

FIFTH ANNUAL MESSAGE

OF

ALFRED E. DRISCOLL

GOVERNOR OF NEW JERSEY

TO THE ONE HUNDRED AND SEVENTY-SIXTH
LEGISLATURE OF NEW JERSEY

JANUARY 8, 1952



974.901
C-52



PROPERTY OF
RECEIVED
FEB 9 - 1953
Division of State Library,
Archives and History
TRENTON

FIFTH ANNUAL MESSAGE

Mr. President, Mr. Speaker, Members of the Senate and General Assembly:

Our business is government—a fact that cannot be overlooked, even in a year that may be expected to develop collateral political interests. I am confident that neither personal nor political considerations will be permitted to divert our attention from our primary responsibility—the general welfare of our State.

To the members of the 176th Legislature I offer my wholehearted cooperation as we seek to meet our mutual responsibilities. It has been the good fortune of New Jersey that the Legislatures that have preceded you have achieved for our historic State a record of fine accomplishments that provide a firm and secure foundation upon which we may continue to build.

On many occasions during the past five years, New Jersey has demonstrated the amazing vitality and productive capacity of our republican form of government—a union of States. In our Republic, it has been the traditional task of the States to protect individual freedom while providing an opportunity for extensive citizen participation in and control of government. Our State on more than one occasion has had its rendezvous with destiny. In recent years it has been a busy laboratory in which we have pioneered in the art of government, testing old values and seeking new formulae for the conservation and advancement of our freedoms. This is as it should be, and as I hope it will be.

Despite the contention of some who put their trust in a strong centralized government in the Nation's capital, big government sooner or later ceases to be either representative or responsible. It retains the appearance of a

union of States, and of popular representation, but abandons the substance. This does not imply that we do not recognize that world power politics require a nation of big power. Of course we recognize the need for national strength to insure our national security, and to support our international leadership.

This concept requires State governments able and willing to assume responsibility for the services of government that their people desire. It requires States competent to sustain a national government powerful enough to represent the United States in our international relations, and to cope with domestic problems that transcend State boundaries and the methods of interstate compacts. If we are to maintain the substance as well as the appearance of responsible representative government, close to the people, the States must be prepared to perform their historic functions, however difficult and burdensome those duties may now appear.

We must recognize that freedom may not be subdivided, nor is it a privilege that belongs to either the majority or the minority. It belongs to society as a whole. A society with freedom limited to certain classes is just as bad as a society with privileges limited to certain classes. Accordingly, we will provide protection and insure respect for our economic, political and social minorities as well as for our majorities.

Our native enterprise and productivity, a dynamic and constantly expanding economy, affords our citizens their best hope for security. We would be well advised, therefore, to recognize that an effective private enterprise system is not keyed to the welfare of any one group in our society and, in fact, demands for its survival a government competent to prevent any group from dominating the others. Accordingly, we must continue to restore balance in government; to reconcile divergent group interests; to avoid group domination; and to implement a better way of life for all of our people.

Our national leadership must recognize that the hard-earned tax dollars we are now devoting to military preparation will not buy national security if we permit the destructive forces of inflation to continue without restraint. Nor will money alone buy freedom any more than it can buy friendship. National security requires, therefore, that we balance our economic and military strength, and that we refrain from an unwise dissipation of our human and material resources.

We will probably continue to live during the present year in an atmosphere in which the dominant note will be war and the threat of war. In these years of crises and national peril, New Jersey has and will continue to shoulder in full measure its responsibilities. It would be well for us to continue those programs that in the past have demonstrated that it is possible for a government to be prudent as well as progressive.

Defense

Our own fine National Guard, Air National Guard and Naval Militia must be considered as part of the nation's first line of defense. These armed forces deserve the continuing and enthusiastic support and commendation of our State and its citizens.

In my judgment, moreover, one way that we may sustain an adequate national defense in years to come, while avoiding the threat of national bankruptcy, is to strengthen our National Guard and Naval Reserve programs and to provide for these reserve components a proper and adequate place in a coordinated national security program.

