

30:4D-21.2

LEGISLATIVE HISTORY CHECKLIST
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(PAAD--exclude reparations paid to
~~Japanese~~ Americans)

Japanese

NJSA: 30:4D-21.2

LAWS OF: 1992 CHAPTER: 30

BILL NO: S407

SPONSOR(S): Cafiero

DATE INTRODUCED: February 24, 1992

COMMITTEE: ASSEMBLY: Senior Citizens

SENATE: Health & Human Services

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: ASSEMBLY: June 4, 1992

SENATE: March 23, 1992

DATE OF APPROVAL: June 29, 1992

FOR SWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes

FISCAL NOTE: Yes

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

See newspaper clippings--attached.

KBC:pp

P.L.1992, CHAPTER 30, approved June 29, 1992

1992 Senate No. 407

1 **AN ACT concerning eligibility for the Pharmaceutical Assistance**
2 **to the Aged and Disabled program and supplementing P.L.1975,**
3 **c.194 (C.30:4D-20 et seq.).**
4

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

7 1. Funds received from the federal government pursuant to
8 sections 106 and 108 of the "Civil Liberties Act of 1988,"
9 Pub.L.100-383 (50 U.S.C. App. § 1989b-4 and § 1989b-5) shall not
10 be counted as income for the purpose of determining eligibility
11 for the Pharmaceutical Assistance to the Aged and Disabled
12 program established pursuant to P.L.1975, c.194 (C.30:4D-20 et
13 seq.).

14 2. This act shall take effect immediately.
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17 **STATEMENT**
18

19 This bill excludes reparations to Japanese American residents
20 of New Jersey pursuant to the "Civil Liberties Act of 1988,"
21 Pub.L.100-383, from countable income for purposes of
22 determining eligibility for the Pharmaceutical Assistance to the
23 Aged and Disabled (PAAD) program.

24 Section 104 of Pub.L.100-383 established the "Civil Liberties
25 Public Education Fund" to provide individual restitution payments
26 of \$20,000 to each person of Japanese descent who was relocated,
27 interned or otherwise deprived of liberty during World War II as a
28 result of the exclusion, relocation and detention policy adopted
29 by the federal government. These payments were recommended
30 by the federal Commission on Wartime Relocation and
31 Internment of Civilians established in 1980.

32 Although Pub.L.100-383 specifies that the restitution payments
33 are not to be included as income or resources for purposes of
34 determining eligibility for benefit programs which receive federal
35 financing (such as Medicaid, Aid to Families with Dependent
36 Children, food stamps and Supplemental Security Income), this
37 exclusion would not apply to the PAAD program which receives
38 no federal funding. This bill will ensure that Japanese American
39 residents of New Jersey who receive the reparations to which
40 they are entitled under federal law are not ineligible for the
41 PAAD program for reasons which would not render them
42 ineligible for federally funded benefit programs in this State.
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47 **Excludes reparations to Japanese Americans from countable**
48 **income in determining PAAD eligibility.**

SENATE, No. 407

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 24, 1992

By Senator CAFIERO

1 AN ACT concerning eligibility for the Pharmaceutical Assistance
2 to the Aged and Disabled program and supplementing P.L.1975,
3 c.194 (C.30:4D-20 et seq.).
4

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

7 1. Funds received from the federal government pursuant to
8 sections 105 and 106 of the "Civil Liberties Act of 1988,"
9 Pub.L.100-383 (50 U.S.C. App. § 1989b-4 and § 1989b-5) shall not
10 be counted as income for the purpose of determining eligibility
11 for the Pharmaceutical Assistance to the Aged and Disabled
12 program established pursuant to P.L.1975, c.194 (C.30:4D-20 et
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33 are not to be included as income or resources for purposes of
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35 financing (such as Medicaid, Aid to Families with Dependent
36 Children, food stamps and Supplemental Security Income), this
37 exclusion would not apply to the PAAD program which receives
38 no federal funding. This bill will ensure that Japanese American
39 residents of New Jersey who receive the reparations to which
40 they are entitled under federal law are not ineligible for the
41 PAAD program for reasons which would not render them
42 ineligible for federally funded benefit programs in this State.

