or benefit card to other property contrary to federal and
36 State government rules and regulations governing the Work First New
37 Jersey program, the food stamp program, or any other program
38 included in the electronic benefit distribution system; or

39 c. Transfers food stamp coupons or an ATP card or benefit card to
40 another person who is not lawfully entitled or approved, by the
41 department, to use the coupons or ATP card or benefit card.

42
43 11. R.S.30:1-12 is amended to read as follows:

44 30:1-12. a. The Legislature finds that the Commissioner of Human
45 Services is obligated by State and federal law to assure that programs
46 that serve eligible, low-income, handicapped, elderly, abused, and

1 disabled persons are provided in an accessible, efficient, cost-effective
2 and high quality manner. In order to meet these ends, the
3 commissioner must have sufficient authority to require institutions and
4 agencies that are under his direct or indirect supervision to meet State
5 and federal mandates. This authority is especially necessary given the
6 manner in which certain services are provided by county or local
7 agencies, but are funded in whole or part by the State. The Legislature
8 finds that the commissioner must have the authority to establish rules,
9 regulations and directives, including incentives and sanctions, to assure
10 that these institutions and agencies are providing services in a manner
11 consistent with these mandates.

12 b. The commissioner shall have power to determine all matters
13 relating to the unified and continuous development of the institutions
14 and noninstitutional agencies within his jurisdiction. He shall determine
15 all matters of policy and shall have power to regulate the
16 administration of the institutions or noninstitutional agencies within his
17 jurisdiction, correct and adjust the same so that each shall function as
18 an integral part of a general system. The rules, regulations, orders and
19 directions issued by the commissioner pursuant thereto, for this
20 purpose shall be accepted and enforced by the executive having charge
21 of any institution or group of institutions or noninstitutional agencies
22 or any phase of the work within the jurisdiction of the department.

23 In order to implement the public policy of this State concerning the
24 provision of charitable, hospital, relief and training institutions
25 established for diagnosis, care, treatment, training, rehabilitation and
26 welfare of persons in need thereof, for research and for training of
27 personnel, and in order that the personnel, buildings, land, and other
28 facilities provided be most effectively used to these ends and to
29 advance the public interest, the commissioner is hereby empowered to
30 classify and designate from time to time the specific functions to be
31 performed at and by any of the aforesaid institutions under his
32 jurisdiction and to designate, by general classification of disease or
33 disability, age or sex, the classes of persons who may be admitted to,
34 or served by, these institutions or agencies.

35 In addition to and in conjunction with its general facilities and
36 services for the mentally ill, mentally retarded and tuberculous, the
37 department may at its discretion establish and maintain specialized
38 facilities and services for the residential care, treatment and
39 rehabilitation of persons who are suffering from chronic mental or
40 neurological disorders, including, but not limited to alcoholism, drug
41 addiction, epilepsy and cerebral palsy.

42 The commissioner shall have the power to regulate the
43 administration of agencies under his supervision including, but not
44 limited to, municipal and county [welfare] agencies that administer
45 public assistance. The commissioner may issue rules, regulations,
46 orders and directions to assure that programs administered by the

1 agencies are financially and programmatically efficient and effective,
2 and to establish incentives and impose sanctions to assure the
3 appropriate operation of programs and compliance with State and
4 federal laws and regulations.

5 In addition, the commissioner shall have the authority to:

6 (1) review and approve county and andmunicipal [welfare]
7 budgets for public assistance ¹[agency budgets]¹ and

8 (2) take appropriate interim action, including withholding State
9 and federal administrative funds, or¹ take over and operate county or
10 municipal [welfare] public assistance operations in situations in which
11 the commissioner determines that the ¹[welfare board] public
12 assistance agency¹ is failing to substantially follow federal or State
13 law, thereby placing clients, who are dependent on public assistance
14 benefits to survive in a humane and healthy manner, at serious risk. In
15 this situation, the commissioner shall have the authority to bill the
16 county for the cost of such operations and for necessary changes to
17 assure that services are provided to accomplish federal and State
18 mandates in an effective and efficient manner.

19 No rule, regulation, order or direction shall abridge the authority of
20 a county or [municipal welfare agency] municipality to establish wages
21 and terms and conditions of employment for its employees through
22 collective negotiation with an authorized employee organization
23 pursuant to P.L.1984, c.14 (C.44:7-6.1 et seq.).

