

30:4B-1

LEGISLATIVE HISTORY CHECKLIST

NJSA: 30:4B-1 (Division of Public Welfare-- change
change name to Division of Economic
Assistance)

LAWS OF: 1989 **CHAPTER:** 88

BILL NO: S2640

SPONSOR(S): McManimon

Date Introduced: June 13, 1988

Committee: **Assembly:** Health and Human Resources

Senate: Institutions, Health and Welfare

Amended during passage: Yes Amendments during passage denoted
by asterisks.

Date of Passage: **Assembly:** March 20, 1989

Senate: August 4, 1988

Date of Approval: June 7, 1989

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: **Assembly** Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

RDV

[SECOND REPRINT]

SENATE, No. 2640

STATE OF NEW JERSEY

INTRODUCED JUNE 13, 1988

By Senators McMANIMON and STOCKMAN

1 AN ACT concerning the Division of Public Welfare and amending
P.L.1950, c.166 (C.30:4B-1 et seq.).

3

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

1. Section 1 of P.L.1950, c.166 (C.30:4B-1) is amended to read
7 as follows:

1. The [State Board of Control of Institutions and Agencies]
9 Commissioner of Human Services may, in accordance with
[section] R.S.30:1-9 [of the Revised Statutes], establish a Division
11 of [Public Welfare. Said] Economic Assistance. The division shall
consist of personnel, bureaus, agencies and other administrative
13 units as [such State Board of Control] the Commissioner of
Human Services may, from time to time establish therein.

15 (cf: P.L.1967, c.206, s.1)

2. Section 2 of P.L.1950, c.166 (C.30:4B-2) is amended to read
17 as follows:

2. All functions, powers and duties relating to public
19 assistance and welfare services, assigned to it by the [State Board
of Control] Commissioner of the Department of [Institutions and
21 Agencies] Human Services, shall be administered through the
[said] Division of [Public Welfare] Economic Assistance, together
23 with [such] other related functions and duties [as] the [State
Board of Control] Commissioner of Human Services may, from
25 time to time, find appropriate to be administered through the
[said] division.

27 (cf: P.L.1967, c.206, s.2)

3. Section 3 of P.L.1950, c.166 (C.30:4B-3) is amended to read
29 as follows:

3. There is hereby created and established within the
31 Department of [Institutions and Agencies] Human Services a

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SIH committee amendments adopted June 23, 1988.

² Assembly AHH committee amendments adopted January 23, 1989.

1 board to be known as the Board of [Public Welfare. Said]
2 Economic Assistance. The board shall consist of ²[15] 13²
3 members, at least three of whom shall be women. Twelve of
4 [such] the members shall be appointed by the State Board of
5 [Control] Human Services with the approval of the Governor,
6 from among citizens of the State with demonstrated interest in
7 community service programs, at least three of whom shall be
8 executives of privately sponsored agencies providing family and
9 children's services. They shall be appointed without regard to
10 political belief or affiliation. They shall receive no compensation
11 for services, but shall be reimbursed for actual expenditures
12 incurred in the performance of their duties. All [such] 12
13 members shall hold office for a term of three years commencing
14 on July 1 and ending on June 30 of the third year thereafter;
15 except that of the members first to be appointed hereunder, four
16 shall be assigned to terms expiring on June 30 of the year next
17 succeeding appointment, and four to terms expiring on June 30 of
18 the second year succeeding appointment, but their successors
19 shall be appointed for three-year terms, and any vacancy
20 occurring otherwise than by expiration of term shall be filled for
21 the unexpired term only. In addition to [such] the 12 members,
22 ²[three additional members] one additional member² shall be
23 ²[persons]² annually designated ²[for such purpose]² by the [State
24 Board of Control] ¹[Commissioner] State Board¹ of Human
25 Services from among persons ¹[concurrently] currently¹ serving
26 as members of the ²board of trustees or the consumer advisory
27 board of the² Commission for the Blind and Visually Impaired.
28 The Commissioner of [Institutions and Agencies] Human Services
29 shall, [with the advice and consent of] after consultation with the
30 Board of [Public Welfare] Economic Assistance, appoint the chief
31 executive officer of the Division of [Public Welfare] Economic
32 Assistance who shall be known as the director of [such] the
33 division and who shall be in charge of the work of the division
34 under the immediate direction and supervision of the
35 ¹[Commissioner of [Institutions and Agencies]]. In the event of
36 disagreement with respect to such appointment between the
37 commissioner and the Board of Public Welfare, the State Board of
38 Control shall make the appointment] Human Services
39 commissioner¹. The Board of [Public Welfare] Economic
Assistance, acting on behalf of the [State Board of Control]

