

LEGISLATIVE HISTORY CHECKLIST

NJSA: 44: 8-1 (Needy aid--Revises law)  
LAWS OF: 1947 CHAPTER: 156  
Bill No: A446  
Sponsor(s): McCay  
Date Introduced: March 18, 1947  
Committee: Assembly: Revision of laws  
Senate: Municipal Aid  
Amended during passage: No  
Date of Passage: Assembly: March 31, 1947  
Senate: April 8, 1947  
Date of Approval: May 13, 1947  
Following statements are attached if available:  
Sponsor statement: Yes  
Committee statement: Assembly No  
Senate No  
Fiscal Note: No  
Veto Message: No  
Message on Signing: No  
Following were printed:  
Reports: No  
Hearings: No

ASSEMBLY, No. 446

STATE OF NEW JERSEY

INTRODUCED MARCH 18, 1947

By Mr. McCAY

Referred to Committee on Revision and Amendment of Laws

AN ACT concerning public assistance, providing State aid to certain counties and municipalities therefor, regulating the administration thereof, and repealing certain statutes relating thereto (Revision).

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*  
2 *Jersey:*

1 1. This act may be cited as the "General Public Assistance Law."

1 2. As used in this act:

2 "Commissioner" means the Co-ordinator of the Department of Eco-  
3 nomic Development;

4 "Department" means the Department of Economic Development;

5 "Municipality" shall include any city, borough, township, town, village  
6 or municipality governed by a board of commissioners or an improvement  
7 commission;

8 "Public assistance" means assistance rendered to needy persons not  
9 otherwise provided for under the laws of this State, where such persons are  
10 willing to work but are unable to secure employment due either to physical  
11 disability or inability to find employment, and includes what is commonly  
12 called "relief" or "emergency relief";

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

15 "Year" means calendar year.

1 3. It is hereby declared to be the public policy of this State that every  
2 needy person shall, while in this State, be entitled to receive such public  
3 assistance as may be necessary, and that the furnishing of such public  
4 assistance is primarily the duty of the municipalities and of civic and chari-  
5 table organizations but that all needy persons not otherwise provided for  
6 under the laws of this State shall hereafter receive public assistance pur-  
7 suant to law and the provisions of this act.

1 4. State aid for public assistance for the municipalities and counties of  
2 this State shall be administered and distributed by the commissioner in the  
3 manner prescribed by this act and shall be paid by the commissioner to the  
4 several municipalities and counties entitled thereto, under this act, from the  
5 Municipal Aid Fund and from other funds appropriated from the State treas-  
6 ury for such purposes, which shall be drawn upon for said purposes on the  
7 orders of the commissioner, in accordance with the provisions of this act,  
8 and shall be disbursed as other funds are disbursed from the State treasury.

1 5. The commissioner shall:

2 (a) Act as the agent of the State in effectuating the purposes of any  
3 reciprocal interstate agreements respecting the transportation of dependents;

4 (b) Negotiate with the Federal Government as to any present or future  
5 programs affecting public relief or assistance for which no provision is made  
6 by other statutes of this State and administer such programs in co-operation  
7 with the Federal Government or any agency thereof;

8 (c) Keep and maintain such records and accounts as may be necessary  
9 and proper for the administration of State aid;

10 (d) Promulgate, alter and amend from time to time such rules, regula-  
11 tions and directory orders as may be necessary for the administration of  
12 State aid and for the carrying out of any provisions of law regulating the  
13 same and of the provisions of this act, which rules, regulations and orders  
14 shall be binding upon the various municipalities;

15 (e) Determine whether or not the various municipalities are comply-  
16 ing with all of the provisions of law, including the provisions of this act,

17 regulating the administration of State aid which are binding upon them;

18 (f) Formulate, promulgate and enforce standards for investigation,  
19 allowance and supervision of grants for public assistance and forms and  
20 procedures necessary to the proper administration and recording thereof;  
21 and

22 (g) Exercise such other powers as may be necessary for the proper and  
23 efficient administration of State aid and the carrying out of all of the pro-  
24 visions of law, including the provisions of this act, regulating the same.

1 6. The commissioner may:

2 (a) Determine and prescribe the number and qualifications of the per-  
3 sonnel employed or to be employed in administering public assistance in each  
4 of the municipalities;

5 (b) Require the keeping of such records, and the making of such reports,  
6 by each municipality, in connection with the administration of State aid  
7 within such municipality, in such form, and containing such information, as  
8 he may from time to time determine, and make such investigations as he may  
9 from time to time deem to be necessary to assure the correctness and verifica-  
10 tion of the facts stated in such records and reports;

11 (c) Investigate the administration of public assistance within each mu-  
12 nicipality and determine the compliance or noncompliance of such munici-  
13 pality with the provisions of law, including the provisions of this act, govern-  
14 ing the administration of State aid for relief and with the standards and  
15 requirements prescribed by the Department;

16 (d) Withhold payment of State aid from any municipality neglecting  
17 or refusing to keep such records or make such reports or to comply with any  
18 of the standards and requirements prescribed by the department or with any  
19 provision of law governing the administration of State aid including the  
20 provisions of this act;

21 (e) Consult with and advise any local assistance board or other officials  
22 of any municipality in connection with any public assistance problem in the  
23 municipality.

1 7. The commissioner may, as to each municipality in which public assist-  
2 ance is administered by the commissioner under this act,

3 (a) Prescribe all rules and conditions under which the funds allotted for  
4 State aid shall be administered;

5 (b) Require such information from applicants for public assistance, make  
6 such investigation of the merits of applications for public assistance, prescribe  
7 such forms to be used, and set up, maintain and carry out such procedures as  
8 may in his discretion be deemed advisable for the economical and efficient  
9 administration of public assistance in such municipality;

10 (c) Make direct distribution of sums allotted as State aid in such  
11 municipality as provided by this act; and

12 (d) Use all or any part of the local organization for administration of  
13 public assistance to assist him, upon such terms as he may deem fit and  
14 proper.

1 8. Every municipality shall provide public assistance to the persons  
2 eligible thereto, residing therein or otherwise when so provided by law,  
3 which shall be administered by a local assistance board according to law and  
4 in accordance with this act and with such rules and regulations as may be  
5 promulgated by the commissioner.

1 9. Each local assistance board shall be composed of three or five persons  
2 as shall be fixed by the governing body of the municipality and at least one  
3 of them shall be a woman and they shall be appointed by the chief executive  
4 of the municipality upon the approval of the governing body and shall serve  
5 without compensation but shall be allowed their necessary and actual  
6 expenses.

1 10. The term of one member of each local assistance board shall be for  
2 one year and such member only may be appointed from among the member-  
3 ship of the governing body of the municipality and the terms of the other  
4 members thereof shall be as follows:

5 (a) In municipalities having a board of three members said terms shall  
6 be for two years each, expiring in alternate years, and

7 (b) In municipalities having a board of five members said term shall be  
8 for four years each, one term expiring in each year.

