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THE  
JOURNAL OF THE  
LEGISLATIVE COUNCIL OF THE  
STATE OF NEW JERSEY  
FOR THE YEAR 1887  
PUBLISHED BY THE  
LEGISLATIVE COUNCIL OF THE STATE OF NEW JERSEY





**JOURNAL**  
OF THE  
**Second Annual Session**  
OF THE  
**One Hundred and Thirty-Third Senate**  
OF THE  
**STATE OF NEW JERSEY**  
BEING THE  
**Two Hundred and First Session of the Legislature**





# MEMBERS OF THE ONE HUNDRED AND THIRTY-THIRD SENATE OF THE STATE OF NEW JERSEY

---

FIRST DISTRICT

JAMES R. HURLEY

SECOND DISTRICT

WILLIAM L. GORMLEY

THIRD DISTRICT

RAYMOND J. ZANE

FOURTH DISTRICT

DANIEL J. DALTON

FIFTH DISTRICT

WALTER RAND

SIXTH DISTRICT

LEE B. LASKIN

SEVENTH DISTRICT

CATHERINE A. COSTA

EIGHTH DISTRICT

H. JAMES SAXTON

NINTH DISTRICT

LEONARD T. CONNORS, JR.

TENTH DISTRICT

JOHN F. RUSSO

ELEVENTH DISTRICT

FRANK PALLONE, JR.

TWELFTH DISTRICT

S. THOMAS GAGLIANO

THIRTEENTH DISTRICT

RICHARD VAN WAGNER

FOURTEENTH DISTRICT

FRANCIS J. McMANIMON

FIFTEENTH DISTRICT

GERALD R. STOCKMAN

SIXTEENTH DISTRICT

JOHN H. EWING

SEVENTEENTH DISTRICT

JOHN A. LYNCH

EIGHTEENTH DISTRICT

PETER P. GARIBALDI

NINETEENTH DISTRICT

LAURENCE S. WEISS

TWENTIETH DISTRICT

RAYMOND LESNIAK

TWENTY-FIRST DISTRICT

C. LOUIS BASSANO

TWENTY-SECOND DISTRICT

DONALD T. DiFRANCESCO

TWENTY-THIRD DISTRICT

WALTER E. FORAN

TWENTY-FOURTH DISTRICT

WAYNE DUMONT, JR.

TWENTY-FIFTH DISTRICT

JOHN H. DORSEY

TWENTY-SIXTH DISTRICT

LEANNA BROWN

TWENTY-SEVENTH DISTRICT

RICHARD J. CODEY

TWENTY-EIGHTH DISTRICT

JOHN P. CAUFIELD

TWENTY-NINTH DISTRICT

WYNONA M. LIPMAN

THIRTIETH DISTRICT

CARMEN A. ORECHIO

# MEMBERS OF THE ONE HUNDRED AND THIRTY- THIRD SENATE OF THE STATE OF NEW JERSEY (Continued)

---

THIRTY-FIRST DISTRICT  
EDWARD T. O'CONNOR, JR.

THIRTY-SIXTH DISTRICT  
JOSEPH HIRKALA

THIRTY-SECOND DISTRICT  
THOMAS F. COWAN

THIRTY-SEVENTH DISTRICT  
MATTHEW FELDMAN

THIRTY-THIRD DISTRICT  
CHRISTOPHER J. JACKMAN

THIRTY-EIGHTH DISTRICT  
PAUL CONTILLO

THIRTY-FOURTH DISTRICT  
JOSEPH BUBBA

THIRTY-NINTH DISTRICT  
GERALD CARDINALE

THIRTY-FIFTH DISTRICT  
FRANK X. GRAVES, JR.

FORTIETH DISTRICT  
GARRETT W. HAGEDORN

## OFFICERS OF THE SENATE

---

PRESIDENT

CARMEN A. ORECHIO

SECRETARY

JOHN J. McCARTHY

ASSISTANT SECRETARIES

DELORES KIRK

DERECK C. SCOTT



# MEMBERS OF THE GENERAL ASSEMBLY

---

## District 1

Joseph W. Chinnici  
Guy F. Muziani

## District 2

Dolores G. Cooper  
John Edward Kline

## District 3

Martin A. Herman  
Thomas A. Pankok

## District 4

Anthony S. Marsella  
Dennis L. Riley

## District 5

Wayne R. Bryant  
Francis J. Gorman

## District 6

John A. Rocco  
Thomas J. Shusted

## District 7

Thomas P. Foy  
Barbara Faith Kalik

## District 8

C. William Haines  
Robert J. Meyer  
(Deceased July 14, 1984)  
Harold L. Colburn

## District 9

John T. Hendrickson, Jr.  
Jorge A. Rod

## District 10

John Paul Doyle  
Marlene Lynch Ford

## District 11

Joseph A. Palaia  
Anthony M. Villane, Jr.

## District 12

John O. Bennett  
Marie A. Muhler

## District 13

William E. Flynn  
Jacqueline Walker

## District 14

Joseph L. Bocchini, Jr.  
Joseph D. Patero

## District 15

Gerard S. Naples  
John S. Watson

## District 16

John Penn  
Walter J. Kavanaugh

## District 17

Angela L. Perun  
David C. Schwartz

## District 18

Thomas H. Paterniti  
Frank M. Pelly

## District 19

Alan Karcher  
George J. Otlowski

## District 20

Thomas J. Deverin  
Thomas W. Long

## District 21

Edward K. Gill  
(Deceased Feb. 9, 1985)  
Chuck Hardwick  
Peter J. Genova (April 15, 1985)

## District 22

Bob Franks  
Maureen B. Ogden

## District 23

Karl Weidel  
Richard A. Zimmer

## District 24

Garabed "Chuck" Haytaian  
Robert E. Littell

# MEMBERS OF THE GENERAL ASSEMBLY—Con.

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## District 25

Arthur R. Albohn  
Rodney P. Frelinghuysen

## District 26

Dean A. Gallo (Elected to Congress)  
Robert J. Martin (Feb. 4, 1985)  
Ralph A. Loveys

## District 27

Mildred Barry Garvin  
Harry McEnroe

## District 28

Michael Adubato  
James Zangari

## District 29

Willie B. Brown  
Eugene H. Thompson

## District 30

Steven Adubato, Jr.  
Buddy Fortunato

## District 31

Joseph Charles, Jr.  
Joseph V. Doria, Jr.

## District 32

Paul Cuprowski  
Anthony P. Vainieri

## District 33

Nicholas LaRocca  
Robert A. Ranieri

## District 34

Newton E. Miller  
Gerald Zecker

## District 35

John A. Girgenti  
Vincent Ozzie Pellecchia

## District 36

Robert Hollenbeck  
Richard Visotcky

## District 37

Byron M. Baer  
D. Bennett Mazur

## District 38

Louis F. Kosco  
William P. Schuber

## District 39

John W. Markert  
(Resigned Feb. 4, 1985)  
Elizabeth E. Randall (April 5, 1985)  
John E. Rooney

## District 40

Nicholas R. Felice  
Walter M. D. Kern, Jr.

*Speaker*—ALAN J. KARCHER

*Speaker Pro Tem.*—THOMAS J. DEVERIN

*Clerk*—JOHN J. MILLER, JR.

*Majority Leader*—JOHN PAUL DOYLE

*Deputy Speaker*—WILLIE B. BROWN

*Deputy Speaker*—RICHARD F. VISOTCKY

*Assistant Majority Leader*—FRANCIS J. GORMAN

*Assistant Majority Leader*—MARTIN A. HERMAN

*Assistant Majority Leader*—VINCENT O. PELLECCIA

*Assistant Majority Leader*—DENNIS L. RILEY

*Chairman Majority Conference*—JOSEPH V. DORIA, JR.

*Minority Leader*—CHUCK HARDWICK

*Assistant Minority Leader*—GARABED HAYTAIAN

*Assistant Minority Leader*—JOHN T. HENDRICKSON, JR.

*Assistant Minority Leader*—WALTER J. KAVANAUGH

*Minority Whip*—JOSEPH A. PALAIA

*Assistant Minority Whip*—LOUIS F. KOSCO

*Assistant Minority Whip*—JOHN A. ROCCO

*Assistant Minority Whip*—MAUREEN B. OGDEN



# JOURNAL OF THE SENATE

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STATE OF NEW JERSEY

SENATE CHAMBER

TUESDAY, JANUARY 8, 1985.

The Senate Session was called to order by the Senate Secretary, John J. McCarthy.

The Senate Session was opened by a prayer by Father Francis Blake, Holy Family Roman Catholic Church, Nutley.

Following, was a salute to the flag.

Upon calling the roll the following Senators answered the call.

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Hagedorn, Hirkala, Jackman, Laskin, Lesniak, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss—32.

Mr. McCarthy recognized Senator Foran of Hunterdon County.

Mr. Foran nominated Mr. Gagliano of Monmouth County for the office of "Temporary President."

Mr. McCarthy called for other nominations. There being none, Mr. Gagliano was elected to the office of "Temporary President," by voice vote.

At Mr. McCarthy's request Mr. Hurley and Mr. Caufield escorted Mr. Gagliano to the Rostrum.

Mr. Gagliano recognized Mr. Russo of Ocean County.

Mr. Russo moved that the Senate proceed to the Election of a "Temporary Secretary."

Mr. Jackman offered in nomination as "Temporary Secretary," Mr. John J. McCarthy.

Mr. Cardinale seconded the nomination of John J. McCarthy as "Temporary Secretary."

Mr. Gagliano called for other nominations. There being none, Mr. Gagliano declared John J. McCarthy elected to the office of "Temporary Secretary" by a unanimous voice vote.

Mr. Gagliano recognized Mr. Russo.

Mr. Russo moved that the Senate now proceed to the election of a "President Pro-Tem" for the second annual Session of the 201st Legislature.

Mr. Gagliano recognized Mr. Graves of Passaic County.

Mr. Graves placed in nomination for the office of "President Pro-Tem," Mr. Hirkala of Passaic County.

Mr. Dumont seconded the nomination.

Mr. Gagliano asked for other nominations. Hearing none proceeded to the Roll Call vote for the "President Pro-Tem." The vote was as follows:

33 Yeas                      0 Nays

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Hagedorn, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss—33.

In the negative—None.

Mr. Gagliano declared Mr. Hirkala elected to the office of "President Pro-Tem."

Mr. McManimon of Mercer County and Mr. Dorsey of Morris County escorted Mr. Hirkala to the Rostrum.

Mr. Hirkala recognized Mr. Russo. Mr. Russo moved that the Senate proceed to the election of a "Permanent President" for the second annual Session of the 201st Legislature.

Mr. Hirkala recognized Mr. Caufield of Essex County.

Mr. Caufield offered in nomination for the office of "Permanent President," Mr. Orechio of Essex County.

Mr. Weiss seconded the nomination.

Mr. Hirkala called for other nominations and hearing none, called for the vote on the nomination of Mr. Orechio for the office of "Permanent President" of the Senate.

The vote was as follows:

32 Yeas                      0 Nays

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Hagedorn, Hirkala, Jackman, Laskin, Lesniak, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss—32.

In the negative—None.

Mr. Hirkala declared Mr. Orechio elected to the office of "Permanent President" of the Senate.

Mr. Codey of Essex County and Mr. DiFrancesco of Union County escorted the President to the Rostrum.

The Honorable Marie L. Garibaldi, Associate Justice of the Supreme Court, administered the Oath of Office to Mr. Orechio.

Mr. Orechio introduced his family and delivered an address.

Mr. Orechio recognized Mr. Russo.

Mr. Russo moved that they now proceed to the election of a "Permanent Secretary."

Mr. Orechio recognized Mr. Feldman of Bergen County.

Mr. Feldman nominated for the office of "Permanent Secretary of the Senate," Mr. John J. McCarthy.

Mr. Contillo seconded the nomination.

Mr. Orechio called for other nominations. Hearing none, he called for the vote on the nomination of John J. McCarthy for the office of "Permanent Secretary" of the Senate. The vote was as follows:

33 Yeas                      0 Nays

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Hagedorn, Hirkala, Jackman, Laskin, Lesniak, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss—33.

In the negative—None.

Mr. Orechio declared John J. McCarthy duly elected to the office of "Permanent Secretary" of the Senate.

Mr. Orechio administered the oath of office.

## SENATE

### 1985 ORGANIZATIONAL RESOLUTION

#### *Be It Resolved:*

1. That the Secretary of the Senate be directed to inform the General Assembly that the Senate has organized and elected the Honorable Carmen A. Orechio of Essex County, President, and John J. McCarthy of Bergen County, Secretary and has proceeded to business.

2. That the appointment of officers and employees of the Senate by the President, and the payroll for such officers and employees of the Senate be adopted and the Secretary be authorized to authenticate the same as approval officer.

3. That all statements of expenses of the Senate or the Legislature on account of the Senate be referred for approval and forwarded for payment from the State Treasury as heretofore.

4. That the Committee on Ways and Means be authorized to procure the necessary stationery and supplies for the use of members of the Senate.

5. That unless otherwise ordered, the daily sessions of the Senate shall begin on Mondays at 2 p.m. and on Thursdays at 11 a.m.

6. That for the 1985 annual session there be employed for each Senator, legislative aides, to be designated by him at an aggregate salary as may be provided by law, payable in the same manner as all other Senate employees for the legislative year.

7. That the 1985 Legislative Manual be distributed to the Senate on the same basis as for the 1984 session.

8. That the Rules of the 1984 Senate be adopted temporarily as the Rules for the 1985 Senate.

9. That the "Manual for Use in Drafting Legislation for Introduction in the New Jersey Legislature," dated October, 1979, prepared and published by the Division of Legal Services, Office of Legislative Services be adopted as the official manual of practice and procedure of the Senate governing the form of bills to be introduced in the Senate and governing the conduct of the preliminary examination of bills proposed for introduction in the Senate required by the Rules of the Senate.

That in order to carry out the aforementioned practice and procedure, Albert Porroni, Legislative Counsel, and such assistants and deputies as he shall assign be designated as counsel to conduct said preliminary examination of bills proposed for introduction and amendments adopted in the Senate under the general supervision of the Legislative Counsel.

10. That His Excellency the Governor be informed that the Senate has organized for 1985 by the election of the Honorable Carmen A. Orechio of Essex County, as President, and John J. McCarthy of Bergen County, as Secretary, and is now ready to proceed to business and to receive any communications he may forward.

Mr. Speaker: I am directed by the Senate to inform the General Assembly that the Senate has passed the following:

*Be It Resolved* by the Senate of the State of New Jersey (the General Assembly concurring):

1. That at 2 p.m. both Houses of the Legislature meet in joint session for the purpose of receiving the Annual Message of His Excellency, Thomas H. Kean, Governor of the State of New Jersey, which will be delivered in person.

2. That the 1982-1983 Legislative Code of Ethics as set forth in 1982 Senate Concurrent Resolution No. 107 be adopted temporarily as the 1985 Legislative Code of Ethics.

3. That the Secretary of the Senate and the Clerk of the General Assembly be designated request officers for the Legislature as required by law.

4. That the legislative printer shall print and make distribution of bills, resolutions, installments of the Senate Journal and Minutes

of the General Assembly and laws as heretofore and in accordance with the legislative printing contract.

5. That the Legislative Index and the New Jersey Legislative News of 1985 be subscribed to for the use of members of the Legislature, and for such officers of the Senate and General Assembly and other persons designated by the President of the Senate and Speaker of the General Assembly, at a subscription rate established by the President of the Senate and Speaker of the General Assembly.

### CERTIFICATE OF ELECTION

#### THE BOARD OF STATE CANVASSERS

Hereby determines that at a SPECIAL ELECTION held in the said State on the Twenty-Seventh day of December in the year of our Lord one thousand nine hundred and eighty-four

#### C. WILLIAM HAINES

was duly elected to fill a vacancy as a member of the State Senate from the EIGHTH LEGISLATIVE DISTRICT, to represent the State of New Jersey in the TWO HUNDRED FIRST LEGISLATURE.

*In Testimony Whereof*, are hereunto affixed my hand and the Official Seal at Trenton this Fourth day of January A.D., 1985.

JANE BURGIO,  
*Secretary of State.*

### MESSAGE TO THE SENATE

Dated: January 3, 1985.

Mr. President: I am directed by the General Assembly to forward herewith to the Senate the enclosed 40 copies of Assembly Concurrent Resolution No. 77 OCR, entitled "A Concurrent Resolution proposing to amend Article I, paragraph 11 of the Constitution of the State of New Jersey," with the request that they be placed upon the desks of the members of the Senate in open meeting forthwith.

### SENATE RESOLUTION

*Resolved:* 1. That printed copies of Assembly Concurrent Resolution No. 77 OCR, entitled "A Concurrent Resolution proposing to amend Article I, paragraph 11 of the Constitution of the State of New Jersey," be placed upon the desks of the members of the Senate forthwith; and

2. A record of the placing thereof be made in the Senate Journal and the Secretary certify such placing and the date thereof to the Clerk of the General Assembly.

## MESSAGE TO THE GENERAL ASSEMBLY

Mr. Speaker: I am directed by the Senate to inform the General Assembly that a printed copy of Assembly Concurrent Resolution No. 77 OCR, entitled "A Concurrent Resolution proposing to amend Article I, paragraph 11 of the Constitution of the State of New Jersey," has this day been placed upon the desk of each member of the Senate while the same was in open meeting.

## NOTATION FOR SENATE JOURNAL

The Secretary then caused to be placed upon the desk of each member a copy of Assembly Concurrent Resolution No. 77 OCR and the placing thereof is hereby noted in the Journal.

The Secretary recorded the receipt of the following *Absolute Vetos*' from the Governor:

Senate Nos. 1213, 1645, 2466 and Assembly No. 730.

And *Conditional Vetos*:

Senate Nos. 788, 1530 and Assembly No. 889.

STATE OF NEW JERSEY,	}
EXECUTIVE DEPARTMENT,	
January 8, 1985.	

SENATE BILL NO. 1213

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1213 without my signature.

This bill would permit the governing body of a municipality participating in the State Health Benefits Program to pass an ordinance to allow the municipality to assume the entire cost, or a portion of the cost, of health benefit coverage for retired employees, or retired employees and their dependents. Eligible retired employees include individuals with 25 years or more of creditable service in the retirement system who retired on or after January 1, 1984. Eligible retired employees also include individuals who retired on disability.

Current law requires a municipality that decides to provide health benefit coverage to retirees and their dependents to provide total coverage to employees who retired from the date the municipality joined the State Health Benefits Program, and their dependents. Many municipalities are fiscally unable to provide such coverage. Senate Bill No. 1213 will allow a municipality, upon passing an ordinance, to pay all or a portion of health benefit coverage for employees who retired on or after January 1, 1984, or these employees and their dependents. This bill is designed to enable more municipalities to provide some form of health benefit coverage for some retirees or these retirees and their dependents.

Municipalities should have freedom and flexibility in providing health benefit coverage to retirees and their dependents. Senate

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Bill No. 1213, however, does not represent the solution to the problem. This bill contains several critical deficiencies that require that I return it to you without my signature.

Senate Bill No. 1213 does not permanently solve the problem. This bill provides that a municipality that decides to pay all or a portion of health benefit coverage for retirees shall be obligated to do so only for employees who retired on or after January 1, 1984, or these employees and their dependents. In several years, municipalities that wish to provide health benefit coverage for eligible retirees and their dependents will be fiscally unable to pay coverage for eligible employees who retired on or after January 1, 1984. This will result in another bill to accelerate the date on which a municipality's obligation will commence. I cannot accept a bill that represents a stop-gap measure.

I am concerned that Senate Bill No. 1213 will result in the disenfranchisement of some retirees and their dependents who are currently receiving health benefit coverage from their municipal employers. Current law requires a municipality that decides to pay health benefit coverage for eligible retirees and their dependents to provide total coverage for employees who retired from the date the municipality joined the State Health Benefits Program and their dependents. Senate Bill No. 1213 accelerates a municipality's obligation date to January 1, 1984 onward. I am concerned that Senate Bill No. 1213 will allow some municipalities to cease paying health benefit coverage for eligible employees, or eligible employees and their dependents, who retired from the date the municipality joined the State Health Benefits Program through December 31, 1983. I will not allow this to occur.

Senate Bill No. 1213 will cause severe administrative problems. Under current law, a municipality that decides to pay health benefit coverage for its retirees must provide total coverage to all employees who retired from the date the municipality joined the State Health Benefits Program and their dependents. Senate Bill No. 1213 will allow municipalities to provide all or a portion of health benefit coverage and choose whether to provide the coverage to only eligible retirees or to eligible retirees and their dependents. The Division of Pensions advises that allowing each municipality to establish its own formula of coverage will create an administrative nightmare. It will also result in higher premium costs for the remaining State, county and local participants in the State Health Benefits Program.

Accordingly, for the aforementioned reasons, I return Senate Bill No. 1213 to you without my signature.

Respectfully,

/s/ THOMAS H. KEAN,

*Governor.*

[SEAL]

Attest:

/s/ W. CARY EDWARDS,

*Chief Counsel to the Governor.*

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 8, 1985. }

SENATE BILL No. 1645 (OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1645 (OCR) without my signature.

This bill would establish a one-year matching fund program to provide students at the undergraduate and graduate levels with internship work experience in county government. The bill would appropriate \$93,750.00 to the Division of Local Government Services in the Department of Community Affairs, and that money would be made available to the counties on a matching fund basis for this program.

While I favor the concept of this bill, I believe that the type of program it contemplates really should be funded by the counties that wish to set up internship programs.

I also believe that this is the type of appropriation that should be reviewed by the Joint Appropriations Committee to determine whether State funds should be expended for this program.

Accordingly, I herewith return Senate Bill No. 1645 (OCR) without my signature.

Respectfully,  
/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 8, 1985. }

SENATE BILL No. 2466

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2466 without my signature.

Senate Bill No. 2466 would allow shopping on any Sunday during the month of December preceding December 25th in any county where Sunday sales are prohibited and where there is located within the county a city of the first class where Sunday shopping is allowed. The effect of this bill is to allow Sunday shopping during the month of December until December 25th in the County of Hudson.

On September 13, 1984, I returned a similar bill, Assembly Bill No. 2297, to the General Assembly without my signature. This bill

TUESDAY, JANUARY 8, 1985

would have allowed Sunday shopping in the shopping mall proposed for the Newport City project to be located in Jersey City, Hudson County. I returned Assembly Bill No. 2297 to the General Assembly without my signature for two reasons: First, legal counsel advised there were constitutional problems with the bill. Secondly, Assembly Bill No. 2297 circumvented the current law of this State which provides that the issue of whether the Sunday Closing Law shall be retained shall be decided by the eligible voters of the county. By legislatively creating an exception to the Sunday Closing Law, Assembly Bill No. 2297 encroached upon a privilege statutorily granted to the citizens of this State.

The scenario is no different in the instant case. Legal counsel has advised that there are constitutional problems with Senate Bill No. 2466. Additionally, this bill, by allowing shopping on any Sunday during the month of December until December 25th in Hudson County, legislatively creates an exception to the Sunday Closing Law. As such, it does not allow the voters of Hudson County to decide whether there should be Sunday shopping in their county during the month of December until December 25th.

Accordingly, I return Senate Bill No. 2466 to you without my signature.

Respectfully,

/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 8, 1985. }

ASSEMBLY BILL No. 730 ACA (OCR)

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Assembly Bill No. 730 Aca (OCR) without my signature.

This bill establishes a New Jersey Commission on Child Support in, but not of, the Department of Human Services to examine, investigate and study the operation of the State child support system in accordance with the provisions of the "Child Support Enforcement Act," Title IV-D of the Social Security Act.

This bill directs the Commission to examine any and all issues relating to the establishment, collection and enforcement of child and family support obligations in order to determine the extent to which the child support system in New Jersey has been successful in securing financial support and parental involvement for children who are receiving assistance under the program of Aid to Families

with Dependent Children (AFDC) and for non-AFDC children as well.

The Child Support Enforcement Act requires the Governor of each State to appoint a State Commission on Child Support on or before December 1, 1984, as a condition of the State's eligibility for federal payments under Part A or D of Title IV of the Social Security Act.

Assembly Bill No. 730 Aca (OCR) is a well intended legislative effort to comply with the Federal mandate. However, it appears that this bill may actually conflict with the Federal Requirement. Section 15 (a) of P. L. 98-378 clearly states that "the Governor of each State, on or before December 2, 1984, shall . . . appoint (as opposed to the Legislature creating) a State Commission on Child Support."

