

R.S. 44:10-1 thru 8

April 13, 1972

LEGISLATIVE NOTES ON 44:10-1 thru 44:10-8  
(Assistance for dependent children)

L.1959 - chap.86 - S21.

Jan.13 - Introduced by Dumont, Cowgill and Crane.  
Mar.9 - Passed in Senate, amended.  
May 25 - Passed in Assembly.  
June 11 - Approved, chapter 86.  
Amended during passage.  
Statement (copy enclosed).

This law was amended by the following laws:

L.1962 - chap.80 - A583.

Mar.26 - Introduced by Tanzman, Rimm, Krueger.  
May 7 - Passed in Assembly.  
May 14 - Passed in Senate.  
June 18 - Approved, chap.80.  
Not amended during passage.  
Statement (copy enclosed).

L.1966 - chap.198 - S368.

May 2 - Introduced by Grossi and Keegan.  
May 23 - Passed Senate.  
June 6 - Passed in Assembly, amended.  
June 18 - Assembly amendment passed in Senate.  
July 21 - Approved chapter 198.  
Statement (copy enclosed)  
Amended (copy enclosed).

L.1968 - chap.138 - S754.

May 13 - Introduced by Matturri and 7 others.  
June 13 - Passed in Senate, amended.  
June 24 - Passed in Assembly.  
July 10 - Approved, chap.138.  
Amended during passage.  
Statement (copy enclosed).  
Governor's statement on signing (copy enclosed).

JH/EH  
Encl.

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CHAPTER 139  
REVISED STATUTES OF N. J. 1968  
TITLE 17-10.68

[SECOND OFFICIAL COPY REPRINT]

SENATE, No. 754

STATE OF NEW JERSEY

INTRODUCED MAY 13, 1968

By Senators MATTURRI, COFFEE, WALLWORK, WALDOR,  
DELTUFO, GIULIANO, DOWD and RIDOLFI

Referred to Committee on Institutions and Welfare

AN ACT to amend "An act concerning assistance for dependent children, supplementing Title 44 of the Revised Statutes and repealing certain statutes relating thereto," approved June 11, 1959 (P. L. 1959, c. 86).

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

1 1. Section 1 of the act of which this act is amendatory is amended  
2 to read as follows:

3 1. As used in this act and for the purpose of the determina-  
4 tion of eligibility to receive financial assistance under the pro-  
5 visions of this act, the following words shall have the following  
6 meaning, unless the context indicates another meaning:

7 (a) "Assistance for dependent children" means the assistance  
8 and other services to be extended under this act to or for needy  
9 dependent children and the parents and relatives with whom they  
10 are living for the following purposes:

11 (1) To provide for the care of needy dependent children  
12 in their own homes or in the homes of relatives, under stand-  
13 ards and conditions compatible with decency and health,

14 (2) To help maintain and strengthen family life, and

15 (3) To help such parents or relatives to attain the maximum  
16 self-support and personal independence consistent with the  
17 maintenance of continuing parental care and protection.

18 (b) "Bureau of Assistance" means the Bureau of Assistance  
19 of the Department of Institutions and Agencies.

20 (c) "Dependent child" means a child under the age of 18, or  
21 under the age of 21 and a student regularly attending school,  
22 college or university, or regularly attending a course of voca-  
23 tional or technical training designed to fit him for gainful employ-  
24 ment, who

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

25 (1) Has been deprived of parental support or care by  
 26 reason of the death, continued absence from the home, or  
 27 physical or mental incapacity of a parent, *or, when living with*  
 28 *both parents, has been deprived of parental support or care*  
 29 *by reason of the unemployment of his father or the insufficient*  
 30 *earnings of his parents, and*

31 (2) Is living in New Jersey with his father, mother, grand-  
 32 father, grandmother, brother, sister, stepfather, stepmother,  
 33 stepbrother, stepsister, uncle, aunt, first cousin, nephew or  
 34 niece, in a place of residence maintained by one or more of  
 35 such relatives as his or their home, and

36 (3) Is found, after due investigation and determination,  
 37 according to standards and procedures established pursuant  
 38 to this act, to be in need of financial assistance.

