

August 19, 2013

SENATE BILL NO. 1889

To the Senate:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Senate Bill No. 1889 with my recommendations for reconsideration.

This bill mandates access to homeless shelters for a minimum of seventy-two hours unless the shelter is at its licensed capacity. In addition, when there is an "emergency condition," the bill allows a municipality or the Department of Community Affairs to authorize shelters to exceed the licensed capacity.

Unquestionably, homeless shelters should provide services within their lawful capacity. Providing housing and care for those lacking adequate shelter must be a priority of our state, as evidenced by my creation of the Interagency Council on Homelessness ("ICH"). Among other things, I tasked ICH with developing a ten-year plan to prevent and end homelessness in this State.

I return this bill with important recommendations for improvement that will help guarantee the safety and comfort of shelter residents. The care of the homeless often requires difficult decisions regarding the best interests of those seeking access, and those charged with their care. As drafted, this bill fails to provide guidance concerning circumstances where a shelter should appropriately refuse to admit persons that may pose a danger to themselves or to others, or who might interfere with the care, comfort, or safety of those being housed. We should not create a climate of fear and distrust in our shelters, and must avoid circumstances that would have the perverse result of discouraging the homeless from seeking out

care. For these reasons, I recommend that the bill be amended to specify appropriate and reasonable standards for admission at a shelter.

Accordingly, I herewith return Senate Bill No. 1889 and recommend that it be amended as follows:

Page 2, Section 1, Line 11:

Delete "or" and insert ", "

Page 2, Section 1, Line 11:

After "heat" insert ", storms or other weather-related conditions"

Page 2, Section 2, Line 28:

After "capacity" insert "or the basis for refusal is otherwise authorized by law or regulation"

Page 2, Section 2, Line 39:

After "capacity" insert "or the basis for refusal is otherwise authorized by law or regulation"

Page 2, Section 3, Line 43:

Delete "shall" and insert "may"

Respectfully,

[seal]

/s/ Chris Christie

Governor

Attest:

/s/ Charles B. McKenna

Chief Counsel to the Governor