Assembly Bill No. 730 Aca (OCR) provides for the creation of a State Commission on Child Support, however, it dictates that the Governor shall appoint only eight of the sixteen Commission members. It, therefore, appears that this bill fails to comply with the Federal Law.

In light of the urgency to appoint a State Commission on Child Support created by the federally imposed December 1, 1984 deadline and the untimely passage of this bill, a New Jersey State Commission on Child Support was established on November 27, 1984, as required under the Federal mandate. This Commission shall examine, investigate, and study the operation of the State's child support system for the primary purpose of determining the extent to which the system has been successful in securing support and parental involvement both for children who are eligible for aid under a State plan approved under Part A of Title IV of such Act and for children who are not eligible for such aid, giving particular attention to such specific problems as visitation, the establishment of appropriate objective standards for support, the enforcement of interstate obligations, the availability, cost, and effectiveness of services both to children who are eligible for such aid and to children who are not, and the need for additional State or federal legislation to obtain support for all children.

The recent creation of a New Jersey State Commission on Child Support renders Assembly Bill No. 730 Aca (OCR) unnecessary legislation.

I respect the sponsor's zeal and conviction in obtaining passage of this well-intentioned legislation concerning child support enforcement, but nonetheless must return it without my signature.

Respectfully,

/s/ THOMAS H. KEAN,

Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 8, 1985. }

## SENATE BILL NO. 788 (4TH OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I am returning Senate Bill No. 788 (4th OCR) with my objections, for reconsideration.

The purpose of this bill is to supplement N. J. S. A. 53:1-2 to provide that a user fee shall be established for processing of criminal history record background checks through the files of the State Bureau of Identification in noncriminal matters and to set a fee for processing a federal criminal records check.

This bill is drastically needed as it will enable the State Police to restore an important service to the public. There appear to be a myriad of governmental agencies and private concerns requiring information to effectively administrate their various licensing and employment functions. This fee system will underwrite the cost to the Division of State Police allowing them to implement and maintain the services.

I note that there has been much national and State attention lately focusing on the issue of child abuse in day care centers or by foster parents. This legislation will give New Jersey the means to be able to regulate the child care industry and investigate the background of persons seeking to operate child care centers or become foster parents. As such, I urge the Legislature to reenact this legislation with my recommendations as soon as possible. This legislation is of the highest priority to my Administration.

I first supported legislation such as this in my conditional veto of Senate Bill No. 3031 which I returned to the Legislature on June 20, 1983. Senate Bill No. 3031 required that a prospective foster parent be investigated by the State Police before they are accepted as foster parents. It is essential to the well being of the foster and the adopted children of the State of New Jersey that the State thoroughly examine the background of any potential foster parent. Providing for the unfortunate children of this State is of great concern to this Administration.

I note that several bills have been introduced which would require the State Police to perform noncriminal fingerprint checks. Senate Bill No. 3031, which required the investigation of foster parents has been introduced as Assembly Bill No. 1119, sponsored by Assemblyman Flynn, for the 1984 Legislative Session. Assembly Bill No. 1119 passed the Assembly (73-0) on December 6, 1984, and is presently in Senate Committee. With regard to school bus drivers, the current law makes the fingerprinting of school bus drivers permissive. Senate Bill No. 271 sponsored by Senator Hagedorn, would change this provision to make fingerprint checks of school

bus operators mandatory. Senate Bill No. 271 passed the Senate (36-0) on May 17, 1984 and is presently in the Assembly Education Committee. Senator Hagedorn is sponsoring three other bills which would require fingerprint checks. Senate Bill No. 2038 requires present and prospective employees of county schools of detention to be subject to criminal background and record checks, Senate Bill No. 2038 requires present and prospective employees of county children's shelters to be subject to criminal background and record checks, and Senate Bill No. 2040 requires persons seeking to become licensed child care center owners or operators to be subject to criminal background and record checks. These are just a few of the bills which have been introduced in the Legislature which would require the State Police to perform noncriminal background checks.

While I strongly support the concept behind this bill I must return it to the Legislature for correction. The original bill gave the Superintendent of State Police the discretion to be able to provide this service without charge in circumstances which he deems appropriate. This language gave the Superintendent the flexibility to be able to waive the fee in appropriate circumstances. The amended version of the bill statutorily exempts all persons who require a fingerprint check for positions for which they do not receive a wage or salary for the time and services they provide to an organization or who are considered volunteers. This change creates two problems. First, by statutorily exempting all these classes of people, the sheer volume of these requests could make the collection of the fee the exception rather than the rule. This would totally defeat the purpose of this bill as the fees generated might not be able to cover the costs of the service if there are more nonpaying requests than paying requests. Secondly, it should be understood that the access to FBI Identification Division records can only be achieved through an *approved* State statute (approved by U. S. Attorney General). Individual statutes would have to authorize such a use and be very limited. Furthermore, should eventual approval be obtained, the FBI will not exempt such purposes (volunteers) from their user fee program. As such, the State of New Jersey cannot blanketly exempt volunteers from paying the federal fee for fingerprint or other criminal history background checks.

The Superintendent of the State Police should be able to provide this service on a case by case basis without charge in circumstances which he deems appropriate. These are cases in which volunteers provide a valuable service to the State, and to require those persons to pay the fee might work an injustice upon them. In those cases where the Superintendent exempts the volunteers from paying the fee, the Superintendent should be able to assess the department or agency of State, county or municipal government which is responsible for operating or overseeing that volunteer program the fee to be paid on behalf of the applicants. I believe that foster parents are such a group of people. They provide an invaluable service to the State, and while I firmly believe they should have thorough back-

ground checks, including fingerprint checks, I believe they should be exempt from paying the fee and that the Department of Human Services should be responsible for paying the fingerprint fees for prospective foster parents. I note that there is already an appropriation in the fiscal year 1985 State Budget to the Department of Human Services to pay for fingerprint checks of prospective foster parents. This is such an important issue that I feel that foster parents and members of their families should be specifically exempted in this bill from paying the fingerprint check fee. By having the Department of Human Services pay the fee from appropriated funds, neither the State nor federal fingerprint check operations will be jeopardized.

Another problem with the bill is how the fees are dedicated. The original bill dedicated the fees to be used exclusively for the expenses of the State Bureau of Identification in processing criminal history record background checks submitted in noncriminal matters. This language was broad and gave the State Police the flexibility to use these funds to offset the entire costs of administering this program. The bill as passed provides that monies in the "Criminal History Record Information Fund" shall be dedicated for the use of the State Bureau of Identification and may be used for the following purposes: (1) to fill civilian vacancies in the State Bureau of Identification; (2) to study job classifications in the State Bureau of Identification in order to upgrade the positions of fingerprint operators; (3) to expand the civilian work force at the State Bureau of Identification, if necessary, due to the increase in work created by the increased use of fingerprint and criminal history name search checks in noncriminal matters; and (4) to grant requests pending and approved by the Department of Civil Service as of the effective date of this act for reclassification and reevaluation of civilian employee positions at the State Bureau of Identification. This language restricts the use of the funds in such a way so that the program will not be self sufficient. In order for this program to work, it must be able to pay for itself. As a result, I propose amending the bill back to its original language which will dedicate the fees to be used exclusively for the expenses of the State Bureau of Identification in processing criminal background checks submitted in noncriminal matters. I note that the Legislature equivocated on this issue four times before the bill was finally passed.

As I stated above, this bill is extremely important in order to help protect the safety, health and welfare of the children of our State and insure that noncriminals are granted licenses by various boards and regulated industries in order to protect the public and maintain public confidence in those positions and industries. As such I urge the Legislature to concur with my proposed amendments as soon as possible.

Accordingly, I herewith return Senate Bill No. 778 (4th OCR) for reconsideration and recommend that it be amended as follows:

*Page 2 Section 2, Line 19:* After "fees" INSERT "from the applicants"; after "checks" INSERT "of prospective foster parents or members of their immediate families. In such cases, the Department of Human Services shall be responsible for paying the fees imposed pursuant to subsection a. of this section."

*Page 2, Section 2, Lines 23-25:* DELETE lines 23-24 in their entirety. On line 25 DELETE "volunteers."

*Page 2, Section 2, Line 27:* After "fees" INSERT "from the applicants"; after "which" INSERT "in his sole discretion"

*Page 2, Section 2, Line 28:* After "appropriate" INSERT "if the applicants would not receive a wage or salary for the time and services they provide to an organization or who are considered volunteers"

*Page 2, Section 2, Line 30:* After "." INSERT "In those circumstances where the Superintendent of State Police determines to provide this processing service without the collection of fees to the individual applicants, the Superintendent may assess the fee for providing this service on behalf of the applicants to any department of State, county or municipal government which is responsible for operating or overseeing that volunteer program."

*Page 2, Section 3, Line 7:* After "dedicated" INSERT "exclusively"

*Page 2, Section 3, Line 8:* After "the" INSERT "expenses"

*Page 2, Section 3, Line 8A:* DELETE "use"

*Pages 2 and 3, Section 3, Lines 8B-9G:* On line 8B, after "Identification" DELETE remainder of line; DELETE lines 8C through 9F in their entirety; on line 9G DELETE "Bureau of Identification" and INSERT "in processing criminal history record background checks submitted in noncriminal matters"

Respectfully,

/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 8, 1985. }

SENATE BILL No. 1530 (2ND OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1530 (2nd OCR) with my recommendations for reconsideration.

This bill would establish in the Department of Community Affairs an intergenerational child care matching program under which persons 60 years of age or older could be recruited by county offices on aging to care pro pre-school and latch-key children.

I approve wholeheartedly of the intent of this piece of legislation and commend Senator Costa for her sponsorship of it.

I am concerned that the program be targeted so that it will be well run and safe. Therefore, I recommend that it be run as a demonstration project so that the Department of Community Affairs can choose to allocate the funding to those counties that express a genuine interest and a detailed plan for this program.

Therefore, I herewith return Senate Bill No. 1530 (2nd OCR) and recommend that it be amended as follows:

*Page 1, Title, line 1:* After "Care" insert "Demonstration"

*Page 1, Section 1, line 10:* After "Care" insert "Demonstration"

*Page 1, Section 2, line 6:* After "Care" insert "Demonstration"

*Page 1, Section 2, line 7:* After "suant to" insert "section 28 of"

*Page 2, Section 3, line 1:* After "3." insert "a."

*Page 2, Section 3, line 3:* After "Care" insert "Demonstration"

*Page 2, Section 3, after line 8:* Insert new sections as follows:

"b. Any county office on aging that is interested in participating in the program may submit a proposal to the commissioner. The commissioner shall review the proposals and approve the proposals that best meet the purposes of the demonstration program."

*Page 2, Section 4, lines 5 to 8:* Delete " , according to a formula based on the" on line 5; Delete lines 6 to 7 in their entirety; Delete "not less than \$3,000.00" on line 8 Insert "to fund demonstration programs approved by the department"

Respectfully,

/s/ THOMAS H. KEAN,

Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 8, 1985. }

## ASSEMBLY BILL No. 889

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Assembly Bill No. 889 with my objections and recommendations for amendment.

This bill amends the State education statutes to provide that, upon graduation from high school, each student shall receive a voter registration form and nonpartisan material describing the role of a citizen and the importance of exercising the right to vote. The purpose of this legislation is to register more young voters, who historically tend to have the lowest rates of registration and voting.

While I commend the sponsor for her sincere desire to increase voter registration and awareness of the importance of voting to each graduating high school student, I believe that this legislation does not embody the best method for effectuating the intent of this bill. More specifically, this legislation requires a voter registration drive which is duplicative of other efforts and would therefore fail in its purpose of registering newly enfranchised citizens.

Under current law, county commissioners of registration are required to arrange for and conduct a registration for eligible students in all public and nonpublic high schools in March of each year. School officials are mandated to cooperate with these registration efforts. At these drives, qualified personnel are available to provide information and to answer student questions about registration. This bill would approach these same students approximately three months later and provide them with voter registration forms and other pertinent material without the benefit of personal advice or information. Furthermore, the current statute applies to both public and nonpublic high schools while this legislation applies only to public schools.

I strongly believe that the purpose of this bill, which is a laudable one, could better be effectuated by combining its provisions with the current election law requiring the March voter registration drive in all high schools. Therefore, I am recommending that school officials, in addition to any duties required under current law, shall provide a voter registration form and material describing the role of a citizen and the importance of voting to each eligible pupil in conjunction with the annual voter registration drive conducted in the schools by the county commissioner of registration. I am also suggesting language extending the application of this bill to eligible nonpublic school students.

Therefore, I herewith return Assembly Bill No. 889 and recommend that it be amended as follows:

*Page 1, Section 1, line 1:* After "district" insert "and the appropriate school officials in each nonpublic school".

*Page 1, Section 1, line 3:* After "each" insert "eligible high school".

*Page 1, Section 1, lines 3-4:* After "pupil" delete "upon graduation from high school" and insert "in conjunction with the voter registration drive conducted by each county commissioner of registration pursuant to N. J. S. 19:31-2".

Respectfully,

/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
*Chief Counsel to the Governor.*

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated.

Assembly No. 1304 Aca, Judiciary Committee.

Assembly No. 1337 Aca, Education Committee.

Assembly No. 2046 Aa, Transportation and Communications Committee.

Assembly No. 2377, State Government, Federal and Interstate Relations and Veterans Affairs.

Assembly No. 2714, Transportation and Communications Committee.

Assembly No. 2745 Aca, Judiciary Committee.

Assembly No. 2854, Judiciary Committee.

Assembly No. 2976, Energy and Environment Committee.

Assembly No. 2982 Aca, Revenue, Finance and Appropriations Committee.

Assembly No. 3047, State Government, Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 3057, State Government, Federal and Interstate Relations and Veterans Affairs Committee.

Assembly Joint Resolution No. 41, State Government, Federal and Interstate Relations and Veterans Affairs Committee.

Assembly Joint Resolution No. 76, State Government, Federal and Interstate Relations and Veterans Affairs Committee.

Assembly Concurrent Resolution No. 154, without reference.

Assembly No. 3058, without reference.

Senate No. 991 Aca, without reference.

Senate No. 1221 Aca, without reference.

Senate No. 1694 Aca, without reference.

Senate No. 2518 Aa, without reference.

Assembly Concurrent Resolution No. 154; Assembly No. 3058; Senate Nos. 991 Aca, 1221, Aca, 1694 Aca and 2518 Aa were taken up, read a second time, and ordered to a third reading.

The Senate moved and acted upon three Commemorative, Cere-monial and Memorial Resolutions.

Mr. Russo offered the following motion which was read and adopted:

*Be It Resolved*, That Assembly No. 2430 be transferred from the State Government, Civil Service, Elections, Pensions and Veterans Affairs Committee to the Revenue, Finance and Appropriations Committee.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 2566, by Mr. Feldman, referred to SRF Committee.

Senate No. 2567, by Mr. Dumont, referred to SJU Committee.

Senate No. 2568, by Mr. Van Wagner, referred to SIH Com-mittee.

Senate No. 2569, by Messrs. Hurley, Gagliano, Foran, Connors and Gormley, referred to SEN Committee.

Senate No. 2570, by Mr. Ewing, referred to STC Committee.

Senate No. 2571, by Mr. Feldman, referred to SED Committee.

Senate No. 2572, by Mr. Lynch, referred to SCM Committee.

Senate No. 2573, by Mr. Pallone, referred to SIH Committee.

Senate No. 2574, by Mr. Garibaldi, referred to SJU Committee.

Senate No. 2575, by Mr. Dorsey, referred to SSG Committee.

Senate No. 2576, by Messrs. Foran, Weiss, Dalton and Hage-dorn, referred to SEN Committee.

Senate No. 2577, by Messrs. Foran, Weiss, Dalton and Hage-dorn, referred to SEN Committee.

Senate No. 2578, by Messrs. Garibaldi, DiFrancesco, Connors, Gagliano, Foran, Contillo, Jackman and Feldman, referred to SSG Committee.

Senate No. 2579, by Mr. Van Wagner, referred to SIH Com-mittee.

Senate No. 2580, by Mr. Van Wagner, referred to SIH Com-mittee.

Senate No. 2581, by Mr. Van Wagner, referred to SIH Com-mittee.

Senate No. 2582, by Mr. Van Wagner, referred to SIH Com-mittee.

Senate No. 2583, by Mr. Rand, referred to SED Committee.

Senate No. 2584, by Mr. Pallone, referred to SSG Committee.

Senate No. 2585, by Messrs. Van Wagner and Jackman, referred to SLI Committee.

Senate Joint Resolution No. 54, by Mr. Garibaldi, referred to SSG Committee.

Senate Resolution No. 75, by Messrs. Weiss, Contillo, and Feldman, referred to SWR Committee.

Senate Resolution No. 76, open.

Senate No. 2586, by Messrs. Contillo, Garibaldi, Hirkala, Feldman, Lynch, Van Wagner, Cowan, O'Connor, Cardinale and Hagedorn, SCM Committee.

Senate No. 2587, by Mr. Russo, SJU Committee.

Senate No. 2588, by Mr. Russo, SRF Committee.

Senate No. 2589, by Mr. Pallone, SNR Committee.

Senate No. 2590, by Mr. Lynch, SWR.

Senate No. 2591, by Mr. Orechio, SRF Committee.

Senate No. 2592, by Mr. Orechio, SWR.

Senate No. 2593, by Mr. Orechio, SRF Committee.

Senate No. 2594, by Mr. Orechio, SWR.

Senate No. 2595, by Ms. Brown, Messrs. Foran and Ewing, SED Committee.

Senate No. 2596, by Messrs. Graves, Hirkala, Bubba and Ewing, SIH Committee.

Senate No. 2597, by Messrs. Graves, Hirkala, Ms. Costa, Mr. Dalton, Ms. Lipman, Messrs. Bubba and Ewing, SJU Committee.

Assembly No. 2598, by Mr. Orechio, SWR.

Senate No. 2599, by Messrs. Bassano, DiFrancesco, Gagliano, Cardinale, Bubba, Garibaldi, Pallone, Hurley, Connors, McManimon, Rand, Codey, Dalton, Jackman, Hirkala, O'Connors and Ms. Costa, SLI Committee.

The President announced receipt of and directed the Secretary to read 59 letters from the Governor, nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be Director, Purchase and Property, James J. Rosenberg, of Denville, for the term prescribed by law.

To be a member of the State Council on the Arts, Michelle Mathesius, of Princeton, to succeed herself, for the term prescribed by law.

To be a member of the Advisory Commission on the Status of Women, Barbara A. Marrow, of Lawrenceville, to succeed Dorothy Riley, for the term prescribed by law.

To be a member of the Developmental Disabilities Council, Laura Luhrs, of Woodcliff Lake, to succeed herself, for the term prescribed by law.

To be a member of the Board of Shorthand Reporting, Richard McCormack, of Kenilworth, to succeed himself, for the term prescribed by law.

To be a member of the Hackensack Meadowlands Development Commission, Robert T. Reid, of Kearny, to succeed Richard Milano, for the term prescribed by law.

To be a member of the Motion Picture and Television Development Commission, Michael W. Proscia, of North Bergen, to succeed himself, for the term prescribed by law.

To be a member of the State Council on the Arts, Clement A. Price, of East Orange, to succeed himself, for the term prescribed by law.

To be a member of the Health Care Administration Board, John D. Pogorelec, of Clifton, for the term prescribed by law.

To be a member of the Palisades Interstate Park Commission, Paul C. Petrillo, of Saddle River, to succeed Jon Hanson, for the term prescribed by law.

To be a member of the Interstate Sanitation Commission, Samuel P. Owen, of Metuchen, to succeed himself, for the term prescribed by law.

To be a member of the Commission on Cancer Research, Anna Marie Skalka, Ph.D., of Upper Montclair, to succeed herself, for the term prescribed by law.

To be a member of the Urban Enterprise Zone Authority, Herbert Tate, of Newark, for a term of one year, as prescribed by law.

To be a member of the Radiologic Technology Board of Examiners, Wesley Van Pelt, Ph.D., of Paramus, to succeed himself, for the term prescribed by law.

To be a member of the New Jersey State Commission on the Aging, Thomas Varelli, of Lakewood, to succeed himself, for the term prescribed by law.

To be a member of the Water Supply Advisory Council, Grant F. Walton, of Stockton, for the term prescribed by law.

To be a member of the Developmental Disabilities Council, Philip R. Ziring, of Tenafly, to succeed Nickie Berson, for the term prescribed by law.

To be a member of the Violent Crimes Compensation Board, Kenneth Welch, of Livingston, to succeed himself, for the term prescribed by law.

To be a member of the Hudson County Board of Taxation, William V. Connelly, of Jersey City, for the term prescribed by law.

To be a member of the Burlington County Board of Taxation, Samuel Alloway, of Vincetown, to succeed himself, for the term prescribed by law.

To be a member of the Hudson County Board of Taxation, Edna Calabrese, of Secaucus, for the term prescribed by law.

To be a member of the State Board of Human Services, Marion N. Clark, Ed.D., of Hancock's Bridge, to succeed Chester Whitaker, resigned, for the term prescribed by law.

To be a member of the Public Broadcasting Authority, Robert Comstock, of Ridgewood, to succeed himself, for the term prescribed by law.

To be a member of the Union County Board of Taxation, George W. Crater, of Clark, to succeed John Mecker, resigned, for the term prescribed by law.

To be a member of the Board of Examiners of Electrical Contractors, Thomas D'Ambola, of Nutley, to succeed himself, for the term prescribed by law.

To be a member of the Monmouth County Board of Taxation, Prospero DeBona, of Rumson, to succeed Jack Westlake, for the term prescribed by law.

To be Passaic County Superintendent of Elections, Frederick DeFuria, of Little Falls, to succeed Anthony Pasqueriello, for the term prescribed by law.

To be a member of the Fish and Game Council, Anthony DiGiovanni, of Union, to succeed himself, for the term prescribed by law.

To be a member of the Passaic County Board of Taxation, Vilmo DiPaolo, of Totowa Borough, to succeed Matthew Trella, for the term prescribed by law.

To be a member of the Tourism Advisory Council, Robert N. Dionisio, of Seaside Heights, to succeed himself, for the term prescribed by law.

To be a member of the Burlington County Board of Taxation, Earl Emmons, of Pemberton, to succeed himself, for the term prescribed by law.

To be a member of the Christopher Columbus Quincentennial Observance Commission, Dr. Frank J. Esposito, of Wayside, for the term prescribed by law.

To be a member of the Hackensack Meadowlands Development Commission, Rudolph S. Maurizi, of Weehawken, to succeed Angelo Cifelli, resigned, for the term prescribed by law.

To be a member of the State Advisory Board of Public Movers and Warehousemen, Edwin F. Banfield, of Middletown Township, to succeed himself, for the term prescribed by law.

To be a member of the Developmental Disabilities Council, Beatrice S. Antell, of Millburn, to succeed herself, for the term prescribed by law.

To be a member of the Christopher Columbus Quincentennial Observance Commission, Nicholas J. Amato, of Cherry Hill, for the term prescribed by law.

To be a member of the Palisades Interstate Park Commission, Alfred Sanzari, of Hackensack, to succeed Ugo Lisi, for the term prescribed by law.

To be a member of the Tidelands Resource Council, David F. Moore, of Frenchtown, to succeed himself, for the term prescribed by law.

To be a member of the Radiologic Technology Board of Examiners, Jennie S. Lichtenberger, of Secaucus, to succeed Mary Malone, for the term prescribed by law.

To be a member of the State Council on the Arts, Gerald A. LeBoff, of Teaneck, to succeed himself, for the term prescribed by law.

To be a member of the Board of Examiners of Electrical Contractors, John Q. Larkin, of Florham Park, to succeed himself, for the term prescribed by law.

To be a member of the Developmental Disabilities Council Jane W. Kovara, of Bedminster, to succeed Bernard Koehlin, for the term prescribed by law.

To be a member of the Hudson County Board of Taxation, Janice Juskey, of Jersey City, to succeed Rosalie Dalessandro, for the term prescribed by law.

To be General Services Administrator, James B. Kennedy, of Lakewood, for the term prescribed by law.

To be a member of the Motion Picture and Television Development Commission, Robert E. Jacoby, Jr., of Saddle River, to succeed himself, for the term prescribed by law.