39 (d) "Parent or relative with whom a dependent child is living"  
 40 means a person

41 (1) Who is related to the dependent child, in the manner  
 42 prescribed in subsection (c) (2) of this section, and

43 (2) With whom the dependent child is living in a place of  
 44 residence maintained by one or more of such relatives as his  
 45 or their own home, and

46 (3) Who is found, after due investigation and determina-  
 47 tion, according to standards and procedures established pur-  
 48 suant to this act, to be in need of financial assistance.

49 *\*\* (e) A determination of a right to financial assistance by reason*  
 50 *of unemployment of a father or of underemployment by parents*  
 51 *shall not constitute such persons recipients of assistance for*  
 52 *dependent children so as to make them eligible for coverage under*  
 53 *the "New Jersey Medical Assistance Act," now pending before*  
 54 *the Legislature if the same shall be enacted.\*\**

1 **\*\*[2.** Section 2 of the act of which this act is amendatory is  
 2 amended to read as follows:

3 2. Needy dependent children living in New Jersey and the  
 4 parent or parents or relative or relatives with whom they are  
 5 living shall be entitled to financial assistance and other services  
 6 from the county welfare board of the county in which they reside,  
 7 which shall be administered in accordance with and governed by  
 8 requirements, conditions, limitations and procedures similar to  
 9 those established by chapter 7 of Title 44 of the Revised Statutes  
 10 excepting sections 44:7-3, 44:7-5, 44:7-14 to 44:7-16, inclusive and  
 11 44:7-25 of the Revised Statutes.

12 *Notwithstanding any other provisions of this act, any needy*  
 13 *dependent child under the age of 21, or any other member of the*

14 household in which such child is living in New Jersey, shall be  
 15 entitled to emergency financial assistance and other services from  
 16 the county welfare board of the county in which such child re-  
 17 sides, for a period not in excess of 30 days in any 12-month  
 18 period, when

19 (a) Such child is or has been living with any of the relatives  
 20 as specified in section 1 of this act;

21 (b) Such child is without available resources;

22 (c) The assistance and services are necessary to avoid destitu-  
 23 tion of such child or to provide living arrangements in a home for  
 24 such child; and

25 (d) Such destitution or need for living arrangements did not  
 26 arise because such child or relative refused without good cause  
 27 to accept employment or training for employment.】\*\*

1 \*\*[3.]\*\* \*\*2.\*\* Section 3 of the act of which this act is amenda-  
 2 tory is amended to read as follows:

3 3. Under general policies established by the State Board of  
 4 Control, the Commissioner of Institutions and Agencies is author-  
 5 ized, directed and empowered to issue, or to cause to be issued by  
 6 the appropriate departmental officers or agencies, all necessary  
 7 rules and regulations and administrative orders, and to do or cause  
 8 to be done all other acts and things necessary to secure for the  
 9 State of New Jersey the maximum Federal financial participation  
 10 that is available with respect to a program of assistance for de-  
 11 pendent children and otherwise to accomplish the purposes of this  
 12 act, including specifically the following:

13 (a) To assure that the program shall be in effect in all counties  
 14 of the State and be mandatory upon them;

15 (b) To assure that all individuals wishing to make application  
 16 for assistance for dependent children shall have opportunity to  
 17 do so, and that assistance shall be furnished with reasonable  
 18 promptness to or for all eligible individuals;

19 (c) To provide that, in determining need for financial assistance  
 20 and the amount of assistance to be granted, there shall be taken  
 21 into consideration all other income and resources of the dependent  
 22 child and of the parent, parents, or other relatives with whom  
 23 such child is living, *except that, in making such determination,*  
 24 *there shall be disregarded the amounts of income and resources*  
 25 *required by Federal law as a condition of Federal financial*  
 26 *participation;*

27 (d) To provide safeguards which restrict the use or disclosure  
 28 of information concerning applicants and recipients to purposes  
 29 directly connected with the administration of the program;

30 (e) To provide for prompt notice to appropriate law enforce-  
 31 ment officials of the furnishing of assistance to or for a child who  
 32 has been deserted or abandoned by a parent;

