

[Second Reprint]

SENATE, No. 35

STATE OF NEW JERSEY

INTRODUCED OCTOBER 24, 1996

By Senators BASSANO, BRYANT, Zane, Kyrillos, Adler,
Bubba, Littell, Kosco, Haines, Ewing, Lesniak, Bennett, Scott,
Matheussen, Ciesla, Cardinale, Palaia, Sinagra, Gormley and
Inverso

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 who
12 are legally or blood-related, or who is their legal guardian, and who
13 live together as a household unit.

14 "Benefits" means any assistance provided to needy persons and
15 their dependent children and ¹needy¹ single persons ¹and couples
16 without dependent children¹ under the Work First New Jersey program
17 established pursuant to P.L. , c. (C.) (pending before the
18 Legislature as Senate Bill No. ¹36¹ f 1996).

19 "Commissioner" means the Commissioner of Human Services.

20 "County agency" means ¹[the] ²[a public¹] the county² agency ²[,
21 including, but not limited to, a county planning council, designated by
22 a county and approved by the commissioner to] that was administering
23 the aid to families with dependent children program at the time the
24 federal "Personal Responsibility and Work Opportunity Reconciliation
25 Act of 1996," Pub.L.104-193, was enacted and which, upon the
26 enactment of P.L. , c. (C.)(pending before the Legislature as this
27 bill) shall also² administer the Work First New Jersey program in that
28 county ²[for assistance units with dependent children¹]².

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 Senate SHU committee amendments adopted November 18, 1996.

² Senate floor amendments adopted December 16, 1996.

1 "Department" means the Department of Human Services.

2 "Dependent child" means a child:

3 a. under the age of 18;

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

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

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

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

19 "Program" means the Work First New Jersey program established
20 pursuant to P.L. , c. (C.)(pending before the Legislature as
21 Senate Bill No. ¹36¹ of 1996).

22 "Recipient" means a recipient of benefits under the Work First New
23 Jersey program established pursuant to P.L. , c. (C.)
24 (pending before the Legislature as Senate Bill No. ¹36¹ of 1996).

25

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

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

42 (1) over 60 years of age;

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

46 (3) permanently disabled, including, but not limited to, a person

1 eligible for disability insurance benefits under Title II of the federal
2 Social Security Act (42 U.S.C. §401 et seq.), as defined by regulation
3 of the commissioner; or

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

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

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

14 (2) the recipient is engaged in full-time employment but remains
15 eligible for benefits due to earned income disregards ¹provided for
16 under section 4 of P.L. , c. (pending before the Legislature as
17 Senate Bill No. 37 of 1996) ¹;

18 (3) the recipient has not received an opportunity to engage in work
19 activities as specified in the individual responsibility plan pursuant to
20 subsection f. of section 8 of P.L. , c. (C.)(pending before
21 the Legislature as Senate Bill No. ¹36 ¹ of 1996); or

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

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

30

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

36 b. The administration by ¹[county agencies] a municipal welfare
37 agency ¹ of the program for eligible single persons and couples without
38 dependent children shall commence January 1, 1998, in accordance
39 with a schedule to be determined by the commissioner for the
40 respective geographic areas of the State.

41 c. The county agency ¹and municipal welfare agency ¹, and any
42 other State, local, public or private entity or person working with the
43 department ¹[or], ¹ county agency ¹or municipal welfare agency ¹ to
44 effectuate the purposes of this act, shall collect and provide on a
45 timely basis to the commissioner any information requested by the
46 commissioner on the operation and administration of the program.

1 ²d. For the first 12 months following the enactment of P.L. ,
2 c. (C.)(pending before the Legislature as this bill), a county
3 agency shall not enter into a contract with a private nonprofit or a
4 private for profit entity for eligibility determination functions and
5 benefit computation services that the county agency's current
6 employees are capable of performing.²

7
8 4. (New section) a. The commissioner shall allocate among the
9 counties the federal funding available for administrative costs from the
10 federal block grant funds for temporary assistance for needy families
11 provided to New Jersey under Pub.L.104-193. The administrative
12 costs incurred by the county agency with respect to recipients with
13 dependent children shall be reimbursed by the State at the rate of 50%
14 of total administrative costs, up to the maximum amount allocated for
15 that county by the commissioner within the limits of available funds.
16 The remaining administrative costs shall be funded by the county. The
17 county's share of cash assistance benefits to recipients with dependent
18 children shall be 5% of total cash assistance benefit costs, and the
19 remaining 95% shall be funded by the State and federal governments.