The cost of maintaining an armored division in the regular service is more than fifteen times the cost of maintaining a National Guard armored division. It is obvious, therefore, that after provision has been made for basic training and adequate professional forces, an arrangement should be made whereby as many trainees as possible who

have received their primary instruction in the skills of warfare should be given an opportunity to continue their service in the National Guard and the Naval Reserve.

Our fine State Department of Defense also includes a Division of Selective Service which continues to perform its difficult duties in a superb manner, and a Division of Civil Defense, which has within the past year been accorded further nation-wide recognition for its achievements.

In our Civil Defense activities, we have had the fine cooperation of our municipalities which, with few exceptions, have achieved the goals set for them. The 187,000 New Jersey citizens who have enrolled on a voluntary basis for Civil Defense constitute more than ten per cent of the nation's registered volunteer Civil Defense force. These men and women, like their brothers in arms, while preparing against the possibility of war, are part of our campaign for peace—upon the principle that the country which is best prepared to meet any eventuality is least likely to be attacked.

Thus far, the Federal Government has failed to assume effective leadership in Civil Defense. The Constitution of the United States authorizes Congress to provide for the common defense. Civil Defense is a vital part of our national defense. Accordingly, Congress, rather than the States, should protect our Civil Defense volunteers against the hazards incident to their service. The national government having failed to assume this responsibility, the States should do so. Therefore, I recommend that provision be made for disability, death, medical and hospital benefits for Civil Defense volunteers who may be injured while performing the authorized duties of their service.

Legislative Procedures

During the past five years we have been engaged in the fascinating task of conserving the basic values of our way of life. To achieve this objective, our citizens adopted a

new Constitution in 1947. Since then we have achieved one of the best judicial systems in the country, a fine modern executive organization, the smallest State budget of any comparable industrial State in the nation, and a legislative branch that has been strengthened and given new opportunities to improve its procedures and practices. Among the improvements in the operation of our legislative branch, which I commend to you for your consideration, is the strengthening of your staff by the elimination of many part-time jobs and the substitution of a limited number of full-time technicians available for research, bill drafting and committee work. This change could be accomplished within your present budget and, indeed, with some savings.

While I am heartened by the report that the so-called caucus system is to be modified, if not abandoned, a prompt interment of an outmoded practice would appear to be in order. The form is not worth saving, even though similar practices continue in use in the Congress and in other States. In lieu of the old practice you could, with advantage to the State, substitute a working committee system.

Public Welfare and Institutions

A year ago I reported that, despite the handicaps of the Korean War and the world crisis, the Department of Institutions and Agencies was proceeding with the program of improving the safety and adequacy of existing institutions, and building additional and greatly needed facilities. I stated then that unless conditions took a decided turn for the worse, this program, designed to help those who are least able to help themselves, should be continued and expanded. In this program, as in all of our efforts, we have been hard hit by the cruel forces of inflation that have shrunk the purchasing power of the dollar.

Whatever the circumstances, the aged, the infirm, the mentally sick must be fed, clothed, housed and, wherever possible, treated and cured. The latter responsibility, in particular, requires modern facilities. The \$25,000,000 pro-

gram upon which we embarked, and which is now producing favorable and satisfactory results, was too modest. We were overly cautious. Moreover, a pressing problem has been made even more acute by a decision of the national government, communicated to us within the week, calling upon the State to vacate, by September 1, 1952, facilities in the neighborhood of the Mercer Airport in which the department has maintained 650 senile patients.

I recommend that we ask our fellow citizens to approve the expenditure of an additional \$25,000,000 for the continuation of the modernization and expansion of our institutional facilities. This will be an investment in the future of people, which will produce dividends in the form of better citizenship and a more productive society. Our social conscience will not permit us to ignore this prime obligation. It is a fact that many persons formerly considered incurable and doomed to a lifetime of incarceration at public expense, can today be cured and returned to a productive, self-supporting life. For this modern miracle, we are indebted, in large measure, to the advances of science that have taken place in recent years.

