



LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 1998

CHAPTER:32

NJSA:44:10-79 to 44:10-85

"New Jersey Supplementary Food Stamp Program"

BILL NO: S990 (Substituted for A1982)

SPONSOR(S): Bassano and Kenny

DATE INTRODUCED: April 27, 1998

COMMITTEE:

ASSEMBLY:~~~~

SENATE:Senior Citizens

AMENDED DURING PASSAGE:Yes

DATE OF PASSAGE:

ASSEMBLY: June 29, 1998

SENATE: June 25, 1998

DATE OF APPROVAL: June 30, 1998

THE FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: 1st reprint

(Amendments during passage denoted by superscript numbers)

S990

SPONSORS STATEMENT: *Yes* (Begins on page 7 of original bill)

COMMITTEE STATEMENT:

ASSEMBLY:*No*

SENATE: *Yes*

May 14, 1998

June 22, 1998

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *Yes*

A1982

SPONSORS STATEMENT: *Yes* (Begins on page 7 of original bill)
(Bill identical to S990)

COMMITTEE STATEMENT:

ASSEMBLY: *Yes*

[June 1, 1998](#)(Identical to Senate 5-14-98 statement for S990)

[June 15, 1998](#)

SENATE: *No*

FLOOR AMENDMENT STATEMENTS: *No*

LEGISLATIVE FISCAL ESTIMATE: *Yes*
(Identical to Fiscal Estimate for S990)

VETO MESSAGE: *No*

GOVERNOR'S PRESS RELEASE ON SIGNING: *Yes*

THE FOLLOWING WERE PRINTED:

*To check for circulating copies contact New Jersey State Government Publications at the State Library
(609) [278-2640 ext. 102](tel:609-278-2640) or refdesk@njstatelib.org*

REPORTS: *No*

HEARINGS: *No*

NEWSPAPER ARTICLES:

"Food stamp bill passes," 6-30-98, Trenton Times, p. A2.

"More immigrants gain food stamp eligibility," 7-2-98, Newark Star Ledger, p. 29.

WHITMAN, EXECUTIVE ORDER 74: (8-26-97) Mentioned in statements *Yes*

[First Reprint]

SENATE, No. 990

STATE OF NEW JERSEY

208th LEGISLATURE

INTRODUCED APRIL 27, 1998

Sponsored by:

Senator C. LOUIS BASSANO

District 21 (Essex and Union)

Senator BERNARD F. KENNY

District 33 (Hudson)

Co-Sponsored by:

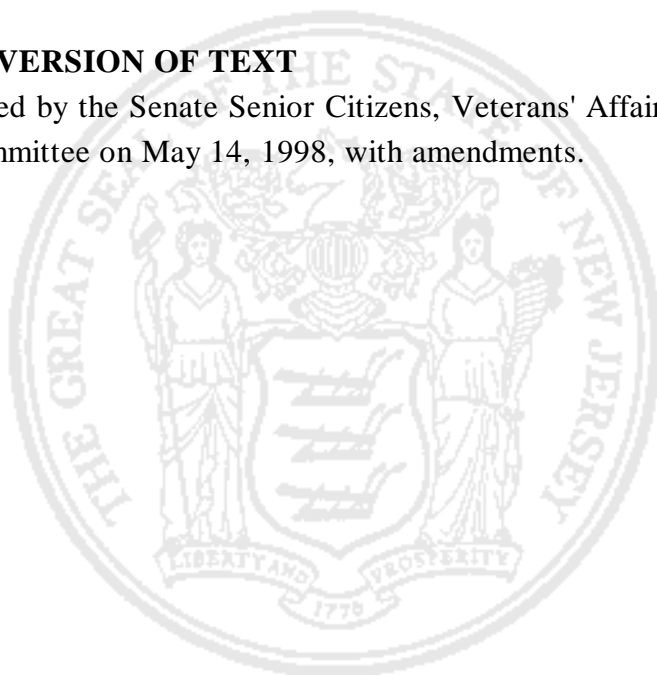
Assemblymen Blee, Bagger and Felice

SYNOPSIS

"New Jersey Supplementary Food Stamp Program Act."

CURRENT VERSION OF TEXT

As reported by the Senate Senior Citizens, Veterans' Affairs and Human Services Committee on May 14, 1998, with amendments.



(Sponsorship Updated As Of: 6/30/1998)

1 AN ACT establishing the New Jersey Supplementary Food Stamp
2 Program, amending P.L.1993, c.13 and P.L.1997, c.37, and
3 supplementing Title 44 of the Revised Statutes.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. (New section) This act shall be known and may be cited as the
9 "New Jersey Supplementary Food Stamp Program Act."

10
11 2. (New section) As used in this act:

12 "Commissioner" means the Commissioner of Human Services.

13 "Department" means the Department of Human Services.

14 "Federal food stamp program" means the federal food stamp
15 program authorized by Title XIII of the "Food and Agriculture Act of
16 1977," Pub.L.95-113 (7 U.S.C.s.2011 et seq.).

17 "Program" means the New Jersey Supplementary Food Stamp
18 Program established pursuant to this act.

19
20 3. (New section) a. There is established the New Jersey
21 Supplementary Food Stamp Program in the Department of Human
22 Services. The purpose of the program is to provide nutritional
23 assistance to those categories of noncitizens who were rendered
24 ineligible for the federal food stamp program by section 402 of
25 Pub.L.104-193, the federal "Personal Responsibility and Work
26 Opportunity Reconciliation Act of 1996" (8 U.S.C.s.1612).

27 b. The program shall be administered pursuant to State rules and
28 regulations implementing the federal food stamp program, except that
29 the eligibility criteria for noncitizens for the program provided in
30 section 4 of this act shall be used in lieu of those of the federal food
31 stamp program.

32
33 4. (New section) a. A noncitizen shall be eligible for participation
34 in the program if that person was: lawfully admitted into the United
35 States prior to August 22, 1996, remains lawfully present in the United
36 States, is ineligible for the federal food stamp program, and is one of
37 the following:

38 (1) under 18 years of age;

39 (2) 65 years of age or over;

40 (3) receiving benefits under the supplemental security income
41 program established pursuant to the federal Social Security Act,
42 Pub.L.92-603 (42 U.S.C.s.1381 et seq.), or determined to be an

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SSV committee amendments adopted May 14, 1998.

- 1 essential person under the supplemental security income program;
- 2 (4) mentally or physically incapacitated, as defined by regulation
3 of the commissioner, including being blind; ¹[or]¹
- 4 (5) considered unemployable under the Work First New Jersey
5 program established pursuant to P.L.1997, c.38 (C.44:10-55 et seq.)
6 ¹; or
- 7 (6) a natural or adoptive parent, stepparent or legal guardian
8 residing with that person's dependent child under the age of 18.
9 Unless employed, this person: shall be required to participate in a
10 work activity as defined in section 3 of P.L.1997, c.38 (C.44:10-57),
11 which may include a program that is designed to assist the person in
12 securing employment or preparing for employment, in accordance with
13 the provisions of subsection f. of section 8 of P.L.1997, c.38 (C.44:10-
14 62); and shall be eligible for child care and other services under the
15 Work First New Jersey program related to the work activity, except
16 that:
- 17 (a) the person shall not be required to engage in a work activity if
18 child care is unavailable for the person's dependent child in accordance
19 with the provisions of subsection d. of section 8 of P.L.1997, c.38
20 (C.44:10-62); and
- 21 (b) the person may be temporarily deferred from the work activity
22 requirement in accordance with the provisions of subsection e. of
23 section 8 of P.L.1997, c.38 (C.44:10-62)¹.
- 24 b. To be eligible for the program, a noncitizen shall also meet one
25 of the following criteria:
- 26 (1) lawfully admitted for permanent residence as an immigrant;
- 27 (2) entered the United States prior to January 1, 1972, or some
28 later date as required by law, and continuously maintained residency
29 in the United States since then, and is not ineligible for citizenship but
30 is considered to be lawfully admitted for permanent residence as a
31 result of an exercise of discretion by the United States Attorney
32 General;
- 33 (3) was qualified by the federal Immigration and Naturalization
34 Service for conditional entry into the United States after March 31,
35 1980 because of persecution or fear of persecution on account of race,
36 religion, or political opinion;
- 37 (4) was qualified by the federal Immigration and Naturalization
38 Service for conditional entry into the United States prior to April 1,
39 1980;
- 40 (5) was granted asylum through an exercise of discretion by the
41 United States Attorney General;
- 42 (6) is lawfully present in the United States as a result of an exercise
43 of discretion by the United States Attorney General for emergent
44 reasons or reasons deemed strictly in the public interest, or as a result
45 of a grant of parole by the United States Attorney General;
- 46 (7) the United States Attorney General has withheld deportation of

1 the noncitizen because of the judgment of the United States Attorney
2 General that the noncitizen would otherwise be subject to persecution
3 on account of race, religion, or political opinion;

4 (8) has been determined as aged, blind or disabled in accordance
5 with the supplemental security income program established pursuant
6 to the federal Social Security Act, Pub.L.92-603 (42 U.S.C.s.1381 et
7 seq.), and is considered by the federal Immigration and Naturalization
8 Service to be lawfully admitted for temporary residence;

9 (9) was granted lawful temporary resident status at least five years
10 prior to applying for the program and subsequently gained lawful
11 permanent resident status; or

12 (10) is, as of June 1, 1987 or thereafter, a special agricultural
13 worker as defined by federal law and lawfully admitted for temporary
14 residence.