9 The term of each member of a local assistance board shall begin on the  
10 first day of January, and each member shall continue in office until his  
11 successor shall be appointed and shall qualify.

12 Vacancies shall be filled for the unexpired terms only.

1 11. Each local assistance board shall organize and select a chairman and  
2 a secretary, and shall appoint a director of welfare who shall be the first  
3 executive and administrative officer of the board. He shall hold office for a  
4 term of five years from the date of his appointment, and shall be paid such  
5 salary as may be fixed by such board subject to approval by the governing  
6 body. Nothing herein shall be construed to make the overseer of the poor of  
7 a municipality ineligible for appointment also as director of welfare by such  
8 local assistance board.

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

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

14 No employee of any welfare department of a municipality whose com-  
15 pensation is paid from funds received or appropriated for public assistance  
16 or the administration thereof in any manner shall hold any office in any  
17 political party.

1 12. The director of welfare of each municipality shall as to such munici-  
2 pality:

3 (a) Supervise by periodic investigation every person receiving public  
4 assistance, such investigation to be made by visitation at least once a month;

5 (b) Reconsider from month to month the amount and nature of public  
6 assistance given and alter, amend or suspend the same when the circum-  
7 stances so require;

8 (c) Devise ways and means for bringing persons unable to maintain  
9 themselves to self-support or to the support of any other person or agency  
10 able and willing so to do;

11 (d) Keep full and complete records of such investigation, supervision,  
12 assistance and rehabilitation, and of all certifications of persons for employ-  
13 ment or benefits and cancellations thereof, in such manner and form as re-  
14 quired by the commissioner; and

15 (e) Bring about appropriate action for commitment to any State or  
16 county institution when the best interests of the needy persons would be so  
17 served.

1 13. Each applicant for public assistance in any municipality shall be re-  
2 quired to make an affidavit to the correctness of his or her statements in his  
3 or her application for relief.

1 14. Immediate public assistance shall be rendered promptly to any needy  
2 person by the director of welfare of the municipality where the person is  
3 found at the time of application therefor, subject to determination and ad-  
4 justment of responsibility as provided by law.

1 15. When a person shall apply for public assistance for himself or his  
2 dependents, the director of welfare shall inquire into the facts, conditions and  
3 circumstances of the case, including legal residence, family connections, living  
4 conditions, resources, income, and causes direct and indirect of the person's  
5 need, and such other matters as the commissioner may require, making a  
6 written record thereof in such manner as may be prescribed by the commis-  
7 sioner.

1 16. The director of welfare, by a written order, shall render such aid and  
2 material assistance as he may in his discretion, after reasonable inquiry,  
3 deem necessary to the end that such person may not suffer unnecessarily,  
4 from cold, hunger, sickness, or be deprived of shelter pending further con-  
5 sideration of the case.

1 17. The director of welfare upon completion of investigation shall de-  
2 termine whether or not continued assistance is necessary, and shall make such

3 order as in his judgment is warranted, having due regard to the circumstances  
4 disclosed by investigation.

1 18. Continued assistance under this act may be provided in such a manner  
2 as to meet any or all of the several needs of, or as may be necessary to pro-  
3 tect the well-being of, the person or persons to whom assistance is to be granted  
4 such as the provision of food, milk, shelter, fuel, clothing or medical care and  
5 it may be provided by:

6 (a) Cash assistance or,

7 (b) Any other method authorized by the local assistance board, approved  
8 by the governing body, and complying with the regulations of the commis-  
9 sioner.

10 The extent of individual grants shall be determined in accordance with  
11 the standards and budgets authorized by the commissioner.

1 19. The fact that an applicant for public assistance or any of his de-  
2 pendants shall be receiving, or entitled to receive, income from other sources  
3 or compensation for part-time or casual services shall not make such per-  
4 son ineligible to receive public assistance if such income or compensation is  
5 insufficient to support him and his dependents properly but the amount of  
6 such income or compensation shall be taken into consideration in determining  
7 the amount of his public assistance by deducting from the amount of public  
8 assistance which he otherwise would be entitled to receive, the amount of  
9 such income or compensation.

1 20. No welfare department of any municipality shall directly or indirectly  
2 exploit or permit to be exploited recipients of public assistance for political  
3 purposes.

1 21. The director of welfare may in his discretion summarily revoke any  
2 order for continued assistance whenever it shall appear that the person is no  
3 longer needy within the meaning of this act or will be otherwise adequately  
4 provided for.

1 22. In each year, the commissioner shall ascertain and determine as to  
2 each municipality in the State:

3 (a) The sum total of the net valuation taxable, and the value of the  
4 second-class railroad property, therein, as exhibited in the abstract of ratables  
5 of the several counties for the preceding year as made out by the State Com-  
6 missioner of Taxation and Finance and filed in the office of the State Comp-  
7 troller, which sum total shall be known as the municipalities "preceding  
8 year's ratables";

9 (b) The cost of public assistance, exclusive of the cost of administra-  
10 tion thereof, for the preceding year therein, which shall be known as the  
11 municipalities "preceding year's public assistance load";

12 (c) The cost of public assistance, exclusive of the cost of administration  
13 thereof, for the current year therein, which shall be known as the municipal-  
14 ities "current year's public assistance load";

15 (d) The number of mills on each dollar of the "preceding year's rat-  
16 ables" which would have to be levied in each municipality to raise an amount  
17 equal to the "preceding year's public assistance load" which millage shall  
18 be known as the municipalities "preceding year's public assistance millage."

19 In determining any municipality's "preceding year's public assistance  
20 load" and "current year's public assistance load," the commissioner may  
21 include therein the cost to the municipality of public assistance paid or pay-  
22 able by the welfare board of the county.

1 23. In each year the commissioner shall determine the amount of State  
2 aid which each municipality shall receive in such year, and the same shall  
3 be distributed by the commissioner among the various municipalities making  
4 application therefor to the commissioner before July first of such year, except  
5 those in which public assistance shall be administered by the commissioner  
6 for all or any part of such year, by the payment to each municipality of an  
7 amount to be determined as follows:

8 (a) To each municipality whose "preceding year's public assistance  
9 millage" is not more than 1.6 mills, an amount equivalent to forty per  
10 centum (40%) of its "current year's public assistance load";

11 (b) To each municipality whose "preceding year's public assistance  
12 millage" is more than 1.6 mills and is not more than 2.4 mills, an amount  
13 equivalent to forty-five per centum (45%) of its "current year's public  
14 assistance load";

15 (c) To each municipality whose "preceding year's public assistance  
16 millage" is more than 2.4 mills and is not more than 2.8 mills, an amount  
17 equivalent to fifty per centum (50%) of its "current year's public assistance  
18 load";

19 (d) To each municipality whose "preceding year's public assistance  
20 millage" is more than 2.8 mills and is not more than 3.2 mills, an amount  
21 equivalent to fifty-two per centum (52%) of its "current year's public assist-  
22 ance load";

23 (e) To each municipality whose "preceding year's public assistance  
24 millage is more than 3.2 mills and is not more than 3.4 mills, an amount  
25 equivalent to fifty-four per centum (54%) of its "current year's public assist-  
26 ance load";

27 (f) To each municipality whose "preceding year's public assistance  
28 millage" is more than 3.4 mills and is not more than 3.6 mills, an amount  
29 equivalent to fifty-six per centum (56%) of its "current year's public assist-  
30 ance load";

31 (g) To each municipality whose "preceding year's public assistance  
32 millage is more than 3.6 mills and is not more than 4.0 mills, an amount  
33 equivalent to fifty-eight per centum (58%) of its "current year's public  
34 assistance load";

35 (h) To each municipality whose "preceding year's public assistance  
36 millage" is more than 4.0 mills, an amount equivalent to sixty per centum  
37 (60%) of its "current year's public assistance load."