Typical of the pioneering activities of your State Government in its efforts to conserve our human resources, are two significant New Jersey contributions to the difficult task of treating the young offender. The first is the State Diagnostic Center, which is meeting all of our expectations and is giving sound, scientific and practical advice to the courts. Visitors in search of new and modern methods have characterized the Center as one of the most valuable pioneering establishments of its type in the world.

The second contribution is the High Fields Experimental Treatment project for youthful offenders. High Fields provides a specialized, intermediate facility between probation and institutionalization. It is entirely possible that New Jersey may have discovered a type of treatment for the pre-delinquent and adolescent offender which is more economical, more humanitarian and more effective than the

traditional type of discipline heretofore imposed. I cite these two illustrations to show what can be done, and, in fact, what is being done, when proper facilities are available.

Even though the construction of new institutions may be unavoidably delayed by the war and the defense program, our reorganized and greatly strengthened Department of the Treasury has demonstrated a capacity to handle the financing of the State Government, including capital improvements, in a wise and prudent manner that has been productive of substantial earnings. These practices are typical of those that have helped us to maintain the lowest per capita State tax collection in the nation.

The 1951 Legislature wisely established a fourth category in the assistance program—aid to the permanently and totally disabled, administered by our county welfare boards and the State Department of Institutions and Agencies. At the same time it adopted legislation under which a distinguished commission has been hard at work studying methods of administering welfare at all levels of government. The commission has undertaken a complicated and difficult task. The first report indicates that it is making real progress. I recommend that the commission be continued for another year.

Economic Welfare

Turning to the broad question of economic welfare, the men and women who produce the goods in our industries command our attention. Along with our favorable geographical location, the presence of these citizens is one of the chief reasons why new industries are moving to New Jersey in increasing numbers. In our State, fortunately, industry has found the advantages of geography, modern transportation, a skilled and responsible labor force, and an environment in which industry may grow and expand.

It has been our purpose, so far as possible, to protect our working people from the vicissitudes of an industrial age

that are beyond their control. Our unemployment compensation and sickness insurance law should be strengthened. The present maximum payments should be increased and coverage extended to permit these programs to accomplish their objectives and to overcome the erosion of inflation.

It is likewise my hope that you will favorably consider a State labor relations law, as well as the improvement and extension of our minimum wage law. Our constitutional guarantee of equality of women before the law should be implemented in our statute law. Equal pay for equal work is a fundamental application of that guarantee.

Education

The citizens of tomorrow are but a few short years away from the citizens of today. But our system of public education, upon which we depend heavily to bridge those years, may still leave something to be desired. When the State School Aid Commission, which is presently studying the problems of finance, has reached agreement and filed its report, I propose to submit a separate message to the Legislature devoted exclusively to the subject of education. Meanwhile, State school aid, apportioned pursuant to the Armstrong formula (Chapter 66, P. L. 1948), should be stabilized. This will increase State aid and place an additional burden upon our general revenues.

We know that it is the desire of teachers that they excel in their profession. It is our common hope that they may be assured a broad, liberal education, if possible even superior to that provided other professional men and women, as a strong foundation for good citizenship and straightforward thinking. At this session of the Legislature, therefore, the Executive Branch of the government should be authorized to proceed with the second phase of the program for the improvement and reorganization of the facilities of our State Teachers Colleges. Our studies of the various proposals for a much-needed medical school and the methods of financing it should be continued.

At my request the State Office Building Authority, in cooperation with the Department of Education, is preparing a program for the construction at the proper time of an adequate administration building for the Department to be located on the campus of the State Teachers College in Trenton. This will permit the Department to carry on its important activities in an academic atmosphere, giving it for the first time in its history modern, adequate and economical office space. It would also permit us to strengthen our library services. It would provide the college with much needed modern dining facilities. In turn, Department executives will have at their disposal the auditoriums of the college for meetings and conferences. It is my hope that the program will meet with your approval. This undertaking would be apart from our general capital improvement program for our State Teachers Colleges.

Conservation and Recreation

As we seek to conserve our resources, we will recognize the need for wholesome recreation. Our recreational and park facilities are inadequate. If we are to maintain an adequate system of parks and wild life refuges, we must act promptly to acquire additional areas along the coast as well as inland.