To be a member of the Developmental Disabilities Council, Elizabeth Jackson, of Paterson, to succeed herself, for the term prescribed by law.

To be a member of the Local Finance Board, Stanley D. Iacono, of Weehawken, to succeed Paul Contillo, resigned, for the term prescribed by law.

To be a member of the Port Authority of New York and New Jersey, William K. Hutchinson, of Short Hills, to succeed himself, for the term prescribed by law.

To be a member of the State Council on the Arts, Jerome Hines, of South Orange, to succeed himself, for the term prescribed by law.

To be a member of the State Council on the Arts, Margaret Q. Hager, of Short Hills, to succeed herself, for the term prescribed by law.

To be a member of the Water Supply Authority, Margaret B. Haskin, of Piscataway, to succeed herself, for the term prescribed by law.

To be a member of the Tourism Advisory Council, William Graulich, III, of Livingston, to succeed DeWitt Budd, resigned, for the term prescribed by law.

To be a member of the Local Finance Board, Arthur Gelnaw, of Montvale, to succeed himself, for the term prescribed by law.

To be a member of the Hotel and Multiple Dwelling Health and Safety Board, Myles C. Garvey, of Ocean Grove, to succeed Nicholas Altieri, resigned, for the term prescribed by law.

To be a member of the State Advisory Board of Public Movers and Warehousemen, Louis J. Francis, of Glen Rock, to succeed himself, for the term prescribed by law.

To be a member of the Water Supply Authority, Saul K. Fenster, of River Vale, to succeed himself, for the term prescribed by law.

To be a member of the Board of Public Utilities, Robert Guido, of Paramus, to succeed Edward Hynes, resigned, for the term prescribed by law.

To be a member of the Pinelands Municipal Property Tax Stabilization Commission, Robert A. Depetris, of Chatsworth, for the term prescribed by law.

To be a member of the Hispanic Advisory Commission, Julio Berrios, of Camden, for a term of two years, as prescribed by law.

Senate Nos. 2590, 2592, 2594 and 2598 were taken up, read a second time, and ordered to a third reading.

The Office of Legislative Services has received the following material on behalf of the Senate on the date indicated:

December 14, 1984—N. J. Developmental Disabilities Council (Fiscal Expenditure Report)

December 14, 1984—Department of Human Services (Lifeline Program Report).

December 17, 1984—Department of Commerce (Economic Report to Governor).

December 18, 1984—Department of Transportation (N. J. Transportation Plan).

December 18, 1984—Port Authority of N. Y. and N. J. Board Minutes 12/13/84. (Industrial Development Program: Yonkers Industrial Park).

December 20, 1984—Department of Community Affairs (1984 Annual Report).

December 20, 1984—Department of Environmental Protection (News, Vol. 2, No. 1).

December 24, 1984—Department of Transportation (Office of Freight Services Report).

January 2, 1985—Department of Law and Public Safety, Attorney General's Office (2nd Quarterly Report).

January 3, 1985—Atlantic City Convention Center Authority (Annual Report).

On motion of Mr. Hagedorn, Ms. Costa was added as cosponsor of Senate No. 1805.

On motion of Mr. Graves, Mr. Cowan was added as cosponsor of Senate No. 2118.

On motion of Mr. Van Wagner, Mr. Contillo was added as cosponsor of Senate No. 2478.

On motion of Mr. Gagliano, Mr. Contillo was added as cosponsor of Senate No. 2470.

On motion of Mr. Pallone, Mr. Lesniak was added as cosponsor of Senate No. 2084.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 608 Aca, Revenue, Finance and Appropriations Committee.

Assembly No. 634 Aca, Education Committee.

Assembly No. 635 Aca, Education Committee.

Assembly No. 1548 Aca, Aging Committee.

Assembly No. 1813, State Government, Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 2656 Aca, County and Municipal Government Committee.

Memorandum from Mr. Orechio advised that Senator C. William Haines has been appointed to the following Senate committees:

State Government (to replace Senator James Saxton, resigned).

Natural Resources and Agriculture (to replace Senator Thomas Gagliano).

Mr. Russo offered the following motion which was read and adopted:

*Be It Resolved*, That Senate No. 2334 be transferred from the Senate County and Municipal Government Committee to the Revenue, Finance and Appropriations Committee.

Mr. Russo offered the following resolution:

*Resolved*, That when the Senate adjourns, it be to meet on Thursday morning at 10 o'clock, and that when it then adjourn, it be to meet on Saturday morning at 10 o'clock, and that when it then adjourn it be to meet on Thursday afternoon, January 17, 1985 at 2:45 o'clock.

THURSDAY, January 10, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, January 12, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, January 14, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, January 17, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, January 19, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, January 21, 1985

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

THURSDAY, JANUARY 24, 1985.

At 2 p.m. the Senate met.

The Session was opened with prayer by Rev. Leslie C. Smith, Christ Episcopal Church, Glen Ridge, N. J.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

On the motion of Mr. Russo the reading of the Journal of the previous session was dispensed with.

The Senate moved and acted upon six Commemorative and Memorial Resolutions.

Senate No. 27 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—33.

In the negative were—

Bubba, Connors—2.

Senate No. 140 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Pallone, Rand, Russo, Stockman, Weiss, Zane—35.

In the negative—None.

Senate No. 560 was given third reading.

On the motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Gagliano, Gormley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

The Senate moved and acted upon four Commemorative, Ceremonial and Memorial Resolutions.

Senate No. 561 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Gormley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 562 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Gormley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch,

McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 563 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 950 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Ewing, Foran, Gormley, Hagedorn, Hirkala, Hurley, Jackman, Lesniak, Lynch, McManimon, Orechio (President), Pallone, Russo, Zane—23.

In the negative were—

Bubba, Caufield, Dorsey, Dumont, Feldman, Gagliano, Laskin, O'Connor, Van Wagner—9.

The Senate moved and acted upon five Commemorative, Ceremonial and Memorial Resolutions.

Senate No. 1221 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 1356 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Contillo,

Costa, Cowan, Dalton, DiFrancesco, Dorsey, Feldman, Foran, Gormley, Graves, Hagedorn, Hirkala, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—30.

In the negative were—

Dumont, Haines, Laskin, Lynch—4.

Senate No. 1710 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Gagliano, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Weiss—26.

In the negative were—

Brown, Costa, Ewing, Foran, Lynch, Rand, Zane—7.

On motion of Mr. Gormley, Senate No. 1945 was placed back on second reading for the purpose of amendment.

In the affirmative were—

Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Hagedorn, Haines, Hurley, Laskin—15.

In the negative were—

Bassano, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—24.

This bill was laid over.

Senate No. 1945 was given third reading.

On motion of Mr. Lesniak that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative was—Laskin—1.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate No. 2615 by Mr. Zane, without reference.

Senate No. 2615 was taken up, read a second time, and ordered to a third reading.

Mr. Zane offered the following resolution which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2615 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Senate No. 2615 was given third reading.

On motion of Mr. Zane that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Van Wagner, Weiss, Zane—37.

In the negative—None.

Mr. Hirkala in Chair.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate No. 2616, by Mr. Orechio, without reference.

Senate No. 2616 was taken up, read a second time, and ordered to a third reading.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 89, Transportation and Communications Committee.

Assembly Committee Substitute for Assembly No. 574, Judiciary Committee.

ACS for Assembly No. 1995, Judiciary Committee.

Assembly No. 3120, without reference.

Assembly No. 3120 was taken up, read a second time, and ordered to a third reading.

Mr. Orechio offered the following resolution which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourth of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2616 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—36.

In the negative—None.

On motion of Mr. Orechio pursuant to Rule 124 Assembly No. 3120 be substituted for Senate No. 2660 with which it is identical, and Mr. Orechio be joined as cosponsor of Assembly No. 3120, which was adopted by voice vote.

Assembly No. 3120 was given third reading.

On motion of Mr. Orechio that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 2594 was given third reading.

On motion of Mr. Orechio that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 2225 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Ewing, Foran, Gag-

liano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Van Wagner, Zane—30.

In the negative were—

Dumont, Weiss—2.

Senate No. 2592 was given third reading.

On motion of Mr. Orechio that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, McManimon, O'Connor, Orechio (President), Pallone, Rand, Van Wagner, Weiss, Zane—32.

In the negative—None.

Senate No. 2324 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Feldman, Foran, Gormley, Graves, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—30.

In the negative were—

Bubba, Cardinale, DiFrancesco, Dorsey, Gagliano, Haines, Hurley, Zane—8.

Senate No. 2312 was given third reading.

On motion of Mr. Stockman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner—34.

In the negative were—

Dumont, Zane—2.

Senate No. 2361 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 2445 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Foran, Gormley, Graves, Hagedorn, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—26.

In the negative were—

Brown, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Gagliano, Haines, Hurley, Laskin—11.

Senate No. 2518 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—36.

In the negative was—Laskin—1.

Senate No. 2559 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were—

Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—31.

In the negative were—

Brown, Bubba, DiFrancesco, Dumont, Ewing, Haines—6.

The Senate moved and acted upon five Commemorative, Ceremonial and Memorial Resolutions.

Assembly No. 499 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—38.

In the negative—None.

Mr. Caufield made a motion to suspend the 30 bill limitation rule. Motion adopted by voice vote.

Assembly No. 1386 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Van Wagner, Weiss, Zane—34.

In the negative was—Laskin—1.

Assembly No. 1415 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—39.

In the negative—None.

Senate No. 2316 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman

Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 1447 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 1659 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Caufield, Codey, Cowan, Dorsey, Dumont, Feldman, Foran, Gagliano, Gormley, Hagedorn, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Stockman, Van Wagner, Zane—24.

In the negative were—

Bubba, Cardinale, Connors, Contillo, Costa, Dalton, DiFrancesco, Haines, Laskin, Rand—10.

Assembly No. 1775 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

On motion of Mr. Jackman, Assembly Concurrent Resolution No. 154 was taken up and adopted by voice vote.

Senate No. 571 with Governor's recommendations was given second reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 788, with Governor's recommendations, was given second reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 1306, with Governor's recommendations, was given second reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative was—Laskin—1.

Senate No. 1530, with Governor's recommendations, was given second reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate Nos. 571, 788, 1306 and 1530 were taken up, read a second time, and ordered to a third reading.

On motion of Mr. Bassano Assembly No. 332 OCR was placed back on second reading for the purpose of amendment.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Van Wagner, Weiss, Zane—33.

In the negative—None.

Assembly No. 332 was taken up, read a second time, and ordered to a third reading.

On motion of Mr. McManimon Senate No. 413 was placed back on second reading for the purpose of amendment.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 413 was taken up, read a second time, and ordered to a third reading.

Senate No. 1902 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Hagedorn, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

Senate No. 2371 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gormley, Hagedorn, Haines, Hirkala,

Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—31.

In the negative—None.

Senate No. 991 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Zane—36.

In the negative—None.

Senate No. 1305 was given third reading.

On motion of Mr. Zane that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—35.

In the negative—None.

Senate No. 1364 was given third reading.

On motion of Mr. Ewing that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 1390 was given third reading.

On motion of Mr. Foran that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

On motion of Mr. Lynch pursuant to Rule 119 Assembly No. 300 be substituted for Senate No. 1686 with which it is identical, and that Mr. Lynch be joined as cosponsor of Assembly No. 300. Which was adopted by voice vote.

Assembly No. 300 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 1694 was given third reading.

On the motion of Mr. Van Wagner that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 1854 was given third reading.

On motion of Mr. Cardinale that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 2042 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont,

Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

On motion of Mr. Hurley pursuant to Rule 119 Assembly No. 952 be substituted for Senate No. 2142 with which it is identical, and that Mr. Hurley be joined as cosponsor of Assembly No. 952 which was adopted by voice vote.

Assembly 952 was given third reading.

On motion of Mr. Hurley that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 2199 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative was—Laskin—1.

Senate No. 2213 was given third reading.

On motion of Mr. Gormley that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 2278 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Gribaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—36.

In the negative—None.

Senate No. 2443 was given third reading.

On motion of Mr. Gagliano that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—36.

In the negative—None.

Mr. Russo made a motion to waive Rule 106-B. Motion was adopted by voice vote.

Senate No. 2590 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

On motion of Mr. McManimon, Senate Concurrent Resolution No. 131 was taken up and adopted by voice vote.

The President announced receipt of and directed the Secretary to read 39 letters from the Governor, nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be a member of the Civil Service Commission, Philip Matlucci, of Cape May Court House, to succeed himself, for the term prescribed by law.

To be a member of the Cemetery Board, Irwin Shipper, of New Brunswick, to succeed himself, for the term prescribed by law.

To be a member of the Cemetery Board, Rabbi Yakov Dombroff, of Elizabeth, to succeed Sharon Harrington, for the term prescribed by law.

To be a member of the Historical Commission, Frances D. Pigeon, of Mendham, to replace John Cunningham, for the term prescribed by law.

To be a member of the Bergen County Board of Taxation, Berek P. Don, of Fort Lee, to succeed Jerome Yesko, for the term prescribed by law.

To be a member of the Advisory Council on Solid Waste Management, Steven Pollock, of Toms River, to succeed himself, for the term prescribed by law.

To be a member of the Drug Abuse Advisory Council, Thomas Cooke, Jr., of East Orange, for a term of one year.

To be a member of the Drug Abuse Advisory Council, Geraldine Silverman, of Short Hills, for a term of one year.

To be a member of the Drug Abuse Advisory Council, Michael Festa, of Verona, for a term of one year.

To be a member of the Drug Abuse Advisory Council, Daniel Greenfield, M.D., of Short Hills, for a term of three years.

To be a member of the Drug Abuse Advisory Council, Mary A. Mulholland, of Morristown, for a term of three years.

To be a member of the Drug Abuse Advisory Council, Anne McGee Groome, of Convent Station, for a term of three years.

To be a member of the Drug Abuse Advisory Council, Arthur S. McLellan, M.D., of New Vernon, for a term of three years.

To be a member of the Drug Abuse Advisory Council, John H. Stamler, of Scotch Plains, for a term of two years.

To be a member of the Drug Abuse Advisory Council, Mark Gold, M. D., of Short Hills, for a term of two years.

To be a member of the Drug Abuse Advisory Council, Joseph W. Walsh, of Chester, for a term of three years.

To be a member of the Drug Abuse Advisory Council, John Brooks, of Pleasantville, for a term of two years.

To be a member of the Drug Abuse Advisory Council, Joseph Guadagnino, of North Brunswick, for a term of three years.

To be a member of the Drug Abuse Advisory Council Carolann Kane, of Bay Head, for a term of one year.

To be a member of the Drug Abuse Advisory Council, Dr. Miller Newton, of Hackensack, for a term of two years.

To be a member of the Drug Abuse Advisory Council, David I. Canavan, M.D., of Lawrenceville, for a term of two years.

To be Commissioner, Department of Insurance, Hazel Frank Gluck, of Lakewood, to succeed, Kenneth D. Merin, resigned, for the term prescribed by law.

To be a member of the Mosquito Control Commission, Leonard Spiegel, of West Long Branch, to succeed himself, for the term prescribed by law.

To be a member of the State Board of Shorthand Reporters, Carl Fleming of Woodbridge, to succeed Abe Rosensweig, for the term prescribed by law.

To be Brigadier General of New Jersey Air National Guard, Colonel Harold C. Morgan, of Brick Township, for the term prescribed by law.

To be Director, Division of Coastal Resources, John R. Weingart, of Stockton, for the term prescribed by law.

To be a member of the State Library, Archives and History Advisory Council, Judith Nudelman, of Livingston, to succeed Betty Torricelli, for the term prescribed by law.

To be a member of the Water Supply Authority, George M. Haskew, of Hillsdale, to succeed Col. James G. Ton, resigned, for the term prescribed by law.

To be member of the Economic Development Authority, Nancy Becker, of Princeton, to succeed David Kotok, resigned, for the term prescribed by law.

To be a member of the Water Supply Authority, Bruce Coe, of Rumson, to succeed Richard Sellars, resigned, for the term prescribed by law.

To be a member of the Advisory Council on Solid Waste Management, James Anderson, of Brant Beach, to succeed himself, for the term prescribed by law.

To be a member of the Advisory Council on Solid Waste Management, Richard Dovey, of Sweetwater, to succeed David Nalvin, for the term prescribed by law.

To be a member of the Advisory Council on Solid Waste Management, James R. Smith, of Delaware, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Edgar R. Holmes, of Cape May Court House, for the term prescribed by law.

To be an Administrative Law Judge, Edith Klinger, of Englewood, for the term prescribed by law.

To be a Workers' Compensation Judge, Judith H. Wizmur, of Mount Laurel, for the term prescribed by law.

To be a Judge of the Tax Court, Marvin N. Rimm, of Margate, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Charles A. Little, of Stratford, for the term prescribed by law.

To be a Judge of the Superior Court, John F. Evers, of Wayne, to succeed himself, for the term prescribed by law.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated.

Assembly No. 1515 w/GR, without reference.

Assembly No. 69, Judiciary Committee.

Assembly No. 962 Aca, County and Municipal Government Committee.

Assembly No. 992 Aca Aa Aa, Institutions, Health and Welfare Committee.

Assembly No. 1983, Judiciary Committee.

Assembly No. 2192 Aca Aa, Law, Public Safety and Defense Committee.

Assembly No. 2206 Aa Aa, Education Committee.

Assembly No. 2407 Aca, Labor, Industry and Professions Committee.

Assembly No. 2450 Aca Aa, Labor, Industry and Professions Committee.

Assembly No. 2669 Aa, Judiciary Committee.

Assembly No. 2672, Revenue, Finance and Appropriations Committee.

Assembly No. 3005, Energy and Environment Committee.

Senate No. 1776 Sa Aca, without reference.

Senate No. 204 Sa Aca Aa, without reference.

Senate No. 1835, without reference.

Assembly No. 1465, Labor, Industry and Professions Committee.

Assembly No. 871 Aca, County and Municipal Government Committee.

Assembly No. 2923, Transportation and Communications Committee.

Assembly No. 1515 with Governor's recommendations, Senate Nos. 1776 Sa Aca, 204 Sa Aca Aa and 1835 were taken up, read a second time, and ordered to a third reading.

The following memo was read from Carmen A. Orechio, President of the Senate:

I hereby appoint to be members of the Commission to Review the Disbursement of the State's Revenue from Casino Gambling Michael Reilley, 50 Furston Place, Nutley and Thomas Giordano, 83 Franklin Street, Bloomfield to replace Adele Jaworek who is deceased and William Scott who has resigned.

The following memo was read from Carmen A. Orechio, President of the Senate:

Please be advised that today I appointed Senator Donald T. DiFrancesco to the Ethical Standards Committee to replace Senator H. James Saxton who resigned.

Senate President Carmen A. Orechio has made the following appointments:

## DRINKING WATER QUALITY INSTITUTE

Thomas Cawley, 1341 North Ave., Plainfield 07060  
represents Water Purveyors  
term of three years

Dr. Theodore B. Shelton, Agate Road, East Brunswick  
represents the Academic Scientific Community  
term of two years

Dr. John D. Bogdan, 435 Jone Street, South Plainfield  
represents the public  
term of one year

Mr. Russo offered the following motion which was read and adopted:

*Be It Resolved* That Senate Bill No. 2349 be referred to the Revenue, Finance and Appropriations Committee.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly Committee Substitute for Assembly Nos. 165, 264, 587, 2144 and 2243, Revenue, Finance and Appropriations Committee.

Assembly No. 949, Energy and Environment Committee.

Assembly No. 1444, State Government, Federal and Interstate Relations and Veterans Affairs Committee.

Assembly Committee Substitute for Assembly Nos. 1829, 872 and 873 Aca, without reference.

Assembly No. 2592, County and Municipal Government Committee.

Assembly No. 3114, Education Committee.

Assembly Joint Resolution No. 78, without reference.

Assembly Committee Substitute for Assembly Nos. 1829, 872, 873 Aca and Assembly Joint Resolution No. 78 were taken up, read a second time, and ordered to a third reading.

Mr. Russo offered the following motion which was read and adopted:

*Be It Resolved*, That Assembly No. 3058 be referred to the State Government, Federal and Interstate Relations and Veterans Affairs Committee.

Mr. Russo offered the following motion which was read and adopted:

*Be It Resolved*, That Assembly No. 837 Sca, be referred to the Revenue, Finance and Appropriations Committee.

Mr. Russo offered the following motion which was read and adopted:

*Be It Resolved*, That Assembly No. 836 be referred to the Revenue, Finance and Appropriations Committee.

Mr. Russo offered the following motion which was read and adopted:

*Be It Resolved*, That Senate No. 2531 be transferred from the Revenue, Finance and Appropriations Committee to the Energy and Environment Committee.

Mr. Russo offered the following motion which was read and adopted:

*Be It Resolved*, That pursuant to Senate Rule 88, Senate Nos. 2455 and 2478 be referred to the Revenue, Finance and Appropriations Committee.

Mr. Russo offered the following motion which was read and adopted:

*Be It Resolved*, That Senate No. 1388 be referred to the Revenue, Finance and Appropriations Committee.

Mr. Russo offered the following motion which was read and adopted:

*Be It Resolved*, That Senate No. 2529 be transferred from the Revenue, Finance and Appropriations Committee to the Energy and Environment Committee.

Mr. Russo offered the following motion which was read and adopted:

*Be It Resolved*, That Senate No. 294 be referred to the Revenue, Finance and Appropriations Committee.

Mr. Russo offered the following motion which was read and adopted:

*Be It Resolved*, That Senate No. 2378 be referred to the Revenue, Finance and Appropriations Committee.

Mr. Russo offered the following motion which was read and adopted:

*Be It Resolved*, That Senate No. 875 be transferred from the Institutions, Health and Welfare Committee to the Senate Judiciary Committee.

Mr. Russo offered the following motion which was read and adopted:

*Be It Resolved*, That Senate No. 2410 be referred to the Revenue, Finance and Appropriations Committee.

Mr. Russo offered the following motion which was read and adopted:

*Be It Resolved*, That Senate No. 1822 be referred to the Revenue, Finance and Appropriations Committee.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 2598, by Mr. Orechio, without reference.

Senate No. 2600, by Mr. Graves, Law, Public Safety and Defense Committee.

Senate No. 2601, by Mr. Pallone, Labor, Industry and Professions Committee.

Senate No. 2602, by Mr. Rand, County and Municipal Government Committee.

Senate No. 2603, by Mr. Feldman, Education Committee.

Senate No. 2604, by Mr. Garibaldi, Energy and Environment Committee.

Senate No. 2605, by Mr. Van Wagner, Aging Committee.

Senate No. 2606, by Messrs. Garibaldi and Connors, Law, Public Safety and Defense Committee.

Senate No. 2607, by Messrs. Connors, Hagedorn, Bubba and Garibaldi, Revenue, Finance and Appropriations Committee.

Senate No. 2608, by Mr. Haines, Natural Resources and Agriculture Committee.

Senate No. 2609, by Mr. Jackman, Labor, Industry and Professions Committee.

Senate No. 2610, by Ms. Lipman and Mr. Rand, Transportation and Communications Committee.

Senate No. 2611, by Mr. Bassano, Judiciary Committee.

Senate No. 2612, by Mr. Lynch, County and Municipal Government Committee.

Senate No. 2613, by Ms. Lipman, Revenue, Finance and Appropriations Committee.

Senate Concurrent Resolution No. 132, by Messrs. Bassano, Hirkala, McManimon and Hagedorn, Institutions, Health and Welfare Committee.

Senate No. 2614, by Mr. Russo, Institutions, Health and Welfare Committee.

Senate No. 2615, by Mr. Zane, without reference.

Senate No. 2616, by Messrs. Orechio, Russo, Gagliano and DiFrancesco, without reference.

Senate No. 2617, by Messrs. Lesniak and Graves, without reference.

Senate No. 2618, by Mr. Orechio, Law, Public Safety and Defense Committee.

Senate No. 2619, by Messrs. Hurley, Rand, Zane, Foran and Russo, Revenue, Finance and Appropriations Committee.

Senate No. 2620, by Messrs. Cowan and O'Connor, State Government, Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2621, by Messrs. O'Connor and Cowan, County and Municipal Government Committee.

Senate No. 2622, by Messrs. O'Connor and Cowan, Labor, Industry and Professions Committee.

Senate No. 2623, by Mr. Jackman, without reference.

