

**LEGISLATIVE HISTORY CHECKLIST**  
 Compiled by the NJ State Law Library

(Public assistance--eligibility)

**NJSA:** 44:7-18

**LAWS OF:** 1968 **CHAPTER:** 139

**BILL NO:** S755

**SPONSOR(S)** Matturi

**DATE INTRODUCED:** May 13, 1968

**COMMITTEE:** **ASSEMBLY:** ---  
**SENATE:** Institutions and Welfare

**AMENDED DURING PASSAGE:** Yes Amendments during passage  
 Third official copy denoted by asterisks  
 reprint enacted

**DATE OF PASSAGE:** **ASSEMBLY:** June 24, 1968  
**SENATE:** June 13, 1968

**DATE OF APPROVAL:** July 10, 1968

**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

Report mentioned in statement:

974.90 New Jersey. Governor's Select Commission on Civil Disorder.  
 C5815 Report for action...February, 1968.  
 1968 Trenton, 1968.

KBG:pp

SENATE, No. 755

STATE OF NEW JERSEY

INTRODUCED MAY 13, 1968

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

Referred to Committee on Institutions and Welfare

AN ACT concerning public assistance and amending sections 44:7-18 and 44:7-25 of the Revised Statutes, section 23 of chapter 156 of the laws of 1947, section 30 of chapter 138 of the laws of 1951, section 3 of chapter 139 of the laws of 1951, section 44 of chapter 197 of the laws of 1962, section 7 of chapter 222 of the laws of 1962\*\*\*[, and section 44:7-7 of the Revised Statutes]\*\*\*.

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

1 1. Section 44:7-18 of the Revised Statutes is amended to read  
2 as follows:

3 44:7-18. When the county welfare board receives an application  
4 for old age assistance, an investigation and record shall promptly  
5 be made of the circumstances of the applicant. The object of such  
6 investigation shall be to ascertain the facts supporting the appli-  
7 cation [made under this chapter] and such other information as  
8 may be required by the rules of the State division. When immediate  
9 need is apparent and the *applicant provides* evidence of eligibility  
10 [immediately available is satisfactory to] *by a written statement*  
11 *signed and verified under oath*, the director of welfare[, he may]  
12 *shall issue a grant of old age assistance effective as of the date*  
13 *of application and pending completion of such investigation. Upon*  
14 *the completion of such investigation the county welfare board shall*  
15 *decide whether the applicant is eligible for and should receive or*  
16 *continue to receive old age assistance [under this chapter], the*  
17 *amount of assistance, the manner of paying or providing it, and, as*  
18 *appropriate, the date on which the assistance shall begin; provided,*  
19 *however, that if the completed investigation shows the applicant to*  
20 *have been ineligible for reasons other than need, the county welfare*  
21 *board shall not be obligated, in the absence of fraud or misrepresen-*

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

22 tation, to take action for the recovery of any assistance granted  
 23 pending completion of such investigation. It shall notify the appli-  
 24 cant of its decision in writing.

24A **\*\* Any such grant of old age assistance shall not make the recipi-**  
 24B **ents thereof eligible for coverage under the "New Jersey Medical**  
 24C **Assistance Act," now pending before the Legislature if the same**  
 24D **shall be enacted.\*\***

25 The county welfare board shall at once report to the State divi-  
 26 sion its decision in each case together with copies of such supporting  
 27 records as the State division may require. Such decision shall be  
 28 final, except that where an application is not acted upon by the  
 29 county welfare board within 30 days after the filing of the applica-  
 30 tion, or the application is denied, or the grant is deemed inadequate,  
 31 either by the State division or by the applicant, the State division  
 32 may review the case in its discretion or the applicant may appeal  
 33 to the State division by filing a petition with the division setting  
 34 forth the facts in full as to the necessity of such assistance. Where-  
 35 upon a representative of the State division shall hold a fair hearing  
 36 on the appeal, and if the appeal is sustained by the State division  
 37 the payments of assistance in the amount determined by the State  
 38 division must be paid by said county welfare board as herein  
 39 provided.