15 c. A noncitizen who is certified as eligible for the program by the
16 department, or the agency designated by the department, shall be
17 required to apply for United States citizenship within 60 days of the
18 date that the noncitizen is certified as eligible for the program or
19 within 60 days of the date the noncitizen is eligible to apply for
20 citizenship, whichever is later, except that a noncitizen shall be exempt
21 from the citizenship application requirement if that person is:

22 (1) unable to either apply for or obtain citizenship due to a medical
23 or physical condition as defined by regulation of the commissioner; or

24 (2) a child under 18 years of age.

25 d. An eligible noncitizen may continue to receive program benefits
26 until that person meets the minimum residency requirements provided
27 in federal law to apply for citizenship.

28 e. A person who is required to apply for citizenship to retain
29 eligibility for the program, but who fails to supply adequate proof to
30 the department, or the agency designated by the department, that he
31 has made timely application for citizenship, shall have his eligibility for
32 the program terminated.

33 f. A person who applies for citizenship, but who subsequently is
34 determined by the federal Immigration and Naturalization Service to
35 be ineligible for citizenship, except for a noncitizen as described in
36 paragraph (1) of subsection c. of this section, shall have his eligibility
37 for the program terminated at the end of the month in which the 60-
38 day period as provided in subsection c. of this section expires.

39
40 5. (New section) The State shall pay the full amount of each
41 county's administrative costs applicable to households that contain
42 only persons eligible for the program. These costs shall be determined
43 in accordance with the approved cost allocation plan of the
44 department.

45
46 6. (New section) A noncitizen who is eligible for the federal food

1 stamp program shall not be eligible for the program. A noncitizen who
2 is ineligible for the federal food stamp program, but is eligible for the
3 program, and who subsequently is made eligible for the federal food
4 stamp program due to changes in federal law, shall lose entitlement to
5 benefits under the program ¹upon receipt of benefits under the federal
6 food stamp program¹.

7

8 7. Section 1 of P.L.1993, c.13 (C.2C:20-35) is amended to read as
9 follows:

10 1. As used in this act:

11 "ATP card" means a document issued by a State or federal agency,
12 to a certified household, to show the food stamp allotment a
13 household is authorized to receive on presentation.

14 "Benefit card" means a card used or intended for use to access
15 Work First New Jersey, food stamp or other benefits as determined by
16 the Commissioner of Human Services under the electronic benefit
17 distribution system established pursuant to the "Public Assistance
18 Electronic Benefit Distribution System Act," P.L.1985, c.501
19 (C.44:10-5.1 et seq.) and continued pursuant to P.L.1997, c.37
20 (C.44:10-71 et al.).

21 "Department" means the Department of Human Services.

22 "Food stamp coupon" means any coupon or stamp used or intended
23 for use in the purchase of food pursuant to the federal food stamp
24 program[, 7 U.S.C.s.2011 et seq.] authorized by Title XIII of the
25 "Food and Agriculture Act of 1977," Pub.L.95-113 (7 U.S.C.s.2011
26 et seq.), or the New Jersey Supplementary Food Stamp Program
27 established pursuant to P.L. , c. (C.)(pending before the
28 Legislature as this bill).

29 (cf: P.L.1997, c.37, s.8)

30

31 8. Section 2 of P.L.1993, c.13 (C.2C:20-36) is amended to read as
32 follows:

33 2. If the face value of food stamp coupons or an ATP card or
34 benefit card is equal to or greater than \$150, an individual shall be
35 guilty of a crime of the fourth degree if he purposely or knowingly and
36 without authorization:

37 a. Receives or uses the proceeds of food stamp coupons or an ATP
38 card or benefit card for which he has not applied or has not been
39 approved by the department to use;

40 b. Engages in any transaction to convert food stamp coupons or an
41 ATP card or benefit card to other property contrary to federal and
42 State government rules and regulations governing the Work First New
43 Jersey program, the federal food stamp program, the New Jersey
44 Supplementary Food Stamp Program, or any other program included
45 in the electronic benefit distribution system; or

46 c. Transfers food stamp coupons or an ATP card or benefit card to

1 another person who is not lawfully entitled or approved by the
2 department to use the coupons or ATP card or benefit card.

3 (cf: P.L.1997, c.37, s.9)

4

5 9. Section 3 of P.L.1993, c.13 (C.2C:20-37) is amended to read as
6 follows:

7 3. If the face value of food stamp coupons or an ATP card or
8 benefit card is less than \$150, an individual shall be guilty of a
9 disorderly persons offense if he purposely or knowingly and without
10 authorization:

11 a. Receives or uses the proceeds of food stamp coupons or an ATP
12 card or benefit card for which he has not applied or has not been
13 approved, by the department, to use;

14 b. Engages in any transaction to convert food stamp coupons or an
15 ATP card or benefit card to other property contrary to federal and
16 State government rules and regulations governing the Work First New
17 Jersey program, the federal food stamp program, the New Jersey
18 Supplementary Food Stamp Program, or any other program included
19 in the electronic benefit distribution system; or

20 c. Transfers food stamp coupons or an ATP card or benefit card to
21 another person who is not lawfully entitled or approved, by the
22 department, to use the coupons or ATP card or benefit card.

23 (cf: P.L.1997, c.37, s.10)

24

25 10. Section 5 of P.L.1997, c.37 (C.44:10-75) is amended to read
26 as follows:

27 5. a. The department shall implement the electronic benefit
28 distribution system established pursuant to P.L.1985, c.501
29 (C.44:10-5.1 et seq.) in every county of the State.

30 b. All cash assistance and food stamp benefits shall be provided
31 through the issuance of a single benefit card utilizing the electronic
32 benefit distribution system. The commissioner may include additional
33 programs in this system at his discretion.

34 c. No charge, including a fee imposed by a terminal owner, shall be
35 imposed upon a person receiving cash assistance, food stamp or other
36 benefits for participating in the electronic benefit transfer system,
37 except as follows:

38 (1) after three free cash automatic teller machine withdrawals in a
39 month, the department may deduct a transaction fee from a recipient's
40 account for each subsequent withdrawal;

41 (2) a recipient shall be required to pay a fee for a replacement
42 benefit card in an amount to be determined by the commissioner,
43 which may be deducted from the recipient's account as determined by
44 the commissioner, in accordance with federal law; and

45 (3) in the case of a recipient who elects to receive benefits at a
46 point-of-sale location licensed by the Department of Banking and

1 Insurance pursuant to P.L.1993, c.383 (C.17:15A-30 et seq.), the
2 State shall pay the licensee the difference between the contracted base
3 transaction fee and \$1.00. The provisions of this paragraph shall
4 expire two years after the effective date of the single Statewide
5 electronic benefits distribution contract that is let pursuant to
6 P.L.1997, c.37 (C.44:10-71 et al.) .

7 d. A retail establishment currently authorized to participate in the
8 federal food stamp program, or the New Jersey Supplementary Food
9 Stamp Program established pursuant to P.L. , c. (C.)(pending
10 before the Legislature as this bill), shall be afforded the opportunity to
11 participate in the electronic benefit distribution system.

12 e. The department shall cycle the issuance of cash assistance and
13 food stamp benefits over multiple dates throughout the month in a
14 manner that best serves cash assistance and food stamp recipients
15 within the framework of the electronic benefit distribution system in
16 each county.

17 f. The commissioner shall have the discretion to determine the need
18 for appropriate benefit card security measures, as well as whatever
19 personal identification technology is included on the benefit card, to
20 access cash assistance, food stamp or other benefits under the
21 electronic benefit distribution system.

22 g. A county agency shall issue a photo-identification card to each
23 adult recipient as a condition of receiving benefits until implementation
24 of the electronic benefit distribution system in that county agency.
25 Once a county begins to implement the electronic benefit distribution
26 system, the county agency shall no longer be required to issue a
27 photo-identification card to each adult recipient but may continue the
28 issuance of photo-identification cards separate from the benefit cards.

29 h. Notwithstanding any provisions of law to the contrary, until
30 such time as the electronic benefit distribution system is implemented
31 Statewide, contracts for the provision of food stamp coupons are not
32 subject to the requirements of the "Local Public Contracts Law,"
33 P.L.1971, c.198 (C.40A:11-1 et seq.).

34 (cf: P.L.1997, c.37, s.5)

35

36 11. The Commissioner of Human Services, pursuant to the
37 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
38 seq.), shall adopt rules and regulations to effectuate the purposes of
39 this act.

40

41 12. This act shall take effect on July 1, 1998.

SENATE, No. 990

STATE OF NEW JERSEY
208th LEGISLATURE

INTRODUCED APRIL 27, 1998

Sponsored by:

Senator C. LOUIS BASSANO

District 21 (Essex and Union)

Senator BERNARD F. KENNY

District 33 (Hudson)

SYNOPSIS

"New Jersey Supplementary Food Stamp Program Act."

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT establishing the New Jersey Supplementary Food Stamp
2 Program, amending P.L.1993, c.13 and P.L.1997, c.37, and
3 supplementing Title 44 of the Revised Statutes.

4

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

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8 1. (New section) This act shall be known and may be cited as the
9 "New Jersey Supplementary Food Stamp Program Act."

