

ASSEMBLY, No. 2937

STATE OF NEW JERSEY

INTRODUCED MAY 8, 1997

By Assemblyman T. SMITH

1 AN ACT concerning general public assistance and amending P.L.1997,  
2 c.37.

3

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

6

7 1. Section 3 of P.L.1997, c.37 (C.44:10-73) is amended to read as  
8 follows:

9 3. a. The county agency shall be responsible for implementing the  
10 Work First New Jersey program in accordance with regulations  
11 adopted by the commissioner and ensuring that all eligible persons  
12 residing in the county have access to benefits; except as otherwise  
13 provided in this subsection.

14 (1) A municipality may continue to administer general public  
15 assistance for eligible single persons and couples without dependent  
16 children through the program in accordance with the provisions of  
17 P.L.1947, c.156 (C.44:8-107 et seq.), [and fund the administrative  
18 costs thereof] upon passage of a resolution. The resolution shall be  
19 passed no later than six months after the commissioner adopts  
20 regulations to effectuate these provisions. A copy of the resolution  
21 shall be filed with the Division of Local Government Services in the  
22 Department of Community Affairs within three days after its passage.  
23 The resolution shall include the reasons for the governing body's  
24 decision to administer the program.

25 (2) The Division of Local Government Services in the Department  
26 of Community Affairs shall not include the municipality's general  
27 public assistance budget in its budget review and approval process.

28 (3) A municipality which administers general public assistance  
29 pursuant to the provisions of paragraph (1) of this subsection shall be  
30 [responsible] reimbursed by the State for all administrative costs of  
31 providing benefits to eligible single persons and couples without  
32 dependent children[. The State shall reimburse the municipality] and  
33 for 100% of cash assistance benefits paid to recipients of general  
34 public assistance.

**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.**

1 (4) If a municipality fails to comply with the provisions of  
2 paragraph (1) of this subsection, the commissioner is authorized to  
3 require the transfer of its administration of general public assistance to  
4 the county.

5 (5) If the commissioner determines by financial or performance  
6 audit that a municipality has failed to administer benefits pursuant to  
7 this subsection in accordance with standards established by regulation  
8 of the commissioner, the commissioner is authorized to: take  
9 appropriate action pursuant to section 15 of P.L.1990, c.66  
10 (C.30:1-12.2), recoup any funds identified by that audit, and require  
11 the transfer by the municipality of its administration of general public  
12 assistance to the county.

13 Prior to effecting such a transfer, the commissioner shall specify in  
14 writing to the municipality the financial or performance deficiencies  
15 determined by audit and provide the municipality with a reasonable  
16 opportunity to correct those deficiencies, in accordance with a process  
17 to be established by regulation of the commissioner. The regulations  
18 shall include, but not be limited to, the form and manner for  
19 submission of a plan of correction by the municipality which sets forth  
20 the specific activities and time periods within which the deficiencies  
21 are to be corrected. If the municipality fails to correct these  
22 deficiencies, the commissioner may proceed with the transfer.

23 (6) Within 30 days after the adoption of regulations to effectuate  
24 the purposes of this section, the commissioner shall notify each  
25 municipality in writing of its option to administer general public  
26 assistance pursuant to the provisions of paragraph (1) of this  
27 subsection or transfer its administration of general public assistance to  
28 the county .

29 b. (1) The administration by county agencies of the program for  
30 eligible single persons and couples without dependent children shall  
31 commence January 1, 1998, in accordance with a schedule to be  
32 determined by the commissioner for the respective geographic areas  
33 of the State; except as provided in subsection a. of this section.

34 In accordance with procedures established by the commissioner, the  
35 State shall reimburse the county for 100% of the administrative costs  
36 incurred by the county agency with respect to the provision of cash  
37 assistance benefits to the eligible single adults and couples without  
38 dependent children residing in a municipality which has transferred its  
39 administration of general public administration to the county, up to the  
40 maximum amount allocated for that county by the commissioner within  
41 the limits of available funds.

42 (2) With respect to a municipality which has opted to continue to  
43 administer general public assistance pursuant to the provisions of  
44 paragraph (1) of subsection a. of this section, the commissioner is  
45 authorized to: provide for the issuance of cash assistance benefits, in  
46 accordance with regulations adopted by the commissioner, by paper

1 check, electronic benefit distribution, or other appropriate means; and  
2 to require the municipality to report information to the commissioner  
3 which the commissioner deems necessary to the proper administration  
4 of the program through electronic means, as prescribed by regulation  
5 of the commissioner.

6 c. The county agency and municipal welfare agency, and any other  
7 State, local, public or private entity or person working with the  
8 department, county agency or municipal welfare agency to effectuate  
9 the purposes of this act, shall collect and provide on a timely basis to  
10 the commissioner any information requested by the commissioner on  
11 the operation and administration of the program.

12 d. For the first 12 months following the enactment of P.L.1997,  
13 c.37 (C.44:10-71 et al.), a county agency shall not enter into a  
14 contract with a private nonprofit or a private for profit entity for  
15 eligibility determination functions and benefit computation services  
16 that the county agency's current employees are capable of performing.  
17 (cf: P.L.1997, c.37, s.3)

18

19 2. This act shall take effect immediately.

20

21

## 22 STATEMENT

23

24 This bill requires the State to reimburse a municipality which elects  
25 to administer its own general public assistance (GA) program under  
26 the Work First New Jersey program established pursuant to P.L.1997,  
27 c.38 (C.44:10-55 et seq.), rather than transfer its GA program to the  
28 county pursuant to P.L.1997, c.37 (C.44:10-71 et seq.), for the  
29 administrative costs of operating the program. Currently, under  
30 P.L.1997, c.37, a municipality which administers its own GA program  
31 is obligated to assume 100% of the administrative costs of providing  
32 GA benefits; however, if the municipality transfers its GA program to  
33 the county, the State will reimburse the county for 100% of the  
34 administrative costs of providing GA benefits to eligible residents of  
35 that municipality, up to the maximum amount allocated for that county  
36 by the Commissioner of Human Services within the limits of available  
37 funds.

38 This bill mandates that the State pay for the administrative costs of  
39 providing GA benefits, regardless of whether those benefits are  
40 administered by the municipality or the county.

41

42

43

44

45 Requires State to pay for administrative costs of general public  
46 assistance administered by municipalities.