

August 1, 2014

ASSEMBLY BILL NO. 2956
(Second Reprint)

ADVANCE COPY

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 2956 (Second Reprint) without my approval.

The New Jersey "Supplemental Nutrition Assistance Program" ("SNAP"), a joint federal-state partnership, provides thousands of lower-income New Jersey households access to vital food and nutrition supplies. Since taking office, my Administration has enhanced the SNAP program by significantly increasing program eligibility to allow more households access to SNAP benefits. In addition, my Administration has matched "Pharmaceutical Assistance to the Aged and Disabled" ("PAAD") program data with SNAP eligibility criteria to identify senior-aged PAAD recipients who would also qualify for SNAP benefits, thereby ensuring that many more of our most vulnerable residents benefit from SNAP assistance.

Additionally, under prior federal law, some states, including New Jersey, allowed SNAP enrollees to receive enhanced SNAP benefits when provided a nominal benefit from another joint federal-state partnership, the "Low Income Home Energy Assistance Program" ("LIHEAP"), which distributes heating and cooling assistance to eligible households. Recently, however, concerns arose that many SNAP enrollees nationwide were enrolled in LIHEAP without demonstrating actual heating or cooling costs. As a result, the United States Department of Health and Human Services promulgated guidance prohibiting enrollment in LIHEAP without proper documentation of a qualifying heating and cooling expense.

Accordingly, distribution of benefits without regard to actual heating and cooling expenses as envisioned in this bill is clearly impermissible under federal law. As drafted, the bill does not account for this recent guidance and therefore cannot be implemented without expressly violating federal law. However, as in the past, SNAP enrollees that produce evidence of appropriate heating and cooling expenses, or proper enrollment in the LIHEAP program, may continue to receive enhanced SNAP benefits.

For this reason, while I will remain steadfast in my support for assistance programs to help aid needy individuals and families, I cannot support legislation codifying a practice deemed invalid by the federal government.

Accordingly, I am returning Assembly Bill No. 2956 (Second Reprint) without my approval.

Respectfully,
/s/ Chris Christle
Governor

Attest:
/s/ Paul B. Matey
Deputy Chief Counsel to the Governor