

ASSEMBLY BILL NO. 3164

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 3164 with my recommendations for reconsideration.

This bill would require that the State assume the educational costs of any student who resides for more than one year in a domestic violence shelter or transitional living facility outside the student's district of residence. I appreciate the sponsors' efforts to address the undue, and sometimes unanticipated, financial burden placed on communities hosting domestic violence shelters and transitional living facilities. These facilities provide an invaluable service to victims of domestic violence, their children, and the homeless, and the municipalities housing them should not be penalized for doing so.

In order to ensure clear and appropriate implementation of this legislation, I recommend amending the bill to authorize the Commissioner of Education, in consultation with the Department of Children and Families, to promulgate rules that would, at a minimum, identify the facilities, or types of facilities, that constitute a "transitional living facility." This is an ambiguous term that is not defined in the bill, statute, or regulation. Further, I recommend clarifying that this act would apply to those educational costs incurred beginning in the 2012-2013 school year.

Accordingly, I herewith return Assembly Bill No. 3164 and recommend that it be amended as follows:

Page 4, Line 7:

Insert new section:

"3. The Commissioner of Education, in consultation with the Department of Children and Families, shall promulgate rules pursuant to the "Administrative

Procedure Act," P.L. 1968, c.410 (C. 52:14B-1 et seq.), to effectuate the provisions of this act. The rules shall identify those facilities that qualify as transitional living facilities or domestic violence shelters under this act."

Page 4, Section 3, Line 8:

Delete "3." and insert "4."

Page 4, Section 3, Line 8:

After "immediately" insert "and shall first apply in the 2012-2013 school year"

[seal]

Respectfully,

/s/ Chris Christie

Governor

Attest:

/s/ Charles B. McKenna

Chief Counsel to the Governor