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11 2. (New section) As used in this act:

12 "Commissioner" means the Commissioner of Human Services.

13 "Department" means the Department of Human Services.

14 "Federal food stamp program" means the federal food stamp
15 program authorized by Title XIII of the "Food and Agriculture Act of
16 1977," Pub.L.95-113 (7 U.S.C. s.2011 et seq.).

17 "Program" means the New Jersey Supplementary Food Stamp
18 Program established pursuant to this act.

19

20 3. (New section) a. There is established the New Jersey
21 Supplementary Food Stamp Program in the Department of Human
22 Services. The purpose of the program is to provide nutritional
23 assistance to those categories of noncitizens who were rendered
24 ineligible for the federal food stamp program by section 402 of
25 Pub.L.104-193, the federal "Personal Responsibility and Work
26 Opportunity Reconciliation Act of 1996" (8 U.S.C. s.1612).

27 b. The program shall be administered pursuant to State rules and
28 regulations implementing the federal food stamp program, except that
29 the eligibility criteria for noncitizens for the program provided in
30 section 4 of this act shall be used in lieu of those of the federal food
31 stamp program.

32

33 4. (New section) a. A noncitizen shall be eligible for participation
34 in the program if that person was: lawfully admitted into the United
35 States prior to August 22, 1996, remains lawfully present in the United
36 States, is ineligible for the federal food stamp program, and is one of
37 the following:

38 (1) under 18 years of age;

39 (2) 65 years of age or over;

40 (3) receiving benefits under the supplemental security income
41 program established pursuant to the federal Social Security Act,
42 Pub.L.92-603 (42 U.S.C. s.1381 et seq.), or determined to be an
43 essential person under the supplemental security income program;

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

Matter underlined thus is new matter.

1 (4) mentally or physically incapacitated, as defined by regulation of
2 the commissioner, including being blind; or

3 (5) considered unemployable under the Work First New Jersey
4 program established pursuant to P.L.1997, c.38 (C.44:10-55 et seq.).

5 b. To be eligible for the program, a noncitizen shall also meet one
6 of the following criteria:

7 (1) lawfully admitted for permanent residence as an immigrant;

8 (2) entered the United States prior to January 1, 1972, or some
9 later date as required by law, and continuously maintained residency
10 in the United States since then, and is not ineligible for citizenship but
11 is considered to be lawfully admitted for permanent residence as a
12 result of an exercise of discretion by the United States Attorney
13 General;

14 (3) was qualified by the federal Immigration and Naturalization
15 Service for conditional entry into the United States after March 31,
16 1980 because of persecution or fear of persecution on account of race,
17 religion, or political opinion;

18 (4) was qualified by the federal Immigration and Naturalization
19 Service for conditional entry into the United States prior to April 1,
20 1980;

21 (5) was granted asylum through an exercise of discretion by the
22 United States Attorney General;

23 (6) is lawfully present in the United States as a result of an exercise
24 of discretion by the United States Attorney General for emergent
25 reasons or reasons deemed strictly in the public interest, or as a result
26 of a grant of parole by the United States Attorney General;

27 (7) the United States Attorney General has withheld deportation of
28 the noncitizen because of the judgment of the United States Attorney
29 General that the noncitizen would otherwise be subject to persecution
30 on account of race, religion, or political opinion;

31 (8) has been determined as aged, blind or disabled in accordance
32 with the supplemental security income program established pursuant
33 to the federal Social Security Act, Pub.L.92-603 (42 U.S.C. s.1381 et
34 seq.), and is considered by the federal Immigration and Naturalization
35 Service to be lawfully admitted for temporary residence;

36 (9) was granted lawful temporary resident status at least five years
37 prior to applying for the program and subsequently gained lawful
38 permanent resident status; or

39 (10) is, as of June 1, 1987 or thereafter, a special agricultural
40 worker as defined by federal law and lawfully admitted for temporary
41 residence.

42 c. A noncitizen who is certified as eligible for the program by the
43 department, or the agency designated by the department, shall be
44 required to apply for United States citizenship within 60 days of the
45 date that the noncitizen is certified as eligible for the program or
46 within 60 days of the date the noncitizen is eligible to apply for

1 citizenship, whichever is later, except that a noncitizen shall be exempt
2 from the citizenship application requirement if that person is:

- 3 (1) unable to either apply for or obtain citizenship due to a medical
4 or physical condition as defined by regulation of the commissioner; or
5 (2) a child under 18 years of age.

6 d. An eligible noncitizen may continue to receive program benefits
7 until that person meets the minimum residency requirements provided
8 in federal law to apply for citizenship.

9 e. A person who is required to apply for citizenship to retain
10 eligibility for the program, but who fails to supply adequate proof to
11 the department, or the agency designated by the department, that he
12 has made timely application for citizenship, shall have his eligibility for
13 the program terminated.

14 f. A person who applies for citizenship, but who subsequently is
15 determined by the federal Immigration and Naturalization Service to
16 be ineligible for citizenship, except for a noncitizen as described in
17 paragraph (1) of subsection c. of this section, shall have his eligibility
18 for the program terminated at the end of the month in which the 60-
19 day period as provided in subsection c. of this section expires.

20
21 5. (New section) The State shall pay the full amount of each
22 county's administrative costs applicable to households that contain
23 only persons eligible for the program. These costs shall be determined
24 in accordance with the approved cost allocation plan of the
25 department.

26
27 6. (New section) A noncitizen who is eligible for the federal food
28 stamp program shall not be eligible for the program. A noncitizen who
29 is ineligible for the federal food stamp program, but is eligible for the
30 program, and who subsequently is made eligible for the federal food
31 stamp program due to changes in federal law, shall lose entitlement to
32 benefits under the program.

33
34 7. Section 1 of P.L.1993, c.13 (C.2C:20-35) is amended to read as
35 follows:

36 1. As used in this act:

37 "ATP card" means a document issued by a State or federal agency,
38 to a certified household, to show the food stamp allotment a
39 household is authorized to receive on presentation.

40 "Benefit card" means a card used or intended for use to access
41 Work First New Jersey, food stamp or other benefits as determined by
42 the Commissioner of Human Services under the electronic benefit
43 distribution system established pursuant to the "Public Assistance
44 Electronic Benefit Distribution System Act," P.L.1985, c.501
45 (C.44:10-5.1 et seq.) and continued pursuant to P.L.1997, c.37
46 (C.44:10-71 et al.).

1 "Department" means the Department of Human Services.

2 "Food stamp coupon" means any coupon or stamp used or intended
3 for use in the purchase of food pursuant to the federal food stamp
4 program[, 7 U.S.C.s.2011 et seq.] authorized by Title XIII of the
5 "Food and Agriculture Act of 1977," Pub.L.95-113 (7 U.S.C. s.2011
6 et seq.), or the New Jersey Supplementary Food Stamp Program
7 established pursuant to P.L. , c. (C.)(pending before the
8 Legislature as this bill).

9 (cf: P.L.1997, c.37, s.8)

10

11 8. Section 2 of P.L.1993, c.13 (C.2C:20-36) is amended to read as
12 follows:

13 2. If the face value of food stamp coupons or an ATP card or
14 benefit card is equal to or greater than \$150, an individual shall be
15 guilty of a crime of the fourth degree if he purposely or knowingly and
16 without authorization:

17 a. Receives or uses the proceeds of food stamp coupons or an ATP
18 card or benefit card for which he has not applied or has not been
19 approved by the department to use;

20 b. Engages in any transaction to convert food stamp coupons or an
21 ATP card or benefit card to other property contrary to federal and
22 State government rules and regulations governing the Work First New
23 Jersey program, the federal food stamp program, the New Jersey
24 Supplementary Food Stamp Program, or any other program included
25 in the electronic benefit distribution system; or

26 c. Transfers food stamp coupons or an ATP card or benefit card to
27 another person who is not lawfully entitled or approved by the
28 department to use the coupons or ATP card or benefit card.

29 (cf: P.L.1997, c.37, s.9)

30

31 9. Section 3 of P.L.1993, c.13 (C.2C:20-37) is amended to read as
32 follows:

33 3. If the face value of food stamp coupons or an ATP card or
34 benefit card is less than \$150, an individual shall be guilty of a
35 disorderly persons offense if he purposely or knowingly and without
36 authorization:

37 a. Receives or uses the proceeds of food stamp coupons or an ATP
38 card or benefit card for which he has not applied or has not been
39 approved, by the department, to use;

40 b. Engages in any transaction to convert food stamp coupons or an
41 ATP card or benefit card to other property contrary to federal and
42 State government rules and regulations governing the Work First New
43 Jersey program, the federal food stamp program, the New Jersey
44 Supplementary Food Stamp Program, or any other program included
45 in the electronic benefit distribution system; or

46 c. Transfers food stamp coupons or an ATP card or benefit card to

1 another person who is not lawfully entitled or approved, by the
2 department, to use the coupons or ATP card or benefit card.
3 (cf: P.L.1997, c.37, s.10)

4

5 10. Section 5 of P.L.1997, c.37 (C.44:10-75) is amended to read
6 as follows:

7 5. a. The department shall implement the electronic benefit
8 distribution system established pursuant to P.L.1985, c.501
9 (C.44:10-5.1 et seq.) in every county of the State.

10 b. All cash assistance and food stamp benefits shall be provided
11 through the issuance of a single benefit card utilizing the electronic
12 benefit distribution system. The commissioner may include additional
13 programs in this system at his discretion.

