

ASSEMBLY BILL NO. 3010

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 3010 with my recommendations for reconsideration.

Hundreds of thousands of New Jerseyans, many of whom are elderly and disabled, currently rely on the Supplemental Nutrition Assistance Program ("SNAP") and the Low Income Home Energy Assistance Program ("LIHEAP") to help them meet their basic nutrition and household needs. Until recently, New Jersey could maximize the assistance available through SNAP by providing households and families enrolled in SNAP with a modest amount of heating and energy assistance under LIHEAP, which served to qualify these recipients for an additional "heating and cooling standard utility allowance" within the SNAP program.

Pursuant to changes to the federal "Food and Nutrition Act of 2008" in Section 4006 of Title IV in the Agriculture Act of 2014, however, only households that receive more than \$20 in LIHEAP assistance now qualify for these additional SNAP benefits. Following those changes, the Administration for Children and Families ("ACF") in the federal Department of Health and Human Services issued a directive regarding the process for review of state LIHEAP plans, emphasizing that only eligible households should receive heating benefits. ACF's directive went on to state that it would seek to recapture any portion of LIHEAP funding attributed to payments for households without a home energy expense.

These developments raised concerns that the federal government would reduce the critical financial assistance provided to those New Jersey households that rely on these resources to feed their families and heat their homes. Assembly Bill No. 3010

responds to the 2014 law by ensuring that every eligible household in New Jersey participating in the SNAP program receives from the State a minimum annual LIHEAP payment of \$21.

I fully support the efforts of the sponsors to ensure that thousands of New Jersey residents in need continue to receive these critical benefits, and commend the bill's sponsors for working to maximize assistance to our most vulnerable residents. In line with these interests, I have recently expressed concern that enactment of the latest proposed changes to the federal Farm Bill would remove protections for families and jeopardize the viability of the SNAP program.

Given the increased scrutiny of the LIHEAP program under the current presidential administration, however, it is prudent to take steps to ensure that we implement these measures in a manner consistent with the guidance provided in the federal directive so as not to place receipts of these benefits at risk. Thus, I am recommending technical changes to ensure that the plan is administered in complete compliance with federal law to avoid any loss of the funding necessary to continue the success of the program.

Therefore, I herewith return Assembly Bill No. 3010 and recommend that it be amended as follows:

<u>Page 2, Section 1, Line 11:</u>	Delete "receive"
<u>Page 2, Section 1, Line 12:</u>	Delete in its entirety
<u>Page 2, Section 1, Line 13:</u>	Delete "qualify the household" and insert "be referred to the applicable Low Income Home Energy Assistance Program (LIHEAP) grantee for evaluation to verify if the household qualifies"
<u>Page 2, Section 1, Line 15:</u>	Delete ", unless a standard utility allowance would have" and insert "."
<u>Page 2, Section 1, Lines 16-17:</u>	Delete in their entirety

Page 2, Section 1, Line 18: Delete "that were in place as of July 1, 2013." and insert "Every qualifying household shall receive a minimum annual energy assistance payment of \$21."

Page 2, Section 1, Line 19: Delete "Low Income"

Page 2, Section 1, Lines 20-22: Delete in their entirety

Page 2, Section 1, Line 23: Delete "applicable." and insert "LIHEAP Program."

Page 2, Section 3, Line 34: Delete "immediately." and insert "60 days after enactment."

Respectfully,

[seal]

/s/ Philip D. Murphy

Governor

Attest:

/s/ Kate E. McDonnell

Deputy Chief Counsel to the Governor