Senate No. 2624, by Messrs. Stockman, Van Wagner, Codey, Lesniak, Jackman, Lynch, Ms. Brown, Messrs. Foran, Feldman, Dumont, Gagliano, Caufield and McManimon, Revenue, Finance and Appropriations Committee.

Senate No. 2625, by Mr. Stockman, Institutions, Health and Welfare Committee.

Senate No. 2626, by Mr. Stockman, Institutions, Health and Welfare Committee.

Senate No. 2627, by Mr. Russo, Energy and Environment Committee.

Senate No. 2628, by Mr. Russo, Labor, Industry and Professions Committee.

Senate No. 2629, by Mr. Russo, State Government, Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2630, by Messrs. Garibaldi and Jackman, County and Municipal Government Committee.

Senate No. 2631, by Messrs. Cowan and O'Connor, County and Municipal Government Committee.

Senate No. 2632, by Messrs. Stockman and Lynch, County and Municipal Government Committee.

Senate No. 2633, by Messrs. Cowan and O'Connor, Energy and Environment Committee.

Senate Resolution No. 76, by Messrs. O'Connor, Lynch, Codey, Graves and Cowan, State Government, Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2634, by Messrs. Costa and Russo, Aging Committee.

Senate No. 2635, by Mr. Orechio, State Government, Federal and Interstate Relations and Veterans Affairs Committee.

Senate Joint Resolution No. 55, by Mr. Pallone, without reference.

Senate Nos. 2623, 2617 and Senate Joint Resolution No. 55 were taken up, read a second time, and ordered to a third reading.

On motion of Mr. Bubba, Senate No. 104 was withdrawn from the files.

On motion of Mr. Russo, Senate No. 1133 was withdrawn from the files.

On motion of Mr. Garibaldi, Mr. Dumont was added as cosponsor of Senate No. 2606.

On motion of Mr. Graves, Mr. McManimon was added as cosponsor of Senate No. 2596.

On motion of Mr. Dalton, Mr. Garibaldi was added as cosponsor of Senate No. 2066.

On motion of Mr. Gagliano, Messrs. McManimon and Haines were added as cosponsors of Senate No. 2065.

On motion of Mr. Codey, Mr. Bubba was added as cosponsor of Senate No. 77.

On motion of Mr. O'Connor, Mr. Cowan was added as cosponsor of Senate No. 235.

On motion of Ms. Lipman, Mr Russo was added as cosponsor of Senate No. 560.

On motion of Ms. Lipman, Mr. Russo was added as cosponsor of Senate No. 561.

On motion of Ms. Lipman, Mr. Russo was added as cosponsor of Senate No. 562.

On motion of Ms. Lipman, Mr. Russo was added as cosponsor of Senate No. 563.

On motion of Ms. Brown, Mr. Graves was added as cosponsor of Senate No. 1526.

On motion of Mr. Pallone, Mr. Lesniak was added as cosponsor of Senate No. 2084.

On motion of Mr. Gagliano, Mr. Pallone was added as cosponsor of Senate No. 2209.

On motion of Mr. Stockman, Mr. Lesniak was added as cosponsor of Senate No. 2258.

On motion of Mr. Garibaldi, Mr. Stockman was added as cosponsor of Senate No. 2455.

On motion of Mr. Van Wagner, Mr. Stockman was added as cosponsor of Senate No. 2478.

On motion of Mr. Weiss, Messrs. Rand and Lynch were added as cosponsors of Senate No. 2481.

On motion of Mr. Foran, Mr. Rand was added as cosponsor of Senate No. 2559.

On motion of Mr. Van Wagner, Mr. Stockman was added as cosponsor of Senate No. 2561.

On motion of Mr. Weiss, Mr. Cowan was added as cosponsor of Senate No. 37.

On motion of Mr. Contillo, Mr. Orechio was added as cosponsor of Senate No. 2586.

The Senate moved and acted upon 16 Commemorative, Ceremonial and Memorial Resolutions.

Mr. Russo offered the following resolution which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet on Thursday morning at 10 o'clock, and that when it then adjourn, it be to meet on Saturday morning at 10 o'clock, and that when it then adjourn it be to meet on Monday afternoon at 12 noon January 28, 1985.

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SATURDAY, January 26, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, January 28, 1985.

At 2 p.m. the Senate met.

The session was opened with prayer by Rabbi Morris Werb.

Upon calling the roll the following Senators answered the call and the President declared a quorum present.

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—33.

On motion of Mr. Russo the reading of the Journal of the previous session was dispensed with.

President Orechio ordered a recess so that Senate members could go to a Joint Session to hear the Governor's Budget Message.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated.

Assembly No. 3004, without reference.

Senate No. 2590 is being returned as requested.

Assembly No. 3004 was taken up, read a second time, and ordered to a third reading.

The Secretary read a communication from the Governor who has given Absolute Veto to the following bills:

Senate No. 1767, SCS for Senate Nos. 2084 and 2089, Assembly No. 2980 and Assembly Joint Resolution No. 66.

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT,  
January 28, 1985. }

SENATE BILL No. 1767

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Senate No. 1767 without my signature.

This bill would require that every construction contract entered into by a local contracting unit contain a provision that would allow the local contracting unit to compensate a contractor for any extra work caused by subsurface or latent physical conditions that differ materially from those shown on the plans, specifications or contract documents.

To effectuate the purposes of this act, this bill establishes a system by which the contractor can make claims of the local contracting

unit. If the governing body finds that the actual conditions differ from those shown on the plans, and will increase the cost of performance, the contract price may be adjusted.

The problems that arise when a contractor is faced with such unforeseen underground conditions are serious and in need of remedy. I have no doubt that this bill represents a good faith attempt to establish some reasonable procedures for dealing with change orders that arise from faulty specifications on site conditions.

This change order problem, however, is not confined solely to construction contracts; unfortunately, it extends into many other areas of public procurement law. On August 28, 1984, I signed Executive Order No. 80, establishing the Executive Study Commission on Public Procurement Law. This Commission will be investigating the problems with public procurement procedures and will make recommendations in this area. The Commission will also study all proposed legislation before the Legislature concerning public procurement law.

Furthermore, this bill represents a significant departure from the content and tenor of the Local Public Contracts Law. This bill would mandate the inclusion of specific change-order language into every construction contract entered into by a local contracting unit. No such specific contractual language is required by any provision of the Local Public Contracts Law; rather, the act merely outlines procedures to encourage free, open and competitive bidding. To the extent that this bill requires inclusion of such specific contractual language, it departs from the current Local Public Contracts Law.

While I acknowledge the need to establish some procedures for dealing specifically with change orders arising from faulty specifications on site conditions, I believe that the area of public procurement law in New Jersey must be approached in a comprehensive manner if we are to establish the degree of uniformity and centrality necessary to promote efficiency and protect against abuses in this area. I, therefore, feel compelled to await the findings of the Public Procurement Study Commission before acting on this problem.

Accordingly, I herewith return Senate No. 1767 without my signature.

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,  
Chief Counsel.

MONDAY, JANUARY 28, 1985

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STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT,  
January 28, 1985. }

SENATE BILL NOS. 2084 AND 2089 SCS

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Senate Nos. 2084 and 2089 SCS without my signature.

This bill would appropriate \$9,685,000 in supplemental aid to municipalities under the Safe and Clean Neighborhoods Program.

I am fully supportive of the purposes of the Safe and Clean Neighborhoods Program. Indeed, as a member of the Assembly, I was the sponsor of the original legislation in this area.

I am about to deliver my Budget Message to the Legislature, and it will contain my recommendations for the State Budget Year 1986. I intend a major initiative in the 1986 Budget on increased aid for additional local police and the equipment they require. I believe that it is best for the Legislature and, in particular, the Joint Appropriations Committee to consider the new program in this area that I shall be proposing in my Budget.

Therefore, I do not believe that it would be appropriate for me to approve of this piece of legislation, although my commitment to safe and clean neighborhoods, as demonstrated by my record in this area, is well-known.

Accordingly, I herewith return Senate Nos. 2084 and 2089 SCS without my signature.

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,  
Chief Counsel.

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT,  
January 28, 1985. }

ASSEMBLY BILL NO. 2980

*To the General Assembly:*

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Assembly No. 2980 without my signature.

This bill would provide that each municipality receiving State aid from the Municipal Purposes Tax Assistance Fund in local budget year 1984 would receive at least that amount in local budget year 1985. Certain exceptions to this hold-harmless provision would concern whether the municipality is considered a qualifying or a participating municipality, as those terms are defined in the applicable statute.

This bill has the effect of changing a statutorily prescribed allocation formula by holding harmless in 1985 at the 1984 level the amount of aid most municipalities that qualify would receive from the Municipal Purposes Tax Assistance Fund. I do not favor changing this allocation formula in such an indirect fashion. I am also opposed to the section of this bill that mandates reliance on General Fund revenues to accomplish the hold-harmless provision of the bill, should that become necessary by there not being enough monies in the Municipal Purposes Tax Assistance Fund to provide aid in 1985 at the 1984 level.

I shall be submitting my Budget Message to the Legislature today for the 1986 budget year. This Message contains my recommendation for the funding level of the Municipal Purposes Tax Assistance Fund program for this year.

I believe that it would be best to permit the normal budgetary process to go forward, with the traditional review by the Legislature's Joint Appropriations Committee of this and other significant items in the State budget.

Accordingly, I herewith return Assembly No. 2980 without my signature.

Respectfully,

/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel.

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT,  
January 28, 1985. }

ASSEMBLY JOINT RESOLUTION No. 66

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Assembly Joint Resolution No. 66 without my signature.

Assembly Joint Resolution No. 66 would memorialize Congress to reallocate \$5 million in federal block grant monies, which are currently available to the State of New Jersey, for emergency relief to Ethiopia. Although I recognize that the country of Ethiopia is currently enduring one of the worst human disasters in Africa's modern history, I cannot sign this resolution for reasons that I shall outline in detail below.

At the outset let me say that I believe the provision of governmental aid to Ethiopia is a matter of foreign relations and thus the proper purview of the federal government, not a state, under the United States Constitution.

It is also my belief that by signing this bill I would be advocating an illegal circumvention of the New Jersey Constitution. Article VIII, Section III, Paragraph 3 of the State Constitution provides

that "No donation of land or appropriation of money shall be made by the State . . . for use of any society, association or corporation whatsoever." I believe that this bill is indirectly trying to appropriate State monies for a non-State purpose, in violation of the aforementioned article.

Another reservation I have about signing this bill stems directly from the resolution's suggestion that the reallocated funds shall be derived from the federal block grants made available to the State by the federal government. For fiscal year 1985, approximately \$169 million in federal block grant monies have been allocated for the State of New Jersey. These funds are made available for several very important programs, including, among others, the Maternal and Child Health Block Grant and the Low Income Energy Assistance Block Grant.

The various State departments that depend on this money have already drawn up their budget requests based upon the availability of these funds. Consequently, any reallocation of funds could severely disrupt and possibly terminate some of these very necessary programs that directly benefit residents of New Jersey.

Thus, in an attempt to address the Ethiopian hunger crisis the Legislature may be jeopardizing assistance for the poor in New Jersey. The federal block grant money goes for a variety of programs, many of which are designed to assist the disadvantaged here in New Jersey. As Governor, my first obligation is to the citizens of this State. While the Legislature apparently intends to make up the loss of \$5 million in block grant monies by a State appropriation, this will only help convince the federal government that New Jersey can get by with \$5 million less. As a result, the State is likely to lose block grant monies in future years.

We also cannot ignore the fact that New Jersey is a deficit State in that its citizens pay more to the federal government by way of federal taxes than the State receives in federal aid. This resolution would exacerbate this situation.

Finally, we have no assurance that enactment of this resolution will in fact result in \$5 million of additional United States aid going to Ethiopia. First, federal officials are likely to object to State intrusion into foreign affairs through manipulation of the block grant program and may decline to send the \$5 million of New Jersey block grant money to Ethiopia. Secondly, even if the federal government acted pursuant to the resolution, Ethiopia still may not receive \$5 million in *additional* aid. Rather, federal officials may merely deduct \$5 million from the sum they would otherwise send. The result would be New Jersey losing \$5 million with Ethiopia receiving the same amount it would have gotten anyway. The amount of United States aid which Ethiopia receives, I believe, will result from policies and principals which the federal administration applies to its foreign aid programs and which we, as a State, cannot influence in this way.

For these reasons, I must conclude that the provision of aid to Ethiopia is not an area of State power but, for us in New Jersey, an area of individual humanitarian giving. Religious and other philanthropic organizations in this State are actively seeking voluntary contributions for relief to Ethiopia. As a result, numerous avenues are available to the citizens of this State who wish to contribute to the relief effort and I heartily support these private contributions to alleviate the appalling suffering in Ethiopia.

In closing, I would like to commend the sponsor of this resolution for his dedication to ending the tragic circumstances in Ethiopia. I urge him to continue his efforts and to work closely with the members of the New Jersey Congressional Delegation who are currently proposing federal legislation to provide federal dollars in relief aid for the victims of the African famine.

Accordingly, I herewith return Assembly Joint Resolution No. 66 without my approval.

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Governor.

Attest:

/s/ W. CARY EDWARDS,

Chief Counsel.

The Secretary read a communication from the Governor who has conditionally vetoed Senate No. 1327 (2nd OCR) and Assembly No. 1042 (4 SR) OCR. Which communication was given first reading.

STATE OF NEW JERSEY

EXECUTIVE DEPARTMENT.

January 28, 1985.

SENATE BILL No. 1327 (2nd OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1327 (2nd OCR) with my recommendations for reconsideration.

Senate Bill No. 1327 (2nd OCR) would grant a new exception to the statute prohibiting common ownership of more than two alcohol beverage retail licenses. In addition to the current exemptions for restaurants and certain hotels and bowling establishments, licenses for use in premises within the grounds of an international airport would be exempted from the two license rule.

My concern is with the amendatory language adopted by the Senate on May 14, 1984. That language states that these additional airport licenses shall be subject to the approval or disapproval of the municipal board of alcohol beverage control or the governing body of the municipality.

This language is superfluous and subject to misinterpretation. I am advised that all licenses granted at Newark International Airport are subject to the approval or disapproval of the municipality pursuant to C. 33:1-19. Refusal to issue a license at the airport

may be appealed to the Director of the State Division of Alcohol Beverage Control.

The language added by the Senate could be interpreted to mean that up to two licenses commonly owned by an individual or business entity at an airport are not subject to municipal approval or disapproval under C. 33:1-19. In addition, the language could also be interpreted to mean that the municipality has final approval of any licenses issued at an international airport in addition to the two commonly owned licenses without being subject to appeal to the State Division of Alcohol Beverage Control under C. 33:1-22.

I do not believe either of these possible interpretations of this otherwise unnecessary amendment were intended by the Legislature. I am, therefore, recommending deletion of the language added in the Senate on May 14, 1984.

Accordingly, I herewith return Senate Bill No. 1327 (2nd OCR) and recommend that it be amended as follows:

*Page 1, Section 2, Lines 12 to 14B:* Omit "but in the case of an additional license for use in premises" on line 12, omit lines 13 to 14A and omit "approving the license;" on line 14B.

Respectfully,

[SEAL]  
Attest:

/s/ THOMAS H. KEAN,  
Governor.

/s/ W. CARY EDWARDS,  
Chief Counsel.

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT,  
January 28, 1985. }

ASSEMBLY BILL No. 1042 (4 SR) (OCR)

*To the General Assembly:*

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Assembly No. 1042 (4 SR) (OCR) with my recommendations for reconsideration.

Assembly Bill No. 1042 (4 SR) (OCR) prohibits compulsory retirement on account of age in public and private employment. Supreme Court Justices, Tax and Superior Court Judges, State Police officers, State, county or municipal police officers and firemen and certain executives as defined in the bill are exempted. Tenured college and university faculty members are also exempted at the option of the public or private institution of higher education. A public employer may require an employee to retire upon reaching the mandatory retirement age if the employer can show that age bears a manifest relationship to the employment in question or that the employee is no longer able to adequately perform his duties.

I support the concept of eliminating a mandatory retirement age in public and private employment for most positions of employment. Age should not be a factor in assessing job performance.

An individual should be judged by the quality of his performance.

Despite my support for the concept expressed within Assembly Bill No. 1042 (4 SR) (OCR), I must return the bill to you and recommend that it be amended in the following areas:

Section 1 must be amended to delete the provision making age discrimination by a public employer a crime of the fourth degree. Section 1 expands the current law to establish a subjective standard to govern the instances when a public employer may require an employee to retire because of age. A public employer may require an employee to retire upon attaining a certain age if the employer shows that age bears a manifest relationship to the employment in question or that the employee is unable to adequately perform his duties. I am concerned that public employers would be afraid to utilize this provision for fear of criminal prosecution if their application of these standards is mistaken.

As an alternative to a criminal penalty, I recommend that Section 1 be amended to allow an aggrieved employee the civil remedies of reinstatement with back pay and interest.

Consequently, Section 5 must be amended to conform to this change. Section 5 limits an employee's remedies to reinstatement with back pay if he is required to retire in violation of Section 11 of the Law Against Discrimination (C. 10:5-12). I recommend that the additional remedy of interest be added as well.

These additional remedies are necessary to strengthen the bill. Frequently, an employee's back pay award is less than his legal fees. Certainly, an aggrieved employee should not have to suffer monetarily for the exercise of a legal right.

This bill fails to address the effect of a contract of tenure upon a public employer's ability to retire upon a showing that the attainment of a particular age bears a manifest relationship to the employment in question or that an employee is unable to adequately perform his duties. In order to prevent a conflict between a contract of tenure and the bill's provisions, I recommend a provision stating that a contract of tenure shall not be a bar to the retirement of an employee in accordance with the bill.

Section 3 creates an exemption to the Act for an individual who, for two years immediately prior to retirement, is a bona fide executive or occupies a high policy-making position and who will receive an annual retirement allowance of at least \$44,000.00. I am concerned that the terms "bona fide executive" and "high policy-making position" are not adequately defined. I suggest that these terms be defined to conform with the regulations promulgated to implement the federal Age Discrimination in Employment Act. In addition, the retirement allowance threshold of \$44,000.00 should be reduced to \$27,000.00 so that the exemption conforms with a similar provision within the federal Age Discrimination in Employment Act.

Finally, the portion of section 6 making the effective date of the act retroactive to January 1, 1984 for public employees must be deleted. The Division of Pensions advises that this provision will create severe administrative problems. This provision is likely to be the subject of litigation. The Division of Pensions and reinstated public employees will disagree on the issues of total service credit and the amount of annual retirement allowance.

Accordingly, for the aforementioned reasons, I herewith return Assembly Bill No. 1042 (4 SR) (OCR) and recommend that it be amended as follows:

*Page 2, Section 1, Lines 24-26:* Delete "Any violation of this act shall be a crime of the fourth degree and the violator punished accordingly." insert "A contract of tenure or similar arrangement providing for tenure shall not bar a public employer from showing that a retirement age bears a manifest relationship to the employment in question or that the person in the service of the State, or of any county or municipality thereof, is unable to adequately perform his duties. A person in the employ of the State, or of any county or municipality thereof, who is required to retire upon the attainment of a particular age in violation of this section shall be entitled to reinstatement with back pay and interest."

*Page 3, Section 3, Line 33E:* Delete "\$44,000.00" insert "\$27,000.00".

*Page 3, Section 3, After Line 33I:* Insert new paragraph as follows:

"For the purposes of this subsection, a "bona fide executive" is a top level employee who exercises substantial executive authority over a significant number of employees and a large volume of business. A "high policy-making position" is a position in which a person plays a significant role in developing policy and in recommending the implementation thereof."

*Page 10, Section 5, Line 13:* After "pay" insert "and interest".

*Page 10, Section 6, Lines 3-7:* Delete " , except that with respect to employees of the State or any political subdivision thereof and employees of any authority created by the State or any political subdivision thereof, this act shall take effect immediately and be retroactive to January 1, 1984".

Respectfully,

[SEAL]  
Attest:

/s/ THOMAS H. KEAN,  
Governor.

/s/ W. CARY EDWARDS,  
Chief Counsel.

The Office of Legislative Services has received the following material on behalf of the Senate on the date indicated.

1-10-84 N. J. Turnpike Authority (Operating & Capital Construction Budget for FY 1983, 1984, and 1985).

- 1-17-85 Office of the Attorney General (Legislative Agents 3rd Quarterly Report, 9-30-84).
- 1-22-85 Casino Control Commission (Affirmative Action Compliance in the Casino Hotel Industry: 1st, 2nd, and 3rd Quarter Report, 1984).
- 1-23-85 Alcoholic Beverage Control Study Commission (1984 Annual Report, 12-31-84).
- 1-25-85 N. J. Highway Authority (1984 Annual Auditors' Report).
- 1-28-85 State of New Jersey, Washington Office (OMB Budget Recommendations for FY 1986).

Mr. Russo offered the following motion which was read and adopted:

*Be It Resolved*, That Senate No. 2591 be transferred from the Revenue, Finance and Appropriations Committee to the Education Committee.

Mr. Lynch offered the following motion which was read and adopted:

*Be It Resolved*, That Senate No. 2590 be recalled from the General Assembly.

Ms. Lipman offered the following motion for Jack McCarthy which was read and adopted:

*Be It Resolved*, That Senate No. 2541 be withdrawn from the files.

The President announced receipt of and directed the Secretary to read five letters from the Governor, nominating for appointment with the advice and consent of the Senate to the offices indicated the following:

To be a member of the Tourism Advisory Council, Frank Gurney, of Washington Township, to succeed himself, for the term prescribed by law.

To be a member of the Tourism Advisory Council, Harry Gilbert, of Cape May, to succeed himself, for the term prescribed by law.

To be a member of the Tourism Advisory Council, Patric Hyland, of Convent, to succeed Frank Campione, for the term prescribed by law.

To be a member of the Tourism Advisory Council, Cardell Cooper, of East Orange, for the term prescribed by law.

To be a member of the Banking Advisory Board, Kenneth L. Birchby, of Saddle River, to succeed Kenneth Albers, for the term prescribed by law.

The Senate moved and acted upon 11 Commemorative, Ceremonial and Memorial Resolutions.

The County and Municipal Government Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

ACS for Assembly No. 377 Sea.

The Institutions, Health and Welfare Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly No. 2005 Sea, Senate Nos. 2469 Sea, 2130 Sea, 1806 Sea and 487 Sea.

January 28, 1985.

*To:* Richard Codey, *Chairman*

Institutions, Health and Welfare Committee

*From:* Carmen A. Orechio,

*Senate President*

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 2614, notwithstanding the lack of five days' notice.

The Institutions, Health and Welfare Committee reported the following bill favorably without amendment:

Senate No. 2614.

Assembly No. 2005 Sea, Senate Nos. 2614 with waiver, 2469 Sea, 2130 Sea, 1806 Sea and 487 Sea were taken up, read a second time, and ordered to a third reading.

The Senate moved and acted upon one Commemorative, Ceremonial and Memorial Resolution.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated.

Senate No. 2409, Energy and Environment Committee.

Senate No. 2631 Aca, Institutions, Health and Welfare Committee.

Senate No. 3164, State Government, Federal and Interstate Relations and Veterans Affairs Committee.

Assembly Joint Resolution No. 27, Institutions, Health and Welfare Committee.

The Energy and Environment Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly No. 2254, Senate Nos. 2202 Sea, 1993 Sea, 2332 Sea and Assembly No. 1680 Sea.

The County and Municipal Government Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 2538 Sea and Assembly No. 593 OCR/Sea.

The Law, Public Safety and Defense Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 639 Sea.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 2636, by Messrs. Bassano and Connors, Education Committee.

Senate No. 2637, by Messrs. Dorsey, Bubba, Foran, Rand and Pallone, Energy and Environment Committee.

Senate No. 2638, by Messrs. Van Wagner, Gagliano and Pallone, State Government, Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2639, by Mr. Connors, Institutions, Health and Welfare Committee.

Senate No. 2640, by Mr. Gormley, State Government, Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2641, by Mr. DiFrancesco, Labor, Industry and Professions Committee.

Senate No. 2642, by Messrs. Haines, Ewing, Foran, Connors, Zane and Hurley, Natural Resources and Agriculture Committee.

Senate No. 2643, by Mr. Lynch, County and Municipal Government Committee.

Senate No. 2644, by Messrs. Connors, Hagedorn, Bubba, Laskin and Haines, Revenue, Finance and Appropriations Committee.