1 ¹[Commissioner of Human Services] commissioner¹ and subject to
the authority and direction thereof, shall organize to meet at
3 [such] times [as] it may determine or [as] which may be
prescribed by the [State Board of Control] commissioner. It
5 ²[shall establish within itself committees [directly concerned
with the Bureau of Assistance and the Bureau of Children's
7 Services respectively] as directed by the ¹[Commissioner of
Human Services] commissioner¹, and]² may establish [such]
9 ²[other] such² committees as it may determine ²necessary². It
shall become and continue to be thoroughly acquainted with the
11 operations of the Division of [Public Welfare] Economic
Assistance and regularly review all programs and practices within
13 the division and within the respective bureaus and other units
thereof. It shall establish policies and procedures within general
15 directives of the [State Board of Control] ¹[Commissioner of
Human Services] commissioner¹. It shall assist the director of
17 the division ²[and the bureau chiefs]² in formulating the annual
budget requests. It shall promote and maintain constructive
19 relationships with the county welfare [boards] agencies, local
assistance boards, and other official bodies and organized
21 agencies concerned with public welfare. It may, subject to the
approval of the [State Board of Control] commissioner, establish
23 any subsidiary unsalaried advisory or consultant committees or
study groups as it may deem necessary and proper and appoint the
25 members thereof.

(cf: P.L.1988, c.173, s.1)

27 4. Section 4 of P.L.1950, c.166 (C.30:4B-4) is amended to read
as follows:

29 4. The Commissioner of [Institutions and Agencies] Human
Services shall, [with the advice and consent of] after consultation
31 with the Board of [Public Welfare] Economic Assistance and [of]
the director of the division, appoint the chief executive officers
33 of each of the bureaus, agencies or other administrative units
[assigned by the State Board of Control to] of the division, which
35 positions shall be in the competitive [class of the classified civil]
division of the career service. The Commission for the Blind and
37 Visually Impaired shall, from among persons nominated by the
commissioner, and [with the advice and consent of] after
39 consultation with the Board of [Public Welfare] Economic
Assistance and [of] the director of the division, appoint the chief

1 executive officer of the commission, which position shall be in
2 the unclassified service. [In the event of any disagreement with
3 respect to any of such appointments as between 2 or more of the
4 parties whose participation in such appointment is so required,
5 the State Board of Control shall make the appointment.] This act
6 shall not affect the terms of office of members of the State
7 Commission for the Blind and Visually Impaired, and [such] the
8 agency shall continue to be constituted and to exercise [such] its
9 functions as otherwise provided by law.

(cf: P.L.1967, c.206, s.3)

11 5. Section 5 of P.L.1950, c.166 (C.30:4B-5) is amended to read
12 as follows:

13 5. All of the functions, powers and duties of, and records and
14 property maintained by, the Department of Conservation and
15 Economic Development and the Commissioner of Conservation
16 and Economic Development under and pursuant to the following
17 enumerated acts are hereby transferred to and vested in the
18 State Department of [Institutions and Agencies] Human Services
19 and the Commissioner of [Institutions and Agencies] Human
20 Services, respectively, and shall be exercised and used through
21 the Division of [Welfare] Economic Assistance in [said] the State
22 Department of [Institutions and Agencies] Human Services, in
23 accordance with the provisions of this act and as otherwise
24 provided by law:

25 a. "General Public Assistance Law" (P.L.1947, c.156); and

26 b. ["An act concerning the legal settlement of certain needy
27 persons, providing for the administration of public assistance in
28 certain cases and prescribing penalties for the violation thereof
29 and repealing sections ten to fifteen, both inclusive, and sections
30 twenty-one to twenty-four, both inclusive, of "An act to provide
31 for the protection, welfare of and financial assistance to certain
32 needy persons in the State of New Jersey, providing for the
33 administration thereof, and prescribing penalties for the violation
34 thereof," approved June eighteenth, one thousand nine hundred
35 and forty (P.L.1940, c.130)" (P.L.1941, c.357).] (Deleted by
36 amendment P.L. c. (now pending before the Legislature as
37 this bill)