Water Resources

The long-standing question of water resources affects our conservation and recreation programs. It is also becoming more and more apparent that limited potable and industrial water supplies could place a ceiling on the very growth of our State. Many new employment-giving industries would, however, take advantage of our strategic location as a workshop of the nation if they could be assured of sufficient water reserves. This is a large problem and requires that we plan with imagination, ingenuity and foresight.

The 1951 Legislature acted promptly and favorably upon the plan proposed by the Interstate Commission on the Delaware River Basin for an extensive development of the

water resources of the Delaware River. The State of Delaware took similar action last year. It is my hope that the States of Pennsylvania and New York will reach a favorable decision this year. A plan of the magnitude submitted to the Legislature a year ago is always subject to improvement in its engineering and financial aspects. A year's reflection, however, has convinced me that the principle of interstate cooperation is sound and that the States should assume the full measure of their responsibility to their citizens to provide an adequate supply of water. If the States fail to take proper action, we may expect the pressure for action by the national government to increase. Pending the adoption of this program, provision should be made for the acquisition of additional water reserves within the State.

Highways and Traffic

Perhaps the most tragic waste of our human resources occurs on our highways. The fact that New Jersey's record is one of the best in the country offers little solace as one reads the reports of the traffic deaths and accidents that are occurring daily. During the past year we created within the Department of Law and Public Safety a Traffic Safety Bureau. The purpose of my Executive Order creating this bureau was to consolidate all of the activities of the State relating to traffic safety, and to coordinate, strengthen and expand those activities. I now recommend that the provisions of our Crimes Act applicable to the users of our highways be strengthened, particularly to permit more effective prosecution in accident fatality cases resulting from careless and heedless driving.

The modernized traffic safety code adopted by the 175th Legislature is a great improvement over previous laws and codes. We need, however, to enlarge our State Police force to provide a more vigorous enforcement of our traffic laws. During the past three years our Division of State Police has been called upon to assume many new duties. It has engaged in the war against crime on numerous

fronts, including a vigorous attack against the narcotics menace which has already received national recognition. As a result its forces have been stretched too thin. It should be increased by at least a hundred additional men. This increase in the force will provide additional patrols in our rural areas as well as a greater number of men on our expanding highway system.

The task of the State Police is enforcement. The tasks of the Traffic Safety Bureau are planning, education and coordination. It has been the task of the State Highway Department, including the Turnpike Authority, to engineer and build the safest possible highways. Traffic jams and snarls are not only inconvenient, time-consuming and uneconomic—they produce traffic accidents.

Between 1917 and 1947, the State of New Jersey spent approximately \$370,000,000 for the construction of State highways. From 1947 to 1951, inclusive, the State, including the New Jersey Turnpike Authority, spent or committed over \$380,000,000 for new and improved State highways. We cannot, however, afford to rest on our laurels. There is an urgent need for additional parkways, freeways and turnpikes to carry the commerce of our State and nation, to permit our citizens more easily to travel back and forth between their homes and businesses, for recreation and, equally important, to achieve greater highway safety. The prompt completion of the Garden State Parkway and Freeway is greatly to be desired. Once this highway is in full service, it will become a tremendous State asset.

I recommend that there be created within the State Highway Department, as an integral part thereof, an Authority to finish all, or a major portion of, the Garden State project promptly as a revenue-financed facility if the engineering studies that are presently being made demonstrate that this plan is feasible.

It is my earnest hope that you will adopt legislation authorizing the Highway Department to construct all future

State highways on a limited-access, thruway or parkway basis. The State Highway Department should be granted authority to construct and reconstruct traffic circles and grade separation interchanges as thruways. The Department should likewise be authorized, in cooperation with the Department of Conservation and Economic Development, to acquire limited roadside areas that may be maintained as roadside parks in appropriate areas of our State.