Senate No. 2645, by Mr. Dalton, Judiciary Committee.

Senate No. 2646, by Mr. Zane, Revenue, Finance and Appropriations Committee.

Senate No. 2647, by Messrs. Connors, Gagliano and Laskin, County and Municipal Government Committee.

Senate No. 2648, by Messrs. Connors, Hagedorn, Bubba and Haines, County and Municipal Government Committee.

Senate No. 2649, by Mr. DiFrancesco, County and Municipal Government Committee.

Senate No. 2650, by Messrs. Garibaldi, Connors, Haines and Bassano, Law, Public Safety and Defense Committee.

Senate No. 2651, by Messrs. Cardinale, Feldman and Hirkala, State Government, Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2652, by Mr. Russo, Judiciary Committee.

Senate No. 2653, by Mr. Dalton, County and Municipal Government Committee.

Senate No. 2654, by Messrs. Dalton and Graves, Energy and Environment Committee.

Senate No. 2655, by Messrs. Dalton and Graves, Energy and Environment Committee.

Senate No. 2656, by Mr. Gormley, Judiciary Committee.

Senate No. 2657, by Ms. Lipman and Mr. Van Wagner, Energy and Environment Committee.

Senate No. 2658, by Ms. Lipman and Mr. Rand, Education Committee.

Senate No. 2659, by Ms. Lipman and Mr. Rand, County and Municipal Government Committee.

Senate No. 2660, by Messrs. Gormley, Codey, Van Wagner and Lynch, State Government, Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2661, by Messrs. Foran, Bassano and Dorsey, Institutions, Health and Welfare Committee.

Senate No. 2662, by Mr. Pallone, Natural Resources and Agriculture Committee.

Senate No. 2663, by Messrs. Hurley and DiFrancesco, Transportation and Communications Committee.

Senate No. 2664, by Messrs. DiFrancesco, Dorsey, Gagliano, Hagedorn and Bassano, Institutions, Health and Welfare Committee.

Senate No. 2665, by Ms. Lipman and Mr. Caufield, Revenue, Finance and Appropriations Committee.

Senate No. 2666, by Messrs. Gormley and Lynch, Law, Public Safety and Defense Committee.

Senate No. 2667, by Mr. Gormley, Revenue, Finance and Appropriations Committee.

Senate No. 2668, by Mr. Rand, Institutions, Health and Welfare Committee.

Senate No. 2669, by Mr. Van Wagner, without reference.

Senate Joint Resolution No. 56, by Mr. Russo, without reference.

Senate No. 2670, by Messrs. Hurley, Cowan, Dalton and DiFrancesco, Energy and Environment Committee.

Senate No. 2671, by Mr. Jackman, without reference.

Senate No. 2672, by Mr. Hirkala, without reference.

Senate No. 2673, by Mr. Pallone, Labor, Industry and Professions Committee.

Senate No. 2669, Senate Joint Resolution No. 56, Senate Nos. 2671 and 2672 were taken up, read a second time, and ordered to a third reading.

The County and Municipal Government Committee reported the following bills favorably without amendment:

Assembly No. 2824, Senate Nos. 2450 and 2586.

January 28, 1985.

*To: Mr. Van Wagner, Chairman*  
County and Municipal Government Committee

*From: Carmen A. Orechio*  
Senate President

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 2344, notwithstanding the lack of five days' notice and that the 15 bill limitation is exceeded.

The County and Municipal Government Committee reported the following bill favorably without amendment.

Senate No. 2344.

The Energy and Environment Committee reported the following bills favorably without amendment:

Senate No. 2273, Assembly No. 1568, Senate Nos. 2577 and 2576.

The Law, Public Safety and Defense Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly No. 547 Sea.

Assembly No. 2254 Sea, Senate Nos. 2577, 2576, 2202 Sea, Assembly No. 1568, Senate Nos. 1993 Sea, 2332 Sea, 2273, Assembly No. 1680 Sea, Senate Nos. 2450, 2586, 2344 with waiver, 2538, Assembly Nos. 2824, 593 Sea and 377 were taken up, read a second time, and ordered to a third reading.

The Law, Public Safety and Defense Committee reported the following bills favorably with amendment and on motion of the Chairman the amendments were adopted:

Senate No. 2484 Sea, Assembly No. 639 Sea, Senate No. 2485 Sea, Assembly No. 640 Sea, Senate No. 2487 Sea, ACS for Assembly No. 546 Aca, Senate No. 2488 Sea and Assembly No. 548 Sea.

The Law, Public Safety and Defense Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 2489 Sea and Assembly No. 864 Aca/Sea.

The Law, Public Safety and Defense Committee reported the following bill favorably without amendment:

Senate No. 2533.

The State Government, Federal and Interstate Relations and Veterans Affairs Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 385 Sea, 222 Sea, 1577 OCR/Sea, 2290 Sea, 2148 Sea, 1955 Sea, 1852 Sea, Assembly Nos. 569 Sea, 1507 Sea/OCR and 775 2nd OCR/Sea.

The State Government, Federal and Interstate Relations and Veterans Affairs Committee reported the following bills favorably without amendment:

Senate No. 2176, Senate Resolution No. 3, Senate No. 514, Assembly No. 618, Senate Committee Substitute for Senate Nos. 1337, 1338, 1339, 1341, 1345 and Assembly No. 105.

The Judiciary Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2375, 2545 Sea and Assembly No. 1382 Sea.

The Judiciary Committee reported the following bills favorably without amendment:

Assembly No. 617, Senate Resolution No. 74, Assembly Nos. 1873, 554, Senate Nos. 2233 and 1670.

The Transportation and Communications Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 2178 Sea.

The Transportation and Communications Committee reported the following bill favorably without amendment:

Senate Bill No. 2120.

The Labor, Industry and Professions Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 2565 Sea, Assembly No. 810 OCR/Sea and Senate Committee Substitute for Assembly No. 1784.

The Labor, Industry and Professions Committee reported the following bills favorably without amendment:

Senate Nos. 2019 and 493.

The Education Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 277 Sea, 1657 Sea, 2418 Sea and 2540 Sea.

The Education Committee reported the following bills favorably without amendment:

Senate No. 2532, Assembly Nos. 2157, 2376 and Assembly Joint Resolution No. 56.

The Revenue, Finance and Appropriations Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2591 Sea, 2413 Sea, 2087 Sea, 2075 Sea, 1644 OCR/Sea, 1991 Sea, Senate Committee Substitute for Senate Nos. 2455, 2478, Assembly Nos. 1828 Acs/Sea, 1831 Acs/Sea, 1997 Sea and 393 OCR/Sea.

The Revenue, Finance and Appropriations Committee reported the following bills favorably without amendment:

Senate Nos. 2396, 2138, Assembly No. 1908 OCR and Senate No. 1927 OCR.

The Education Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly No. 1949 OCR/OCR/Sea.

The Labor, Industry and Professions Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly No. 2793 OCR/OCR/Sea.

Senate Committee Substitute for Senate Nos. 1337, 1338, 1339, 1341, 1345, Assembly Nos. 105, 1507 Sea, 1577 Sea, Senate Resolution No. 3, Senate No. 2290 Sea, Assembly No. 775 Sea, Senate Nos. 2418 Sea, 2176, 1955 Sea, 1852 Sea, 639 Sea, Assembly No. 547 Sea, Senate No. 2484 Sea, Assembly No. 639 Sea, Senate No. 2485 Sea, Assembly No. 640 Sea, Senate No. 2487 Sea, Assembly No. 546 Acs/Sea, Senate No. 2488 Sea, Assembly No. 548 Acs/Sea, Senate Nos. 2489 Sea, 2533, Assembly No. 864 Aca/Sea, Senate Nos. 385 Sea, 222 Sea, Assembly No. 569 Sea, Senate No. 514, Assembly No. 618, Senate No. 2375 Sea, Senate Resolution No. 74, Assembly Nos. 1873, 554, Senate Nos. 2233, 1670, 2545 Sea, Assembly Nos. 617, 1382 Sea, Senate Nos. 2120, 2178 Sea, 2019, 493, 2565 Sea, Assembly Nos. 810 Sea, 1784 Sea, Senate Nos. 277 Sea, 1657 Sea, 2418 Sea, 2532, 2540 Sea, Assembly Nos. 2157, 2376, Assembly Joint Resolution No. 56, Senate No. 2591 Sea, Assembly Nos. 1828 Sea, 1831 Sea, Senate No. 2413 Sea, Assembly No. 1997 Sea, Senate Committee Substitute for Senate No. 2455 Sea, Senate Nos. 2396, 2138, Assembly No. 393 Sea, Senate Nos. 2087 Sea, 2075 Sea, 1644 Sea, Assembly No. 1908, Senate Nos. 1927, 1991 Sea, Senate Committee Substitute for Senate Nos. 2046, 2334 Sea, Assembly Nos. 1949 Sea and 2793 Sea were taken up, read a second time, and ordered to a third reading.

The Judiciary Committee reported the following nominations favorably:

To be a member of the Motion Picture and Television Development Commission, Michael W. Proscia of North Bergen, to succeed himself, for the term prescribed by law.

To be a member of the Radiologic Technology Board of Examiners, Jennie S. Lichtenberg of Secaucus, to succeed Mary Malone, for the term prescribed by law.

To be a member of the Water Supply Authority, Saul K. Fenster of River Vale, to succeed himself, for the term prescribed by law.

To be a member of the Palisades Interstate Park Commission, Paul C. Petrillo of Saddle River, to succeed Jon Hanson, for the term prescribed by law.

To be a member of the Palisades Interstate Park Commission, Alfred Sanzari of Hackensack, to succeed Ugo Lisi, for the term prescribed by law.

To be a member of the Developmental Disabilities Council, Philip R. Ziring of Tenafly, to succeed Nickie Berson, for the term prescribed by law.

To be a member of the Developmental Disabilities Council, Laura Luhrs of Woodcliff Lake, to succeed herself, for the term prescribed by law.

To be a Judge of the Tax Court, John F. Evers of Wayne, to succeed himself, for the term prescribed by law.

To be a Judge of the Tax Court, Marvin N. Rimm of Margate, to succeed himself, for the term prescribed by law.

To be a Workers' Compensation Judge, Judith H. Wizmur of Mount Laurel, for the term prescribed by law.

To be a member of the State Council on the Arts, Michelle Mathesius of Princeton, to succeed herself, for the term prescribed by law.

To be a member of the Health Care Administration Board, John D. Pogorelec of Clifton, for the term prescribed by law.

To be a member of the Tourism Advisory Council, William Graulich, III of Livingston, to succeed DeWitt Budd, resigned, for the term prescribed by law.

To be a member of the Union County Board of Taxation, George W. Crater of Clark, to succeed John Meeker, resigned for the term prescribed by law.

To be a member of the Commission on Cancer Research, Anna Marie Skalka, Ph.D., of Upper Montclair, to succeed herself, for the term prescribed by law.

To be a member of the Developmental Disabilities Council, Jane W. Kovara of Bedminster, to succeed Bernard Kochlin, for the term prescribed by law.

To be a member of the Hackensack Meadowlands Development Commission, Robert T. Reid of Kearny, to succeed Richard Milano, for the term prescribed by law.

To be a member of the Hackensack Meadowlands Development Commission, Rudolph S. Maurizi of Weehawken, to succeed Angelo Cifelli, resigned, for the term prescribed by law.

To be a member of the Hudson County Board of Taxation, William V. Connelly of Jersey City, for the term prescribed by law.

To be a member of the Hudson County Board of Taxation, Edna Calabrese of Secaucus, for the term prescribed by law.

To be a member of the Local Finance Board, Stanley D. Iacono of Weehawken, to succeed Paul Contillo, resigned, for the term prescribed by law.

To be a member of the Local Finance Board, Arthur Gelnaw of Montvale, to succeed himself, for the term prescribed by law.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 845 Aca, Labor, Industry and Professions Committee.

Assembly No. 889, W/GR, without reference.

Assembly No. 1245, W/GR, without reference.

Assembly No. 1509, Energy and Environment Committee.

Assembly No. 1864, County and Municipal Government Committee.

Assembly No. 1865, County and Municipal Government Committee.

Assembly No. 1866, County and Municipal Government Committee.

Assembly No. 1979 Aca, Aa, Aa, without reference.

Assembly No. 2031 Aca, State Government, Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 2125 Aca, Transportation and Communications Committee.

Assembly No. 2140 Aca, Judiciary Committee.

Assembly No. 2246 Aca, Revenue, Finance and Appropriations Committee.

Assembly Committee Substitute for Assembly Nos. 2558, 2559, 2560, Judiciary Committee.

Assembly No. 2577 Aca, County and Municipal Government Committee.

Assembly No. 3163, without reference.

Assembly No. 2738 Aca, Revenue, Finance and Appropriations Committee.

Assembly Committee Substitute for Assembly Bill No. 2337, Education Committee.

Assembly Nos. 889, 1245, 1979 and 3163 were taken up, read a second time, and ordered to a third reading.

Mr. Russo offered the following motion which was read and adopted:

*Be It Resolved*, That Senate Bill No. 2334 be transferred to Revenue, Finance and Appropriations from County and Municipal Government.

Mr. Russo offered the following resolution which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet on Thursday morning at 10 o'clock and that when it then adjourn, it be to meet on Saturday morning at 10 o'clock, and that when it then adjourn it be to meet on Thursday afternoon at 1 o'clock, January 31, 1985.

THURSDAY, January 31, 1985.

At 2 p.m. the Senate met.

The session was opened with prayer.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Haines, Stockman, Van Wagner, Weiss, Zane—39.

On the motion of Mr. Caufield the reading of the Journal of the previous session was dispensed with.

Senate No. 1021 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bubba, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Foran, Garibaldi, Graves, Hagedorn, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, O' Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—29.

In the negative were—

Gormley, Gagliano—2.

Senate No. 417 was given third reading.

On motion of Mr. Stockman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Caufield, Contillo, Costa, Cowan, Dalton, Feldman, Foran, Garibaldi, Gormley, Graves, Hirkala, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—24.

In the negative were—

Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Gagliano, Hagedorn, Haines, Hurley, Laskin—13.

Senate No. 1927 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing,

Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 2220 was given third reading.

On motion of Mr. Hagedorn that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2253 was given third reading.

On motion of Mr. Hirkala for Mr. Orechio that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—31.

In the negative were—

Cardinale, Laskin—2.

Senate No. 2269 was given third reading.

On motion of Mr. Pallone for Mr. Van Wagner that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2367 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative was—Laskin—1.

Senate Joint Resolution No. 55 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Motion by Mr. Ewing, that Senate Committee Substitute for Senate No. 2046/2334 be placed back on second reading for the purpose of amendment, which motion was lost by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Laskin—17.

In the negative were—

Caufield, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—20.

Senate Committee Substitute for Senate No. 2046/2334 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, VanWagner, Weiss, Zane—22.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Hagedorn, Haines, Hurley, Laskin, Garibaldi—17.

The Senate moved and acted upon 10 Commemorative, Cere-  
monial and Memorial Resolutions.

Senate No. 2174 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as fol-  
lows:

In the affirmative were—

Caufield, Contillo, Costa, Cowan, Dalton, Feldman,  
Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Con-  
nor, Orechio (President), Pallone, Rand Russo, Stock-  
man, VanWagner, Weiss—20.

In the negative were—

Bubba, Connors, DiFrancesco, Dumont, Ewing, Foran,  
Gormley—7.

On motion of Mr. Lynch, the following nominations were taken  
up:

To be a member of the Motion Picture and Television Develop-  
ment Commission, Michael W. Proscia, of North Bergen, to suc-  
ceed himself, for the term prescribed by law.

To be a member of the Radiologic Technology Board of Ex-  
aminers, Jennie S. Lichtenberger, of Secaucus, to succeed Mary  
Malone, for the term prescribed by law.

To be a member of the Water Supply Authority, Saul K. Fens-  
ter, of River Vale, to succeed himself, for the term prescribed by  
law.

To be a member of the Palisades Interstate Park Commission,  
Paul C. Petrillo, of Saddle River, to succeed Jon Hanson, for the  
term prescribed by law.

To be a member of the Palisades Interstate Park Commission,  
Alfred Sanzari, of Hackensack, to succeed Ugo Lisi, for the term  
prescribed by law.

To be a member of the Developmental Disabilities Council, Philip  
R. Ziring, of Tenaflly, to succeed Nickie Berson, for the term pre-  
scribed by law.

To be a member of the Developmental Disabilities Council,  
Laura Luhrs, of Woodcliff Lake, to succeed herself, for the term  
prescribed by law.

To be a Judge of the Tax Court, Marvin N. Rimm, of Margate,  
to succeed himself, for the term prescribed by law.

To be a Workers' Compensation Judge, Judith H. Wizmur, of  
Mount Laurel, for the term prescribed by law.

To be a member of the State Council on the Arts, Michelle Ma-  
thsius, of Princeton, to succeed herself, for the term prescribed  
by law.

To be a member of the Health Care Administration Board, John  
D. Pogorelec, of Clifton, for the term prescribed by law.

To be a member of the Tourism Advisory Council, William Graulich, III, of Livingston, to succeed DeWitt Budd, resigned, for the term prescribed by law.

To be a member of the Union County Board of Taxation, George W. Crater, of Clark, to succeed John Meeker, resigned, for the term prescribed by law.

To be a member of the Commission on Cancer Research, Anna Marie Skalka, Ph.D., of Upper Montclair, to succeed herself, for the term prescribed by law.

To be a member of the Developmental Disabilities Council, Jane W. Kovara, of Bedminster, to succeed Bernard Kochlin, for the term prescribed by law.

To be members of the Hackensack Meadowlands Development Commission:

Robert T. Reid, of Kearny, to succeed Richard Milano, for the term prescribed by law.

Rudolph S. Maurizi, of Weehawken, to succeed Angelo Cifelli, resigned, for the term prescribed by law.

To be a member of the Hudson County Board of Taxation, William V. Connelly, of Jersey City, for the term prescribed by law.

To be a member of the Hudson County Board of Taxation, Edna Calabrese, of Secaucus, for the term prescribed by law.

To be a member of the Local Finance Board, Stanley D. Iacono, of Weehawken, to succeed Paul Contillo, resigned, for the term prescribed by law.

To be a member of the Local Finance Board, Arthur Gelnaw, of Montvale, to succeed himself, for the term prescribed by law.

Upon the question "Will the Senate advise and consent to the above nominations?" it was decided as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner—34.

In the negative—None.

The above nominations were declared unanimously confirmed.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 2677, by Mr. Russo, without reference.

Senate No. 2679, by Mr. DiFrancesco, without reference.

Senate No. 2682, by Mr. Orechio, without reference.

Senate Nos. 2677, 2679 and 2682 were taken up, read a second time, and ordered to a third reading.

Mr. Russo offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2677 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—34.

In the negative—None.

Mr. DiFrancesco offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2679 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—33.

In the negative was—Connors—1.

Mr. Hirkala offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2682 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—34.

In the negative—None.

Senate No. 2682 was given third reading.

On motion of Mr. Hirkala that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—36.

In the negative—None.

Senate No. 2679 was given third reading.

On motion of Mr. DiFrancesco that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss—34.

In the negative—None.

Senate No. 2677 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—35.

In the negative—None.

Senate No. 329 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Rand, Russo, Stockman, Van Wagner, Weiss—33.

In the negative was—Bubba.

Senate No. 204 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Contillo, Costa, Cowan, Dalton, Feldman, Garibaldi, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—21.

In the negative were—

Brown, Cardinale, Connors, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Hagedorn, Haines, Hurley—12.

Senate No. 1776 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—20.

In the negative were—

Connors, DiFrancesco, Dorsey, Dumont, Ewing, Gagliano, Gormley, Haines, Hurley—9.

Senate No. 2671 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Contillo, Cowan, Dalton, Feldman, Graves, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—18.

In the negative—None.

Assembly No. 1577 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Contillo, Costa, Cowan, Dalton, Feldman, Foran, Graves, Hirkala, Jackman, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—20.

In the negative were—

Brown, Bubba, Cardinale, Connors, Dorsey, Dumont, Hagedorn, Haines, Hurley—9.

On motion of Mr. Rand the bill was laid over.

Assembly No. 1577 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Contillo, Costa, Cowan, Dalton, Feldman, Foran, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—21.

In the negative were—

Brown, Bubba, Cardinale, Dorsey, Dumont, Gagliano, Gormley, Hagedorn, Haines, Hurley—10.

Assembly No. 3163 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Caufield, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Feldman, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—26.

In the negative was—Bubba—1.

Assembly No. 1612 was given third reading.

On motion of Mr. Van Wagner that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—35.

In the negative—None.

Assembly No. 1821 was given third reading.

On motion of Mr. Gagliano that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner—31.

In the negative were—Ewing, Weiss—2.

Assembly No. 495 with Governor's recommendations was given third reading.

On motion of Mr. Lesniak that the Senate do concur in the Governor's recommendation, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, VanWagner, Weiss—35.

In the negative—None.

Mr. Hirkala assumed the duties of the Chair.

On motion of Mr. Bassano, Senate Concurrent Resolution No. 96 (OCR) (AR) Sa was taken up and adopted by voice vote.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Assembly Committee Substitute for Assembly No. 2353, notwithstanding the lack of 5 days' notice and that the 15 bill limitation is exceeded.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly Committee Substitute for Assembly No. 2353 Sea.

Motion by Mr. Jackman, that Assembly Committee Substitute for Assembly No. 2353 Sea be amended, which amendment was adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, VanWagner, Weiss—33.

In the negative—None.

Assembly Committee Substitute for Assembly No. 2353 Sea Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Stockman, Senate No. 2178 Sea was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Stockman, VanWagner, Weiss—30.

In the negative—None.

Senate No. 2178 Sea Sa was taken up, read a second time, and ordered to a third reading.

On motion by Mr. Russo, Assembly No. 103 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—31.

In the negative—None.

Assembly No. 103 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion by Mr. Bassano, Senate No. 630 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—35.

In the negative—None.

Senate No. 630 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

Senate No. 1327 with Governor's recommendations, was given second reading.

On motion of Ms. Lipman that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss—32.

In the negative—None.

Mr. Caufield made a motion to suspend the 30 bill limitation rule. Motion adopted by voice vote.

Mr. Orechio resumed the duties of the Chair.

Mr. Bassano offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 630 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner—33.

In the negative—None.

On motion of Mr. Bassano pursuant to Rule 124, Assembly No. 332 was substituted for Senate No. 630 with which it is identical, and Mr. Bassano was added as cosponsor of Assembly No. 332.

Which was adopted by voice vote.

Assembly No. 332 was given third reading.

On motion of Mr. Bassano that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—35.

In the negative—None.

On motion of Mr. Lynch, the following nomination was taken up:

To be a Judge of the Tax Court, John F. Evers, of Wayne, to succeed himself, for the term prescribed by law.

Upon the question "Will the Senate advise and consent to the above nomination?" it was decided as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—34.

In the negative—None.

The above nomination was declared unanimously confirmed.

Senate No. 235 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—35.

In the negative—None.

Senate No. 571 with Governor's recommendations, was given third reading:

On motion of Ms. Lipman that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—34.

In the negative—None.

Senate No. 741 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—34.

In the negative—None.

Senate No. 788 with Governor's recommendations, was given third reading.

On motion of Mr. Caufield that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—35.

In the negative—None.

On motion of Mr. Dorsey pursuant to Rule 124, Assembly No. 901 was substituted for Senate No. 1166 with which it is identical, and Mr. Dorsey was added as cosponsor of Assembly No. 901.

Which was adopted by voice vote.

Assembly No. 901 was given third reading.

On motion of Mr. Dorsey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—36.

In the negative—None.

Senate No. 1247 was given third reading.

On motion of Mr. DiFrancesco that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—35.

In the negative—None.

Senate No. 1306 with Governor's recommendations, was given third reading.

On motion of Mr. Hirkala that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—34.

In the negative—None.

Senate No. 1530 with Governor's recommendations, was given third reading.

On motion of Ms. Costa that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman,

Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—36.

In the negative—None.

Senate No. 1716 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—36.

In the negative—None.

Senate No. 1835 was given third reading.

On motion of Mr. Bassano that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—35.

In the negative—None.

Senate No. 1843 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—36.

In the negative—None.

On motion of Mr. Lesniak pursuant to Rule 124, Assembly No. 2454 was substituted for Senate No. 2149 with which it is identical, and Senators Lesniak and Graves were added as cosponsors of Assembly No. 2454.