(cf: P.L.1950, c.166, s.5)

39 6. Section 6 of P.L.1950, c.166 (C.30:4B-6) is amended to read
40 as follows:

1 6. Whenever the term "commissioner" occurs or any reference
is made thereto in the "General Public Assistance Law"
3 (P.L.1947, c.156 (C.44:8-107 et seq.)) [or in chapter three hundred
fifty-seven of the laws of one thousand nine hundred and
5 forty-one], the same shall be deemed to mean or refer to the
Commissioner of [Institutions and Agencies] Human Services of
7 the State Department of [Institutions and Agencies] Human
Services.

9 Whenever the term "department" occurs or any reference is
made thereto in the "General Public Assistance Law" (P.L.1947,
11 c.156 (C.44:8-107 et seq.)) [or in chapter three hundred
fifty-seven of the laws of one thousand nine hundred and
13 forty-one], the same shall be deemed to mean or refer to the
Division of [Welfare] Economic Assistance in the State
15 Department of [Institutions and Agencies] Human Services.

(cf: P.L.1950, c.166, s.6)

17 7. Section 7 of P.L.1950, c.166 (C.30:4B-7) is amended to read
as follows:

19 7. For the purpose of defraying the costs of administering,
during the fiscal year ending June thirtieth, one thousand nine
21 hundred and fifty-one, the functions herein transferred to the
State Department of [Institutions and Agencies] Human Services
23 and the Commissioner of [Institutions and Agencies] Human
Services, respectively, pursuant to section five of this act, the
25 State Department of [Institutions and Agencies] Human Services
may expend, from the appropriation made to it for relief
27 subsidies in the General Appropriations Law for [such] the fiscal
year, an amount not in excess of one hundred thousand dollars
29 (\$100,000.00); and in employing additional personnel, for the
administration of the functions, powers and duties transferred
31 under this act, the Commissioner of [Institutions and Agencies]
Human Services shall give preference, wherever possible but in
33 his absolute discretion, to the present employees of the
Department of Conservation and Economic Development and the
35 Division of Budget and Accounting in the Department of the
Treasury, who have been engaged in the administration of any of
37 [such] the functions, powers and duties in [said] the departments,
by transferring them to substantially similar positions and
39 employments, having in mind the fitness of [such] the employees
for the performance of the duties to be assigned to them, in the

1 Division of [Welfare] Economic Assistance in the State
2 Department of [Institutions and Agencies] Human Services and
3 [such] persons so transferred shall hold [said] the positions and
4 employments with the same civil service status and the same
5 tenure and pension rights, as they formerly had in the respective
6 departments from which they are so transferred.

7 (cf: P.L.1950, c.166, s.7)

8. Section 9 of P.L.1950, c.166, (C.30:4B-9) is amended to read
9 as follows:

10 9. This act shall be known as, and may be cited as, the
11 "Department of [Institutions and Agencies] Human Services,
12 Division of [Welfare] Economic Assistance Act [of 1950]."

13 (cf: P.L.1950, c.166, s.9)

14 9. This act shall take effect immediately.

15

16
17 STATE GOVERNMENT
18 Public Assistance

19

20 Changes the name of the Division of Public Welfare to the
21 Division of Economic Assistance.

1 Department of [Institutions and Agencies] Human Services and
2 [such] persons so transferred shall hold [said] the positions and
3 employments with the same civil service status and the same
4 tenure and pension rights, as they formerly had in the respective
5 departments from which they are so transferred.

(cf: P. L. 1950, c. 166, s. 7)

7 8. Section 9 of P.L. 1950, c. 166, (C. 30:4B-9) is amended to
read as follows:

9 9. This act shall be known as, and may be cited as, the
10 "Department of [Institutions and Agencies] Human Services,
11 Division of [Welfare] Economic Assistance Act [of 1950]."

(cf: P. L. 1950, c. 166, s. 9)

13 9. This act shall take effect immediately.