20 b. ¹[The] Effective January 1, 1998,¹ administrative costs incurred
21 by ¹[the county] a municipal welfare¹ agency with respect to recipients
22 who are single adults or couples without dependent children shall be
23 reimbursed by the State at the rate of 100% for the incremental costs
24 incurred to perform required program activities that are not required
25 ¹[for other federally funded programs] under P.L.1947, c.156 (C.44:8-
26 107 et seq.)¹. The State shall reimburse the ¹[county] municipal
27 welfare¹ agency for 100% of cash assistance benefits paid to or on
28 behalf of recipients who are single adults or couples without
29 dependent children ¹in accordance with the provisions of P.L.1947,
30 c.156 (C.44:8-107 et seq.)¹.

31 ¹c. The commissioner shall allocate among the counties the funding
32 available for work activities as defined in section 3 of P.L. , c.
33 (C.) (pending before the Legislature as Senate Bill No. 36 of 1996),
34 and case management activities applicable to work activities, from
35 State appropriations and federal block grant funds for temporary
36 assistance for needy families provided to the State pursuant to
37 Pub.L.104-193. Costs incurred by the counties for work activities and
38 case management shall be reimbursed up to the maximum amount
39 allocated for that county by the commissioner, and within the limits of
40 available funds.

41 ²[d. Effective January 1, 1998, the commissioner shall allocate
42 among the municipal welfare agencies the State funding available for
43 work activities as defined in section 3 of P.L. , c. (C.)(pending
44 before the Legislature as Senate Bill No. 36 of 1996), and case
45 management activities applicable to work activities from State
46 appropriations. Costs incurred by the municipal welfare agencies for

1 work activities and case management shall be reimbursed up to the
2 maximum amount allocated for that agency by the commissioner, and
3 within the limits of available funds.]¹ ²

4
5 5. (New section) a. The department shall implement the electronic
6 benefit distribution system established pursuant to P.L.1985, c.501
7 (C.44:10-5.1 et seq.) in every county of the State.

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

12 c. No charge, including a fee imposed by a terminal owner, shall be
13 imposed upon a person receiving cash assistance, food stamp or other
14 benefits for participating in the electronic benefit transfer system² [,
15 except as follows:

16 (1) after three free cash automatic teller machine withdrawals in a
17 month, the department may deduct a transaction fee from a recipient's
18 account for each subsequent withdrawal ¹ [, except that a cash
19 withdrawal at a point-of-sale device shall not be assessed a fee.];¹

20 (2) a recipient shall be required to pay a fee for a replacement
21 benefit card in an amount to be determined by the commissioner,
22 which may be deducted from the recipient's account as determined by
23 the commissioner, in accordance with federal law ¹; and

24 (3) a recipient who elects to receive benefits at a point-of-sale
25 location licensed by the Department of Banking and Insurance may be
26 charged a fee not to exceed the limit on fees for cashing checks
27 established under P.L.1993, c.383 (C.17:15A-30 et seq.)¹]² .

28 d. A retail establishment currently authorized to participate in the
29 food stamp program shall be afforded the opportunity to participate in
30 the electronic benefit distribution system.

31 e. The department shall cycle the issuance of cash assistance and
32 food stamp benefits over multiple dates throughout the month in a
33 manner that best serves cash assistance and food stamp recipients
34 within the framework of the electronic benefit distribution system in
35 each county.

36 f. The commissioner shall have the discretion to determine the need
37 for appropriate benefit card security measures, as well as whatever
38 personal identification technology is included on the benefit card, to
39 access cash assistance, food stamp or other benefits under the
40 electronic benefit distribution system.

41 g. A county agency shall issue a photo-identification card to each
42 adult recipient as a condition of receiving benefits until implementation
43 of the electronic benefit distribution system in that county agency.
44 Once a county begins to implement the electronic benefit distribution
45 system, the county agency shall no longer be required to issue a photo-
46 identification card to each adult recipient but may continue the

1 issuance of photo-identification cards separate from the benefit cards.