Which was adopted by voice vote.

Assembly No. 2454 was given third reading.

On motion of Mr. Lesniak that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—34.

In the negative—None.

Senate No. 2260 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—36.

In the negative—None.

Senate No. 2391 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss—35.

In the negative—None.

Senate No. 2455 was given third reading.

On motion of Mr. Garibaldi that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—35.

In the negative—None.

Senate No. 2617 was given third reading.

On motion of Mr. Lesniak that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—34.

In the negative—None.

Senate Joint Resolution No. 56 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—34.

In the negative—None.

Assembly No. 889 with Governor's recommendations, was given third reading.

On motion of Mr. Caufield that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—33.

In the negative—None.

Assembly No. 1103 was given third reading.

On motion of Mr. Stockman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—35.

In the negative—None.

Assembly No. 124 with Governor's recommendations, was given third reading.

On motion of Mr. Feldman that the Senate do concur in the Governor's recommendations the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—35.

In the negative—None.

On motion of Mr. Hagedorn pursuant to Rule 124, Assembly No. 1831 was substituted for Senate No. 2413 with which it is identical, and Senator Hagedorn was added as cosponsor of Assembly No. 1831.

Which was adopted by voice vote.

Assembly No. 1831 was given third reading.

On motion of Mr. Hagedorn that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner—34.

In the negative—None.

Mr. Lynch offered the following motion which was read and adopted:

*Be It Resolved*, that the Senate reconsider its vote on Senate No. 2590.

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss—32.

In the negative—None.

On motion of Mr. Lynch pursuant to Rule 124, Assembly No. 3004 was substituted for Senate No. 2590 with which it is identical, and Senator Lynch was added as cosponsor of Assembly No. 3004.

Which was adopted by voice vote.

Assembly No. 3004 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were:

Bassano, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman,

Foran, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—31.

In the negative—None.

The Senate moved and acted upon one Ceremonial Resolution.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 2674, by Mr. Dumont, Education Committee.

Senate No. 2675, by Ms. Lipman, Messrs. Russo, Stockman, Lynch, Caufield, Lesniak, Ms. Costa, Messrs. Orechio, Gormley, Foran, Van Wagner, Pallone, Contillo, DiFrancesco and Gagliano, without reference.

Senate No. 2676, by Messrs. Graves, Caufield, O'Connor, Rand, Cowan, Lynch, Stockman, Lesniak and Hirkala, Revenue, Finance and Appropriations Committee.

Senate No. 2677, by Messrs. Russo, DiFrancesco, Jackman and Orechio, without reference.

Senate No. 2678, by Messrs. Orechio, DiFrancesco, Russo, Feldman, Cardinale, Hirkala, O'Connor, Cowan, Rand, Ms. Costa, Messrs. Graves, Dalton, Foran, Weiss, Contillo, Ms. Lipman, Messrs. Lynch and Bubba, without reference.

Senate Resolution No. 77, by Messrs. Orechio and Russo, Judiciary Committee.

Senate No. 2679, by Messrs. DiFrancesco and Orechio, without reference.

Senate No. 2680, by Mr. Hirkala, Revenue, Finance and Appropriations Committee.

Senate No. 2681, by Mr. Orechio, Education Committee.

Senate No. 2682, by Mr. Orechio, without reference.

Senate No. 2683, by Mr. Orechio, County and Municipal Government Committee.

Senate Nos. 2675 and 2678 were taken up, read a second time, and ordered to a third reading.

The Secretary read a communication from the Governor, who has conditionally vetoed Senate No. 1480 (3rd OCR).

STATE OF NEW JERSEY,	}
EXECUTIVE DEPARTMENT,	
January 31, 1985.	

SENATE BILL No. 1480 (3RD OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I am returning Senate Bill No. 1480 (3rd OCR) with my objections, for reconsideration.

The purpose of this bill is to expand the weapon carrying privileges of paid members of a paid or part-paid fire department or force of any municipality who are assigned full-time or part-time to an arson investigation unit and who have satisfactorily com-

pleted an approved police training program on the safe use and handling of firearms.

Firemen who serve as arson investigators provide a valuable service to the State. Their duties include determining the cause and origin of fires. In some areas of the State, their duties go further to actually investigating fires of suspicious origin. Arson investigators exercise full police powers in their jurisdictions. As present, N. J. S. A. 20:39-6(a)(8) authorizes paid members of a paid or part-paid fire department or force to carry weapons only when they have satisfied a two-pronged test: (1) they must be engaged in the actual performance of arson investigation duties and (2) be specifically authorized by their governing body to carry weapons. This bill, however, would eliminate these two requirements and allow full-time or part-time arson investigators to carry weapons without a permit at all times while within the State of New Jersey regardless of whether the carrying of the weapon is job related or whether the local governing body approves if they have taken a course on the safe use and handling of firearms. The only additional limitation retained is the parallel requirement of N.J.S.A. 40A:14-7.1 that arson investigators receive a course of training approved by the Police Training Commission and an arson investigation course approved by the Department of Law and Public Safety. Currently, arson investigators receive only segments of the police training course amounting to about 140 hours and an additional 80 hours of arson related training. The average number of hours which police trainees currently receive however is about 495 hours, although 280 hours is the mandated number. The 220 hours of training and the firearms course which arson investigators receive together do not even approximate the training police officers receive. In addition, there is no requirement that arson investigators be annually recertified in the use of firearms.

I propose amending this bill to limit it to full-time, paid firemen who are assigned arson investigation duties, whether in a full-paid or part-paid fire department, limiting the firearm carrying privilege to while in actual performance of arson investigation duties or while actually on call to perform such duties, requiring Police Training Commission certified firearms training and annual recertification, and expanding the firearm carrying privilege to county arson investigators if approved by the county prosecutor. Finally, since they do not receive the same training as police officers, any police powers which arson investigators exercise should be limited to only while they are actually performing arson investigation duties.

Accordingly, I herewith return Senate Bill No. 1480 (3rd OCR) for reconsideration and recommend that it be amended as follows:

*Page 2, Section 1, Line 34:* Delete "or"

*Page 2, Section 1, Lines 38-42A:* On line 38 after "force" delete remainder of line; delete lines 39-42 in their entirety; on line 42A delete "handling of firearms"

*Page 2, Section 1, Line 47D:* delete "." insert ; or

*Page 2, Section 1, after line 54:* Insert "(8) A full-time, paid member of a paid or part-paid fire department or force of any municipality who is assigned full-time or part-time to an arson investigation unit created pursuant to section 1 of P. L. 1981, c. 409 (C. 40A:14-7.1) or to the county arson investigation unit in the county prosecutor's office, while either engaged in the actual performance of arson investigation duties or while actually on call to perform arson investigation duties and when specifically authorized by the governing body or the county prosecutor, as the case may be, to carry weapons. Prior to being permitted to carry a firearm, such a member shall take and successfully complete a firearms training course administered by the Police Training Commission, pursuant to P. L. 1976, c. 56 (C. 52:17B-66 et seq.), and shall annually qualify in the use of a revolver or similar weapon prior to being permitted to carry a firearm."

*Page 7, Section 2, Line 10:* After "Only" insert "full-time,"

*Page 7, Section 2, Line 21:* After "Any" insert "full-time, paid"

*Page 7, Section 2, Line 25:* Before "." insert "while engaged in the actual performance of arson investigation duties"

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,

*Chief Counsel to the Governor.*

Mr. Orechio, Senate President, announced the following appointments to the Ethical Standards Committee:

Senator Paul Contillo (D) 30th District

Senator Christopher Jackman (D) 33rd District

Senator Garrett W. Hagedorn (R) 40th District

Senator Donald T. DiFrancesco (R) 22nd District

Mr. Russo offered the following motions which were read and adopted:

*Be It Resolved,* That pursuant to Senate Rule 88, the following bills be referred to the Revenue, Finance and Appropriations Committee:

Senate Nos. 1993, 2130, 2469, 2532, 2577, 2614, 2671, Assembly Nos. 105 and 2376.

*Be It Resolved,* That Senate No. 2591 be referred to the Education Committee.

*Be It Resolved,* That the following bills be referred to the Revenue, Finance and Appropriations Committee:

Assembly Nos. 1829, 2824, Senate Nos. 2176, 2178 and 2576.

The President announced receipt of, and directed the Secretary to read two letters from the Governor nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be a Judge of the Superior Court, Martin L. Haines, of Moorestown, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Virginia Long, of Pennington, to succeed herself, for the term prescribed by law.

The above nominations were referred to the Judiciary Committee.

On motion of Mr. Van Wagner, Mr. Bubba was added as cosponsor of Senate No. 2669.

On motion of Mr. DiFrancesco, Mr. Bubba was added as cosponsor of Senate No. 484.

On motion of Mr. DiFrancesco, Mr. Bubba was added as cosponsor of Senate No. 2409.

On motion of Mr. Lynch, Mr. Bubba was added as cosponsor of Senate No. 325.

On motion of Mr. Dorsey, Mr. Bubba was added as cosponsor of Senate No. 1166.

On motion of Mr. Weiss, Ms. Costa was added as cosponsor of Senate No. 2174.

On motion of Mr. Jackman, Messrs. Cowan and O'Connor were added as cosponsors of Senate No. 2623.

On motion of Mr. Jackman, Messrs. O'Connor and Cowan were added as cosponsors of Senate No. 2671.

On motion of Mr. Jackman, Mr. Cowan was added as cosponsor of Senate Concurrent Resolution No. 118.

On motion of Mr. DiFrancesco, Mr. Hirkala was added as cosponsor of Senate No. 487.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate No. 2684, by Messrs. Dalton, Zane and Rand, without reference.

Senate No. 2684 was taken up, read a second time, and ordered to a third reading.

Mr. Russo offered the following resolution, which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet on Saturday at 10 a.m., and that when it then adjourn it be to meet on Monday, February 4, 1985, at 2 p.m.

On motion of Mr. Russo the Senate then adjourned.

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SATURDAY, February 2, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, February 4, 1985.

At 2 p.m. the Senate met.

The Session was opened with prayer.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Caufield, Codey, Contillo, Cowan, Dorsey, Dumont, Feldman, Graves, Hagedorn, Hirkala, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—26.

On motion of Mr. Russo the reading of the Journal of the previous session was dispensed with.

The Senate moved and acted upon three Commemorative, Ceremonial and Memorial Resolutions.

### MESSAGE TO THE SENATE

Dated: February 4, 1985.

Mr. President: I am directed by the General Assembly to forward herewith to the Senate the enclosed 40 copies of Assembly Concurrent Resolution No. 58 entitled "A Concurrent Resolution proposing an amendment to Article IV, Section VII, paragraph 2 of the Constitution of the State of New Jersey," with the request that they be placed upon the desks of the members of the Senate in open meeting forthwith.

BERNADETTE T. CALLAHAN,

*Assistant Clerk of the General Assembly.*

### SENATE RESOLUTION

*Resolved:* 1. That printed copies of Assembly Concurrent Resolution No. 58 entitled "A Concurrent Resolution proposing an amendment to Article IV, Section VII, paragraph 2 of the Constitution of the State of New Jersey," be placed upon the desks of the members of the Senate forthwith; and

2. A record of the placing thereof be made in the Senate Journal and the Secretary certify such placing and the date thereof to the Clerk of the General Assembly.

The Secretary then caused to be placed upon the desks of each member a copy of Assembly Concurrent Resolution No. 58 and the placing thereof is hereby noted in the Journal.

### MESSAGE TO THE GENERAL ASSEMBLY

Dated: February 4, 1985.

Mr. Speaker: I am directed by the Senate to inform the General Assembly that a printed copy of Assembly Concurrent Resolution No. 58 entitled "A Concurrent Resolution proposing an amendment

to Article IV, Section VII, paragraph 2 of the Constitution of the State of New Jersey," has this day been placed upon the desk of each member of the Senate while the same was in open meeting.

JOHN J. MCCARTHY,  
*Secretary of the Senate.*

The Secretary read communications from the Governor who has conditionally vetoed Senate Nos. 1985 and 1986.

STATE OF NEW JERSEY,	}
EXECUTIVE DEPARTMENT,	
February 4, 1985.	
SENATE BILL NO. 1985	

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1985 with my recommendations for reconsideration.

This bill would permit local governmental units to issue refunding bonds in order to fund the actuarial liabilities of non-State administered public employee pension systems. A companion piece of legislation, Senate Bill No. 1986, which I am also conditionally vetoing, would permit local governmental units to enter into long-term insurance contracts to fund the actuarial liability of these pension systems.

I am advised there are more than 30 non-State administered public employee pension systems that could be affected by this bill. Bonding for pension liabilities is a completely unchartered area of law and finance in this State, and indeed nationwide. I am willing to permit an experiment in this area in those counties that have demonstrated that they have a detailed plan ready to be undertaken for these purposes. The results will indicate whether this type of bonding should be extended to other circumstances.

I have directed the Division of Pensions in the Department of the Treasury to examine the whole area of the remaining outstanding non-State administered public employee pension systems. This review will lead to an orderly and complete investigation of the area.

Accordingly, I herewith return Senate Bill No. 1985 and recommend that it be amended as follows:

*Page 1, Title:* Delete "amending N. J. S. 40A:2-51" insert "supplementing chapter 2 of Title 40A of the New Jersey Statutes"

*Page 1, Section 1, lines 1 through 17:* Delete in entirety. Insert new section 1 as follows:

"Notwithstanding the provisions of N. J. S. 40A:2-51 to the contrary, a county in which a pension fund has been established pursuant to P. L. 1943, c. 160 (C. 43:10-18.1 et seq.) may incur indebtedness, borrow money, authorize and issue negotiable refunding bonds, and in any amount determined to be necessary by the county and approved by the Local Finance Board to effect the

refunding for the purpose of the actuarial liabilities of its pension system, in addition to the other purposes for which it may do the same under N. J. S. 40A:2-51."

Respectfully,

/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
February 4, 1985. }

SENATE BILL NO. 1986

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1986 with my recommendations for reconsideration.

This bill would permit local governmental units to enter into long-term insurance contracts from the actuarial liability of non-State administered public employee pension systems.

I believe the whole area of permitting the municipalities and counties to enter into long-term insurance contracts for these purposes needs greater investigation. I am outlining my thoughts concerning this area in the conditional veto message I am delivering today to Senate Bill No. 1985, the companion piece of legislation to this bill.

I am willing, however, to permit an experiment in this area in those counties that have demonstrated that they have a detailed plan ready to be undertaken for these purposes.

Accordingly, I herewith return Senate Bill No. 1986 and recommend that it be amended as follows:

*Page 1, Title:* Delete "amending" insert "supplementing"

*Pages 1 through 3, Section 1, Lines through 96:* Delete in entirety. Insert new section 1 as follows:

"Notwithstanding the provisions of subsection 6 of section 15 of P. L. 1971, c. 198 (C. 40A:11-15) to the contrary, a county in which a pension fund has been established pursuant to P. L. 1943, c. 160 (C. 43:10-18.1 et seq.) may enter into an insurance contract to fund the actuarial liability of its pension system, for a term which may not exceed the term, of the actuarial liability covered by the contract."

Respectfully,

/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel to the Governor.

The Secretary read a communication from the Governor, who has absolutely vetoed Senate No. 2556, which was then filed.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
February 4, 1985. }  
SENATE BILL No. 2556

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2556 without my signature.

Senate Bill No. 2556 would allow the Office of Legislative Services (OLS) to directly negotiate and award contracts for the purchase of goods and services if the contracts are to be paid from funds appropriated to OLS. OLS must comply with the Public Contracts Law when awarding contracts in excess of \$7,500.00. Under current law, OLS must obtain approval from the Department of the Treasury on all contracts for goods and services, with the exception of contracts for consultants' services.

I must return Senate Bill No. 2556 to you without my signature. The bill is unnecessary and would result in an additional cost to the taxpayers of this State.

The Department of the Treasury has always recognized the Legislative branch as a separate branch of government and will continue to recognize its autonomy. Senate Bill No. 2556 would needlessly duplicate a procurement system that has served the three branches of State government well. I will not allow the taxpayers of this State to bear an expense for which there will be no benefit.

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,

*Chief Counsel to the Governor.*

The President announced receipt of and directed the Secretary to read one letter from the Governor, nominating for appointment, with the advice and consent of the Senate, to the office indicated, the following:

To be a member of the Casino Control Commission, Valerie H. Armstrong, of Brigantine, to succeed Donald Thomas, resigned, for the term prescribed by law.

The above nomination was referred to the Judiciary Committee.

The Judiciary Committee reported the following nomination favorably:

To be Brigadier General of New Jersey Air National Guard, Colonel Harold C. Morgan, of Brick Township, for the term prescribed by law.

The Institutions, Health and Welfare Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 2506 Sea and Assembly Committee Substitute for Assembly No. 1982.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 730 Sea, 1568 Sea, 1983 Sea, Senate Concurrent Resolution No. 79 Sea and Assembly No. 1838 Sea.

The Education Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 1650 Sea, 1651 Sea, Senate Committee Substitute for Senate No. 1746, Senate Nos. 1765 Sea, 1766 Sea and 2591 Sea Sea.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 1937 and Assembly No. 3114, notwithstanding the lack of five days' notice.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 1568, notwithstanding the lack of five days' notice.

The Education Committee reported the following bills favorably with amendment and on motion of the Chairman the amendments were adopted:

Senate No. 1937 Sea.

The Law, Public Safety and Defense Committee reported the following bills favorably with amendment and on motion of the Chairman the amendments were adopted:

Senate Nos. 1526 Sea, 2299 Sea and Assembly No. 661 (OCR) Sea.

The Revenue, Finance and Appropriations Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 2250 Sea and Senate Committee Substitute for Senate No. 2481/2385.

The Labor, Industry and Professions Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 272 Sea, 1942 Sea, 2065 Sea, 2181 Sea and 2350 Sea.

The County and Municipal Government Committee reported the following bills favorably with amendments and on motion of the Chairman the amendments were adopted:

Assembly No. 1050 (OCR) Sea, Senate Nos. 1805 Sea, 2427 Sea and Senate Concurrent Resolution No. 118 Sea.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bills favorably without amendment:

Senate Nos. 2177, 1188, 852, 2305, 2287, 2309, Assembly No. 307 and Senate No. 2423.

The County and Municipal Government Committee reported the following bills favorably without amendment:

Senate No. 2602, Senate Joint Resolution No. 45 and Senate No. 2494.

The Revenue, Finance and Appropriations Committee reported the following bill favorably without amendment:

Assembly No. 1648.

The Law, Public Safety and Defense Committee reported the following bills favorably without amendment:

Senate Nos. 1730, 2558, 2519, 2452, 2449, 2381 and Assembly No. 1394 (OCR).

The Education Committee reported the following bills favorably without amendment:

Assembly Nos. 3114, 2206 (2nd OCR), 2065, 2021 and 293 (OCR).

The Labor, Industry and Professions Committee reported the following bills favorably without amendment:

Assembly Nos. 1934 (OCR), 1642 and Senate No. 2254.

The Institutions, Health and Welfare Committee reported the following bills favorably without amendment:

Senate Nos. 2338, 2596 and Assembly No. 784.

Senate No. 2602, Assembly No. 784, Senate Nos. 2596, 2338, 2506 Sea, Assembly Committee Substitute for Assembly No. 1982 Sea, Senate Nos. 852, 1188, 2177, 1568 Sea, 730 Sea, 1983 Sea, Senate Concurrent Resolution No. 79 Sea, Assembly No. 1838 Sea, Senate Nos. 2287, 2305, 2309, 2423, Assembly No. 307, Senate Nos. 2591 Sea, 1650 Sea, 1651 Sea, 1746 Sea, 1765 Sea, 1766 Sea, 1937 Sea, Assembly Nos. 293, 2021, 2065, 2206, 3114, Senate Nos. 1526 Sea, 1730, 2299 Sea, 2381, 2449, 2452, 2519, 2558, Assembly Nos. 661 Sea, 1394, 1648, Senate Committee Substitute for Senate Nos. 2481/2385 Sea, Senate Nos. 2250 Sea, 2181 Sea, Assembly No. 1934, Senate Nos. 2065 Sea, 1942 Sea, 2350 Sea, 2254, Assembly No. 1642, Senate No. 272 Sea, Assembly No. 1050 Sea, Senate Concurrent Resolution No. 118 Sea, Senate Nos. 2427 Sea, 2494, Senate Joint Resolution No. 45 and Senate No. 1805 Sea were taken up, read a second time, and ordered to a third reading.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 2255 Aca, County and Municipal Government Committee.

Assembly No. 3191 Aa, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly Joint Resolution No. 42 Aca, Education Committee.

Assembly No. 3241, without reference.

Senate No. 2407, without reference.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated.

Assembly No. 1042 AaSeaSaSaSaSaSa w/GR, without reference.

Assembly No. 1049 Aca, Institutions, Health and Welfare Committee.

Assembly No. 1157 Aca w/GR, without reference.

Assembly No. 1550, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 1580 Aa, County and Municipal Government Committee.

Assembly No. 1955 Aca, Institutions, Health and Welfare Committee.

Assembly No. 2355 Aca, Revenue, Finance and Appropriations Committee.

Assembly Nos. 2594/2613 Acs, Institutions, Health and Welfare Committee.

Assembly No. 2896 Aca, Labor, Industry and Professions Committee.

Assembly No. 2914 Aca. Aging Committee.

Senate No. 485 Aca, without reference.

Assembly No. 787 AcsAa, Labor, Industry and Professions Committee.

Assembly No. 1177, Revenue, Finance and Appropriations Committee.

Assembly No. 2966, Revenue, Finance and Appropriations Committee.

Assembly No. 3156, without reference.

Assembly No. 3167, without reference.

Assembly Nos. 1042, AaSeaSaSaSaSaSa w/GR, 1157, Aca w/GR,

Senate Nos. 485 Aca, 2407, Assembly Nos. 3241, 3156 and 3167 were taken up, read a second time, and ordered to a third reading.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 2685, by Mr. Caufield, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2686, by Messrs. Van Wagner and Pallone, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2687, by Mr. Lesniak, Law, Public Safety and Defense Committee.

Senate No. 2688, by Mr. McManimon, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2689, by Messrs. Laskin, Garibaldi, Connors, DiFrancesco and Contillo, Energy and Environment Committee.

Senate No. 2690, by Messrs. Lesniak and Gagliano, Labor and Industry Committee.

Senate No. 2691, by Messrs. Pallone and Van Wagner, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2692, by Messrs. Pallone and Van Wagner, Energy and Environment Committee.

Senate No. 2693, by Messrs. Pallone, Van Wagner and Ms. Lipman, Labor, Industry and Professions Committee.

Senate No. 2694, by Messrs. Pallone, Van Wagner, Gormley and Ms. Lipman, Judiciary Committee.

Senate No. 2695, by Messrs. Pallone, Van Wagner and Ms. Lipman, County and Municipal Government Committee.

Senate No. 2696, by Mr. Hagedorn, Judiciary Committee.

Senate No. 2697, by Messrs. Hagedorn, Caufield, Feldman, Ms. Lipman, Messrs. Dumont, Gormley and Hirkala, Labor, Industry and Professions Committee.

Senate No. 2698, by Mr. Feldman, Revenue, Finance and Appropriations Committee.

Senate No. 2699, by Mr. Russo, Institutions, Health and Welfare Committee.

Senate No. 2700, by Mr. Pallone, Revenue, Finance and Appropriations Committee.

On motion of Mr. Caufield, Ms. Lipman was added as cosponsor of Senate No. 2685.

Mr. Russo offered the following resolution which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet on Thursday at 10 a.m., and that when it then adjourn, it be to meet on Saturday at 10 a.m., and that when it then adjourn it be to meet on Thursday, February 14, 1985, at 1 p.m.

On motion of Mr. Russo the Senate then adjourned.

THURSDAY, February 7, 1985.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

SATURDAY, February 9, 1985.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, February 11, 1985.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

THURSDAY, February 14, 1985.

At 1 p.m. the Senate met.

The Session was opened with prayer by Senator Hagedorn.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

On the motion of Mr. Russo the reading of the Journal of the previous session was dispensed with.

The Senate moved and acted upon five Commemorative, Ceremonial and Memorial Resolutions.

The Judiciary Committee reported the following nomination favorably:

To be Judge of Superior Court, Virginia Long of Pennington, to succeed herself, for the term prescribed by law.