38 The percentage for each municipality applicable under the above formula  
39 shall be known as such municipality's "public assistance percentage."

1       24. The commissioner may make payments, from time to time, under the  
2 above stated formula to any such municipality in advance of the determina-  
3 tion of such municipality's "current year's public assistance load" on the  
4 basis of estimates made by him of such municipality's "current year's public  
5 assistance load" making such adjustments in later payments to each such  
6 municipality as may be required when such municipality's actual "current  
7 year's public assistance load" is determined.

1       25. The commissioner shall deduct from the amount of the State aid  
2 payable to any municipality in any one year an amount equal to the amount  
3 by which the State aid paid to the municipality exceeded the cost of public  
4 assistance to the municipality, exclusive of the cost of administration thereof,  
5 or the total amount of State aid payable to such municipality, for any pre-  
6 ceding year and if the amount of State aid payable to any such municipality  
7 in any year does not equal the amount of such excess the director shall with-  
8 hold any State aid due the municipality for the succeeding and for subse-  
9 quent years if necessary until the amount of State aid withheld from the  
10 municipality equals the total amount of such excess.

1       26. State aid shall also be payable to any county furnishing hospitaliza-  
2 tion in a county maternity hospital to nonpaying patients, who are bona  
3 fide public assistance cases, on the basis of the per diem rate currently  
4 fixed by the department for maternity hospitalization for mother or child,  
5 as the case may be, by multiplying the number of patient days of such  
6 hospitalization at said rate by the "public assistance percentage" of the  
7 several municipalities in which such patients respectively resided at the  
8 time of such hospitalization for the current year, which State aid shall be  
9 payable from time to time upon the filing with the commissioner by the  
10 president or chief executive officer of such county maternity hospital of  
11 statements under oath, in such form as shall be required by the commis-  
12 sioner, setting forth the hospitalization so rendered to each nonpaying pa-  
13 tient, that each such patient is a bona fide public assistance case and any  
14 additional information which may be required by the commissioner, and

15 shall be paid to the county treasurer of the county by the commissioner,  
16 as other payments of State aid are made, out of the Municipal Aid Fund  
17 or other funds appropriated from the State treasury for such purposes.

1 27. The commissioner shall administer public assistance in any year,

2 (a) In any municipality, in which the "preceding year's public assistance  
3 millage" for such year is more than 7.0 mills, which shall make application  
4 in writing to him, on or before the first day of March of such year, to have  
5 him take over the administration of public assistance in such municipality  
6 for such year, and

7 (b) In any municipality in which public assistance was being admin-  
8 istered by him during the preceding year, which does not elect to admin-  
9 ister its own public assistance by giving notice to that effect to the com-  
10 missioner as provided in this act; and, in either case, public assistance  
11 shall be administered in such municipality as hereinafter provided.

1 28. In any municipality in which public assistance shall be adminis-  
2 tered by the commissioner during any year,

3 (a) All books, records, supplies, equipment or other property in the  
4 possession or custody of any board, body or official of such municipality,  
5 relating to the administration and payment of public assistance, shall be  
6 delivered forthwith to the commissioner;

7 (b) The municipality shall make, or shall have made, an appropriation  
8 for the cost of administration of public assistance in such municipality for  
9 such year in an amount not less than the amount appropriated by it for  
10 the cost of administration of public assistance for the preceding year and  
11 shall make, or shall have made, an appropriation for public assistance,  
12 exclusive of the cost of administration thereof, for such year in an amount  
13 not less than 1.0 mills of its "preceding year's ratables";

14 (c) All obligations incurred by the municipality for the cost of admin-  
15 istration of public assistance in such year prior to the taking over the ad-  
16 ministration of public assistance therein by the commissioner, if any, and  
17 all obligations incurred for the cost of administration of public assistance

18 in said municipality thereafter during such year shall be paid, from time  
19 to time, by the municipality out of its appropriation for the adminis-  
20 tration of public assistance for such year according to the orders of the  
21 commissioner and not otherwise, so far as such appropriation will permit,  
22 and any remainder of such obligations shall be paid, from time to time, by the  
23 commissioner as such municipality's State aid for said year, according to  
24 orders drawn by him, out of the Municipal Aid Fund or other funds ap-  
25 propriated from the State treasury for such purposes, as other payments  
26 of State aid are made;

27 (d) All obligations incurred for public assistance in such municipality  
28 for such year, prior to the taking over of the administration thereof by  
29 the commissioner, if any, and all obligations incurred for public assistance  
30 in such municipality thereafter during such year shall be paid, from time  
31 to time, by the municipality on the orders of the commissioner and not  
32 otherwise, out of its appropriation for public assistance for such year, so  
33 far as such appropriation will permit; and then, out of any balance for  
34 State aid, if any, remaining in its "public assistance trust fund account"  
35 applicable to the cost of public assistance in such municipality for such  
36 year, so far as such balance will permit, and any remainder of such obli-  
37 gations shall be paid, from time to time, by the commissioner, as such mu-  
38 nicipality's State aid for said year, according to orders drawn by him,  
39 out of the Municipal Aid Fund or other funds appropriated from the  
40 State treasury for such purposes, as other payments of State aid are made.

1 29. If any municipality, in which public assistance is being administered  
2 by the commissioner in any year, shall give notice in writing to the commis-  
3 sioner, before the first day of January of the next year, of its election to admin-  
4 ister its own public assistance in such next year, such municipality shall there-  
5 after, beginning with said first day of January, administer its own public assist-  
6 ance and be entitled to receive State aid in accordance with the formula set  
7 forth in section twenty-three of this act, but such municipality may in any  
8 succeeding year make application to the commissioner, as provided in this  
9 act, to administer its public assistance.