24 The commissioner shall have the power to promulgate regulations
25 to assure that services in State and county psychiatric facilities are
26 provided in an efficient and accessible manner and are of the highest
27 quality. Regulations shall include, but shall not be limited to, the
28 transfer of patients between facilities; the maintenance of quality in
29 order to obtain certification by the United States Department of Health
30 and Human Services; the review of the facility's budget; and the
31 establishment of sanctions to assure the appropriate operation of
32 facilities in compliance with State and federal laws and regulations.

33 The commissioner shall have the power to promulgate regulations
34 to assure that county adjusters effectively and efficiently conduct
35 investigations, notify legally responsible persons of amounts to be
36 assessed against them, petition the courts, represent patients in
37 psychiatric facilities, and as necessary reopen the question of payment
38 for maintenance of persons residing in psychiatric facilities.
39 Regulations may include minimum standards for determining payment
40 of care by legally responsible persons; a uniform reporting system of
41 findings, conclusions and recommendations; and the establishment of
42 sanctions to assure compliance with State laws and regulations.

43 c. The commissioner shall have the power to conduct an
44 investigation into the financial ability to pay, directly or indirectly, of
45 any person receiving services from the department, or his chargeable
46 relatives. This authority shall include the power to issue subpoenas to

1 compel testimony and the production of documents. The
2 commissioner may contract with a public or private entity to perform
3 the functions set forth in this subsection, subject to terms and
4 conditions required by the commissioner.

5 (cf: P.L.1995, c.155, s.1)

6
7 ¹12. Section 15 of P.L.1990, c.66 (C.30:1-12.2) is amended to
8 read as follows:

9 15. If the commissioner determines that any [municipal Local
10 Assistance Board or County Welfare Board] county agency
11 administering public assistance or municipal welfare agency has failed
12 to administer their respective programs in accordance with applicable
13 State and federal laws and regulations, the commissioner shall have the
14 authority to take the following action:

15 a. Take the necessary administrative and programmatic changes
16 necessary to ensure compliance with State and federal law and
17 regulation and bill the municipality [and] or county for the reasonable
18 expenses incurred by the department in ensuring compliance, withhold
19 administrative costs and take such other interim actions, as deemed
20 necessary and appropriate;

21 b. Hire any consultant or undertake any studies of the agency
22 operations deemed appropriate;

23 c. Direct expenditures of the county agency administering public
24 assistance or municipal welfare agency in a reasonable and prudent
25 manner to effectuate the purposes of their respective programs,
26 including reallocating funds within the county agency administering
27 public assistance or municipal welfare agency budget and determine
28 additional amounts of revenue needed to implement the programs
29 within the agency's budget;

30 d. Operate the county agency administering public assistance or
31 municipal welfare agency, as deemed necessary and appropriate; and

32 e. Do all acts necessary or appropriate to ensure that the needs of
33 eligible public assistance recipients are met pursuant to State and
34 federal law.¹

35 (cf: P.L.1990, c.66, s.15).

36
37 ¹13. Section 1 of P.L.1947, c.156 (C.44:8-107) is amended to read
38 as follows:

39 1. a. This act may be cited as the "Work First New Jersey General
40 Public Assistance [Law] Act."

41 b. Whenever the term "General Public Assistance Law" occurs or
42 any reference is made thereto in any law, contract or document, the
43 same shall be deemed to mean or refer to the "Work First New Jersey
44 General Public Assistance Act."

45 c. Whenever the term "general public assistance" occurs or any
46 reference is made thereto in any law, contract or document, the same

1 shall be deemed to mean or refer to benefits provided to single adults
2 and couples without dependent children through the Work First New
3 Jersey program established pursuant to P.L. , c. (C.)(pending
4 before the Legislature as Assembly Bill No. 12 of 1996).¹

5 (cf: P.L.1947, c.156, s.1)

6
7 ¹14. Section 2 of P.L.1947, c.156 (C.44:8-108) is amended to read
8 as follows:

9 2. As used in this act:

10 "Commissioner" means the Commissioner of the Department of
11 Human Services;

12 "Department" means the Department of Human Services;

13 "Employable person" means any person applying for or receiving
14 public assistance under this act who is not unable to perform work due
15 to physical or mental disability as such terms shall be defined in
16 regulations established by the commissioner;

17 "Municipality" shall include any city, borough, township, town,
18 village or municipality governed by a board of commissioners or an
19 improvement commission which administers general public assistance
20 to single adults and couples without dependent children through the
21 Work First New Jersey program established pursuant to P.L. , c.
22 (C.)(pending before the Legislature as Assembly Bill No. 12 of
23 1996);