On motion of Mr. Russo that the Senate do declare the confirmation of the above nominee to be an emergency matter, the vote is as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

On motion of Mr. Russo, the following nominations were taken up:

To be Judge of Superior Court, Virginia Long of Pennington, to succeed herself, for the term prescribed by law.

To be Brigadier General of New Jersey Air National Guard, Colonel Harold C. Morgan, of Brick Township, for the term prescribed by law.

Upon the question "Will the Senate advise and consent to the above nominations?" it was decided as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

The above nominations were declared unanimously confirmed.

Assembly No. 842 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—33.

In the negative were—

Bubba, Laskin, Russo—3.

On motion of Ms. Lipman, Assembly Committee Substitute for Assembly No. 2353 Sea Sa was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly Committee Substitute for Assembly No. 2353 Sea Sa, Sa was taken up, read a second time, and ordered to a third reading.

Ms. Lipman offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Assembly Committee Substitute for Assembly No. 2353 Sea Sa Sa is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

President *pro tem* Feldman assumed the duties of the Chair.

On motion of Mr. Gagliano pursuant to Rule 124, Assembly No. 569 was substituted for Senate No. 385 with which it is identical, and Senator Gagliano was added as cosponsor of Assembly No. 569.

Which was adopted by voice vote.

Assembly No. 569 was given third reading.

On motion of Mr. Gagliano that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 485 was given third reading.

On motion of Mr. DiFrancesco that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Assembly No. 2353 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—37.

In the negative—None.

Senate No. 2075 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 2192 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative was—Foran—1.

Senate No. 1618 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Cowan, Dalton, Feldman, Gormley, Graves, Hirkala, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—20.

In the negative were—

Bassano, Brown, Bubba, DiFrancesco, Dorsey, Dumont, Foran, Gagliano, Garibaldi, Hagedorn, Haines, Hurley—12.

Senate No. 2586 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were—

Brown, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lynch, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—29.

In the negative were—

Bubba, Dorsey, Laskin, Russo—4.

Assembly No. 502 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Assembly No. 913 was given third reading.

On motion of Mr. Laskin that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Caufield, Codey, Contillo, Cowan, Dalton, Dorsey, Dumont, Feldman, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—29.

In the negative was—Gagliano—1.

Assembly No. 1648 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative was—Laskin—1.

Assembly No. 1828 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Cowan, Dalton, Feldman, Graves, Hirkala, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—21.

In the negative were—

Brown, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Gagliano, Gormley, Hagedorn, Hurley, Laskin—12.

Senate No. 1681 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Cowan, Dalton, Feldman, Gormley, Graves, Hirkala, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—21.

In the negative were—

Bassano, Brown, Bubba, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Hagedorn, Haines, Hurley—14.

Senate No. 76 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Caufield, Codey, Contillo, Cowan, Dalton, DiFrancesco, Dumont, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hurley, Lesniak, Lynch, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—26.

In the negative were—

Bubba, Cardinale, Ewing, Laskin—4.

Mr. Orechio resumed the duties of the Chair.

Assembly No. 810 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

On motion of Mr. Hurley, Senate No. 863 was placed back on second reading for the purpose of amendment and the amendments was adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

Senate No. 863 Sa was taken up, read a second time, and ordered to a third reading.

Senate No. 1985, with Governor's recommendations, was taken up, read a second time and ordered to a third reading.

On motion of Mr. Russo for Mr. Orechio that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Brown, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Graves, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—29.

In the negative—None.

Senate No. 1985 w/GR was taken up, read a second time and ordered to a third reading.

Senate No. 1986 with Governor's recommendations, was given second reading.

On motion of Mr. Caufield for Mr. Orechio that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, Me-Manimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 1986 with Governor's recommendations, was taken up, read a second time, and ordered to a third reading.

The Secretary read communications from the Governor, who has conditionally vetoed the following bills:

Senate Nos. 1835 (2nd OCR) and 1970.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT.

February 14, 1985. }

## SENATE BILL No. 1835 (2ND OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I am returning Senate Bill No. 1835 (2nd OCR) with my objection, for reconsideration.

The purpose of this bill is to codify the transfer of the Alcoholic Beverage Control Enforcement Bureau to the Division of State Police as ordered by Executive Directive No. 1979-3 of former Attorney General Degnan in May of 1979.

The codification of the transfer of these law enforcement officers into the State Police is a sound management change, and I have supported this proposal throughout the legislative process. Unfortunately, I cannot sign this bill as it is presently before me. The eighth section of this bill amends N. J. S. A. 2C:39-6 to allow inspectors of the Alcoholic Beverage Control Enforcement Bureau of the Division of State Police to carry weapons as authorized by the Superintendent of the New Jersey State Police. This provision was amended on the Assembly floor to conform this bill to the provisions of Senate Bill No. 1480 (3rd OCR), which at the time of the amendment was on my desk for my review. Senate Bill No. 1480 (3rd OCR), while amending the same statute, is a totally unrelated bill dealing with the firearms carrying privileges of firemen who perform arson investigation duties.

I believe that it is ill advised for the Legislature to amend bills to conform to other bills which are on my desk prior to my acting upon them on the assumption that I am going to sign the first bill. Any such action is speculative and totally unnecessary. N. J. S. A. 1:3-1 allows the Legislative Council of the Office of Legislative Services, with the concurrence of the Attorney General, to correct errors caused when two or more amendments to the same section of the law are enacted, at the same or different sessions of the Legislature, and fail to refer to one another. It is quite common, and the normal course of legislation, for different bills to become law amending the same statute but not referring to each other. In those cases, the Legislative Counsel and the Attorney General regularly conform the statutes to reflect the Legislature's intent. As such, the amendments made to this bill on the Assembly floor were totally unnecessary. As a result of, and for the reasons contained in my conditional veto message of Senate Bill No. 1480 (3rd OCR) which I delivered to the Legislature on January 31, 1985, I must also conditionally veto Senate Bill No. 1835 (2nd OCR). I note however that my conditional veto of this bill will only restore the bill to its original wording. If the Legislature desires to amend our laws concerning the firearms carrying privileges of firemen who perform arson investigation duties then I recommend the Legisla-

ture concur in my conditional veto of Senate Bill No. 1480 (3rd OCR).

Accordingly, I herewith return Senate Bill No. 1835 (2nd OCR) for reconsideration and recommend that it be amended as follows:

*Page 3, Section 8, Lines 39-44:* On line 39 after "force" DELETE remainder of line; DELETE lines 40-43 in their entirety; on line 44 DELETE "handling of firearms"

*Page 4, Section 8, Line 48E:* after "weapons" INSERT "; or"

*Page 4, Section 8, Line 54:* Before "." INSERT "(8) A paid member of a paid or part-paid fire department or force of any municipality who is assigned full-time to an arson investigation unit created pursuant to section 1 of P. L. 1981, c. 409 (C. 40A:14-7.1), while engaged in the actual performance of arson investigation duties and when specifically authorized by the governing body to carry weapons"

*Page 9, Section 9, Line 21:* After "investigators" DELETE ","

Respectfully,

/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
February 14, 1985. }

SENATE BILL No. 1970

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1970 with my recommendation for reconsideration.

This bill would permit the City of Newark to impose a moratorium on the implementation of revaluation of real property for the tax years 1985 and 1986.

In 1980, when Governor Byrne was presented with legislation providing for a five-year moratorium on property tax revaluations in Newark, he conditionally vetoed the bill to recommend that the period of the moratorium be reduced to two years and that it be complemented by a formal study to address ways to find a permanent solution to the problem posed by the City's revaluation. After great effort, early in 1983, the Legislature presented me with Senate Joint Resolution No. 13, which created such a formal study mechanism, the Property Tax Assessment Study Commission. I supported and concurred with the creation of this Commission, and it is now studying the problems of assessment and revaluation statewide. It will make recommendations to the Governor and the Legislature early in 1986.

I believe it is appropriate, therefore, to limit the revaluation moratorium in Newark for the tax year 1985 only, while a solution to the underlying problem is being discussed by the Tax Assessment Study Commission. I wish to make clear the severity of the situation in Newark underlies the reason that I agree with any legislation permitting a continuation of a revaluation moratorium in that City. I urge the City to move forward with the revaluation process. For reasons I have made clear in the past, I do not believe that moratoriums solve our problems related to the taxation of real property in this State.

Therefore, I herewith return Senate Bill No. 1970 and recommend that it be amended as follows:

*Page 1, Section 1, line 5: Delete "years" insert "year" Delete "to 1986, inclusive"*

Respectfully,

/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel to the Governor.

The Senate moved and acted upon seven Commemorative, Ceremonial and Memorial Resolutions.

Mr. Haines offered the following resolution which was read and adopted:

WHEREAS, Former Senator H. James Saxton was elected to and is now serving in the United States House of Representatives, now, therefore,

*Resolved*, That Senator Haines be admitted as the prime sponsor of the following bill which was sponsored by former Senator Saxton: Senate Bill No. 708.

Mr. Russo offered the following motions which were read and adopted:

*Be It Resolved*, That the following bills be referred to the Revenue, Finance and Appropriations Committee:

Senate No. 2540, Assembly Nos. 1949 and 3114.

*Be It Resolved*, That pursuant to Senate Rule 88, the following bills be referred to the Revenue, Finance and Appropriations Committee:

Senate Nos. 2418, 2148, 487 and 2596.

*Be It Resolved*, That Senate No. 2102 be transferred from County and Municipal Government Committee to the Revenue, Finance and Appropriations Committee.

*Be It Resolved*, That pursuant to Senate Rule 88, the following bills be referred to the Revenue, Finance and Appropriations Committee:

Assembly No. 3167, Senate Nos. 1937 and 2623.

*Be It Resolved*, That Assembly No. 337 be transferred to the County and Municipal Government Committee from the State Government Committee.

The Revenue, Finance and Appropriations Committee reported the following bill favorably without amendment:

Senate No. 2614.

Senate No. 2614 was taken up, read a second time, and ordered to a third reading.

Quorum call at 5 p.m.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

Mr. Hirkala assumed duties of the Chair.

Senate No. 2250 was given third reading.

On motion of Mr. Orechio that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

The President announced receipt of and directed the Secretary to read three letters from the Governor, nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be an Administrative Law Judge, Timothy N. Tuttle, of Mahwah, for the term prescribed by law.

To be an Administrative Law Judge, Richard J. Murphy, of Plainsboro, for the term prescribed by law.

To be a Workers' Compensation Judge, Sandra S. Spizziri, of Wyckoff, for the term prescribed by law.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly Bill No. 2255 Aca, County Municipal Government Committee.

Assembly No. 3191 Aa, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly Joint Resolution No. 42 Aca, Education Committee.

Assembly No. 3241, without reference.

Senate No. 2407, without reference.

Assembly No. 3241 and Senate No. 2407 were taken up, read a second time, and ordered to a third reading.

Senate No. 2591 was given third reading.

On motion of Mr. Orechio that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Caufield, Codey, Contillo, Cowan, Dalton, Dumont, Feldman, Foran, Graves, Hirkala, Hurley, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—25.

In the negative were—

Brown, Cardinale, DiFrancesco, Dorsey, Gormley, Hagedorn, Haines, Laskin—8.

Mr. Orechio offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 1985, with Governor's recommendations is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 1985 with Governor's recommendations, was given third reading.

On motion of Mr. Orechio that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gorm-

ley, Graves, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative was—Laskin—1.

Mr. Orechio offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 1986 with Governor's recommendations is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 1986, with Governor's recommendations, was given third reading.

On motion of Mr. Orechio that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative was—Laskin—1.

On motion of Mr. Gagliano, that Senate No. 2174 be placed back on second reading for the purpose of amendment, the motion was lost by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Laskin—15.

In the negative were—

Caufield, Codey, Contillo, Cowan, Dalton, DiFrancesco, Feldman, Graves, Hirkala, Hurley, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—23.

Senate No. 2174 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, Feldman, Graves, Hagedorn, Haines, Hirkala, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—26.

In the negative were—

Bubba, DiFrancesco, Dumont, Ewing, Foran, Gagliano, Gormley, Hurley, Laskin—9.

On motion of Mr. Feldman, Senate No. 1442 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Hagedorn, Haines, Hurley, Laskin, Lipman, McManimon, O'Connor, Orechio (President), Russo, Stockman—24.

In the negative were—

Caufield, Cowan, Dalton, DiFrancesco, Garibaldi, Graves, Hirkala, Lesniak, Lynch, Pallone, Rand, Van Wagner, Zane—13.

On motion of Mr. Cowan, further amendments to Senate No. 1442 (OCR) Sa were proposed and adopted by the following vote:

In the affirmative were—

Caufield, Codey, Connors, Cowan, Dalton, Dorsey, Garibaldi, Graves, Hirkala, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—22.

In the negative were—

Brown, Bubba, Cardinale, Contillo, Dumont, Ewing, Feldman, Gagliano, Gormley, Hagedorn, Haines, Hurley, Laskin—13.

Senate No. 1442 (OCR) Sa Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Russo, Stockman, Zane—28.

In the negative were—

Bubba, Cowan, Foran, Garibaldi, Laskin, Pallone, Rand—7.

On motion of Mr. Gagliano, that Senate No. 2030 be placed back on second reading for the purpose of amendment, the motion was lost by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Laskin—16.

In the negative were—

Caufield, Codey, Contillo, Cowan, Feldman, Graves, Hirkala, Lesniak, Lynch, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Weiss, Zane, Stockman—19.

Senate No. 2030 was given third reading.

On motion of Mr. Stockman that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Cowan, Dalton, Feldman, Graves, Hirkala, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—21.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Laskin—17.

Senate Committee Substitute for Senate No. 2481 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Mr. Caufield offered the following resolution, which was read and declared lost by the following vote:

*Be It Resolved*, by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Assembly No. 3241 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Caufield, Codey, Contillo, Cowan, Dalton, Feldman, Graves, Hirkala, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—21.

In the negative—None.

Assembly No. 3156 was given third reading.

On motion of Mr. Stockman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative was—Laskin—1.

Mr. Hurley offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 863 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 863 was given third reading.

On motion of Mr. Hurley that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Mr. Russo offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2614 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 2614 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2407 Aa was given third reading.

On motion of Mr. Foran that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 1970 with Governor's recommendations, was given second reading.

On motion of Mr. Caufield that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, McManimon,

O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—32.

In the negative was—Laskin—1.

Senate No. 1970, with Governor's recommendations, was taken up, read a second time, and ordered to a third reading.

Mr. Russo made a motion to suspend the 30 bill limitation rule. Motion was adopted by voice vote.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Assembly No. 2377, notwithstanding the lack of five days' notice.

Senate No. 654 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Hagedorn, Haines, Hirkala, Lesniak, Lipman, Lynch, McManimon, O'Conner, Orechio (President), Pallone, Russo, Stockman, Weiss—32.

In the negative were—

Gormley, Laskin, Zane—3.

On motion of Mr. Stockman, Senate No. 2100 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 2100 was taken up, read a second time, and ordered to a third reading.

The Energy and Environment Committee reported the following bill favorably without amendment:

Assembly No. 949.

Assembly No. 949 was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Russo pursuant to Rule 124, Assembly No. 1341 was substituted for Senate No. 1565 with which it is identical, Mr. Russo was added as cosponsor of Assembly No. 1341.

Which was adopted by voice vote.

Assembly No. 1341 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss—35.

In the negative—None.

Senate No. 1327 with Governor's recommendations, was given third reading.

On motion of Ms. Lipman that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Weiss, Zane—34.

In the negative—None.

On motion of Mr. Cowan pursuant to Rule 124, Assembly No. 393 was substituted for Senate No. 2087 with which it is identical, and Mr. Cowan was added as cosponsor of Assembly No. 393.

Which was adopted by voice vote.

Assembly No. 393 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

On motion of Mr. Pallone pursuant to Rule 124, Assembly No. 949 was substituted for Senate No. 2092 with which it is identical, and Senator Pallone was added as cosponsor of Assembly No. 949.

Which was adopted by voice vote.

Assembly No. 949 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

On motion of Mr. Lesniak pursuant to Rule 124, Assembly No. 2377 was substituted for Senate No. 2120 with which it is identical, and Senator Lesniak was added as cosponsor of Assembly No. 2377.

Which was adopted by voice vote.

Assembly No. 2377 was given third reading.

On motion of Mr. Lesniak that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative was—Laskin—1.

Senate No. 2164 was given third reading.

On motion of Mr. Russo for Mr. Orechio that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 2398 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Assembly No. 5 was given third reading.

On motion of Mr. Foran that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Hagedorn, Haines, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Zane—32.

In the negative was—Garibaldi—1.

Assembly No. 1157, with Governor's recommendations, was given third reading.

On motion of Mr. Dalton that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Assembly No. 1178 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Weiss, Zane—33.

In the negative was—Laskin—1.

Assembly No. 1979 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hirkala, Hurley, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Weiss, Zane—32.

In the negative was—Laskin—1.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Assembly Nos. 949 and 2409, notwithstanding the lack of five days' notice.

The Energy and Environment Committee reported the following bill favorably without amendment:

Assembly No. 2409.

On motion of Mr. Lynch pursuant to Rule 124, Assembly No. 2409 was substituted for Senate No. 2273 with which it is identical, and Senator Lynch was added as cosponsor of Assembly No. 2409.

Which was adopted by voice vote.

Assembly No. 2409 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Stockman, Van Wagner, Weiss, Zane—31.

In the negative was—Laskin—1.

Mr. Feldman offered the following resolution to amend and supplement the Rules of the Senate, which was read and adopted by the following vote:

### SENATE RESOLUTION

*Be It Resolved* by the Senate that the Rules of the Senate, temporarily adopted for 1985, are amended and supplemented as follows:

Rule 106 is amended to read as follows:

106. a. Each bill, joint resolution [and], concurrent resolution and resolution shall be proposed for introduction by presenting to the Secretary of the Senate four copies thereof in typewritten, printed or other similar form, in one original and three similarly duplicated copies thereof, each copy thereof endorsed with the names of the member or members sponsoring the same. *The four copies shall be marked as the Printer's copy, the Secretary's copy, the Legislative Counsel's copy and the Information and Research copy.* A "Statement," containing not more than three hundred words, explaining the object and the localities or person it will affect shall be annexed to a bill, joint resolution or concurrent resolution and the same shall be printed at the end of the bill or resolution under the caption "Statement."

In lieu of adding and designating a Senator as a cosponsor of proposed legislation by motion, any Senator may be added and designated as a cosponsor of a bill, joint resolution or concurrent resolution by the filing with the Secretary of a written notice to that effect signed by the prime sponsor of the bill, joint resolution

or concurrent resolution and by the Senator to be added and designated as a cosponsor thereof.

b. The Secretary shall number all bills and resolutions to be printed as they are presented and make a list of them. Bills and resolutions to be printed offered for introduction in the second annual session of the same Legislature [shall] *may* be numbered [beginning with the number 3001] *in a manner to distinguish them from those introduced in the first annual session.*

c. After numbering and listing each bill and resolution, the Secretary shall [make available one copy to the legislative correspondents, as the President may direct, and shall] deliver the [original and two] copies to the Division of Legal Services for examination as to form.

d. After such examination and when it shall be indicated on the bill or resolution that it has been released, the Division of Legal Services shall return the [original and one] *Secretary's* copy of said bill or resolution to the Secretary, [retaining one] *retain the Counsel's* copy for the files of the [Legislative Services Commission] *Division and deliver one copy to the Division of Information and Research and one copy to the printer.*

e. Thereupon, unless the President shall theretofore have so indicated, the Secretary shall present the [original thereof] *Secretary's copy* to the President for his endorsement thereon, the Committee, if any, to which it is to be referred, and return to the Secretary for introduction[, after which the original and one copy shall be transmitted to the Supervisor of Bills].

f. The reading by the Secretary of the number, title and committee reference if any, of each bill and resolution delivered to him by the President shall be taken as the introduction and first reading of the bill or resolution.

g. All bills and joint resolutions and concurrent resolutions proposing an amendment or amendments to the Constitution shall, after their first reading, be referred to their appropriate committees, unless the [Senate] *President* shall otherwise order and shall, unless they have been previously printed, be printed for the use of the members. Other concurrent resolutions and resolutions shall take the same course as to printing unless otherwise ordered by the President or the Senate.

Rule 112 is amended to read as follows:

112. All bills and joint resolutions, and all concurrent resolutions that are to be printed, after they shall have had first reading, shall be delivered by the [Secretary to the Supervisor of Bills who shall, unless they have been previously printed,] *Division of Legal Services, Office of Legislative Services, which shall cause them to be printed.* The original of each bill, joint resolution and concurrent resolution after it is printed, with a printed copy thereof, shall be returned to the Supervisor of Bills for examination as to whether or not the same has been properly printed.

Rule 117 is amended to read as follows:

117. [Original] *The Secretary's copy of bills and joint resolutions, and concurrent resolutions that are printed*[, after being printed,] shall be delivered by the said Supervisor of Bills to the chairman of the committee to which each such bill or resolution has been referred. If any such bill or resolution has not been referred to a committee, then such bill or resolution after being printed, shall be delivered by the Supervisor of Bills to the Secretary.

Rule 120A is adopted to read as follows:

120A. (New) The Legislative Counsel is authorized to correct in the text of a bill or resolution, or an amendment thereto, prior to passage by the Senate, any error or omission in legal reference, text, punctuation, spelling, grammar and form, the correction of which will not affect the substance of the text.

Rule 124 is amended to read as follows:

124. When a bill originating in the General Assembly shall have been delivered to the Senate, with a message that the General Assembly has passed the same and requesting the concurrence of the Senate therein, and a bill identical therewith, originating in the Senate, is then pending in the Senate, the General Assembly bill may be substituted for such Senate bill, on motion of a sponsor of such Senate bill, upon or after the second reading of the Senate bill and the Assembly bill may then be advanced to, and have, third reading and be passed in substitution for the Senate bill and take the usual course of passed bills and the sponsors of the Senate bill may, upon the motion of one of them, be added as cosponsors of the Assembly bill, with the Assemblyman or Assemblymen who were sponsors of the Assembly bill in the Assembly and the names of such cosponsors shall be endorsed upon the jacket containing the Assembly bill. The provisions of this Rule are expressly subject to the provisions of Rule 114.

*Two bills shall be deemed identical notwithstanding that they may have technical differences with respect to legal reference, text, punctuation, spelling, grammar or form, which differences may be corrected by Legislative Counsel pursuant to Rule 120A.*

Joint Rule 9 is amended to read as follows:

9. Any one or more members or members-elect of the Senate or General Assembly may, between November 15 and the [first] second Tuesday in January prior to the commencement of a 2-year Legislature, pre-file a bill, joint resolution [or], concurrent resolution or resolution for introduction in their respective Houses of the Legislature to be convened on the succeeding second Tuesday in January as in these rules provided. In any year prior to the commencement of a 2-year Legislature and in which no election is held for the election of all the members of the [House, the President, in the case of the Senate, or the Speaker, in the case of the General Assembly,] Senate, the President may fix a date earlier than November 15 for the commencement of the pre-filing period.

Joint Rule 10 is amended to read as follows:

10. Bills[, joint resolutions] and [concurrent] resolutions proposed for introduction by pre-filing shall be forwarded, in quadruplicate, to the Legislative Counsel, Division of Legal Services. Office of Legislative Services, each copy thereof endorsed with the signature of the sponsor or sponsors or with written authorization by the sponsor or sponsors that the proposal be so endorsed.

Joint Rule 11 is amended to read as follows:

11. The Division of Legal Services shall cause each pre-filed proposal to be time-stamped, listed and numbered in the order of receipt with an appropriate Senate or General Assembly bill[, joint resolution] or [concurrent] resolution number and its staff shall cause the same to be examined as to form and for compliance with the Rules of the Senate or General Assembly [pertaining to indication of any such proposals as appropriate for a fiscal note]. Upon completion of such examination as to form and endorsement thereon of a release for introduction, the [Original] *Printer's* copy shall be forwarded to the Legislative Printer for printing with the number assigned thereto and bearing the legend "Pre-filed for introduction in the 19 . session." The [Duplicate] *Secretary or Clerk's* copy, bearing the date the [Original] *copy* was delivered to the Printer, shall be retained for delivery to the Secretary of the Senate or the [Secretary to the Speaker] *Clerk* of the General Assembly upon the convening and organization of the Senate or the General Assembly, as the case may be. One copy[, marked Press Copy,] shall be made available to the [State House Press] *public through the Division of Information and Research* and the [remaining] *Legislative Counsel's* copy shall be retained for the files of the Division of Legal Services.