15 STATEMENT

17 This bill changes the name of the Division of Public Welfare in
18 the Department of Human Services to the Division of Economic
19 Assistance. It also changes the name of the advisory body to that
20 division to the Board of Economic Assistance. That board has
21 noted that, while its activity and that of the division have
22 become more intensified in the economic assistance area, many
23 duties in the "public welfare" field, such as medical assistance
24 and child welfare, have been assigned to separate administrative
25 divisions. The change is recommended by the board in order to
26 present a name which better describes current functions, duties
27 and scope of activity.

28 The bill also makes reference corrections and other technical
29 changes in P.L. 1950, c. 166 (C. 30:4B-1 et seq.). Accordingly,
30 "Institutions and Agencies" is changed to "Human Services"
31 throughout the bill, the "State Board of Control" is changed to
32 "Commissioner of Human Services" or "State Board of Human
33 Services" as appropriate, and "county welfare boards" is changed
34 to "county welfare agencies."

35

STATE GOVERNMENT

37 Public Assistance

39 Changes the name of the Division of Public Welfare to the
Division of Economic Assistance.

ASSEMBLY HEALTH AND HUMAN RESOURCES COMMITTEE

STATEMENT TO

[FIRST REPRINT]

SENATE, No. 2640

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: JANUARY, 23, 1989

The Assembly Health and Human Resources Committee favorably reports Senate Bill No. 2640 (1R) with amendments.

As amended by the committee, this bill changes the name of the Division of Public Welfare in the Department of Human Services to the Division of Economic Assistance. It also changes the name of the advisory body to that division, the Board of Public Welfare, to the Board of Economic Assistance. The amended bill also makes reference corrections and other technical changes in P.L.1950, c.166 (C.30:4B-1 et seq.) governing the division. Accordingly, "Institutions and Agencies" is changed to "Human Services" throughout the bill, the "State Board of Control" is changed to "Commissioner of Human Services" or "State Board of Human Services," as appropriate, and "county welfare board" is changed to "county welfare agency."

The change in name is recommended by the current Board of Public Welfare in order to present a name which better describes the division's current functions, duties and scope of activity. That board has noted that, while its activity and that of the division have become more intensified in the economic assistance area, many duties in the "public welfare" field, such as medical assistance and child welfare, have been assigned to separate administrative divisions within the Department of Human Services.

The committee adopted technical amendments to section 3 of the bill (which amends section 3 of P.L.1950, c.166, C.30:4B-3) to conform that section to Assembly Bill No. 262 (2R) of 1988 (Felice), which was enacted into law as P.L.1988, c.173 on December 5, 1988.

As reported by the committee, this bill is identical to Assembly Bill No. 3336 (Roma/Kelly) as that bill was reported with committee amendments on this date.

SENATE INSTITUTIONS, HEALTH AND WELFARE COMMITTEE

STATEMENT TO

SENATE, No. 2640

with Senate committee amendments

STATE OF NEW JERSEY

DATED: JUNE 23, 1988

The Senate Institutions, Health and Welfare Committee favorably reports Senate Bill No. 2640 with committee amendments.

As amended by committee, this bill changes the name of the Division of Public Welfare in the Department of Human Services to the Division of Economic Assistance. It also changes the name of the advisory body to that division, the Board of Public Welfare, to the Board of Economic Assistance. The bill also makes reference corrections and other technical changes in P.L. 1950, c. 166 (C. 30:4B-1 et seq.) governing the division. Accordingly, "Institutions and Agencies" is changed to "Human Services" throughout the bill, the "State Board of Control" is changed to "Commissioner of Human Services" or "State Board of Human Services," as appropriate, and "county welfare board" is changed to "county welfare agency."

The change in name is recommended by the current Board of Public Welfare in order to present a name which better describes the division's current functions, duties and scope of activity. That board has noted that, while its activity and that of the division have become more intensified in the economic assistance area, many duties in the "public welfare" field, such as medical assistance and child welfare, have been assigned to separate administrative divisions within the Department of Human Services.

The committee adopted a technical amendment to section 3 of the bill to provide that the State Board of Human Services, rather than the commissioner, shall designate the three members from the Commission for the Blind and Visually Impaired.