1       30. Any municipality, in which the commissioner is administering pub-  
2 lic assistance pursuant to the provisions of this act in any year, may elect  
3 to administer its own public assistance in such year by giving notice in writ-  
4 ing of such election to the commissioner on or before the first day of March  
5 of such year and thereafter the limitations imposed upon such municipality  
6 under section twenty-eight of this act shall cease and such municipality shall  
7 administer its own public assistance and shall be entitled to receive State  
8 aid for such year in accordance with the formula set forth in section twenty-  
9 three of this act, less such sums, if any, as have already been paid, and  
10 such obligations, if any, as have already been incurred and as shall be pay-  
11 able, by the commissioner, for the cost of administration of public assist-  
12 ance and for public assistance in such municipality for such year, out of the  
13 Municipal Aid Fund or other funds appropriated from the State treasury  
14 for such purposes.

1       31. The cost of administration of public assistance within any municipal-  
2 ity shall be paid by the municipality and no part thereof shall be paid by  
3 the State except as provided in section twenty-eight of this act.

1       32. Every payment for State aid made pursuant to this act to a munic-  
2 ipality shall be made to the treasurer of the municipality and shall be depos-  
3 ited by him in a "public assistance trust fund account" and shall be used  
4 only for payment on account of the cost of public assistance, exclusive of  
5 the cost of administration thereof, for the year for which such State aid is  
6 granted and any balance remaining in such "public assistance trust fund  
7 account" after all such payments have been made or provided for, shall be  
8 used for payment on account of the cost of public assistance in such munic-  
9 pality, exclusive of the cost of administration thereof, for the next succeed-  
10 ing year.

1       33. No municipality receiving State aid for relief for any year shall, dur-  
2 ing said year, make any transfer of its current budget appropriation for  
3 public assistance for said year to any other current budget appropriation.

1       34. Any person applying for public assistance under the provisions of  
2 this act who shall make any false statement and by reason thereof receives

3 benefits under the provisions of this act in excess of those to which he is  
4 or was actually entitled, shall be guilty of a misdemeanor.

1 35. Any justice of the Supreme Court sitting alone shall have power  
2 to allow, hear and determine writs of mandamus requiring the performance  
3 of any act herein provided to be performed by a municipality or any offi-  
4 cer, board or body thereof, with the same force and effect as the Supreme  
5 Court may allow, hear and determine such writs.

1 36. If any municipal officer, board or body shall willfully fail or refuse  
2 to comply with any of the provisions of this act, such officer, and members  
3 of such board or body shall be guilty of a misdemeanor.

1 37. The following acts together with all amendments thereof and sup-  
2 plements thereto are repealed:

3 An act to provide for the protection, welfare of and financial assistance  
4 to certain needy persons in the State of New Jersey, providing for the ad-  
5 ministration thereof, and prescribing penalties for the violation thereof,  
6 approved June eighteenth, one thousand nine hundred and forty (P. L. 1940,  
7 c. 130);

8 An act concerning the disbursement of certain State moneys and making  
9 an appropriation for the administration thereof, passed June twenty-fifth,  
10 one thousand nine hundred and forty (P. L. 1940, c. 151);

11 An act to abolish the State Financial Assistance Commission, to provide  
12 for the completion of said commission's affairs by the State Municipal Aid  
13 Administration, and to repeal chapter eight of Title 44 of the Revised Stat-  
14 utes, approved July eighth, one thousand nine hundred and forty (P. L. 1940,  
15 c. 183);

16 An act concerning the administration of relief, approved March twenty-  
17 eighth, one thousand nine hundred and forty-one (P. L. 1941, c. 28);

18 An act to provide for the physical rehabilitation by the State Municipal  
19 Aid Administration of certain persons heretofore or hereafter rejected for  
20 service in the Armed Forces of the United States, for physical disability, under

21 the Federal Selective Training and Service Acts and transferring and appro-  
22 priating the sum of twenty-five thousand dollars (\$25,000.00) from the sums  
23 heretofore transferred and appropriated to the State Municipal Aid Ad-  
24 ministration, to provide for the payment of the cost thereof, approved October  
25 third, one thousand nine hundred and forty-two (P. L. 1942, c. 306), but the  
26 repeal thereof shall not revive any acts or parts of acts repealed thereby.

1 38. This act shall not be construed to repeal, alter or modify the pro-  
2 visions of chapter one of Title 44, or chapter four of Title 44, of the Revised  
3 Statutes except to the extent herein otherwise expressly provided nor to  
4 repeal, alter, amend or modify the provisions of chapter seven of Title 44, or  
5 chapter five of Title 30 of the Revised Statutes or of "An act concerning the  
6 legal settlement of certain needy persons, providing for the administration of  
7 public assistance in certain cases and prescribing penalties for the violation  
8 thereof and repealing sections ten to fifteen, both inclusive, and sections  
9 twenty-one to twenty-four, both inclusive, of 'An act to provide for the pro-  
10 tection, welfare of and financial assistance to certain needy persons in the  
11 State of New Jersey, providing for the administration thereof, and prescribing  
12 penalties for the violation thereof,' approved June eighteenth, one thousand  
13 nine hundred and forty (P. L. 1940, c. 130)," approved August fourth, one  
14 thousand nine hundred and forty-one (P. L. 1941, c. 357).

1 39. This act shall be construed as a revision of prior laws and its pro-  
2 visions not inconsistent with those of prior laws shall be construed as a con-  
3 tinuation of such laws and neither the enactment of this act, nor the repeal of  
4 the acts herein repealed, shall abolish, or in any manner affect, any office,  
5 position or employment, or any board, commission or public body existing at  
6 the time of the enactment of this act, or the tenure, term or salary of any  
7 holder or member thereof.

1 40. This act shall take effect immediately.

## STATEMENT

This bill is proposed by the Law Revision and Bill Drafting Commission to revise the statutes governing State aid to counties and municipalities in connection with public assistance and relating to the administration of public assistance generally.

Its purpose is to reduce this legislation to orderly form and sequence but it makes no change in existing law as it is presently administered.

It has the approval of the Department of Economic Development.

The following is a schedule of the source material covered:

Section 1	New
Section 2	Source L. 1940, c. 130, s. 1 L. 1940, c. 151, s. 1
Section 3	Source L. 1940, c. 130, s. 2
Section 4	Source L. 1941, c. 28, s. 1
Section 5 (a)	Source L. 1940, c. 130, s. 3a
	(b) Source L. 1940, c. 130, s. 3b
	(c) Source L. 1941, c. 28, s. 2a
	(d) Source L. 1941, c. 28, s. 2b L. 1940, c. 130, s. 3c
	(e) Source L. 1941, c. 28, s. 2c
	(f) Source L. 1940, c. 130, s. 3d
	(g) Source L. 1941, c. 28, s. 2d
Section 6 (a)	Source L. 1940, c. 130, s. 3e
	(b) Source L. 1941, c. 28, s. 3a L. 1941, c. 28, s. 5a
	(c) Source L. 1940, c. 130, s. 3f L. 1941, c. 28, s. 3b
	(d) Source L. 1941, c. 28, s. 3c
	(e) Source L. 1940, c. 130, s. 3g