I am happy to report that a comprehensive plan for the construction of the Newark Bay crossing and the construction of a limited-access highway from the bridge to the Holland Tunnel, in Hudson County, has been adopted. Competent engineers have been employed and the work is in progress. The New Jersey Turnpike Authority, whose achievement during the past year has received appropriate favorable recognition, is proceeding with plans to link our Turnpike with the Pennsylvania Turnpike and the proposed New York Thruway.

Five years ago the State, for the first time, began to devote major attention to the traffic problems of its large metropolitan areas. Within our limited resources, we have adopted plans for and are building highways in many of our larger cities. In the development of these programs, we have been slowed by financial limitations, a shortage of steel and increasing costs. We are determined, however, to complete the programs as quickly as possible.

Metropolitan Transit

In the east as well as in the west of our State there is an urgent need for additional crossings of the rivers that separate us from New York and Pennsylvania. With traffic constantly increasing and present facilities overburdened, construction of these facilities should, if practicable, be begun this year.

In the New York-North Jersey metropolitan area, as in the South Jersey-Philadelphia metropolitan area, our citi-

zens need better interstate high-speed rail transportation. While improved rapid transit facilities will be of immeasurable value to the residents of our State, they will also serve the needs and convenience of citizens of New York and Pennsylvania. They will contribute to the relief of traffic congestion on city streets throughout these two large metropolitan areas.

Last year we took a major step forward by the creation of the Delaware River Port Authority with its provision for a comprehensive high-speed transit system in the South Jersey-Philadelphia area. An important commission which has been studying the transportation problems of the New York-North Jersey area may be expected to file its report in the near future. As I have stated, both problems are interstate in character. It is to be hoped that their solution may be found in interstate cooperation.

Crime and Delinquency

The struggle to maintain our freedom involves more than a military operation, even more than the mastery of the art of maintaining a sound economy. It involves many other operations, some of which I have touched upon in this message. There is involved in this struggle for freedom our capacity for self-discipline, the ability of society to achieve a complete mastery over the forces of crime and delinquency in all their aspects. Crime hits the very roots of our free institutions. Effective measures to combat crime require more than dramatic remedies or one-time procedures, although even these may serve a purpose. Whether we think in terms of a legislative committee, an Attorney General, a county prosecutor, a police department, or an institutional or social work program, there can be no substitute for a vigorous, energetic and, above all, an even-handed and persistent application of all the forces of law and order to this problem.

Despite the fact that our State is strategically located at the crossroads of America, it has compiled a growing record

of apprehension and conviction of criminals. We should, however, be just as interested in eliminating the causes of crime as in the number of convictions we achieve.

Under the distinguished leadership of our Attorney General, Theodore D. Parsons, supported by all the forces of our reorganized Department of Law and Public Safety, particularly the State Police, the people of New Jersey have witnessed the mobilization of our forces and have had an opportunity to observe the program in action.

It remains for us to organize more effectively the great force of citizen participation as a supplement to our existing law enforcement program. Just as judicial councils have been of immeasurable help to court systems throughout the nation in improving judicial administration, particularly in our own State, so a comparable council within the Department of Law and Public Safety, dealing with all aspects of the problems of crime and delinquency throughout the State, would accomplish much toward perfecting law enforcement.

Accordingly, I recommend the establishment of a Law Enforcement Council in the Department to be appointed by the Attorney General, with the approval of the Governor and without regard to partisan consideration. The functions of the Council would, of course, develop in detail as it entered upon its work, but in broad outline it would have three fundamental purposes: (1) To develop plans and programs insofar as possible to eliminate the basic causes of crime; (2) To review and evaluate our criminal laws for the purpose of making them more effective deterrents to crime; (3) To examine and appraise, on a continuous basis, the administration of all law enforcement facilities and, wherever necessary in its judgment, make such investigations as may be required to permit it to advise the Governor, the Attorney General, the Legislature and our citizens on law enforcement within the State. The Council should be given the power of subpœna and appropriate financial support.

In the performance of its duties it may consult with and will be entitled to the advice and assistance of the administrative officers throughout the State charged with the responsibility for the enforcement of our laws.

