

ASSEMBLY, No. 285

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman BATEMAN

1 AN ACT concerning the administration of general public assistance
2 and amending and supplementing P.L.1947, c.156.

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

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7 1. (New section) a. The Commissioner of Human Services, no
8 later than the 90th day after the effective date of this act, shall adopt
9 rules and regulations which provide for specific standards of
10 performance with respect to the administration of general public
11 assistance pursuant to P.L.1947, c.156 (C.44:8-107 et seq.). Each
12 municipal welfare agency or other agency administering general public
13 assistance shall be required to comply with these standards, which
14 shall be designed to ensure adequate access to services for all eligible
15 citizens at the lowest possible cost of administration. The standards
16 shall be developed in consultation with the general assistance advisory
17 committee within the Department of Human Services and the
18 Municipal Welfare Association of New Jersey.

19 b. The commissioner shall distribute an evaluation form to each
20 municipal welfare agency for the purpose of measuring that agency's
21 compliance with the standards adopted by the commissioner pursuant
22 to subsection a. of this section. The agency shall complete and return
23 the form to the commissioner within 60 days of its receipt, and the
24 information provided by the agency shall be certified as correct by the
25 municipal welfare director and the presiding officer of the local
26 assistance board.

27 c. No later than 12 months after the effective date of this act, each
28 municipality shall be required to provide a program of general public
29 assistance which complies with the standards prescribed by the
30 commissioner pursuant to subsection a. of this section, by use of the
31 services of one or more of the following: its own municipal welfare
32 agency, a regional agency, or an agency with which the municipality
33 contracts for this purpose.

34 d. The commissioner shall periodically review the performance of

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

Matter underlined thus is new matter.

1 each municipal, regional or contracting agency with respect to the
2 administration of general public assistance to determine whether it is
3 complying with the standards of performance prescribed by the
4 commissioner.

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6 2. (New section) a. Each municipal, regional or contracting
7 agency which administers general public assistance shall be
8 administered by a welfare director who has been certified in
9 accordance with rules and regulations to be adopted by the
10 Commissioner of Human Services no later than the 90th day after the
11 effective date of this act. The standards for certification shall require,
12 at a minimum, that an applicant present proof of completion of courses
13 prescribed by the commissioner which are offered through Rutgers,
14 The State University or at a college or university certified by the
15 Department of Education. The standards for certification shall be
16 developed in consultation with the general assistance advisory
17 committee within the Department of Human Services and the
18 Municipal Welfare Association of New Jersey.

19 b. A person serving as a welfare director on the effective date of
20 this act is exempt from the provisions of subsection a. of this section.
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22 3. (New section) A person who shall have been employed as a
23 welfare director by a municipal welfare agency for a period of at least
24 five years and whose employment shall have been terminated by reason
25 of the assumption of its activities and responsibilities by another
26 agency, shall be transferred to that agency and be assigned duties
27 comparable to those previously performed by that person. The person
28 shall be entitled to and credited with all rights and privileges due the
29 person, and shall suffer no loss of compensation or benefits accruing
30 to the person, by reason of the person's tenure in the previous position
31 the same as if the entire period of the person's employment in the
32 previous position had been in the position to which the person has
33 been transferred.

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35 4. Section 11 of P.L.1947, c.156 (C.44:8-117) is amended to read
36 as follows:

37 11. Each local assistance board shall organize and select a
38 chairman and a secretary, and shall appoint a director of welfare who
39 shall be the first executive and administrative officer of the board.
40 **[He]** The director shall hold office for a term of five years from the
41 date of **[his]** the appointment, and shall be paid such salary as may be
42 fixed by such board subject to approval by the governing body.
43 Nothing herein shall be construed to make the overseer of the poor of
44 a municipality ineligible for appointment also as director of welfare by
45 such local assistance board.

46 The director of welfare, subject to the superior authority of the

1 local assistance board appointing the director, shall be its general
2 agent for the administration of general public assistance.

3 In case of vacancy in the office of director of welfare, one
4 temporary or acting director may be appointed to serve for not more
5 than ninety days.

6 Other employees, including assistants, clerks, investigators and
7 nurses, in such number as may be necessary to properly administer
8 public assistance, shall be appointed in the same manner as other
9 employees of the municipality.

10 No employee of any welfare department of a municipality whose
11 compensation is paid from funds received or appropriated for public
12 assistance or the administration thereof in any manner shall hold any
13 office in any political party.

14 (cf: P.L.1947, c.156, s.11)

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16 5. The Commissioner of Human Services, pursuant to the
17 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
18 seq.), shall adopt rules and regulations to effectuate the purposes of
19 this act.

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21 6. This act shall take effect immediately.

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STATEMENT

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26 This bill provides for the adoption by the Commissioner of Human
27 Services of specific standards of performance with respect to the
28 administration of general public assistance, with which each municipal
29 agency administering general public assistance shall be required to
30 comply. The bill further requires that each agency which administers
31 general public assistance be administered by a welfare director who
32 has been certified in accordance with rules and regulations to be
33 adopted by the commissioner. In addition, the bill provides that a
34 person who shall have been employed as a welfare director by a
35 municipal welfare agency for a period of at least five years and whose
36 employment shall have been terminated by reason of the assumption
37 of its activities and responsibilities by another agency, shall be
38 transferred to that agency and be assigned duties comparable to those
39 previously performed by that person.

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44 Requires Commissioner of Human Services to develop and implement
45 standards of performance for administration of general public
46 assistance.