- Section 7 (a) Source L. 1941, c. 28, s. 4a  
 (b) Source L. 1941, c. 28, s. 4b  
 (c) Source L. 1941, c. 28, s. 4c  
 (d) Source L. 1941, c. 28, s. 4d
- Section 8 Source L. 1940, c. 130, s. 4
- Section 9 Source L. 1940, c. 130, s. 4
- Section 10 Source L. 1940, c. 130, s. 4
- Section 11 Source L. 1940, c. 130, s. 4  
 L. 1941, c. 28, s. 5c
- Section 12 Source L. 1940, c. 130, s. 8
- Section 13 Source L. 1941, c. 28, s. 5d
- Section 14 Source L. 1940, c. 130, s. 15  
 L. 1941, c. 357, s. 2
- Section 15 Source L. 1940, c. 130, s. 5
- Section 16 Source L. 1940, c. 130, s. 6
- Section 17 Source L. 1940, c. 130, s. 7
- Section 18 Source L. 1940, c. 130, s. 7
- Section 19 Source L. 1940, c. 130, s. 16
- Section 20 Source L. 1941, c. 28, s. 5b
- Section 21 Source L. 1940, c. 130, s. 9
- Section 22 Source L. 1941, c. 28, ss. 9 and 10
- Section 23 Source L. 1941, c. 28, ss. 8 and 12
- Section 24 Source L. 1941, c. 28, s. 12
- Section 25 Source L. 1941, c. 28, s. 12
- Section 26 Source L. 1941, c. 34, s. 1
- Section 27 Source L. 1941, c. 28, ss. 14 and 15
- Section 28 Source L. 1941, c. 28, ss. 14 and 15
- Section 29 Source L. 1941, c. 28, s. 13
- Section 30 Source L. 1941, c. 28, s. 14
- Section 31 Source L. 1940, c. 130, s. 25

- Section 32      Source L. 1941, c. 28, s. 7
- Section 33      Source L. 1941, c. 28, s. 6
- Section 34      Source L. 1941, c. 130, s. 17
- Section 35      Source L. 1940, c. 130, s. 18
- Section 36      Source L. 1940, c. 130, s. 19

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ASSEMBLY, No. 446

STATE OF NEW JERSEY

INTRODUCED MARCH 18, 1947

By Mr. McCAY

Referred to Committee on Revision and Amendment of Laws

AN ACT concerning public assistance, providing State aid to certain counties and municipalities therefor, regulating the administration thereof, and repealing certain statutes relating thereto (Revision).

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*  
2 *Jersey:*

1 1. This act may be cited as the "General Public Assistance Law."

1 2. As used in this act:

2 "Commissioner" means the Co-ordinator of the Department of Eco-  
3 nomic Development;

4 "Department" means the Department of Economic Development;

5 "Municipality" shall include any city, borough, township, town, village  
6 or municipality governed by a board of commissioners or an improvement  
7 commission;

8 "Public assistance" means assistance rendered to needy persons not  
9 otherwise provided for under the laws of this State, where such persons are  
10 willing to work but are unable to secure employment due either to physical  
11 disability or inability to find employment, and includes what is commonly  
12 called "relief" or "emergency relief";

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

15 "Year" means calendar year.

1 3. It is hereby declared to be the public policy of this State that every  
2 needy person shall, while in this State, be entitled to receive such public  
3 assistance as may be necessary, and that the furnishing of such public  
4 assistance is primarily the duty of the municipalities and of civic and chari-  
5 table organizations but that all needy persons not otherwise provided for  
6 under the laws of this State shall hereafter receive public assistance pur-  
7 suant to law and the provisions of this act.

1 4. State aid for public assistance for the municipalities and counties of  
2 this State shall be administered and distributed by the commissioner in the  
3 manner prescribed by this act and shall be paid by the commissioner to the  
4 several municipalities and counties entitled thereto, under this act, from the  
5 Municipal Aid Fund and from other funds appropriated from the State treas-  
6 ury for such purposes, which shall be drawn upon for said purposes on the  
7 orders of the commissioner, in accordance with the provisions of this act,  
8 and shall be disbursed as other funds are disbursed from the State treasury.

1 5. The commissioner shall:

2 (a) Act as the agent of the State in effectuating the purposes of any  
3 reciprocal interstate agreements respecting the transportation of dependents;

4 (b) Negotiate with the Federal Government as to any present or future  
5 programs affecting public relief or assistance for which no provision is made  
6 by other statutes of this State and administer such programs in co-operation  
7 with the Federal Government or any agency thereof;

8 (c) Keep and maintain such records and accounts as may be necessary  
9 and proper for the administration of State aid;

10 (d) Promulgate, alter and amend from time to time such rules, regula-  
11 tions and directory orders as may be necessary for the administration of  
12 State aid and for the carrying out of any provisions of law regulating the  
13 same and of the provisions of this act, which rules, regulations and orders  
14 shall be binding upon the various municipalities;

15 (e) Determine whether or not the various municipalities are comply-  
16 ing with all of the provisions of law, including the provisions of this act,

17 regulating the administration of State aid which are binding upon them;

18 (f) Formulate, promulgate and enforce standards for investigation,  
19 allowance and supervision of grants for public assistance and forms and  
20 procedures necessary to the proper administration and recording thereof;  
21 and

22 (g) Exercise such other powers as may be necessary for the proper and  
23 efficient administration of State aid and the carrying out of all of the pro-  
24 visions of law, including the provisions of this act, regulating the same.

1 6. The commissioner may:

2 (a) Determine and prescribe the number and qualifications of the per-  
3 sonnel employed or to be employed in administering public assistance in each  
4 of the municipalities;

5 (b) Require the keeping of such records, and the making of such reports,  
6 by each municipality, in connection with the administration of State aid  
7 within such municipality, in such form, and containing such information, as  
8 he may from time to time determine, and make such investigations as he may  
9 from time to time deem to be necessary to assure the correctness and verifica-  
10 tion of the facts stated in such records and reports;

11 (c) Investigate the administration of public assistance within each mu-  
12 nicipality and determine the compliance or noncompliance of such munici-  
13 pality with the provisions of law, including the provisions of this act, govern-  
14 ing the administration of State aid for relief and with the standards and  
15 requirements prescribed by the Department;

16 (d) Withhold payment of State aid from any municipality neglecting  
17 or refusing to keep such records or make such reports or to comply with any  
18 of the standards and requirements prescribed by the department or with any  
19 provision of law governing the administration of State aid including the  
20 provisions of this act;

21 (e) Consult with and advise any local assistance board or other officials  
22 of any municipality in connection with any public assistance problem in the  
23 municipality.