33 (f) To assure that all persons for whom financial assistance  
 34 is being paid under the provision of this act shall not receive,  
 35 during the same period, any other financial assistance from this  
 36 State or any political subdivision thereof, with respect to any  
 37 maintenance requirements or other items for which allowance is  
 38 made in the assistance grant paid pursuant to this act;

39 (g) To prescribe appropriate services which shall be made avail-  
 40 able by or utilized by the county welfare boards for the purpose  
 41 of maintaining and strengthening family life for children;

42 (h) To assure that payments of financial assistance, with respect  
 43 to a dependent child or children, to a parent or relative with whom  
 44 such child is living, will be terminated promptly, and other  
 45 arrangements for the care and maintenance of such child or children  
 46 instituted, in any case where it is determined that the payments  
 47 to such parent or relative under the provisions of this act are  
 48 failing to secure for the child or children a standard of maintenance,  
 49 care and family life consistent with the purposes stated in section  
 50 1(a) of this act;

51 *(i) To provide for appropriate services and co-operative ar-*  
 52 *rangements with other agencies so that maximum opportunities for*  
 53 *employment and training for employment will be available to*  
 54 *recipients of financial assistance, and to prescribe the conditions*  
 55 *under which financial assistance will be denied to an individual*  
 56 *who refuses without good cause to accept employment or training*  
 57 *for employment.*

1 **\*\*[4.]\*\*** **\*\*3.\*\*** Section 5 of the act of which this act is amenda-  
 2 tory is amended to read as follows:

3 5. The State shall pay to each county welfare board the full  
 4 amount of any funds received by the State from the Federal  
 5 Government as Federal participation with respect to expenditures  
 6 made by such county welfare board for assistance for dependent  
 7 children, plus an additional amount equal to **[50%]** 75% of the  
 8 balance of such expenditures after deducting the amount of such  
 9 Federal participation.

10 The State shall also pay to each county welfare board the full  
 11 amount of any funds received by the State from the Federal  
 12 Government as Federal participation with respect to the costs of  
 13 administration of the program of assistance for dependent children  
 14 by such county welfare board.

1 **\*\*[5.]\*\*** **\*\*4.\*\*** This act shall take effect **\*[July 1, 1968]\***  
 2 **\*January 1, 1969.\***

SENATE, No. 754

STATE OF NEW JERSEY

INTRODUCED MAY 13, 1968

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 18 *period, when*

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 45 arrangements for the care and maintenance of such child or children  
 46 instituted, in any case where it is determined that the payments  
 47 to such parent or relative under the provisions of this act are  
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 55 *under which financial assistance will be denied to an individual*  
 56 *who refuses without good cause to accept employment or training*  
 57 *for employment.*

1 4. Section 5 of the act of which this act is amendatory is amended  
 2 to read as follows:

3 5. The State shall pay to each county welfare board the full  
 4 amount of any funds received by the State from the Federal  
 5 Government as Federal participation with respect to expenditures  
 6 made by such county welfare board for assistance for dependent  
 7 children, plus an additional amount equal to **[50%]** 75% of the  
 8 balance of such expenditures after deducting the amount of such  
 9 Federal participation.

10 The State shall also pay to each county welfare board the full  
 11 amount of any funds received by the State from the Federal  
 12 Government as Federal participation with respect to the costs of  
 13 administration of the program of assistance for dependent children  
 14 by such county welfare board.

1 5. This act shall take effect July 1, 1968.

## STATEMENT

The findings of the Lilley Commission resulted in a number of recommendations whereby public assistance and welfare services would become a more effective force in strengthening family unity, combating economic and social deprivation, and stimulating self-help through employment and training. Implementation of these recommendations has been made more feasible by 1967 amendments to the Federal Social Security Act which, together with earlier amendments not yet adopted in New Jersey, will permit desired changes in the scope and administration of public assistance with a commensurate increase in Federal financial participation.

The purpose of this bill is to improve the program of assistance for dependent children by extending eligibility to include cases where the family is living together and requires help because of unemployment or underemployment (for which the burden is now on municipal government); permitting emergent need to be relieved more adequately; and enhancing the movement of assistance recipients into employment by providing income incentives, and by providing increased work and training opportunities which assistance recipients must accept as a condition of eligibility. The further purpose of this bill is to reduce local costs of public assistance and welfare services by lowering municipal case loads and increasing State aid to counties for the program of assistance for dependent children.