1 2. Section 44:7-25 of the Revised Statutes is amended to read  
 2 as follows:

3 44:7-25. The State shall pay to each county welfare board the  
 4 full amount of any funds received by the State from the Federal  
 4A Government as Federal participation with respect to expenditures  
 5 made by such county welfare board for old age assistance, includ-  
 6 ing burial and funeral expenses and terminal medical and nursing  
 7 costs, plus an additional amount equal to 75% of the balance of such  
 8 expenditures after deducting the amount of such Federal participa-  
 9 tion[, except that such additional amount shall be 50% with respect  
 10 to expenditures to or on behalf of persons who receive assistance  
 11 while inmates or residents of any public or private institution  
 12 licensed or approved as a hospital, nursing or convalescent home,  
 13 or medical institution within the limitations specified in paragraph  
 14 d. of section 44:7-5 of this Title].

1 3. Section 23 of chapter 156 of the laws of 1947 is amended to  
 2 read as follows:

3 23. In each year the commissioner shall determine the amount  
 4 of State aid which each municipality shall receive in such year, and  
 5 the same shall be distributed by the commissioner among the vari-  
 6 ous municipalities making application therefor to the commissioner

7 before July 1 of such year, except those in which public assistance  
8 shall be administered by the commissioner for all or any part of  
9 such year, by the payment to each municipality of [an amount to  
10 be determined as follows:

11 (a) To each municipality whose "preceding year's public assist-  
12 ance millage" is not more than 1.6 mills, an amount equivalent to  
13 40%] 75% of its "current year's public assistance load["];

14 (b) To each municipality whose "preceding year's public assist-  
15 ance millage" is more than 1.6 mills and is not more than 2.4 mills,  
16 an amount equivalent to 45% of its "current year's public assist-  
17 ance load";

18 (c) To each municipality whose "preceding year's public assist-  
19 ance millage" is more than 2.4 mills and is not more than 2.8 mills,  
20 an amount equivalent to 50% of its current year's public assistance  
21 load";

22 (d) To each municipality whose "preceding year's public assist-  
23 ance millage" is more than 2.8 mills and is not more than 3.2 mills,  
24 an amount equivalent to 52% of its "current year's public assist-  
25 ance load";

26 (e) To each municipality whose "preceding year's public assist-  
27 ance millage" is more than 3.2 mills and is not more than 3.4 mills,  
28 an amount equivalent to 54% of its "current year's public assist-  
29 ance load";

30 (f) To each municipality whose "preceding year's public assist-  
31 ance millage" is more than 3.4 mills and is not more than 3.6 mills,  
32 an amount equivalent to 56% of its "current year's public assist-  
33 ance load";

34 (g) To each municipality whose "preceding year's public assist-  
35 ance millage" is more than 3.6 mills and is not more than 4.0 mills,  
36 an amount equivalent to 58% of its "current year's public assist-  
37 ance load";

38 (h) To each municipality whose "preceding year's public assist-  
39 ance millage" is more than 4.0 mills, an amount equivalent to 60%  
40 of its "current year's public assistance load]."

41 [The] This percentage [for each municipality applicable under  
42 the above formula] shall be known as [such municipality's] the  
43 "public assistance percentage."

1 4. Section 30 of chapter 138 of the laws of 1951 is amended to  
2 read as follows:

3 30. Except as provided in section 27 hereof relating to hospital  
4 care, the cost of maintenance provided under this act for or on  
5 behalf of any child shall be shared [equally] 75% by the State and  
6 25% by that county where such child may be or may have been at

7 the time of the filing of an application seeking care or custody or  
8 at the time of the filing of a petition seeking guardianship.

9 The Governor shall fix and determine and state in his annual  
10 budget message a sum sufficient to pay the estimated amount re-  
11 quired to carry into effect the provisions of this act, together  
12 with the deficiencies, if any, incurred in the previous year. The  
13 Legislature shall include the amount so determined and stated in  
14 the annual appropriation bill.

15 Payments from State funds appropriated for the provision of  
16 maintenance as authorized by this act shall be made monthly in  
17 advance by the State Treasurer, on the warrant of the Director of  
18 the Division of Budget and Accounting to the Bureau of Children's  
19 Services, upon statements furnished by the Bureau of Children's  
20 Services, approved by the Department of Institutions and Agencies.