14 c. No charge, including a fee imposed by a terminal owner, shall be
15 imposed upon a person receiving cash assistance, food stamp or other
16 benefits for participating in the electronic benefit transfer system,
17 except as follows:

18 (1) after three free cash automatic teller machine withdrawals in a
19 month, the department may deduct a transaction fee from a recipient's
20 account for each subsequent withdrawal;

21 (2) a recipient shall be required to pay a fee for a replacement
22 benefit card in an amount to be determined by the commissioner,
23 which may be deducted from the recipient's account as determined by
24 the commissioner, in accordance with federal law; and

25 (3) in the case of a recipient who elects to receive benefits at a
26 point-of-sale location licensed by the Department of Banking and
27 Insurance pursuant to P.L.1993, c.383 (C.17:15A-30 et seq.), the
28 State shall pay the licensee the difference between the contracted base
29 transaction fee and \$1.00. The provisions of this paragraph shall
30 expire two years after the effective date of the single Statewide
31 electronic benefits distribution contract that is let pursuant to
32 P.L.1997, c.37 (C.44:10-71 et al.) .

33 d. A retail establishment currently authorized to participate in the
34 federal food stamp program, or the New Jersey Supplementary Food
35 Stamp Program established pursuant to P.L. , c. (C.)(pending
36 before the Legislature as this bill), shall be afforded the opportunity to
37 participate in the electronic benefit distribution system.

38 e. The department shall cycle the issuance of cash assistance and
39 food stamp benefits over multiple dates throughout the month in a
40 manner that best serves cash assistance and food stamp recipients
41 within the framework of the electronic benefit distribution system in
42 each county.

43 f. The commissioner shall have the discretion to determine the need
44 for appropriate benefit card security measures, as well as whatever
45 personal identification technology is included on the benefit card, to
46 access cash assistance, food stamp or other benefits under the

1 electronic benefit distribution system.

2 g. A county agency shall issue a photo-identification card to each
3 adult recipient as a condition of receiving benefits until implementation
4 of the electronic benefit distribution system in that county agency.
5 Once a county begins to implement the electronic benefit distribution
6 system, the county agency shall no longer be required to issue a
7 photo-identification card to each adult recipient but may continue the
8 issuance of photo-identification cards separate from the benefit cards.

9 h. Notwithstanding any provisions of law to the contrary, until
10 such time as the electronic benefit distribution system is implemented
11 Statewide, contracts for the provision of food stamp coupons are not
12 subject to the requirements of the "Local Public Contracts Law,"
13 P.L.1971, c.198 (C.40A:11-1 et seq.).
14 (cf: P.L.1997, c.37, s.5)

15

16 11. The Commissioner of Human Services, pursuant to the
17 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
18 seq.), shall adopt rules and regulations to effectuate the purposes of
19 this act.

20

21 12. This act shall take effect on July 1, 1998.

22

23

24

STATEMENT

25

26 This bill establishes the New Jersey Supplementary Food Stamp
27 Program in the Department of Human Services. The bill provides
28 statutory authorization for the provisions of Executive Order Number
29 74 signed by the Governor on August 26, 1997, which authorized the
30 State to provide State-funded food stamp benefits to certain categories
31 of noncitizens (i.e., lawfully admitted children, elderly and disabled
32 persons) in approximately 10,000 households who were rendered
33 ineligible for the federal food stamp program by the enactment of the
34 federal "Personal Responsibility and Work Opportunity Reconciliation
35 Act of 1996," Pub.L.104-193. The Executive Order is due to expire
36 on June 30, 1998.

37 Since September 1997, when the State food stamp program began,
38 the State and the counties have each funded 50% of the administrative
39 costs of the program. Under this bill, the State would pay the full
40 amount of these administrative costs. The resulting increase in State
41 costs has been anticipated in the amount allocated for the program in
42 the Governor's recommended budget for fiscal year 1999.

SENATE SENIOR CITIZENS, VETERANS' AFFAIRS AND
HUMAN SERVICES COMMITTEE

STATEMENT TO

SENATE, No. 990

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 14, 1998

The Senate Senior Citizens, Veterans' Affairs and Human Services Committee reports favorably and with committee amendments Senate Bill No. 990.

As amended by committee, this bill establishes the New Jersey Supplementary Food Stamp Program in the Department of Human Services. The bill provides statutory authorization for the provisions of Executive Order Number 74 signed by the Governor on August 26, 1997, which authorized the State to provide State-funded food stamp benefits to certain categories of noncitizens (i.e., lawfully admitted children, elderly and disabled persons) in approximately 10,000 households who were rendered ineligible for the federal food stamp program by the enactment of the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," Pub.L.104-193. The Executive Order is due to expire on June 30, 1998.

In addition, this bill would authorize the State to provide State-funded food stamp benefits to a natural or adoptive parent, stepparent or legal guardian residing with that person's dependent child under the age of 18, who are in a category of noncitizens eligible for this program. Under the bill's provisions, unless employed, these persons shall be required to participate in a work activity as defined in N.J.S.A.44:10-57, which may include a program to assist or prepare the person for employment pursuant to subsection f. of N.J.S.A. 44:10-62, and shall be eligible for child care and other services under the Work First New Jersey program related to the work activity, except that:

- the person shall not be required to engage in a work activity if child care is unavailable pursuant to subsection d. of N.J.S.A. 44:10-62; and
- the person may be temporarily deferred from the work activity requirement if pursuant to subsection e. of N.J.S.A.44:10-62 :
 - the person is a woman in the third trimester of pregnancy;
 - the person is unable to engage in a gainful occupation for a period less of than 12 months, as certified by a physician's

examination; or

- the person is providing care for a child under 12 weeks old, except that deferral may be extended if medically necessary for the person or child.

Lastly, the bill provides that a noncitizen who is ineligible for the federal food stamp program, but is eligible for the State-funded program, and who subsequently is made eligible for the federal food stamp program due to changes in federal law, shall lose entitlement to benefits under the State-funded program upon receipt of benefits under the federal food stamp program.

Since September 1997, when the State food stamp program began, the State and the counties have each funded 50% of the administrative costs of the program. Under this bill, the State would pay the full amount of these administrative costs. The resulting increase in State costs has been anticipated in the amount allocated for the program in the Governor's recommended budget for fiscal year 1999.

The committee adopted amendments:

- to extend the State-funded food stamp program benefits to natural or adoptive parents, stepparents or legal guardians residing with that person's dependent child under the age of 18; and
- to clarify that it is not until the person receives benefits under the federal food stamp program, that a person who subsequently is made eligible for the federal food stamp program would lose State-funded food stamp benefits.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 990

STATE OF NEW JERSEY

DATED: JUNE 22, 1998

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 990 (1R).

This bill establishes the New Jersey Supplementary Food Stamp Program in the Department of Human Services.

The bill codifies Executive Order Number 74 signed by the Governor on August 26, 1997, which directed the provision of State-funded food stamp benefits to certain categories of noncitizens (i.e., lawfully admitted children, elderly and disabled persons) in approximately 10,000 households who were rendered ineligible for the federal food stamp program by the enactment of the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," Pub.L.104-193. The Executive Order will expire on June 30, 1998.

The program established by the bill also provides State-funded food stamp benefits to lawfully admitted noncitizens who are the natural or adoptive parents, stepparents or legal guardians of a dependent child under the age of 18 and who reside with that child. The bill requires these parents or guardians, unless employed, to participate in a "work activity" as defined in N.J.S.A.44:10-57, which may include a program to assist or prepare the person for employment pursuant to subsection f. of N.J.S.A.44:10-62, and makes them eligible for child care and other services under the Work First New Jersey program related to the work activity, except that:

(1) the parent or guardian shall not be required to engage in a work activity if child care is unavailable pursuant to subsection d. of N.J.S.A.44:10-62; and

(2) the parent or guardian may be temporarily deferred from the work activity requirement if, pursuant to subsection e. of N.J.S.A.44:10-62, the parent or guardian is (a) a woman in the third trimester of pregnancy, or (b) unable to engage in a gainful occupation for a period of less than 12 months, as certified by a physician's examination, or (c) providing care for a child under 12 weeks old, (the deferral may be extended if medically necessary for the person or child).

The bill provides 10 alternative criteria for establishing lawful admission to or presence in the United States under federal law or

administrative action. The noncitizen must meet at least one of these criteria in order to establish eligibility for the program.

Once certified as eligible for the program, the noncitizen is required under the bill to apply promptly for U.S. citizenship if or when eligible to make such application; exceptions are allowed for those under age 18 or in ill-health. A person subject to this citizenship application requirement who fails to supply proof of timely application, or who is found by the federal Immigration and Naturalization Service to be ineligible for citizenship (unless lawfully admitted for permanent residence as an immigrant), would be terminated from the program.

The bill requires that a noncitizen who is ineligible for the federal food stamp program, but is eligible for the State-funded program, and who subsequently is made eligible for the federal food stamp program due to changes in federal law, lose entitlement to benefits under the State-funded program upon receipt of benefits under the federal food stamp program.

Finally, the bill requires the State to pay the full administrative costs of the program, rather than sharing those costs equally with the counties as currently.