1 7. The commissioner may, as to each municipality in which public assist-  
2 ance is administered by the commissioner under this act,

3 (a) Prescribe all rules and conditions under which the funds allotted for  
4 State aid shall be administered;

5 (b) Require such information from applicants for public assistance, make  
6 such investigation of the merits of applications for public assistance, prescribe  
7 such forms to be used, and set up, maintain and carry out such procedures as  
8 may in his discretion be deemed advisable for the economical and efficient  
9 administration of public assistance in such municipality;

10 (c) Make direct distribution of sums allotted as State aid in such  
11 municipality as provided by this act; and

12 (d) Use all or any part of the local organization for administration of  
13 public assistance to assist him, upon such terms as he may deem fit and  
14 proper.

1 8. Every municipality shall provide public assistance to the persons  
2 eligible thereto, residing therein or otherwise when so provided by law,  
3 which shall be administered by a local assistance board according to law and  
4 in accordance with this act and with such rules and regulations as may be  
5 promulgated by the commissioner.

1 9. Each local assistance board shall be composed of three or five persons  
2 as shall be fixed by the governing body of the municipality and at least one  
3 of them shall be a woman and they shall be appointed by the chief executive  
4 of the municipality upon the approval of the governing body and shall serve  
5 without compensation but shall be allowed their necessary and actual  
6 expenses.

1 10. The term of one member of each local assistance board shall be for  
2 one year and such member only may be appointed from among the member-  
3 ship of the governing body of the municipality and the terms of the other  
4 members thereof shall be as follows:

5 (a) In municipalities having a board of three members said terms shall  
6 be for two years each, expiring in alternate years, and

7 (b) In municipalities having a board of five members said term shall be  
8 for four years each, one term expiring in each year.

9 The term of each member of a local assistance board shall begin on the  
10 first day of January, and each member shall continue in office until his  
11 successor shall be appointed and shall qualify.

12 Vacancies shall be filled for the unexpired terms only.

1 11. Each local assistance board shall organize and select a chairman and  
2 a secretary, and shall appoint a director of welfare who shall be the first  
3 executive and administrative officer of the board. He shall hold office for a  
4 term of five years from the date of his appointment, and shall be paid such  
5 salary as may be fixed by such board subject to approval by the governing  
6 body. Nothing herein shall be construed to make the overseer of the poor of  
7 a municipality ineligible for appointment also as director of welfare by such  
8 local assistance board.

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

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

14 No employee of any welfare department of a municipality whose com-  
15 pensation is paid from funds received or appropriated for public assistance  
16 or the administration thereof in any manner shall hold any office in any  
17 political party.

1 12. The director of welfare of each municipality shall as to such munici-  
2 pality:

3 (a) Supervise by periodic investigation every person receiving public  
4 assistance, such investigation to be made by visitation at least once a month;

5 (b) Reconsider from month to month the amount and nature of public  
6 assistance given and alter, amend or suspend the same when the circum-  
7 stances so require;

8 (c) Devise ways and means for bringing persons unable to maintain  
9 themselves to self-support or to the support of any other person or agency  
10 able and willing so to do;

11 (d) Keep full and complete records of such investigation, supervision,  
12 assistance and rehabilitation, and of all certifications of persons for employ-  
13 ment or benefits and cancellations thereof, in such manner and form as re-  
14 quired by the commissioner; and

15 (e) Bring about appropriate action for commitment to any State or  
16 county institution when the best interests of the needy persons would be so  
17 served.

1 13. Each applicant for public assistance in any municipality shall be re-  
2 quired to make an affidavit to the correctness of his or her statements in his  
3 or her application for relief.

1 14. Immediate public assistance shall be rendered promptly to any needy  
2 person by the director of welfare of the municipality where the person is  
3 found at the time of application therefor, subject to determination and ad-  
4 justment of responsibility as provided by law.

1 15. When a person shall apply for public assistance for himself or his  
2 dependents, the director of welfare shall inquire into the facts, conditions and  
3 circumstances of the case, including legal residence, family connections, living  
4 conditions, resources, income, and causes direct and indirect of the person's  
5 need, and such other matters as the commissioner may require, making a  
6 written record thereof in such manner as may be prescribed by the commis-  
7 sioner.

1 16. The director of welfare, by a written order, shall render such aid and  
2 material assistance as he may in his discretion, after reasonable inquiry,  
3 deem necessary to the end that such person may not suffer unnecessarily,  
4 from cold, hunger, sickness, or be deprived of shelter pending further con-  
5 sideration of the case.

1 17. The director of welfare upon completion of investigation shall de-  
2 termine whether or not continued assistance is necessary, and shall make such

3 order as in his judgment is warranted, having due regard to the circumstances  
4 disclosed by investigation.

1 18. Continued assistance under this act may be provided in such a manner  
2 as to meet any or all of the several needs of, or as may be necessary to pro-  
3 tect the well-being of, the person or persons to whom assistance is to be granted  
4 such as the provision of food, milk, shelter, fuel, clothing or medical care and  
5 it may be provided by:

6 (a) Cash assistance or,

7 (b) Any other method authorized by the local assistance board, approved  
8 by the governing body, and complying with the regulations of the commis-  
9 sioner.

10 The extent of individual grants shall be determined in accordance with  
11 the standards and budgets authorized by the commissioner.

1 19. The fact that an applicant for public assistance or any of his de-  
2 pendants shall be receiving, or entitled to receive, income from other sources  
3 or compensation for part-time or casual services shall not make such per-  
4 son ineligible to receive public assistance if such income or compensation is  
5 insufficient to support him and his dependents properly but the amount of  
6 such income or compensation shall be taken into consideration in determining  
7 the amount of his public assistance by deducting from the amount of public  
8 assistance which he otherwise would be entitled to receive, the amount of  
9 such income or compensation.

1 20. No welfare department of any municipality shall directly or indirectly  
2 exploit or permit to be exploited recipients of public assistance for political  
3 purposes.

1 21. The director of welfare may in his discretion summarily revoke any  
2 order for continued assistance whenever it shall appear that the person is no  
3 longer needy within the meaning of this act or will be otherwise adequately  
4 provided for.

1 22. In each year, the commissioner shall ascertain and determine as to  
2 each municipality in the State:

3 (a) The sum total of the net valuation taxable, and the value of the  
4 second-class railroad property, therein, as exhibited in the abstract of ratables  
5 of the several counties for the preceding year as made out by the State Com-  
6 missioner of Taxation and Finance and filed in the office of the State Comp-  
7 troller, which sum total shall be known as the municipalities "preceding  
8 year's ratables";

9 (b) The cost of public assistance, exclusive of the cost of administra-  
10 tion thereof, for the preceding year therein, which shall be known as the  
11 municipalities "preceding year's public assistance load";

12 (c) The cost of public assistance, exclusive of the cost of administration  
13 thereof, for the current year therein, which shall be known as the municipal-  
14 ities "current year's public assistance load";

15 (d) The number of mills on each dollar of the "preceding year's rat-  
16 ables" which would have to be levied in each municipality to raise an amount  
17 equal to the "preceding year's public assistance load" which millage shall  
18 be known as the municipalities "preceding year's public assistance millage."