ASSEMBLY SENIOR CITIZENS AND
SOCIAL SERVICES COMMITTEE

STATEMENT TO

SENATE, No. 407

STATE OF NEW JERSEY

DATED: MAY 14, 1992

The Assembly Senior Citizens and Social Services Committee favorably reports Senate Bill No. 407.

This bill excludes reparations to Japanese American residents of New Jersey pursuant to the "Civil Liberties Act of 1988," Pub.L.100-383, from countable income for purposes of determining eligibility for the "Pharmaceutical Assistance to the Aged and Disabled" program (PAAD).

Section 104 of Pub.L.100-383 established the "Civil Liberties Public Education Fund" to provide individual restitution payments of \$20,000 to each person of Japanese descent who was relocated, interned or otherwise deprived of liberty during World War II as a result of the exclusion, relocation and detention policy adopted by the federal government. These payments were recommended by the federal Commission on Wartime Relocation and Internment of Civilians established in 1980.

Although Pub.L.100-383 specifies that the restitution payments are not to be included as income or resources for purposes of determining eligibility for benefit programs which receive federal financing (such as Medicaid, Aid to Families with Dependent Children, food stamps and Supplemental Security Income), this exclusion would not apply to the PAAD program which receives no federal funding. This bill will ensure that Japanese American residents of New Jersey who receive the reparations to which they are entitled under federal law are not ineligible for the PAAD program for reasons which would not render them ineligible for federally funded benefit programs in this State.

This bill is identical to Assembly Bill No. 856 (LoBiondo/Gibson) which was released by this committee on this date.

SENATE HEALTH AND HUMAN SERVICES COMMITTEE

STATEMENT TO

SENATE, No. 407

STATE OF NEW JERSEY

DATED: MARCH 2, 1992

The Senate Health and Human Services Committee favorably reports Senate Bill No. 407.

This bill excludes reparations to Japanese American residents of New Jersey pursuant to the "Civil Liberties Act of 1988," Pub.L.100-383, from countable income for purposes of determining eligibility for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program.

Section 104 of Pub.L.100-383 established the "Civil Liberties Public Education Fund" to provide individual restitution payments of \$20,000 to each person of Japanese descent who was relocated, interned or otherwise deprived of liberty during World War II as a result of the exclusion, relocation and detention policy adopted by the federal government. These payments were recommended by the federal Commission on Wartime Relocation and Internment of Civilians established in 1980.

Although Pub.L.100-383 specifies that the restitution payments are not to be included as income or resources for purposes of determining eligibility for benefit programs which receive federal financing (such as Medicaid, Aid to Families with Dependent Children, food stamps and Supplemental Security Income), this exclusion would not apply to the PAAD program which receives no federal funding. This bill will ensure that Japanese American residents of New Jersey who receive the reparations to which they are entitled under federal law are not ineligible for the PAAD program for reasons which would not render them ineligible for federally funded benefit programs in this State.

The committee favorably reported this bill as S2360 during the last legislative session.

LEGISLATIVE FISCAL ESTIMATE TO
SENATE, No. 407

STATE OF NEW JERSEY

DATED: June 24, 1992

Senate Bill No. 407 of 1992 excludes reparations to Japanese-American residents of New Jersey pursuant to the "Wartime Relocation of Civilians," Pub.L.100-383, from countable income for purposes of determining eligibility for the Pharmaceutical Assistance to the Aged and Disabled (PAAD) program.

The Department of Human Services and Office of Management and Budget have not provided any fiscal information on the legislation.

The Office of Legislative Services (OLS) is not able to estimate the cost of the legislation as the number of Japanese-American residents affected by this legislation who may become eligible for PAAD are not known.

OLS, however, is of the opinion that the legislation's fiscal impact would be minimal in view of total PAAD and Lifeline related expenditures. The legislative history of Pub. L. 100-383 does not indicate the number of persons in New Jersey who may be eligible for reparations, and the number of Japanese-Americans currently enrolled in PAAD is not known as the PAAD application does not request information on the individual's racial/ethnic background.

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.