FISCAL IMPACT:

Since September 1997, when the State food stamp program began, the State and the counties have each funded 50% of the administrative costs of the Food Stamps for Legal Aliens program. Under this bill, the State would pay the full amount of these administrative costs. The resulting increase in State costs has been anticipated in the amount allocated for the program in the Governor's recommended budget for fiscal year 1999. That budget recommends \$6.7 million for the program, an amount which should be sufficient to cover the costs of the legislation.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

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STATE OF NEW JERSEY

DATED: JUNE 22, 1998

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(1) the parent or guardian shall not be required to engage in a work activity if child care is unavailable pursuant to subsection d. of N.J.S.A.44:10-62; and

(2) the parent or guardian may be temporarily deferred from the work activity requirement if, pursuant to subsection e. of N.J.S.A.44:10-62, the parent or guardian is (a) a woman in the third trimester of pregnancy, or (b) unable to engage in a gainful occupation for a period of less than 12 months, as certified by a physician's examination, or (c) providing care for a child under 12 weeks old, (the deferral may be extended if medically necessary for the person or child).

The bill provides 10 alternative criteria for establishing lawful admission to or presence in the United States under federal law or

administrative action. The noncitizen must meet at least one of these criteria in order to establish eligibility for the program.

Once certified as eligible for the program, the noncitizen is required under the bill to apply promptly for U.S. citizenship if or when eligible to make such application; exceptions are allowed for those under age 18 or in ill-health. A person subject to this citizenship application requirement who fails to supply proof of timely application, or who is found by the federal Immigration and Naturalization Service to be ineligible for citizenship (unless lawfully admitted for permanent residence as an immigrant), would be terminated from the program.

The bill requires that a noncitizen who is ineligible for the federal food stamp program, but is eligible for the State-funded program, and who subsequently is made eligible for the federal food stamp program due to changes in federal law, lose entitlement to benefits under the State-funded program upon receipt of benefits under the federal food stamp program.

Finally, the bill requires the State to pay the full administrative costs of the program, rather than sharing those costs equally with the counties as currently.

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Since September 1997, when the State food stamp program began, the State and the counties have each funded 50% of the administrative costs of the Food Stamps for Legal Aliens program. Under this bill, the State would pay the full amount of these administrative costs. The resulting increase in State costs has been anticipated in the amount allocated for the program in the Governor's recommended budget for fiscal year 1999. That budget recommends \$6.7 million for the program, an amount which should be sufficient to cover the costs of the legislation.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 990

STATE OF NEW JERSEY

208th LEGISLATURE

DATED: JULY 20, 1998

Bill Summary:

Senate Bill No. 990 (1R) of 1998 establishes the New Jersey Supplementary Food Stamp Program in the Department of Human Services (DHS) and provides statutory authorization of Executive Order No. 74 (August 26, 1997). The bill authorizes DHS to provide State-funded food stamp benefits to certain categories of non-citizens who are not eligible for the federal food stamp program due to the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," Pub.L.104-193. In addition, the bill:

- Extends the program to legal guardians (as well as parents and stepparents) residing with that person's dependent child under the age of 18 and requires such persons, unless employed, to comply with various requirements of the Work First New Jersey program;
- Terminates assistance to persons who are subsequently made eligible for the federal food stamp program upon receipt of benefits under the federal food stamp program ; and
- Requires the State to pay the full administrative costs of the program in contrast to the current policy of having the administrative costs shared on a 50/50 basis between the State and counties.

Agency Comments:

DHS and the Office of Management and Budget have not provided any fiscal information on the legislation.

Office of Legislative Services Comments:

The FY 1999 budget recommends \$6.7 million for the Food Stamps for Legal Aliens program. This recommended appropriation should be sufficient to cover costs associated with the legislation.

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

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 990

STATE OF NEW JERSEY

208th LEGISLATURE

DATED: JULY 20, 1998

Bill Summary:

Senate Bill No. 990 (1R) of 1998 establishes the New Jersey Supplementary Food Stamp Program in the Department of Human Services (DHS) and provides statutory authorization of Executive Order No. 74 (August 26, 1997). The bill authorizes DHS to provide State-funded food stamp benefits to certain categories of non-citizens who are not eligible for the federal food stamp program due to the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," Pub.L.104-193. In addition, the bill:

- Extends the program to legal guardians (as well as parents and stepparents) residing with that person's dependent child under the age of 18 and requires such persons, unless employed, to comply with various requirements of the Work First New Jersey program;
- Terminates assistance to persons who are subsequently made eligible for the federal food stamp program upon receipt of benefits under the federal food stamp program ; and
- Requires the State to pay the full administrative costs of the program in contrast to the current policy of having the administrative costs shared on a 50/50 basis between the State and counties.

Agency Comments:

DHS and the Office of Management and Budget have not provided any fiscal information on the legislation.

Office of Legislative Services Comments:

The FY 1999 budget recommends \$6.7 million for the Food Stamps for Legal Aliens program. This recommended appropriation should be sufficient to cover costs associated with the legislation.

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

ASSEMBLY, No. 1982

STATE OF NEW JERSEY
208th LEGISLATURE

INTRODUCED MAY 4, 1998

Sponsored by:

Assemblyman FRANCIS J. BLEE

District 2 (Atlantic)

Assemblyman RICHARD H. BAGGER

District 22 (Middlesex, Morris, Somerset and Union)

SYNOPSIS

"New Jersey Supplementary Food Stamp Program Act."

CURRENT VERSION OF TEXT

As introduced.



A1982 BLEE, BAGGER

2

1 AN ACT establishing the New Jersey Supplementary Food Stamp
2 Program, amending P.L.1993, c.13 and P.L.1997, c.37, and
3 supplementing Title 44 of the Revised Statutes.

4

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

7

8 1. (New section) This act shall be known and may be cited as the
9 "New Jersey Supplementary Food Stamp Program Act."

10

11 2. (New section) As used in this act:

12 "Commissioner" means the Commissioner of Human Services.

13 "Department" means the Department of Human Services.

14 "Federal food stamp program" means the federal food stamp
15 program authorized by Title XIII of the "Food and Agriculture Act of
16 1977," Pub.L.95-113 (7 U.S.C. s.2011 et seq.).

17 "Program" means the New Jersey Supplementary Food Stamp
18 Program established pursuant to this act.

19

20 3. (New section) a. There is established the New Jersey
21 Supplementary Food Stamp Program in the Department of Human
22 Services. The purpose of the program is to provide nutritional
23 assistance to those categories of noncitizens who were rendered
24 ineligible for the federal food stamp program by section 402 of
25 Pub.L.104-193, the federal "Personal Responsibility and Work
26 Opportunity Reconciliation Act of 1996" (8 U.S.C. s.1612).

27 b. The program shall be administered pursuant to State rules and
28 regulations implementing the federal food stamp program, except that
29 the eligibility criteria for noncitizens for the program provided in
30 section 4 of this act shall be used in lieu of those of the federal food
31 stamp program.

32

33 4. (New section) a. A noncitizen shall be eligible for participation
34 in the program if that person was: lawfully admitted into the United
35 States prior to August 22, 1996, remains lawfully present in the United
36 States, is ineligible for the federal food stamp program, and is one of
37 the following:

38 (1) under 18 years of age;

39 (2) 65 years of age or over;

40 (3) receiving benefits under the supplemental security income
41 program established pursuant to the federal Social Security Act,
42 Pub.L.92-603 (42 U.S.C. s.1381 et seq.), or determined to be an
43 essential person under the supplemental security income program;

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

Matter underlined thus is new matter.

1 (4) mentally or physically incapacitated, as defined by regulation of
2 the commissioner, including being blind;

3 (5) considered unemployable under the Work First New Jersey
4 program established pursuant to P.L.1997, c.38 (C.44:10-55 et seq.);
5 or

6 (6) a natural or adoptive parent or a stepparent residing with that
7 parent's dependent child who is under 18 years of age, subject to the
8 following:

9 (a) unless employed, the parent shall be required to participate in a
10 work activity as defined in section 3 of P.L.1997, c.38 (C.44:10-57),
11 which may include a program that is designed to assist the parent in
12 securing employment or preparing for employment, in accordance with
13 the provisions of subsection f. of section 8 of P.L.1997, c.38 (C.44:10-
14 62); except that

15 (b) the parent shall not be required to engage in a work activity if
16 child care is unavailable for the parent's dependent child in accordance
17 with the provisions of subsection d. of section 8 of P.L.1997, c.38
18 (C.44:10-62); and

19 (c) the parent may be temporarily deferred from the work activity
20 requirement in accordance with the provisions of subsection e. of
21 section 8 of P.L.1997, c.38 (C.44:10-62).