19 In determining any municipality's "preceding year's public assistance  
20 load" and "current year's public assistance load," the commissioner may  
21 include therein the cost to the municipality of public assistance paid or pay-  
22 able by the welfare board of the county.

1 23. In each year the commissioner shall determine the amount of State  
2 aid which each municipality shall receive in such year, and the same shall  
3 be distributed by the commissioner among the various municipalities making  
4 application therefor to the commissioner before July first of such year, except  
5 those in which public assistance shall be administered by the commissioner  
6 for all or any part of such year, by the payment to each municipality of an  
7 amount to be determined as follows:

8 (a) To each municipality whose "preceding year's public assistance  
9 millage" is not more than 1.6 mills, an amount equivalent to forty per  
10 centum (40%) of its "current year's public assistance load";

11 (b) To each municipality whose "preceding year's public assistance  
12 millage" is more than 1.6 mills and is not more than 2.4 mills, an amount  
13 equivalent to forty-five per centum (45%) of its "current year's public  
14 assistance load";

15 (c) To each municipality whose "preceding year's public assistance  
16 millage" is more than 2.4 mills and is not more than 2.8 mills, an amount  
17 equivalent to fifty per centum (50%) of its "current year's public assistance  
18 load";

19 (d) To each municipality whose "preceding year's public assistance  
20 millage" is more than 2.8 mills and is not more than 3.2 mills, an amount  
21 equivalent to fifty-two per centum (52%) of its "current year's public assist-  
22 ance load";

23 (e) To each municipality whose "preceding year's public assistance  
24 millage is more than 3.2 mills and is not more than 3.4 mills, an amount  
25 equivalent to fifty-four per centum (54%) of its "current year's public assist-  
26 ance load";

27 (f) To each municipality whose "preceding year's public assistance  
28 millage" is more than 3.4 mills and is not more than 3.6 mills, an amount  
29 equivalent to fifty-six per centum (56%) of its "current year's public assist-  
30 ance load";

31 (g) To each municipality whose "preceding year's public assistance  
32 millage is more than 3.6 mills and is not more than 4.0 mills, an amount  
33 equivalent to fifty-eight per centum (58%) of its "current year's public  
34 assistance load";

35 (h) To each municipality whose "preceding year's public assistance  
36 millage" is more than 4.0 mills, an amount equivalent to sixty per centum  
37 (60%) of its "current year's public assistance load."

38 The percentage for each municipality applicable under the above formula  
39 shall be known as such municipality's "public assistance percentage."

1       24. The commissioner may make payments, from time to time, under the  
2 above stated formula to any such municipality in advance of the determina-  
3 tion of such municipality's "current year's public assistance load" on the  
4 basis of estimates made by him of such municipality's "current year's public  
5 assistance load" making such adjustments in later payments to each such  
6 municipality as may be required when such municipality's actual "current  
7 year's public assistance load" is determined.

1       25. The commissioner shall deduct from the amount of the State aid  
2 payable to any municipality in any one year an amount equal to the amount  
3 by which the State aid paid to the municipality exceeded the cost of public  
4 assistance to the municipality, exclusive of the cost of administration thereof,  
5 or the total amount of State aid payable to such municipality, for any pre-  
6 ceding year and if the amount of State aid payable to any such municipality  
7 in any year does not equal the amount of such excess the director shall with-  
8 hold any State aid due the municipality for the succeeding and for subse-  
9 quent years if necessary until the amount of State aid withheld from the  
10 municipality equals the total amount of such excess.

1       26. State aid shall also be payable to any county furnishing hospitaliza-  
2 tion in a county maternity hospital to nonpaying patients, who are bona  
3 fide public assistance cases, on the basis of the per diem rate currently  
4 fixed by the department for maternity hospitalization for mother or child,  
5 as the case may be, by multiplying the number of patient days of such  
6 hospitalization at said rate by the "public assistance percentage" of the  
7 several municipalities in which such patients respectively resided at the  
8 time of such hospitalization for the current year, which State aid shall be  
9 payable from time to time upon the filing with the commissioner by the  
10 president or chief executive officer of such county maternity hospital of  
11 statements under oath, in such form as shall be required by the commis-  
12 sioner, setting forth the hospitalization so rendered to each nonpaying pa-  
13 tient, that each such patient is a bona fide public assistance case and any  
14 additional information which may be required by the commissioner, and

15 shall be paid to the county treasurer of the county by the commissioner,  
16 as other payments of State aid are made, out of the Municipal Aid Fund  
17 or other funds appropriated from the State treasury for such purposes.

1 27. The commissioner shall administer public assistance in any year,

2 (a) In any municipality, in which the "preceding year's public assistance  
3 millage" for such year is more than 7.0 mills, which shall make application  
4 in writing to him, on or before the first day of March of such year, to have  
5 him take over the administration of public assistance in such municipality  
6 for such year, and

7 (b) In any municipality in which public assistance was being admin-  
8 istered by him during the preceding year, which does not elect to admin-  
9 ister its own public assistance by giving notice to that effect to the com-  
10 missioner as provided in this act; and, in either case, public assistance  
11 shall be administered in such municipality as hereinafter provided.

1 28. In any municipality in which public assistance shall be adminis-  
2 tered by the commissioner during any year,

3 (a) All books, records, supplies, equipment or other property in the  
4 possession or custody of any board, body or official of such municipality,  
5 relating to the administration and payment of public assistance, shall be  
6 delivered forthwith to the commissioner;

7 (b) The municipality shall make, or shall have made, an appropriation  
8 for the cost of administration of public assistance in such municipality for  
9 such year in an amount not less than the amount appropriated by it for  
10 the cost of administration of public assistance for the preceding year and  
11 shall make, or shall have made, an appropriation for public assistance,  
12 exclusive of the cost of administration thereof, for such year in an amount  
13 not less than 1.0 mills of its "preceding year's ratables";

14 (c) All obligations incurred by the municipality for the cost of admin-  
15 istration of public assistance in such year prior to the taking over the ad-  
16 ministration of public assistance therein by the commissioner, if any, and  
17 all obligations incurred for the cost of administration of public assistance

18 in said municipality thereafter during such year shall be paid, from time  
19 to time, by the municipality out of its appropriation for the adminis-  
20 tration of public assistance for such year according to the orders of the  
21 commissioner and not otherwise, so far as such appropriation will permit,  
22 and any remainder of such obligations shall be paid, from time to time, by the  
23 commissioner as such municipality's State aid for said year, according to  
24 orders drawn by him, out of the Municipal Aid Fund or other funds ap-  
25 propriated from the State treasury for such purposes, as other payments  
26 of State aid are made;

27 (d) All obligations incurred for public assistance in such municipality  
28 for such year, prior to the taking over of the administration thereof by  
29 the commissioner, if any, and all obligations incurred for public assistance  
30 in such municipality thereafter during such year shall be paid, from time  
31 to time, by the municipality on the orders of the commissioner and not  
32 otherwise, out of its appropriation for public assistance for such year, so  
33 far as such appropriation will permit; and then, out of any balance for  
34 State aid, if any, remaining in its "public assistance trust fund account"  
35 applicable to the cost of public assistance in such municipality for such  
36 year, so far as such balance will permit, and any remainder of such obli-  
37 gations shall be paid, from time to time, by the commissioner, as such mu-  
38 nicipality's State aid for said year, according to orders drawn by him,  
39 out of the Municipal Aid Fund or other funds appropriated from the  
40 State treasury for such purposes, as other payments of State aid are made.