21 The Bureau of Children's Services shall annually fix and deter-  
22 mine and report to the board of chosen freeholders of each county  
23 a sum sufficient to pay the estimated amount of the county's pro-  
24 portionate share of maintenance. Each board of chosen freeholders  
25 shall appropriate and make available such amount to the order of  
26 the Bureau of Children's Services. Should the amount so ap-  
27 propriated, however, be expended or exhausted during the year  
28 and for the purpose for which it was appropriated, additional  
29 sums shall be appropriated by such board of chosen freeholders  
30 as occasion demands to carry out the provisions of this act, from  
31 funds in the county treasury available therefor. Where such  
32 county funds are not available or adequate, or should there be no  
33 such county funds, such additional sums shall be raised by tem-  
34 porary loans or notes, certificates of indebtedness or temporary  
35 loan bonds, to be issued as otherwise provided and limited by law  
36 for counties of this State, and the amounts necessary to pay such  
37 obligations shall be placed in the budget for the next ensuing  
38 fiscal year.

39 Payments from county funds appropriated for the provision of  
40 maintenance as authorized by this act shall be made monthly in  
41 advance by the treasurer of the county to the Bureau of Children's  
42 Services on the basis of commitments for such county upon bills  
43 furnished by the Bureau of Children's Services.

1 5. Section 3 of chapter 139 of the laws of 1951 is amended to  
2 read as follows:

3 3. The State shall pay to each county welfare board[, monthly  
4 in advance, a sum equal to] the full amount of any funds [estimated  
5 to be] received by the State from the Federal Government as  
6 Federal participation with respect to expenditures made by such

7 county welfare board for assistance for the permanently and totally  
8 disabled, plus an additional amount equal to **[50%]** 75% of the  
9 balance of such expenditures after deducting the amount of such  
10 Federal participation. **[Claims for such payment by the State**  
11 **shall be presented monthly in advance by the county welfare board**  
12 **through the Bureau of Assistance to the Comptroller of the**  
13 **Treasury, and shall be paid to the treasurers of the respective**  
14 **county welfare boards.]**

15 The State shall also pay to each county welfare board the full  
16 amount of any funds received by the State from the Federal  
17 Government as Federal participation with respect to the costs of  
18 administration of the program of assistance for the permanently  
19 and totally disabled by such county welfare board. **[The time and**  
20 **manner of computing and making such payments shall be governed**  
21 **by the provisions of section 44:7-27 of the Revised Statutes.]**

1 6. Section 44 of chapter 197 of the laws of 1962 is amended to  
2 read as follows:

3 44. 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 the blind,  
7 plus an additional amount equal to **[50%]** 75% of the balance of  
8 such expenditures after deducting the amount of such Federal  
9 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 the blind by such  
14 county welfare board.

1 7. Section 7 of chapter 222 of the laws of 1962 is amended to  
2 read as follows:

3 7. 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 medical assistance for the  
7 aged, plus an additional amount equal to **[60%]** 75% of the balance  
8 of such expenditures after deducting the amount of such Federal  
9 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 medical assistance for the aged  
14 by such county welfare board.

1 \*\*\*[8. Section 44:7-7 of the Revised Statutes is amended to read  
2 as follows:

3 44:7-7. The board of chosen freeholders of each of the several  
4 counties shall cause to be established in the respective counties,  
5 where such is not already established, a county welfare board,  
6 having as one of its duties the supervision of old age assistance,  
7 but nothing in this chapter shall be construed to affect the mem-  
8 bership of any welfare board established prior to March 16, 1936,  
9 or the term of service of any employee theretofore appointed by  
10 any such welfare board. Such boards are hereby created corporate  
11 entities, with power to sue and be sued, to use a common seal and  
12 to make by-laws. The members of said welfare board shall be  
13 appointed by the boards of chosen freeholders in and for the  
14 respective counties, and shall be constituted and composed as  
15 follows: Five citizens of each said respective county not holding  
16 the office of freeholder, at least 2 of whom shall be women, to be  
17 appointed by the board of chosen freeholders, and 2 designated  
18 members of the board of chosen freeholders and the county  
19 adjuster, when not serving as director of welfare, as ex-officio  
20 members. *In addition thereto, the State Board of Control of the*  
21 *Department of Institutions and Agencies shall appoint, subject to*  
22 *the approval of the Governor, one resident of each said county to*  
23 *membership on said welfare board, each of whom shall hold his*  
24 *office for 1 year.* Citizen members shall hold their offices for 5  
25 years, except that the first appointments shall be respectively for  
26 1, 2, 3, 4, and 5 years, which terms, as to duration, shall be in the  
27 order of appointments as made and indicated. Vacancies in such  
28 offices shall be filled for the unexpired term only. The holding of  
29 any other office by any member of said county welfare board shall  
30 not constitute such holding as incompatible with his office as mem-  
31 ber of such county welfare board. They shall meet regularly once  
32 each month, and at such other times as may be necessary or as  
33 they may by rule provide. Attendance at any meeting of any such  
34 board by 4 members, at least 2 of whom shall be citizen members,  
35 may constitute a quorum for the transaction of business under  
36 this chapter. They shall serve without compensation, but their  
37 necessary expenses shall be allowed and paid in the same manner  
38 as other expenses are paid by the county welfare board.]\*\*\*

1 \*\*\*[9.]\*\*\* \*\*\*8.\*\*\* This act shall take effect \*[[July 1, 1968]\*  
2 \*January 1, 1969\*.

5 where such is not already established, a county welfare board,  
6 having as one of its duties the supervision of old age assistance,  
7 but nothing in this chapter shall be construed to affect the mem-  
8 bership of any welfare board established prior to March 16, 1936,  
9 or the term of service of any employee theretofore appointed by  
10 any such welfare board. Such boards are hereby created corporate  
11 entities, with power to sue and be sued, to use a common seal and  
12 to make by-laws. The members of said welfare board shall be  
13 appointed by the boards of chosen freeholders in and for the  
14 respective counties, and shall be constituted and composed as  
15 follows: Five citizens of each said respective county not holding  
16 the office of freeholder, at least 2 of whom shall be women, to be  
17 appointed by the board of chosen freeholders, and 2 designated  
18 members of the board of chosen freeholders and the county  
19 adjuster, when not serving as director of welfare, as ex-officio  
20 members. *In addition thereto, the State Board of Control of the*  
21 *Department of Institutions and Agencies shall appoint, subject to*  
22 *the approval of the Governor, one resident of each said county to*  
23 *membership on said welfare board, each of whom shall hold his*  
24 *office for 1 year.* Citizen members shall hold their offices for 5  
25 years, except that the first appointments shall be respectively for  
26 1, 2, 3, 4, and 5 years, which terms, as to duration, shall be in the  
27 order of appointments as made and indicated. Vacancies in such  
28 offices shall be filled for the unexpired term only. The holding of  
29 any other office by any member of said county welfare board shall  
30 not constitute such holding as incompatible with his office as mem-  
31 ber of such county welfare board. They shall meet regularly once  
32 each month, and at such other times as may be necessary or as  
33 they may by rule provide. Attendance at any meeting of any such  
34 board by 4 members, at least 2 of whom shall be citizen members,  
35 may constitute a quorum for the transaction of business under  
36 this chapter. They shall serve without compensation, but their  
37 necessary expenses shall be allowed and paid in the same manner  
38 as other expenses are paid by the county welfare board.

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

---

#### STATEMENT

The findings of the Lilley Commission resulted in a recommenda-  
tion that public assistance should be made more responsive to  
conditions of economic and social deprivation by simplifying the  
procedure for determining eligibility.



The purpose of this bill is to permit the granting of assistance in cases of immediate need on the basis of evidence provided by the applicant, subject to prompt investigation and appropriate action if the evidence of eligibility is not substantiated. The further purpose of this bill is to reduce local costs of public assistance and welfare services by increasing state aid to counties and municipalities for the programs of old age assistance, disability assistance, aid to the blind, medical assistance for the aged, general assistance and child welfare services.

This bill is also designed to implement the recommendation in Governor Richard J. Hughes' Special Message of April 25, 1968 that the State Board of Control in the Department of Institutions and Agencies be authorized to appoint one member of each of the 21 county welfare boards.