22 b. To be eligible for the program, a noncitizen shall also meet one
23 of the following criteria:

24 (1) lawfully admitted for permanent residence as an immigrant;

25 (2) entered the United States prior to January 1, 1972, or some
26 later date as required by law, and continuously maintained residency
27 in the United States since then, and is not ineligible for citizenship but
28 is considered to be lawfully admitted for permanent residence as a
29 result of an exercise of discretion by the United States Attorney
30 General;

31 (3) was qualified by the federal Immigration and Naturalization
32 Service for conditional entry into the United States after March 31,
33 1980 because of persecution or fear of persecution on account of race,
34 religion, or political opinion;

35 (4) was qualified by the federal Immigration and Naturalization
36 Service for conditional entry into the United States prior to April 1,
37 1980;

38 (5) was granted asylum through an exercise of discretion by the
39 United States Attorney General;

40 (6) is lawfully present in the United States as a result of an exercise
41 of discretion by the United States Attorney General for emergent
42 reasons or reasons deemed strictly in the public interest, or as a result
43 of a grant of parole by the United States Attorney General;

44 (7) the United States Attorney General has withheld deportation of
45 the noncitizen because of the judgment of the United States Attorney
46 General that the noncitizen would otherwise be subject to persecution

1 on account of race, religion, or political opinion;

2 (8) has been determined as aged, blind or disabled in accordance
3 with the supplemental security income program established pursuant
4 to the federal Social Security Act, Pub.L.92-603 (42 U.S.C. s.1381 et
5 seq.), and is considered by the federal Immigration and Naturalization
6 Service to be lawfully admitted for temporary residence;

7 (9) was granted lawful temporary resident status at least five years
8 prior to applying for the program and subsequently gained lawful
9 permanent resident status; or

10 (10) is, as of June 1, 1987 or thereafter, a special agricultural
11 worker as defined by federal law and lawfully admitted for temporary
12 residence.

13 c. A noncitizen who is certified as eligible for the program by the
14 department, or the agency designated by the department, shall be
15 required to apply for United States citizenship within 60 days of the
16 date that the noncitizen is certified as eligible for the program or
17 within 60 days of the date the noncitizen is eligible to apply for
18 citizenship, whichever is later, except that a noncitizen shall be exempt
19 from the citizenship application requirement if that person is:

20 (1) unable to either apply for or obtain citizenship due to a medical
21 or physical condition as defined by regulation of the commissioner; or

22 (2) a child under 18 years of age.

23 d. An eligible noncitizen may continue to receive program benefits
24 until that person meets the minimum residency requirements provided
25 in federal law to apply for citizenship.

26 e. A person who is required to apply for citizenship to retain
27 eligibility for the program, but who fails to supply adequate proof to
28 the department, or the agency designated by the department, that he
29 has made timely application for citizenship, shall have his eligibility for
30 the program terminated.

31 f. A person who applies for citizenship, but who subsequently is
32 determined by the federal Immigration and Naturalization Service to
33 be ineligible for citizenship, except for a noncitizen as described in
34 paragraph (1) of subsection c. of this section, shall have his eligibility
35 for the program terminated at the end of the month in which the 60-
36 day period as provided in subsection c. of this section expires.

37

38 5. (New section) The State shall pay the full amount of each
39 county's administrative costs applicable to households that contain
40 only persons eligible for the program. These costs shall be determined
41 in accordance with the approved cost allocation plan of the
42 department.

43

44 6. (New section) A noncitizen who is eligible for the federal food
45 stamp program shall not be eligible for the program. A noncitizen who
46 is ineligible for the federal food stamp program, but is eligible for the

1 program, and who subsequently is made eligible for the federal food
2 stamp program due to changes in federal law, shall lose entitlement to
3 benefits under the program.

4
5 7. Section 1 of P.L.1993, c.13 (C.2C:20-35) is amended to read as
6 follows:

7 1. As used in this act:

8 "ATP card" means a document issued by a State or federal agency,
9 to a certified household, to show the food stamp allotment a
10 household is authorized to receive on presentation.

11 "Benefit card" means a card used or intended for use to access
12 Work First New Jersey, food stamp or other benefits as determined by
13 the Commissioner of Human Services under the electronic benefit
14 distribution system established pursuant to the "Public Assistance
15 Electronic Benefit Distribution System Act," P.L.1985, c.501
16 (C.44:10-5.1 et seq.) and continued pursuant to P.L.1997, c.37
17 (C.44:10-71 et al.).

18 "Department" means the Department of Human Services.

19 "Food stamp coupon" means any coupon or stamp used or intended
20 for use in the purchase of food pursuant to the federal food stamp
21 program[, 7 U.S.C.s.2011 et seq.] authorized by Title XIII of the
22 "Food and Agriculture Act of 1977," Pub.L.95-113 (7 U.S.C. s.2011
23 et seq.), or the New Jersey Supplementary Food Stamp Program
24 established pursuant to P.L. , c. (C.)(pending before the
25 Legislature as this bill).

26 (cf: P.L.1997, c.37, s.8)

27
28 8. Section 2 of P.L.1993, c.13 (C.2C:20-36) is amended to read as
29 follows:

30 2. If the face value of food stamp coupons or an ATP card or
31 benefit card is equal to or greater than \$150, an individual shall be
32 guilty of a crime of the fourth degree if he purposely or knowingly and
33 without authorization:

34 a. Receives or uses the proceeds of food stamp coupons or an ATP
35 card or benefit card for which he has not applied or has not been
36 approved by the department to use;

37 b. Engages in any transaction to convert food stamp coupons or an
38 ATP card or benefit card to other property contrary to federal and
39 State government rules and regulations governing the Work First New
40 Jersey program, the federal food stamp program, the New Jersey
41 Supplementary Food Stamp Program, or any other program included
42 in the electronic benefit distribution system; or

43 c. Transfers food stamp coupons or an ATP card or benefit card to
44 another person who is not lawfully entitled or approved by the
45 department to use the coupons or ATP card or benefit card.

46 (cf: P.L.1997, c.37, s.9)

1 9. Section 3 of P.L.1993, c.13 (C.2C:20-37) is amended to read as
2 follows:

3 3. If the face value of food stamp coupons or an ATP card or
4 benefit card is less than \$150, an individual shall be guilty of a
5 disorderly persons offense if he purposely or knowingly and without
6 authorization:

7 a. Receives or uses the proceeds of food stamp coupons or an ATP
8 card or benefit card for which he has not applied or has not been
9 approved, by the department, to use;

10 b. Engages in any transaction to convert food stamp coupons or an
11 ATP card or benefit card to other property contrary to federal and
12 State government rules and regulations governing the Work First New
13 Jersey program, the federal food stamp program, the New Jersey
14 Supplementary Food Stamp Program, or any other program included
15 in the electronic benefit distribution system; or

16 c. Transfers food stamp coupons or an ATP card or benefit card to
17 another person who is not lawfully entitled or approved, by the
18 department, to use the coupons or ATP card or benefit card.

19 (cf: P.L.1997, c.37, s.10)

20

21 10. Section 5 of P.L.1997, c.37 (C.44:10-75) is amended to read
22 as follows:

23 5. a. The department shall implement the electronic benefit
24 distribution system established pursuant to P.L.1985, c.501
25 (C.44:10-5.1 et seq.) in every county of the State.

26 b. All cash assistance and food stamp benefits shall be provided
27 through the issuance of a single benefit card utilizing the electronic
28 benefit distribution system. The commissioner may include additional
29 programs in this system at his discretion.

30 c. No charge, including a fee imposed by a terminal owner, shall be
31 imposed upon a person receiving cash assistance, food stamp or other
32 benefits for participating in the electronic benefit transfer system,
33 except as follows:

34 (1) after three free cash automatic teller machine withdrawals in a
35 month, the department may deduct a transaction fee from a recipient's
36 account for each subsequent withdrawal;

37 (2) a recipient shall be required to pay a fee for a replacement
38 benefit card in an amount to be determined by the commissioner,
39 which may be deducted from the recipient's account as determined by
40 the commissioner, in accordance with federal law; and

41 (3) in the case of a recipient who elects to receive benefits at a
42 point-of-sale location licensed by the Department of Banking and
43 Insurance pursuant to P.L.1993, c.383 (C.17:15A-30 et seq.), the
44 State shall pay the licensee the difference between the contracted base
45 transaction fee and \$1.00. The provisions of this paragraph shall
46 expire two years after the effective date of the single Statewide

1 electronic benefits distribution contract that is let pursuant to
2 P.L.1997, c.37 (C.44:10-71 et al.) .

3 d. A retail establishment currently authorized to participate in the
4 federal food stamp program, or the New Jersey Supplementary Food
5 Stamp Program established pursuant to P.L. , c. (C.)(pending
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16 access cash assistance, food stamp or other benefits under the
17 electronic benefit distribution system.

18 g. A county agency shall issue a photo-identification card to each
19 adult recipient as a condition of receiving benefits until implementation
20 of the electronic benefit distribution system in that county agency.
21 Once a county begins to implement the electronic benefit distribution
22 system, the county agency shall no longer be required to issue a
23 photo-identification card to each adult recipient but may continue the
24 issuance of photo-identification cards separate from the benefit cards.

25 h. Notwithstanding any provisions of law to the contrary, until
26 such time as the electronic benefit distribution system is implemented
27 Statewide, contracts for the provision of food stamp coupons are not
28 subject to the requirements of the "Local Public Contracts Law,"
29 P.L.1971, c.198 (C.40A:11-1 et seq.).
30 (cf: P.L.1997, c.37, s.5)

31
32 11. The Commissioner of Human Services, pursuant to the
33 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
34 seq.), shall adopt rules and regulations to effectuate the purposes of
35 this act.

36
37 12. This act shall take effect on July 1, 1998.