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

7

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

14

15 7. (New section) The commissioner, in consultation with the State
16 Treasurer, is authorized to establish and implement necessary
17 technological investments appropriate to create a Statewide
18 community-based electronic network designed to link federal, State
19 and local government agencies, nonprofit entities and private business
20 entities, for the effective and efficient exchange of information relating
21 to, and management of, the Work First New Jersey program and other
22 related programs.

23

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

26 1. As used in this act:

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

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

37 "Department" means the Department of Human Services.

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

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

42

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

45 2. If the face value of food stamp coupons or an ATP card or
46 benefit card is equal to or greater than \$150, an individual shall be

1 guilty of a crime of the fourth degree if he purposely or knowingly and
2 without authorization:

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

6 b. Engages in any transaction to convert food stamp coupons or
7 an ATP card or benefit card to other property contrary to federal and
8 State government rules and regulations governing the Work First New
9 Jersey program, the food stamp program, or any other program
10 included in the electronic benefit distribution system; or

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

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

15

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

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

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

25 b. Engages in any transaction to convert food stamp coupons or
26 an ATP card or benefit card to other property contrary to federal and
27 State government rules and regulations governing the Work First New
28 Jersey program, the food stamp program, or any other program
29 included in the electronic benefit distribution system; or

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

33 (cf: P.L.1995, c.215, s.3)

34

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

36 30:1-12. a. The Legislature finds that the Commissioner of Human
37 Services is obligated by State and federal law to assure that programs
38 that serve eligible, low-income, handicapped, elderly, abused, and
39 disabled persons are provided in an accessible, efficient, cost-effective
40 and high quality manner. In order to meet these ends, the
41 commissioner must have sufficient authority to require institutions and
42 agencies that are under his direct or indirect supervision to meet State
43 and federal mandates. This authority is especially necessary given the
44 manner in which certain services are provided by county or local
45 agencies, but are funded in whole or part by the State. The Legislature
46 finds that the commissioner must have the authority to establish rules,

1 regulations and directives, including incentives and sanctions, to assure
2 that these institutions and agencies are providing services in a manner
3 consistent with these mandates.

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

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

27 In addition to and in conjunction with its general facilities and
28 services for the mentally ill, mentally retarded and tuberculous, the
29 department may at its discretion establish and maintain specialized
30 facilities and services for the residential care, treatment and
31 rehabilitation of persons who are suffering from chronic mental or
32 neurological disorders, including, but not limited to alcoholism, drug
33 addiction, epilepsy and cerebral palsy.

34 The commissioner shall have the power to regulate the
35 administration of agencies under his supervision including, but not
36 limited to, municipal and county [welfare] agencies that administer
37 public assistance. The commissioner may issue rules, regulations,
38 orders and directions to assure that programs administered by the
39 agencies are financially and programmatically efficient and effective,
40 and to establish incentives and impose sanctions to assure the
41 appropriate operation of programs and compliance with State and
42 federal laws and regulations.

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

44 (1) review and approve county and municipal [welfare] ¹budgets
45 for¹ public assistance ¹[agency budgets]¹; and

46 (2) ¹take appropriate interim action, including withholding State

1 and federal administrative funds, or¹ take over and operate county or
2 municipal [welfare] public assistance operations in situations in which
3 the commissioner determines that the ¹[welfare board] public
4 assistance agency¹ is failing to substantially follow federal or State
5 law, thereby placing clients, who are dependent on public assistance
6 benefits to survive in a humane and healthy manner, at serious risk. In
7 this situation, the commissioner shall have the authority to bill the
8 county for the cost of such operations and for necessary changes to
9 assure that services are provided to accomplish federal and State
10 mandates in an effective and efficient manner.

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

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

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

35 c. The commissioner shall have the power to conduct an
36 investigation into the financial ability to pay, directly or indirectly, of
37 any person receiving services from the department, or his chargeable
38 relatives. This authority shall include the power to issue subpoenas to
39 compel testimony and the production of documents. The
40 commissioner may contract with a public or private entity to perform
41 the functions set forth in this subsection, subject to terms and
42 conditions required by the commissioner.