Fortunately, New Jersey has developed a strong tradition of citizen participation in the business of government. This tradition marks one of the outstanding differences between the way we do business in our State and local governments as compared with our national government. It is this citizen interest and citizen participation that made possible our new Constitution. It is the same citizen participation that supported the reorganization of the Judicial and Executive branches of our government; that has made possible the revision of our statutes and many of the notable programs upon which we are now embarked. I am confident that we may count on constructive citizen participation in this law enforcement program. In the final analysis, however, the enforcement of our laws depends upon public acceptance of these laws and the public will that these laws shall be faithfully obeyed and enforced.

This new program is not to be considered as a substitute for our traditional grand jury system which has served this nation so well in the past and upon which we shall continue to rely. The purpose of the Council is to get at causes and to performance—audit all law enforcement programs at all levels of government throughout the entire State to assure that they are fully coordinated and completely effective.

I repeat my previous recommendations that the authority to appoint jury commissioners be transferred to the Supreme Court, where it naturally belongs, for the jury system is an integral and a very important part of our judicial system.

Modernization of the Laws

In the Special Session of the Legislature two months ago you wisely adopted a complete revision of Titles 2 and 3 of the Revised Statutes. Your action has received national attention and is considered a progressive step forward.

The logical step remains of revising and bringing up to date the balance of our statute law, particularly those aspects relating to practice and procedure and to the principal departments resulting from the administrative reorganization program. A major part of this task will include a complete modernization of antiquated Title 48 of the Revised Statutes which embodies the laws relating to public utilities. A body of law which is as clear as it is concise is essential to the most effective operation of both the Judicial and Executive branches of our government. Accordingly, for the accomplishment of these goals I urge that you continue the Committee on Revision of Statutes. It is my hope that provision will be made for continuous yearly revisions of our statutes once the basic task is completed.

Among other important business which will require your attention is: the extension of rent control; provision for the formulation of modern, performance-type building codes; further progress in the adjustment of the compensation paid our loyal body of public employees; the strengthening, where necessary, of our already fine program of veterans' legislation; and the adoption of a State Administrative Procedure Act which would standardize and regulate the rule-making functions and the practice and procedure of our State administrative agencies.

* * * * *

It has not been my purpose in this message to discuss all the problems and issues confronting our State. The broad outlines of our continuing program have been sketched in previous messages, and a detailed discussion of some issues has been reserved for the future. The ever-present prob-

lems of finance are being reserved for the Budget Message. Suffice it to say, our approach to the controversial issue of taxation should be realistic. We may not, with propriety, overlook the fact that our citizens are being called upon to pay the highest national taxes in the history of this or any nation. It is the total tax impact that may make or break a society. With this in mind, we are prepared to carry on the normal functions of our government within presently available revenues.

Our opportunities to work together and to promote the general welfare are the true measure of our responsibility. It has been my privilege during the past five years to participate with many of you in important undertakings. The convening of this Legislature comes at a time when our hearts and minds are inclined toward even larger affairs—the achievement of a just peace in Korea and throughout the world. Those of us who would see a way through the dust of quarreling peoples and the confusion and doubts that beset persons of limited vision, must think in new terms of time and space. The future of our State and nation must be charted with reference to the principles and ideals which throughout history have moved whole peoples and are, in fact, the source of our greatness. We are interested in the enduring prosperity of a whole people, rather than the transient popularity of any man, political party or organization. In the even-handed administration of government, neither the pull of friendship nor the fear of enemies should be permitted to influence the course of our actions.

We may appear to be far removed from the main currents that will dominate the history of our time. I assure you that this is not the case, for we are close to our people, their actions and their aspirations. The manner in which these are undertaken and fulfilled will become our history. Therefore, to the extent that we meet the challenge of our time and protect the general welfare of our citizens, we have defended and preserved the Republic. I am confident that the achievements of this Legislature will be no less than

those of previous Legislatures with which it has been my good fortune to work. With Divine Guidance, let us work together, and work hard, at the business of good government.

Respectfully submitted,



Attest:

Alfred E. DuSable
Governor.

Leon S. Milmed
Counsel and Acting Secretary to the Governor.