38

39

40

STATEMENT

41

42 This bill establishes the New Jersey Supplementary Food Stamp
43 Program in the Department of Human Services. The bill provides
44 statutory authorization for the provisions of Executive Order Number
45 74 signed by the Governor on August 26, 1997, which authorized the
46 State to provide State-funded food stamp benefits to certain categories

A1982 BLEE, BAGGER

1 of noncitizens (i.e., lawfully admitted children, elderly and disabled
2 persons) in approximately 10,000 households who were rendered
3 ineligible for the federal food stamp program by the enactment of the
4 federal "Personal Responsibility and Work Opportunity Reconciliation
5 Act of 1996," Pub.L.104-193. The Executive Order is due to expire
6 on June 30, 1998. In addition, this bill would authorize the State to
7 provide State-funded food stamp benefits to parents with children
8 under 18 years of age who are in a category of noncitizens eligible for
9 this program.

10 Since September 1997, when the State food stamp program began,
11 the State and the counties have each funded 50% of the administrative
12 costs of the program. Under this bill, the State would pay the full
13 amount of these administrative costs. The resulting increase in State
14 costs has been anticipated in the amount allocated for the program in
15 the Governor's recommended budget for fiscal year 1999.

ASSEMBLY SENIOR ISSUES AND COMMUNITY SERVICES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1982

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 1, 1998

The Assembly Senior Issues and Community Services Committee favorably reports Assembly Bill No. 1982 with committee amendments.

As amended by committee, this bill establishes the New Jersey Supplementary Food Stamp Program in the Department of Human Services. The bill provides statutory authorization for the provisions of Executive Order Number 74 signed by the Governor on August 26, 1997, which authorized the State to provide State-funded food stamp benefits to certain categories of noncitizens (i.e., lawfully admitted children, elderly and disabled persons) in approximately 10,000 households who were rendered ineligible for the federal food stamp program by the enactment of the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," Pub.L.104-193. The Executive Order is due to expire on June 30, 1998.

In addition, this bill would authorize the State to provide State-funded food stamp benefits to a natural or adoptive parent, stepparent or legal guardian residing with that person's dependent child under the age of 18, who are in a category of noncitizens eligible for this program. Under the bill's provisions, unless employed, these persons shall be required to participate in a work activity as defined in N.J.S.A.44:10-57, which may include a program to assist or prepare the person for employment pursuant to subsection f. of N.J.S.A.44:10-62, and shall be eligible for child care and other services under the Work First New Jersey program related to the work activity, except that:

- the person shall not be required to engage in a work activity if child care is unavailable pursuant to subsection d. of N.J.S.A.44:10-62; and
- the person may be temporarily deferred from the work activity requirement if pursuant to subsection e. of N.J.S.A.44:10-62:
 - the person is a woman in the third trimester of pregnancy;
 - the person is unable to engage in a gainful occupation for a

period of less than 12 months, as certified by a physician's examination; or

- the person is providing care for a child under 12 weeks old, except that deferral may be extended if medically necessary for the person or child.

Lastly, the bill provides that a noncitizen who is ineligible for the federal food stamp program, but is eligible for the State-funded program, and who subsequently is made eligible for the federal food stamp program due to changes in federal law, shall lose entitlement to benefits under the State-funded program upon receipt of benefits under the federal food stamp program.

Since September 1997, when the State food stamp program began, the State and the counties have each funded 50% of the administrative costs of the program. Under this bill, the State would pay the full amount of these administrative costs. The resulting increase in State costs has been anticipated in the amount allocated for the program in the Governor's recommended budget for fiscal year 1999.

The committee adopted amendments:

- to extend the State-funded food stamp program benefits to legal guardians (as well as parents and stepparents) residing with that person's dependent child under the age of 18; and
- to clarify that it is not until the person receives benefits under the federal food stamp program, that a person who subsequently is made eligible for the federal food stamp program would lose State-funded food stamp benefits.

ASSEMBLY SENIOR ISSUES AND COMMUNITY SERVICES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1982

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 1, 1998

The Assembly Senior Issues and Community Services Committee favorably reports Assembly Bill No. 1982 with committee amendments.

As amended by committee, this bill establishes the New Jersey Supplementary Food Stamp Program in the Department of Human Services. The bill provides statutory authorization for the provisions of Executive Order Number 74 signed by the Governor on August 26, 1997, which authorized the State to provide State-funded food stamp benefits to certain categories of noncitizens (i.e., lawfully admitted children, elderly and disabled persons) in approximately 10,000 households who were rendered ineligible for the federal food stamp program by the enactment of the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," Pub.L.104-193. The Executive Order is due to expire on June 30, 1998.

In addition, this bill would authorize the State to provide State-funded food stamp benefits to a natural or adoptive parent, stepparent or legal guardian residing with that person's dependent child under the age of 18, who are in a category of noncitizens eligible for this program. Under the bill's provisions, unless employed, these persons shall be required to participate in a work activity as defined in N.J.S.A.44:10-57, which may include a program to assist or prepare the person for employment pursuant to subsection f. of N.J.S.A.44:10-62, and shall be eligible for child care and other services under the Work First New Jersey program related to the work activity, except that:

- the person shall not be required to engage in a work activity if child care is unavailable pursuant to subsection d. of N.J.S.A.44:10-62; and
- the person may be temporarily deferred from the work activity requirement if pursuant to subsection e. of N.J.S.A.44:10-62:
 - the person is a woman in the third trimester of pregnancy;
 - the person is unable to engage in a gainful occupation for a

period of less than 12 months, as certified by a physician's examination; or

- the person is providing care for a child under 12 weeks old, except that deferral may be extended if medically necessary for the person or child.

Lastly, the bill provides that a noncitizen who is ineligible for the federal food stamp program, but is eligible for the State-funded program, and who subsequently is made eligible for the federal food stamp program due to changes in federal law, shall lose entitlement to benefits under the State-funded program upon receipt of benefits under the federal food stamp program.

Since September 1997, when the State food stamp program began, the State and the counties have each funded 50% of the administrative costs of the program. Under this bill, the State would pay the full amount of these administrative costs. The resulting increase in State costs has been anticipated in the amount allocated for the program in the Governor's recommended budget for fiscal year 1999.

The committee adopted amendments:

- to extend the State-funded food stamp program benefits to legal guardians (as well as parents and stepparents) residing with that person's dependent child under the age of 18; and
- to clarify that it is not until the person receives benefits under the federal food stamp program, that a person who subsequently is made eligible for the federal food stamp program would lose State-funded food stamp benefits.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1982

STATE OF NEW JERSEY

DATED: JUNE 15, 1998

The Assembly Appropriations Committee reports favorably Assembly Bill No. 1982 (1R).

Assembly Bill 1982 (1R) establishes the New Jersey Supplementary Food Stamp Program in the Department of Human Services.

The bill codifies Executive Order Number 74 signed by the Governor on August 26, 1997, which directed the provision of State-funded food stamp benefits to certain categories of noncitizens (i.e., lawfully admitted children, elderly and disabled persons) in approximately 10,000 households who were rendered ineligible for the federal food stamp program by the enactment of the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," Pub.L.104-193. The Executive Order will expire on June 30, 1998.

The program established by the bill also provides State-funded food stamp benefits to lawfully admitted noncitizens who are the natural or adoptive parents, stepparents or legal guardians of a dependent child under the age of 18 and who reside with that child. The bill requires these parents or guardians, unless employed, to participate in a "work activity" as defined in N.J.S.A.44:10-57, which may include a program to assist or prepare the person for employment pursuant to subsection f. of N.J.S.A.44:10-62, and makes them eligible for child care and other services under the Work First New Jersey program related to the work activity, except that:

- the parent or guardian shall not be required to engage in a work activity if child care is unavailable pursuant to subsection d. of N.J.S.A.44:10-62; and
- the parent or guardian may be temporarily deferred from the work activity requirement if pursuant to subsection e. of N.J.S.A.44:10-62:
 - the parent or guardian is a woman in the third trimester of pregnancy;
 - the parent or guardian is unable to engage in a gainful occupation for a period of less than 12 months, as certified by a physician's examination; or
 - the parent or guardian person is providing care for a child under 12 weeks old, (the deferral may be extended if medically necessary for

the person or child).

The bill requires that a noncitizen who is ineligible for the federal food stamp program, but is eligible for the State-funded program, and who subsequently is made eligible for the federal food stamp program due to changes in federal law, lose entitlement to benefits under the State-funded program upon receipt of benefits under the federal food stamp program.

FISCAL IMPACT:

Since September 1997, when the State food stamp program began, the State and the counties have each funded 50% of the administrative costs of the program. Under this bill, the State would pay the full amount of these administrative costs. The resulting increase in State costs has been anticipated in the amount allocated for the program in the Governor's recommended budget for fiscal year 1999.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 1982

STATE OF NEW JERSEY

208th LEGISLATURE

DATED: JULY 20, 1998

Bill Summary:

Assembly Bill No. 1982 (1R) of 1998 establishes the New Jersey Supplementary Food Stamp Program in the Department of Human Services (DHS) and provides statutory authorization of Executive Order No. 74 (August 26, 1997). The bill authorizes DHS to provide State-funded food stamp benefits to certain categories of non-citizens who are not eligible for the federal food stamp program due to the federal "Personal Responsibility and Work Opportunity Reconciliation Act of 1996," Pub.L.104-193. In addition, the bill:

- Extends the program to legal guardians (as well as parents and stepparents) residing with that person's dependent child under the age of 18 and requires such persons, unless employed, to comply with various requirements of the Work First New Jersey program;
- Terminates assistance to persons who are subsequently made eligible for the federal food stamp program upon receipt of benefits under the federal food stamp program ; and
- Requires the State to pay the full administrative costs of the program in contrast to the current policy of having the administrative costs shared on a 50/50 basis between the State and counties.