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

44

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

1 15. If the commissioner determines that any [municipal Local
2 Assistance Board or County Welfare Board] county agency
3 administering public assistance or municipal welfare agency has failed
4 to administer their respective programs in accordance with applicable
5 State and federal laws and regulations, the commissioner shall have the
6 authority to take the following action:

7 a. Take the necessary administrative and programmatic changes
8 necessary to ensure compliance with State and federal law and
9 regulation and bill the municipality [and] or county for the reasonable
10 expenses incurred by the department in ensuring compliance, withhold
11 administrative costs and ²take such² other interim actions, as deemed
12 necessary and appropriate;

13 b. Hire any consultant or undertake any studies of the agency
14 operations deemed appropriate;

15 c. Direct expenditures of the county agency administering public
16 assistance or municipal welfare agency in a reasonable and prudent
17 manner to effectuate the purposes of their respective programs,
18 including reallocating funds within the county agency administering
19 public assistance or municipal welfare agency budget and determine
20 additional amounts of revenue needed to implement the programs
21 within the agency's budget;

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

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

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

28
29 ¹13. Section 1 of P.L.1947, c.156 (C.44:8-107) is amended to read
30 as follows:

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

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

37 c. Whenever the term "general public assistance" occurs or any
38 reference is made thereto in any law, contract or document, the same
39 shall be deemed to mean or refer to benefits provided to single adults
40 and couples without dependent children through the Work First New
41 Jersey program established pursuant to P.L. _____, c. _____ (C. _____)
42 (pending before the Legislature as Senate Bill No. 36 of 1996).¹

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

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

1 2. As used in this act:

2 "Commissioner" means the Commissioner of the Department of
3 Human Services;

4 "Department" means the Department of Human Services;

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

9 "Municipality" shall include any city, borough, township, town,
10 village or municipality governed by a board of commissioners or an
11 improvement commission;

12 "Public assistance" means assistance rendered to needy [persons
13 not otherwise provided for under the laws of this State, where such
14 persons] single adults and couples without dependent children who
15 are willing to work but are unable to secure employment due either to
16 physical or mental disability or inability to find employment, and
17 includes what is commonly called "relief" or "emergency relief," which
18 shall be provided under the Work First New Jersey program
19 established pursuant to P.L. _____, c. _____ (C. _____)(pending before the
20 Legislature as Senate Bill No. 36 of 1996) in the form of benefits as
21 defined in section 3 of P.L. _____, c. _____ (C. _____)(pending before the
22 Legislature as Senate Bill No. 36 of 1996);

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

25 "Unemployable person" means any person applying for or receiving
26 public assistance who is not an employable person as defined by the
27 commissioner;

28 "Year" means calendar year.¹

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

30

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

33 8. a. The State shall provide, through each municipality or county,
34 as appropriate, public assistance to the persons eligible therefor,
35 residing therein or otherwise when so provided by law, which
36 assistance shall be fully funded by the State and administered by a local
37 assistance board or the county welfare agency according to law and in
38 accordance with P.L.1947, c.156 (C.44:8-107 et seq.) and with such
39 rules and regulations as may be promulgated by the commissioner.

40 b. An employable person who is receiving public assistance shall be
41 required, except when good cause exists, to [enroll and actively
42 participate in the Family Development Initiative established pursuant
43 to P.L.1991, c.523 (C.44:10-19 et al.)] comply with the requirements
44 of the Work First New Jersey program pursuant to P.L. _____, c. _____
45 (C. _____)(pending before the Legislature as Senate Bill No. 36 of
46 1996).

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

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

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

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

31
32 ¹16. Section 1 of P.L.1993, c.305 (C.44:8-117.1) is amended to
33 read as follows:

34 1. Notwithstanding any provisions of law to the contrary, the
35 governing body of a municipality shall have the authority to establish
36 staffing levels for the municipality's welfare department for the
37 purpose of administering public assistance pursuant to the "Work First
38 New Jersey General Public Assistance [Law] Act," P.L.1947, c.156
39 (C.44:8-107 et seq.).¹

40 (cf: P.L.1993, c.305, s.1)

41
42 ¹[12.] 17.¹ The commissioner, pursuant to the "Administrative
43 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), shall adopt
44 rules and regulations to effectuate the purposes of this act and to
45 comply with the requirements of Pub.L.104-193.

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

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