1 29. If any municipality, in which public assistance is being administered  
2 by the commissioner in any year, shall give notice in writing to the commis-  
3 sioner, before the first day of January of the next year, of its election to admin-  
4 ister its own public assistance in such next year, such municipality shall there-  
5 after, beginning with said first day of January, administer its own public assist-  
6 ance and be entitled to receive State aid in accordance with the formula set  
7 forth in section twenty-three of this act, but such municipality may in any  
8 succeeding year make application to the commissioner, as provided in this  
9 act, to administer its public assistance.

1       30. Any municipality, in which the commissioner is administering pub-  
2 lic assistance pursuant to the provisions of this act in any year, may elect  
3 to administer its own public assistance in such year by giving notice in writ-  
4 ing of such election to the commissioner on or before the first day of March  
5 of such year and thereafter the limitations imposed upon such municipality  
6 under section twenty-eight of this act shall cease and such municipality shall  
7 administer its own public assistance and shall be entitled to receive State  
8 aid for such year in accordance with the formula set forth in section twenty-  
9 three of this act, less such sums, if any, as have already been paid, and  
10 such obligations, if any, as have already been incurred and as shall be pay-  
11 able, by the commissioner, for the cost of administration of public assist-  
12 ance and for public assistance in such municipality for such year, out of the  
13 Municipal Aid Fund or other funds appropriated from the State treasury  
14 for such purposes.

1       31. The cost of administration of public assistance within any municipal-  
2 ity shall be paid by the municipality and no part thereof shall be paid by  
3 the State except as provided in section twenty-eight of this act.

1       32. Every payment for State aid made pursuant to this act to a munic-  
2 ipality shall be made to the treasurer of the municipality and shall be depos-  
3 ited by him in a "public assistance trust fund account" and shall be used  
4 only for payment on account of the cost of public assistance, exclusive of  
5 the cost of administration thereof, for the year for which such State aid is  
6 granted and any balance remaining in such "public assistance trust fund  
7 account" after all such payments have been made or provided for, shall be  
8 used for payment on account of the cost of public assistance in such munic-  
9 ipality, exclusive of the cost of administration thereof, for the next succeed-  
10 ing year.

1       33. No municipality receiving State aid for relief for any year shall, dur-  
2 ing said year, make any transfer of its current budget appropriation for  
3 public assistance for said year to any other current budget appropriation.

1       34. Any person applying for public assistance under the provisions of  
2 this act who shall make any false statement and by reason thereof receives

3 benefits under the provisions of this act in excess of those to which he is  
4 or was actually entitled, shall be guilty of a misdemeanor.

1 35. Any justice of the Supreme Court sitting alone shall have power  
2 to allow, hear and determine writs of mandamus requiring the performance  
3 of any act herein provided to be performed by a municipality or any offi-  
4 cer, board or body thereof, with the same force and effect as the Supreme  
5 Court may allow, hear and determine such writs.

1 36. If any municipal officer, board or body shall willfully fail or refuse  
2 to comply with any of the provisions of this act, such officer, and members  
3 of such board or body shall be guilty of a misdemeanor.

1 37. The following acts together with all amendments thereof and sup-  
2 plements thereto are repealed:

3 An act to provide for the protection, welfare of and financial assistance  
4 to certain needy persons in the State of New Jersey, providing for the ad-  
5 ministration thereof, and prescribing penalties for the violation thereof,  
6 approved June eighteenth, one thousand nine hundred and forty (P. L. 1940,  
7 c. 130);

8 An act concerning the disbursement of certain State moneys and making  
9 an appropriation for the administration thereof, passed June twenty-fifth,  
10 one thousand nine hundred and forty (P. L. 1940, c. 151);

11 An act to abolish the State Financial Assistance Commission, to provide  
12 for the completion of said commission's affairs by the State Municipal Aid  
13 Administration, and to repeal chapter eight of Title 44 of the Revised Stat-  
14 utes, approved July eighth, one thousand nine hundred and forty (P. L. 1940,  
15 c. 183);

16 An act concerning the administration of relief, approved March twenty-  
17 eighth, one thousand nine hundred and forty-one (P. L. 1941, c. 28);

18 An act to provide for the physical rehabilitation by the State Municipal  
19 Aid Administration of certain persons heretofore or hereafter rejected for  
20 service in the Armed Forces of the United States, for physical disability, under

21 the Federal Selective Training and Service Acts and transferring and appro-  
22 priating the sum of twenty-five thousand dollars (\$25,000.00) from the sums  
23 heretofore transferred and appropriated to the State Municipal Aid Ad-  
24 ministration, to provide for the payment of the cost thereof, approved October  
25 third, one thousand nine hundred and forty-two (P. L. 1942, c. 306), but the  
26 repeal thereof shall not revive any acts or parts of acts repealed thereby.

1     38. This act shall not be construed to repeal, alter or modify the pro-  
2 visions of chapter one of Title 44, or chapter four of Title 44, of the Revised  
3 Statutes except to the extent herein otherwise expressly provided nor to  
4 repeal, alter, amend or modify the provisions of chapter seven of Title 44, or  
5 chapter five of Title 30 of the Revised Statutes or of "An act concerning the  
6 legal settlement of certain needy persons, providing for the administration of  
7 public assistance in certain cases and prescribing penalties for the violation  
8 thereof and repealing sections ten to fifteen, both inclusive, and sections  
9 twenty-one to twenty-four, both inclusive, of 'An act to provide for the pro-  
10 tection, welfare of and financial assistance to certain needy persons in the  
11 State of New Jersey, providing for the administration thereof, and prescribing  
12 penalties for the violation thereof,' approved June eighteenth, one thousand  
13 nine hundred and forty (P. L. 1940, c. 130)," approved August fourth, one  
14 thousand nine hundred and forty-one (P. L. 1941, c. 357).

1     39. This act shall be construed as a revision of prior laws and its pro-  
2 visions not inconsistent with those of prior laws shall be construed as a con-  
3 tinuation of such laws and neither the enactment of this act, nor the repeal of  
4 the acts herein repealed, shall abolish, or in any manner affect, any office,  
5 position or employment, or any board, commission or public body existing at  
6 the time of the enactment of this act, or the tenure, term or salary of any  
7 holder or member thereof.

1     40. This act shall take effect immediately.