Agency Comments:

DHS and the Office of Management and Budget have not provided any fiscal information on the legislation.

Office of Legislative Services Comments:

The FY 1999 budget recommends \$6.7 million for the Food Stamps for Legal Aliens program. This recommended appropriation should be sufficient to cover costs associated with the legislation.

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

Office of the Governor
NEWS RELEASE

PO BOX 004
TRENTON, NJ 08625

CONTACT: Jayne O'Connor
Julie Plocinik
609-777-2600

RELEASE: June 30, 1998

Gov. Christie Whitman today signed the following legislation:

S-2001, sponsored by Senator Robert Littell (R- Sussex/Hunterdon/Morris) and Assembly Members Richard Bagger (R- Middlesex/Morris/Somerset/Union) and Joseph Charles (D-Hudson), makes various FY 1998 supplemental appropriations totaling \$105,403,932 in state funds and \$579,254 in federal funds and appropriates \$15 million in bond funds. Projects funded through this bill include: \$400,000 for the purchase of protective vests for law enforcement, \$750,000 to support a toll free telephone system for dealing with the Division of Motor Vehicles services, \$285,000 for computer equipment to run criminal history background checks on school employees, and \$15 million in property tax relief aid to the City of Camden and the creation of a financial oversight board for the city, and \$15 million for sewer overflow abatement projects for the Passaic River/Newark Bay Restoration Program.

A-2141, sponsored by Assembly Member Francis Blee (R-Atlantic) and Senators Louis Bassano (R-Essex/Union) and Leonard Connors (R-Atlantic/Burlington/Ocean), establishes an annual assessment of 5.8 percent of gross revenue on all intermediate care facilities for the mentally retarded. The revenue generated by the assessment will be used to reduce the Developmental Disabilities waiting list for placement in community residences.

A-673, sponsored by Assembly Members Jack Gibson and Nicholas Asselta and Senator James Cafiero (all R-Cape May/Atlantic/Cumberland), authorizes municipalities to regulate skateboards and roller skates upon roadways and public properties under their jurisdiction. This law supplements legislation signed January 19, requiring helmets for skaters under 14 years of, by ensuring that municipalities have the ability to regulate skating activities to protect skaters, motorists and other pedestrians in their communities.

A-553, sponsored by Assembly Members David Russo (R- Bergen/Passaic) and Gerald Zecker (R-Essex/Passaic) and Senators Jack Sinagra (R-Middlesex) and John Adler (D-Camden), prohibits smoking in child care centers when children are present.

A-1902, sponsored by Assembly Member Richard Bagger (R-Middlesex/Morris/Somerset/Union) and Louis Romano (D-Hudson) and Senator Robert Littell (R-Sussex/Hunterdon/Morris), authorizes the State Treasurer to determine the salary of the Director and Deputy Director of the Division of Investment and authorizes the Treasurer to designate an additional deputy director.

S-851, sponsored by Senators Joseph Palaia (R-Monmouth) and Norman M.

Robertson (R-Essex/Passaic) and Assembly Member Christopher "Kip" Bateman (R-Morris/Somerset), revises statutes providing for criminal history record checks of school employees and school bus drivers. The bill expands the list of disqualifying crimes; deletes a provision authorizing the employment of a persons with a disqualifying crime if rehabilitation has been demonstrated and prohibits schools from provisionally hiring candidates pending completion of their criminal history record checks, except in limited circumstances.

A-1996, gives the state Treasurer the authority to bundle old, difficult to collect tax debt represented as tax certificates and enter into a contract with a financial institution after public bidding. The financial institution would assume ownership of the debt and replace the state as the collector. The bill was sponsored by Assembly Members Paul DiGaetano (R- Bergen/Essex/Passaic) and Richard Bagger (R-Middlesex/Morris /Somerset/Union) and Senators Walter Kavanaugh (R-Morris/Somerset) and Peter Inverso (R-Mercer/Middlesex).

S-1002, which amends the state's Business Employment Incentive Program (BEIP) Act to encourage partnerships and limited liability companies to participate in the BEIP program and locate or expand in New Jersey. Companies that create jobs in New Jersey by either moving to the state or expanding operations are eligible to receive incentive grants which are based upon the income taxes paid by the newly-hired employees. The new legislation amends the law to allow estimated taxes paid by partners to be included in the BEIP calculation, thereby increasing the amount of the BEIP grant for partnerships and limited liability companies and providing them with an incentive to move to New Jersey. The bill was sponsored by Senators Joseph Kyrillos, Jr. (R- Middlesex/Monmouth) and Bernard Kenny, Jr. (D-Hudson) and Assembly Members Steve Corodemus (R-Monmouth) and Joseph Azzolina (R- Middlesex/Monmouth).

A-2190, sponsored by Assembly Members Francis Blee (R-Atlantic) and Carol Murphy (R-Essex/Morris/Passaic), expands the Drug Utilization Review Board in the Department of Human Services for state-funded pharmaceutical benefits programs. The powers of the Board will include review of the Pharmaceutical Assistance to the Aged and Disabled (PAAD) and the AIDS Drug Distribution programs. Membership of the Board shall include individuals with expertise in the prescribing of medication to the geriatric and AIDS populations to address specific needs of these individuals. The bill appropriates \$90,000 for establishment of the Review Board.

A- 1690, eliminates the requirement in the current charity care law that the Commissioner of Health and Senior Services (DHSS) seek federal approval to establish a permanent state-wide program for providing hospital charity care services on a managed care basis. The bill permits the Commissioner of Human Services to seek federal approval to establish a demonstration managed charity care program, within a single region or county, for a two-year period in order to test the programmatic and fiscal viability of delivering charity care services by this alternative means. The bill was sponsored by Assembly Members Nicholas Asselta (R-Cape May/Atlantic/Cumberland) and Joseph Doria, Jr. ((D-Hudson) and by Senators John Matheussen (R-Camden/Gloucester) and John Bennett (R-Monmouth).

S-990, sponsored by Senator Louis Bassano (R-Essex/Union) and Bernard Kenny (D-Hudson), establishes the New Jersey Supplementary Food Stamp Program in the Department of Human Services. The legislation, an administration initiative,

extends the availability of food stamps to certain noncitizens covered under E.O. 74, which expires today. The program provides broader coverage than the legislation passed in Congress earlier this month. The bill will also provide coverage for individuals who are considered unemployable under the WorkFirst New Jersey Program and are ineligible for federal Supplemental Security Income benefits.

Office of the Governor
NEWS RELEASE

PO BOX 004
TRENTON, NJ 08625

CONTACT: Jayne O'Connor
Julie Plocinik
609-777-2600

RELEASE: June 30, 1998

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extends the availability of food stamps to certain noncitizens covered under E.O. 74, which expires today. The program provides broader coverage than the legislation passed in Congress earlier this month. The bill will also provide coverage for individuals who are considered unemployable under the WorkFirst New Jersey Program and are ineligible for federal Supplemental Security Income benefits.

State of New Jersey
Executive Department

Executive Order No. 74

WHEREAS, changes in federal law which occurred on August 22, 1996, have resulted in a large number of legal immigrant children and legal immigrants who are aged, blind or disabled, living in New Jersey prior to August 22, 1996, losing their access to federal food stamp assistance; and

WHEREAS, federal law was subsequently amended on June 12, 1997, to allow states to retain, at their own expense, certain former aspects of this food stamp program; and

WHEREAS, the vast majority of these legal immigrants depend upon the food stamp assistance to feed themselves and their dependents; and

WHEREAS, the health and welfare of the approximately 10,000 households which include children and the aged, blind or disabled persons affected by the cessation of federal assistance will be detrimentally impacted; and

WHEREAS, the Department of Human Services total budget for Fiscal Year 1998 contains funds in anticipation of changes in federal law and the loss of federal assistance for certain populations which could be made available to provide food stamp assistance to these legal immigrants; and

WHEREAS, it is my intention that the benefits should continue without disruption to assist the affected children and those recipients who are aged, blind or disabled and that this program be administered in an efficient and effective manner;

NOW, THEREFORE, I, CHRISTINE TODD WHITMAN, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. The Commissioner of the Department of Human Services shall take all necessary action to insure that those legal immigrant children and those legal immigrants who are aged, blind or disabled who were bona fide residents of New Jersey prior to August 22, 1996, and who have lost federal food stamp assistance as a result of the June 1997 changes in federal law, be granted State food stamp assistance for the duration of this Order.

2. Pursuant to Paragraph 11 of the General Provisions of the Fiscal Year 1998 Appropriations Act, the Commissioner, through the Office of Management and Budget, shall apply to the Joint Budget Oversight Committee for permission to specifically transfer the

necessary funding to support this Order.

3. The Commissioner of the Department of Human Services shall have full authority to adopt such rules, regulations, orders and directives as he shall deem necessary to effect the above provisions.

4. This Order shall take effect immediately and shall remain in effect until June 30, 1998, unless superseding legislation is enacted sooner.

GIVEN, under my hand and seal
this 26th day of August
in the Year of Our Lord,
One Thousand Nine Hundred
and Ninety Seven, and of the
Independence of the United
States, the Two Hundred and
Twenty-Second.

/s/Christine Todd Whitman
Governor

Attest:
/s/Michael P. Torpey
Chief Counsel to the Governor
