

10/13/86

44' 8-125

LEGISLATIVE HISTORY CHECKLIST

NJSA: 44:8-125 (Agent orange awards--exclude from income in determining welfare benefits)

LAWS OF: 1986

CHAPTER 65

BILL NO: S1633

Sponsor(s): Dalton

Date Introduced: February 3, 1986

Committee: Assembly: Health and Human Services

Senate: Institutions, Health and Welfare

Amended during passage: Yes Amendments during passage denoted by asterisks

Date of Passage: Assembly: June 19, 1986

Senate: May 15, 1986

Date of Approval: July 30, 1986

Following statements are attached if available:

Sponsor statement: Yes Attached: Senate amendments, adopted 5-5-86 (with statement)

Committee statement: Assembly Yes Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

Vertical stamp: LIBRARY

65 7-30-86 86

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SENATE, No. 1633

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 3, 1986

By Senator DALTON

Referred to Committee on Institutions, Health and Welfare

AN ACT concerning public assistance payments, and amending
P. L. 1947, c. 156.

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

1 1. Section 19 of P. L. 1947, c. 156 (C. 44:8-125) is amended to
2 read as follows:

3 19. The fact that an applicant for public assistance or any of
4 his dependents shall be receiving, or entitled to receive, income
5 from other sources or compensation for part-time or casual services
6 shall not make such person ineligible to receive public assistance
7 if such income or compensation is insufficient to support him and
8 his dependents properly but the amount of such income or com-
9 pensation shall be taken into consideration in determining the
10 amount of his public assistance by deducting from the amount of
11 public assistance which he otherwise would be entitled to receive,
12 the amount of such income or compensation; *except that any money*
13 *received because of a settlement agreement or judgment in a law-*
14 *suit brought against a manufacturer or distributor of "Agent*
15 *Orange" for damages resulting from exposure to "Agent Orange"*
16 *shall not reduce the amount of public assistance received by the*
17 *applicant *and shall not be subject to a lien or be available for re-*
18 *payment to the State or municipality for public assistance received*
19 *by the applicant*.*

1 2. This act shall take effect immediately.

PUBLIC ASSISTANCE

Exempts "Agent Orange" awards from being considered income
for purposes of determining General Public Assistance benefits.

Matter printed in italics thus is new matter.
Matter enclosed in asterisks or stars has been adopted as follows:
*—Senate amendment adopted May 5, 1986.

SENATE, No. 1633

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13 *received because of a settlement agreement or judgment in a law-*
14 *suit brought against a manufacturer or distributor of "Agent*
15 *Orange" for damages resulting from exposure to "Agent Orange"*
16 *shall not reduce the amount of public assistance received by the*
17 *applicant.*

1 2. This act shall take effect immediately.

STATEMENT

This bill amends the "General Public Assistance Law" so that compensation received because of a judgment or settlement agreement in a lawsuit brought against a manufacturer or distributor

Matter printed in italics thus is new matter.

of "Agent Orange" for damages resulting from exposure to "Agent Orange" would not reduce the amount of public assistance received by the applicant.

PUBLIC ASSISTANCE

Exempts "Agent Orange" awards from being considered income for purposes of determining General Public Assistance benefits.

ASSEMBLY HEALTH AND HUMAN RESOURCES
COMMITTEE

STATEMENT TO
SENATE, No. 1633

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STATE OF NEW JERSEY

DATED: JUNE 5, 1986

The Assembly Health and Human Resources Committee favorably reports Senate Bill No. 1633 OCR.

This bill amends section 8 of the "General Public Assistance Law," P. L. 1947, c. 156 (C. 44:8-125), to provide that compensation received because of a judgment or settlement agreement in a lawsuit brought against a manufacturer or distributor of "Agent Orange" for damages resulting from exposure to "Agent Orange" shall not reduce the amount of public assistance received by the applicant and shall not be subject to a lien or be available for repayment to the State or municipality for public assistance already received by the applicant.

This bill is identical to Assembly Bill No. 2386 Aca of 1986 (Kelly/DiGaetano), which the committee also reported favorably on this date.

SENATE INSTITUTIONS, HEALTH AND WELFARE
COMMITTEE

STATEMENT TO

SENATE, No. 1633

STATE OF NEW JERSEY

DATED: MARCH 24, 1986

The Senate Institutions, Health and Welfare Committee favorably reports Senate Bill No. 1633.

This bill amends the "General Public Assistance Law" to provide that compensation received because of a judgment or settlement agreement in a lawsuit brought against a manufacturer or distributor of "Agent Orange" for damages resulting from exposure to "Agent Orange" shall not reduce the amount of public assistance received by the applicant.

In 1984, the United States District Court in New York reached a \$180 million settlement on a class action suit brought by Vietnam veterans against manufacturers of "Agent Orange." While issues concerning the distribution of the proceeds of the settlement are still being resolved, the Executive Director of the New Jersey Agent Orange Commission estimates that distribution of the settlement's proceeds will begin in September or October 1986.

Presently, under the General Public Assistance Law (municipal welfare), a person receives a monthly welfare grant of \$133.00 if employable and \$200.00 if considered unemployable. If the person has any source of income, the amount of the income is deducted from the monthly grant.

The committee considered and reported an identical bill (Senate Bill No. 2341 of 1984) in December 1984. The bill passed in the Senate but was not acted upon in the General Assembly.

OPTED

MAY 5 1986

HS0068
SR HS0068
71-152064

Senate Amendments
Sponsored by Senator Dalton
to

Senate Bill No. 1633
Sponsored by Senator Dalton

Line
17

After "applicant" Insert "and shall not be subject to a lien or be available for repayment to the State or municipality for public assistance received by the applicant"

MAY 5 1986

STATEMENT

This amendment provides that Agent Orange awards are not subject to a lien or repayment to the State or municipality for any public assistance received by the applicant.

... assistance received by the