24 "Public assistance" means assistance rendered to needy [persons
25 not otherwise provided for under the laws of this State, where such
26 persons] single adults and couples without dependent children who
27 are willing to work but are unable to secure employment due either to
28 physical or mental disability or inability to find employment, and
29 includes what is commonly called "relief" or "emergency relief," which
30 shall be provided under the Work First New Jersey program
31 established pursuant to P.L. , c. (C.)(pending before the
32 Legislature as Assembly Bill No. 12 of 1996) in the form of benefits
33 as defined in section 3 of P.L. , c. (C.)(pending before
34 the Legislature as Assembly Bill No. 12 of 1996);

35 "State aid" means State aid for public assistance or relief as in this
36 act prescribed and provided for;

37 "Unemployable person" means any person applying for or receiving
38 public assistance who is not an employable person as defined by the
39 commissioner;

40 "Year" means calendar year.¹

41 (cf: P.L.1977, c.286, s.1)

42
43 ¹15. Section 8 of P.L.1947, c.156 (C.44:8-114) is amended to read
44 as follows:

45 8. a. The State shall provide, through each municipality or county,
46 as appropriate, public assistance to the persons eligible therefor,

1 residing therein or otherwise when so provided by law, which
2 assistance shall be fully funded by the State and administered by a local
3 assistance board or the county welfare agency according to law and in
4 accordance with P.L.1947, c.156 (C.44:8-107 et seq.) and with such
5 rules and regulations as may be promulgated by the commissioner.

6 b. An employable person who is receiving public assistance shall be
7 required, except when good cause exists, to [enroll and actively
8 participate in the Family Development Initiative established pursuant
9 to P.L.1991, c.523 (C.44:10-19 et al.)] comply with the requirements
10 of the Work First New Jersey program pursuant to P.L. _____, c.
11 (C. _____)(pending before the Legislature as Assembly Bill No. 12 of
12 1996).

13 c. The commissioner may exempt a person from [participating in
14 the program] the provisions of subsection b. of this section for reasons
15 of physical or mental impairment, age, illness or injury, caretaker
16 responsibilities, employment or unsuitability, as determined by the
17 commissioner[, for the services provided by the program].

18 [Each person receiving public assistance who is required to
19 participate in the Family Development Initiative shall receive a
20 health-related, social, educational and vocational assessment and those
21 services, as appropriate, which are provided to other participants in
22 that program pursuant to P.L.1991, c.523 (C.44:10-19 et al.)]

23 Any person who without good cause fails or refuses to [enroll and
24 actively participate in the Family Development Initiative, which
25 includes failure to attend or make satisfactory academic progress in
26 educational or vocational training classes under the program, including
27 classes in four-year and community colleges and post-secondary
28 vocational training programs] comply with the requirements of the
29 Work First New Jersey program, according to rules and regulations
30 adopted by the commissioner, shall [thereupon, as determined by the
31 commissioner, be subject to a reduction in benefits of at least 20%, or
32 shall become ineligible for public assistance for a period of at least 90
33 days, which shall commence at the end of the current benefit period
34 and at the end of which the person shall again become eligible for
35 public assistance; provided that he complies with all requirements of
36 the Family Development Initiative as determined by the commissioner
37 or shows his willingness to do so. For a subsequent failure or refusal
38 to enroll and actively participate in the program without good cause,
39 the person may be subject to a termination of benefits] be subject to
40 the provisions of section 9 of P.L. _____, c. _____ (C. _____)(pending
41 before the Legislature as Assembly Bill No. 12 of 1996).¹

42 (cf: P.L.1995, c.259, s.19)

43

44 ¹16. Section 1 of P.L.1993, c.305 (C.44:8-117.1) is amended to
45 read as follows:

46 1. Notwithstanding any provisions of law to the contrary, the

1 governing body of a municipality shall have the authority to establish
2 staffing levels for the municipality's welfare department for the
3 purpose of administering public assistance pursuant to the "Work First
4 New Jersey General Public Assistance [Law] Act," P.L.1947, c.156
5 (C.44:8-107 et seq.).¹
6 (cf: P.L.1993, c.305, s.1)

7
8 ¹[12.] 17.¹ The commissioner, pursuant to the "Administrative
9 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt
10 rules and regulations to effectuate the purposes of this act and to
11 comply with the requirements of Pub.L.104-193.

12
13 ¹[13.] 18.¹ This act shall take effect immediately¹, except that
14 sections 13 through 16 shall take effect on January 1, 1998¹.

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18

19 Imposes time limit on receipt of benefits under Work First New Jersey
20 program and provides for administration of the program.