SENATE COMMITTEE AMENDMENT TO

**SENATE, No. 754**

**STATE OF NEW JERSEY**

ADOPTED JUNE 3, 1968

Amend page 4, section 5, line 1, delete "July 1, 1968" and insert "January 1, 1969".

S 754

STATEMENT BY GOVERNOR RICHARD J. HUGHES  
ON SIGNING OF S-754, S-755 and A-799  
WEDNESDAY, JULY 10, 1968

It is with great pleasure and considerable pride that I today approve Senate Bills Nos. 754, and 755, and Assembly Bill No. 799, revising in substantial measure the public welfare laws of our state. I have endorsed these revisions and encouraged their rapid adoption by the Legislature. Their need has been recognized throughout the community; all who have labored for their passage are to be lauded for their efforts which culminate today.

Senate Bill No. 754 incorporated in our law a 1962 amendment to the Federal Social Security Act which expands the categorical program of Aid to Families with Dependent Children to include those families in which the father is unemployed or underemployed. The prior law rewarded and indeed encouraged the dissolution of the family by denying assistance to unbroken homes. The so-called "man in the house" rule served to defeat a primary objective of the Social Security Act and our own aid program. In my Special Message to the Legislature on April 25th, I noted that "[to incorporate this amendment] by this Legislature will thus restore in many cases the family unit and the essential discipline and stability associated with it."

The second amendment of the Social Security Act which is enacted today authorizes the introduction by County Welfare Boards of "presumptive eligibility." With this revision, Boards will be able to extend categorical assistance in any case in which aid appears to be justified immediately upon initial application, subject, of course, to subsequent investigation. The prior system of withholding assistance payment pending complete investigation often resulted in the denial of aid to families at the most critical time. With this amendment, the immediate provision of financial assistance will

encourage a similarly rapid sense of hope and optimism so vitally necessary to meaningful efforts to seek and continue productive employment.

In addition to these substantive developments, these two measures will effect a vital restructuring of the financing of public assistance in New Jersey. By Senate Bill Nos. 754 and 755, the State will henceforth assume 75% of the non-federal share of all categorical assistance programs, thereby releasing millions of dollars of local tax-payer money to the immediate task of meeting the growing burden of local services.

The third measure enacted today, Assembly Bill No. 799, authorizes New Jersey's participation in a most dramatic federal program designed to restore, by positive governmental action, recipients of assistance to productive and self-sustaining employment. The Work Incentive Program was authorized by the Federal Government in 1967 and provides funds for the classification, preparation, training and job placement of persons eligible for assistance under the AFDC program. A total of 2,900 positions for preparation and training are authorized New Jersey at a cost to the State of \$638,000. This investment will attract more than \$2 1/2 million in federal funds. Standing alone, the WIN Program is a significant step taken to break the welfare cycle. An added feature, however, provides this program with the means to reach those most desperately in need of its benefit. A day care program which will provide opportunity to parents unable to leave the home by reason of their responsibility for dependent children is to be established within the Department of Institutions and Agencies. Our goal in this respect is greater than the provision of mere babysitting or custodial care for these dependent children. We seek to provide supportive services that will enable the children, like their parents who are equipping themselves to work, to break free of the welfare cycle.

The pleasure and hope with which these bills are approved is clouded, however, by an apparently unnecessary amendment adopted immediately prior to legislative passage of the senate bills. As originally considered these measures were to become effective July 1, 1968, thus implementing their beneficial effects immediately. The Legislature has chosen to withhold these benefits until January 1, 1969, a six month delay necessitated neither by administrative difficulty nor lack of fiscal preparation. Funds sufficient to implement these programs are to be derived from a package of taxes enacted by Legislature which are to become effective immediately. Unfortunately, the people of this state will be denied the benefits of this legislation for six months. There is no justification for such delay.

Nevertheless, with this qualification, I again express my pleasure at having been provided this opportunity to help New Jersey to respond to present reality and to conform its public assistance law to federal advances which will greatly benefit the citizens of New Jersey.