Joint Rule 12 is amended to read as follows:

12. Upon the release for printing of a pre-filed bill, joint resolution [or], concurrent resolution *or resolution*, the same shall be in the public domain as in the case of bills introduced during a session. [Press copies] *Copies* of the pre-filed bills shall be made available to the [State House Press periodically] *public* during the pre-filing period *by the Division of Information and Research*.

Joint Rule 13 is amended to read as follows:

13. No member or member-elect shall pre-file for reintroduction a bill or resolution, the prime sponsor of which is a member or member-elect of the Legislature, except with the concurrence of such prior prime sponsor [and no member or member-elect shall pre-file for reintroduction in the second annual session of a Legislature a bill or resolution the same or substantially the same as a bill or resolution remaining pending before the Legislature from the first annual session of the same Legislature].

Joint Rule 14 is amended to read as follows:

14. Whenever two or more members or members-elect of the same House shall separately propose for pre-filing the same or substantially the same bill or resolution, the Division of Legal Services

[on behalf of the Legislative Services Commission] shall notify such members and members-elect and seek their concurrence to co-sponsorship of a single bill or resolution, but, except as provided in 13 above, no member or member-elect shall be denied the right to pre-file any bill or resolution.

Joint Rule 15 is amended to read as follows:

15. On the day on which the Senate or General Assembly organizes by the election of its President or Speaker, as the case may be, the Secretary of the Senate or the [Secretary to the Speaker] *Clerk of the General Assembly* shall present [the Duplicate] copies of the pre-filed bills and resolutions to the President or Speaker for his endorsement thereon of the Committee, if any, to which each pre-filed bill or resolution is to be referred and the delivery thereof to the Secretary of the Senate or the Clerk of the General Assembly for introduction and first reading on the same day or on the next [day] *two days* of actual meeting of the House thereafter.

Joint Rule 18A is adopted to read as follows:

18A. (New) A printed bill or resolution which is pre-filed for introduction or introduced in the two-year legislative session next following the session in which it was printed shall be reissued in the same form in which it was previously printed, but shall be marked with a new number and shall bear the caption "Introduced Pending Technical Review by Legislative Counsel."

### STATEMENT

The purpose of this resolution is to make uniform between the two Houses the procedure for preparation, review and printing of legislative bills and resolutions.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Stockman, Van Wagner, Weiss—29.

In the negative—None.

On motion of Mr. O'Connor, Messrs. Russo, Orechio, DiFrancesco and Gagliano were added as cosponsors of Senate No. 2350.

On motion of Mr. Lynch, Mr. Stockman was added as cosponsor of Senate No. 602.

On motion of Mr. Cowan, Mr. Russo was added as cosponsor of Senate No. 2155.

On motion of Mr. Dorsey, Mr. Bubba was added as cosponsor of Senate No. 1166.

On motion of Mr. DiFrancesco, Mr. Bubba was added as cosponsor of Senate Nos. 2409 and 485.

On motion of Mr. Van Wagner, Mr. Contillo was added as cosponsor of Senate No. 2428.

On motion of Mr. Lynch, Mr. Bubba was added as cosponsor of Senate No. 325.

On motion of Mr. Van Wagner, Mr. Bubba was added as cosponsor of Senate No. 2669.

On motion of Mr. Hagedorn, Mr. Cardinale was added as cosponsor of Senate No. 2469.

On motion of Mr. Orecchio, Messrs. O'Connor, Cowan, Van Wagner and Lesniak were added as cosponsors of Senate No. 2591.

On motion of Mr. Cowan, Mr. Bubba was added as cosponsor of Senate No. 2087.

On motion of Mr. Van Wagner, Mr. Cowan was added as cosponsor of Senate Nos. 2605 and 2428.

On motion of Mr. Bassano, Mr. Graves was added as cosponsor of Senate No. 2432.

On motion of Mr. Caufield, Senate No. 1569 was withdrawn from the files.

On motion of Mr. Bubba, Senate No. 1199 was withdrawn from the files.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 159, County and Municipal Government Committee.

Assembly Committee Substitute for Assembly No. 343, Judiciary Committee.

Assembly No. 422, Education Committee.

Assembly No. 1032 Aca w/GR, without reference.

Assembly No. 1762 Aca, without reference.

Assembly No. 1763 Aca, without reference.

Assembly No. 1764 Aca, without reference.

Assembly No. 1765 Aca, without reference.

Assembly No. 1931, Natural Resources and Agriculture Committee.

Assembly No. 2129 Aca, Institutions, Health and Welfare Committee.

Assembly No. 2285, Institutions, Health and Welfare Committee.

Assembly No. 2846, Institutions, Health and Welfare Committee.

Assembly No. 2933, Law, Public Safety and Defense Committee.

Assembly No. 2985, County and Municipal Government Committee.

Assembly No. 3123, without reference.

Assembly No. 3233, Labor, Industry and Professions Committee.

Assembly Joint Resolution No. 65, without reference.

Senate No. 1969 Aca, without reference.

Senate No. 1008 Aca, without reference.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 2701, by Messrs. Rand and Cowan, Transportation and Communications Committee.

Senate No. 2702, by Messrs. Caufield, Foran and Cowan, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2703, by Mr. Bassano, Energy and Environment Committee.

Senate No. 2704, by Ms. Brown, Messrs. Foran and Ewing, Revenue, Finance and Appropriations Committee.

Senate No. 2705, by Messrs. Garibaldi, Foran, Ewing and Bassano, Energy and Environment Committee.

Senate No. 2706, by Messrs. Cardinale, DiFrancesco, Lesniak and Hagedorn, Revenue, Finance and Appropriations Committee.

Senate Joint Resolution No. 57, by Messrs. Ewing, Lesniak and Ms. Costa, Institutions, Health and Welfare Committee.

Senate No. 2707, by Mr. Dumont, Education Committee.

Senate No. 2708, by Messrs. Ewing and Lynch, Revenue, Finance and Appropriations Committee.

Senate No. 2709, by Messrs. Rand, Dalton and Graves, Labor, Industry and Professions Committee.

Senate No. 2710, by Mr. Caufield, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2711, by Messrs. Hagedorn, Connors, Garibaldi, DiFrancesco, Hirkala, Cowan, O'Connor, Cardinale, Bassano, Ewing, and Pallone, Institutions, Health and Welfare Committee.

Senate No. 2712, by Messrs. Hagedorn, Connors, Garibaldi, DiFrancesco, Hirkala, Cowan, O'Connor, Cardinale, Bassano, Ewing and Pallone, Institutions, Health and Welfare Committee.

Senate No. 2713, by Mr. Hagedorn, Law, Public Safety and Defense Committee.

Senate No. 2714, by Messrs. Cowan and O'Connor, without reference.

Senate No. 2715, by Mr. Russo, Labor, Industry and Professions Committee.

Senate No. 2716, by Mr. Caufield, Law, Public Safety and Defense Committee.

Senate Concurrent Resolution No. 133, by Mr. Russo, Judiciary Committee.

Senate Concurrent Resolution No. 134, by Mr. Russo, Revenue, Finance and Appropriations Committee.

Senate No. 2717, by Messrs. O'Connor, Cowan, Hirkala, Zane, Van Wagner and Lynch, Labor, Industry and Professions Committee.

Senate No. 2718, by Messrs. Dalton, Zane and Rand, Energy and Environment Committee.

Senate No. 2719, by Mr. Stockman, Revenue, Finance and Appropriations Committee.

Senate No. 2720, by Mr. Stockman, Revenue, Finance and Appropriations Committee.

Assembly Nos. 1032 Aca w/GR, 1762 Aca, 1763 Aca, 1764 Aca, 1765 Aca, 3123, Assembly Joint Resolution No. 65, Senate Nos. 1969 Aca and 1008 Aca were taken up, read a second time, and ordered to a third reading.

Senate No. 2714 was taken up, read a second time, and ordered to a third reading.

The Revenue, Finance and Appropriations Committee reported the following bill favorably without amendment:

Senate No. 2613.

The Revenue, Finance and Appropriations Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 18 Sea, 131 (OCR) Sea, 1718 Sea, 1881 Sea, 2155 (OCR) Sea, 2296 (OCR) Sea, Assembly Nos. 320 Sea, 608 (OCR) Sea, 837 (SR) Sea and 2420 (2nd OCR) Sea.

The Revenue, Finance and Appropriations Committee reported the following bills favorably without amendment:

Assembly Nos. 601 (OCR), 2578, Senate Nos. 2671 and 2210.

The Natural Resources and Agriculture Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 817 Sea, 2323 Sea and 2589 Sea.

The Natural Resources and Agriculture Committee reported the following bills favorably without amendment:

Assembly No. 994 and Senate No. 2229.

Senate Nos. 2613, 18 Sea, 131 (OCR) Sea, 2155 Sea, 2210, Assembly No. 2430 (2nd OCR) Sea, Senate No. 2296 (OCR) Sea, Assembly Nos. 320 Sea, 608 (OCR) Sea, Senate No. 1718 Sea, Assembly No. 601, Senate No. 2671, Assembly No. 2578, Senate No. 1881 Sea, Assembly No. 837 (SR) Sea, Senate Nos. 817 Sea, 2229, 2323 Sea, 2589 Sea and Assembly No. 994 were taken up, read a second time, and ordered to a third reading.

Mr. Orzechio, Senate President, announced the following appointments to the Commission to Study the Manner in Which the Legislature and its Members Interact with the Citizens of this State:

Senator John P. Caufield (D) 28th District

Senator Gerald Cardinale (R) 39th District

James S. Caffero, Esq., 3303 New Jersey Avenue, Wildwood

Edward H. McCool, New Jersey Common Cause, Trenton

Alan Rosenthal, Eagleton Institute, New Brunswick

Mr. Russo offered the following resolution which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet on Saturday at 10 p.m., and that when it then adjourn it be to meet on Monday, February 25, 1985, at 2 p.m.

On motion of Mr. Russo the Senate then adjourned.

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SATURDAY, February 16, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, February 18, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, February 21, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

SATURDAY, February 23, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, February 25, 1985.

At 2 p.m. the Senate met.

The Session was opened with prayer.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Zane—37.

On the motion of Mr. Caufield the reading of the Journal of the previous session was dispensed with.

T.V. viewing of the film "Battered Wife, Shattered Lives" was shown.

Commemorative, Ceremonial and Memorial Resolutions. The Senate moved and acted upon 12.

The Secretary announced receipt of the 1984 Annual Report of the Division of Taxation. Which was filed.

The Secretary read the following memorandum:

The Office of Legislative Services has received the following material on behalf of the Senate on the date indicated.

- 1/16/85 PORT AUTHORITY OF N. Y. & N. J. (Board Minutes: Bathgate Ind. Park).
- 1/29/85 N. J. TURNPIKE AUTHORITY (Annual Financial Report, 12/31/84).
- 1/29/85 INTERSTATE SANITATION COMMISSION (1. 1984 in Brief 2. 1984 Annual Report: Water Pollution Control Activities).
- 2/4/85 N. J. MOTION PICTURE & TELEVISION COMMISSION (1984 Annual Report).
- 2/6/85 ATTORNEY GENERAL (4th Quarterly Report of Legislative Agents).
- 2/13/85 N. J. TRANSIT (Paratransit Vehicle Insurance Study, 11/85).
- 2/15/85 STATE INVESTMENT COUNCIL (Annual Report: State of N. J. Cash Management Fund).

Mr. Orechio, Senate President, announced the following appointment, effective February 25, 1985, to the State Commission of Investigation:

Paul Alongi, Esq., Bloomfield, N. J.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated.

Senate No. 1056 Aca Aa, without reference.

Assembly No. 728 Aca Aa, Natural Resources and Agriculture Committee.

Senate No. 1828 Sea Aa, without reference.

Senate Nos. 1056 Aca Aa and 1828 Sea Aa were taken up, read a second time, and ordered to a third reading.

Mr. Orechio, Senate President, in concurrence with Assembly Speaker Karcher, announced the following commission appointments:

Commission to Study the Employment and Compensation of Agricultural Labor in New Jersey.

Ida Castro

Daniel Bray

Angel Dominguez

David Sobleman

Mr. Orechio, Senate President, announced the following appointment to the Fire Safety Study Commission:

Mr. Pasquale Intindola, 111 Wilson Street, Nutley, New Jersey.

The Senate moved and acted upon eight Commemorative, Cereimonial and Memorial Resolutions.

On motion of Mr. Orechio, Senate No. 1226 was withdrawn from the files.

The Natural Resources and Agriculture Committee reported the following bill favorably without amendment:

Senate No. 1804.

Senate No. 1804 was taken up, read a second time, and ordered to a third reading.

Mr. Jackman offered the following resolution which was read and adopted:

### SENATE RESOLUTION

*Resolved:* 1. That printed copies of Senate Concurrent Resolution No. 118 entitled "A Concurrent Resolution proposing to amend Article VII, Section II, paragraph 2 of the Constitution," be placed upon the desks of the members of the Senate forthwith; and

2. A record of the placing thereof be made in the Senate Journal and the Secretary certify such placing and the date thereof to the Clerk of the General Assembly.

The Secretary then caused to be placed upon the desks of each member a copy of Senate Concurrent Resolution No. 118 and the placing thereof is hereby noted in the Journal.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 2648 and Assembly No. 1580, notwithstanding the lack of five days' notice.

The County and Municipal Government Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 2428 Sea.

The Revenue, Finance and Appropriations Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 487 (OCR) Sea, 1059 Sea, 1289 (OCR) Sea, 1331 (OCR) Sea, 2469 (OCR) Sea, 2577 Sea, Assembly Nos. 836 (OCR) Sea and 3114 Sea.

The Revenue, Finance and Appropriations Committee reported the following bills favorably without amendment:

Senate No. 2221, Assembly No. 2172, Senate Nos. 2349, 2532, 2537, 2576, Assembly No. 78, Assembly Committee Substitute for Assembly No. 165, Assembly Committee Substitute for Assembly Nos. 1829/872/873 and Assembly No. 1929.

The County and Municipal Government Committee reported the following bills favorably without amendment:

Senate Nos. 530, 878, 2643, 2648 and Assembly No. 1580.

Senate Nos. 530, 878, 2643, 2648, Assembly No. 1580, Senate Nos. 2428 Sea, 487 (OCR) Sea, 1059 Sea, 1289 (OCR) Sea, 1331 (OCR) Sea, Assembly No. 836 (OCR) Sea, Senate No. 2221, Assembly No. 2172, Senate Nos. 2349, 2532, 2537, 2576, 2577 Sea, Assembly No. 78, Assembly Committee Substitute for Assembly No. 165, Assembly Committee Substitute for Assembly Nos. 1829/872/873, Assembly Nos. 1929, 3114 Sea and Senate No. 2469 (OCR) Sea were taken up, read a second time, and ordered to a third reading.

The President announced receipt of and directed the Secretary to read four letters from the Governor nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be a Judge of the Superior Court, Betty Joan Lester, of South Orange, for the term prescribed by law.

To be a Judge of the Tax Court, Edward Pesin, of North Bergen, for the term prescribed by law.

To be a Judge of the Superior Court, Myron H. Gottlieb, of Medford, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Alexander J. Menza, of Hillside, to succeed himself, for the term prescribed by law.

The above nominations were referred to the Judiciary Committee.

The Judiciary Committee reported the following nominations favorably:

To be a Judge of the Superior Court, Martin L. Haines, of Moorestown, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Myron H. Gottlieb, of Medford, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Alexander J. Menza, of Hillside, to succeed himself, for the term prescribed by law.

To be a member of the Casino Control Commission, Valerie H. Armstrong, of Brigantine, to succeed Donald Thomas, resigned, for the term prescribed by law.

To be a member of the Advisory Council on Solid Waste Management, Richard Dovey, of Sweetwater, to succeed David Nalvin, for the term prescribed by law.

To be a member of the State Board of Shorthand Reporters, Carl Fleming, of Woodbridge, to succeed Abe Rosensweig, for the term prescribed by law.

To be a member of the Drug Abuse Advisory Council, Carolann Kane, of Bay Head, for a term of one year.

To be a member of the Drug Abuse Advisory Council, John Brooks, of Pleasantville, for a term of two years.

To be a member of the Drug Abuse Advisory Council, John H. Stamler, of Scotch Plains, for a term of two years.

To be a member of the Drug Abuse Advisory Council, Anne McGee Groome, of Convent Station, for a term of three years.

To be a member of the Drug Abuse Advisory Council, Mary A. Mullholland, of Morristown, for a term of three years.

To be a member of the Historical Commission, Frances D. Pingeon, of Mendham, to replace John Cunningham, for the term prescribed by law.

To be a member of the Tourism Advisory Council, Frank Gurney, of Washington Township, to succeed himself, for the term prescribed by law.

To be a member of the Civil Service Commission, Philip Matalucci, of Cape May Court House, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Edgar R. Holmes, of Cape May Court House, for the term prescribed by law.

To be a member of the Economic Development Authority, Nancy Becker, of Princeton, to succeed David Kotok, resigned, for the term prescribed by law.

To be a member of the Water Supply Authority, George M. Haskew, of Hillside, to succeed Col. James G. Ton, resigned, for the term prescribed by law.

To be a member of the State Council on the Arts, Gerald A. LeBoff, of Teaneck, to succeed himself, for the term prescribed by law.

To be Passaic County Superintendent of Elections, Frederick DeFuria, of Little Falls, to succeed Anthony Pasqueriello for the term prescribed by law.

To be a member of the Bergen County Board of Taxation, Berek P. Don, of Fort Lee, to succeed Jerome Yesko, for the term prescribed by law.

To be a member of the Cemetery Board, Irwin Shipper, of New Brunswick, to succeed himself, for the term prescribed by law.

To be a member of the Cemetery Board, Rabbi Yakov Dombroff, of Elizabeth, to succeed Sharon Harrington, for the term prescribed by law.

To be Director, Division of Coastal Resources, John R. Weingart, of Stockton, for the term prescribed by law.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly Nos. 624 Aca and 2974, Education Committee.

Assembly Nos. 1825 Aca w/GR, 2295 Sca w/GR and Senate No. 2252 Sca Aca Aa, without reference.

Assembly No. 2117 Aca, Labor, Industry and Professions Committee.

Assembly No. 2385 Aca, County and Municipal Government Committee.

Assembly No. 3294, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly Nos. 1825 Aca w/GR, 2295 Sca w/GR and Senate No. 2252 Sca Aca Aa were taken up, read a second time, and ordered to a third reading.

The Institutions, Health and Welfare Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 1876 Sca, 1878 Sca and 2514 Sca.

The Institutions, Health and Welfare Committee reported the following bills favorably without amendment:

Senate No. 1682, Assembly Nos. 1049 (OCR), 1955 (OCR) and Assembly Committee Substitute for Assembly No. 2594/2613.

Senate Nos. 1682, 1876 Sca, 1878 Sca, 2514 Sca, Assembly Nos. 1049 (OCR), 1955 (OCR) and Assembly Committee Substitute for Assembly Nos. 2594/2613 were taken up, read a second time, and ordered to a third reading.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 2721, by Messrs. Lesniak and DiFrancesco, Labor, Industry and Professions Committee.

Senate No. 2722, by Mr. Connors, Institutions, Health and Welfare Committee.

Senate No. 2723, by Mr. Lynch, Aging Committee.

Senate No. 2724, by Messrs. Haines, Hagedorn, Ms. Brown, Messrs. Foran, Bassano, Hurley, Cardinale, Ewing, DiFrancesco, Van Wagner, Zane and Rand, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2725, by Messrs. Contillo, Garibaldi and Cowan, County and Municipal Government Committee.

Senate No. 2726, by Messrs. Hurley, Ewing, Dorsey, DiFrancesco, Cardinale and Ms. Brown, County and Municipal Government Committee.

Senate No. 2727, by Mr. Lesniak, Labor, Industry and Professions Committee.

Senate No. 2728, by Mr. Dorsey, County and Municipal Government Committee.

Senate No. 2729, by Mr. Connors, Institutions, Health and Welfare Committee.

Senate No. 2730, by Mr. Dumont, Labor, Industry and Professions Committee.

Senate No. 2731, by Mr. Gormley, Judiciary Committee.

Senate No. 2732, by Messrs. Laskin, Garibaldi, Gormley, Connors, Bubba and Ewing, Judiciary Committee.

Senate No. 2733, by Messrs. Garibaldi, Gagliano, Cardinale, Bassano, Dumont, Bubba, Laskin, Dorsey, Ewing, Hurley, Foran, Hagedorn, DiFrancesco, Connors and Haines, Judiciary Committee.

Senate No. 2734, by Mr. Pallone, Energy and Environment Committee.

Senate No. 2735, by Messrs. Pallone and Van Wagner, Education Committee.

Senate No. 2736, by Messrs. Dumont and Garibaldi, County and Municipal Government Committee.

Senate No. 2737, by Messrs. Ewing, Dorsey, Hurley, DiFrancesco, Haines, Bassano, Hagedorn and Ms. Brown, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2738, by Mr. Lesniak, Energy and Environment Committee.

Senate No. 2739, by Mr. Bassano, County and Municipal Government Committee.

Senate No. 2740, by Mr. Bassano, Institutions, Health and Welfare Committee.

Senate No. 2741, by Messrs. Dalton, Lesniak, Rand, Contillo, Van Wagner and Zane, Energy and Environment Committee.

Senate No. 2742, by Ms. Brown, Messrs. Gagliano, Foran, Dorsey, Bubba, Cardinale, Hurley, DiFrancesco, Haines, Ewing and Hagedorn, County and Municipal Government Committee.

Senate No. 2743, by Mr. Dalton, Energy and Environment Committee.

Senate No. 2744, by Mr. Hirkala, Law, Public Safety and Defense Committee.

Senate No. 2745, by Mr. Van Wagner, Energy and Environment Committee.

Senate No. 2746, by Mr. Lesniak, Labor, Industry and Professions Committee.

Senate No. 2747, by Mr. Lynch, Energy and Environment Committee.

Senate Joint Resolution No. 58, by Messrs. Pallone, Van Wagner, and Gagliano, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate Concurrent Resolution No. 135, by Messrs. Dorsey, Hurley, DiFrancesco, Haines, Bassano, Cardinale, Garibaldi, Foran and Ms. Brown, Judiciary Committee.

Senate Concurrent Resolution No. 136, by Messrs. Foran, Gagliano, Cardinale, Hurley, Dorsey, DiFrancesco, Haines, Bassano, Cardinale and Ms. Brown, County and Municipal Government Committee.

Senate No. 2748, by Mr. Hagedorn, Revenue, Finance and Appropriations Committee.

Senate No. 2749, by Messrs. Hagedorn and Pallone, Education Committee.

Senate No. 2750, by Messrs. Orechio and Codey, Energy and Environment Committee.

Senate No. 2751, by Messrs. Graves, Orechio, Gormley, Hirkala, Lynch, Dalton, DiFrancesco, Bassano, Gagliano, Lesniak, Cowan, Caufield and Rand, Law, Public Safety and Defense Committee.

Senate No. 2752, by Mr. Orechio, Revenue, Finance and Appropriations Committee.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 1353 Aca, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 2455, Law, Public Safety and Defense Committee.

Assembly No. 2625 Aca, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 2628, Revenue, Finance and Appropriations Committee.

Assembly No. 2944, Revenue, Finance and Appropriations Committee.

Assembly No. 3069, Revenue, Finance and Appropriations Committee.

Assembly No. 3074, without reference.

Assembly No. 3217, Education Committee.

Assembly No. 3299, without reference.

Senate No. 1004, Sea Aca, without reference.

Assembly No. 3074, Senate No. 1004 Sea Aca and Assembly No. 3299 were taken up, read a second time, and ordered to a third reading.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate Nos. 2633 and 2376, notwithstanding the lack of five days' notice.

Pursuant to Rule 82, authorization is hereby granted to schedule Senate Resolution No. 77, notwithstanding the lack of five days' notice.

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 1804, notwithstanding the lack of five days' notice.

Pursuant to Rule 82, authorization is hereby granted to schedule Senate Nos. 2710, 2528 and Assembly No. 2031, notwithstanding the lack of five days' notice and that the 15 bill limitation is exceeded.

The Education Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 976 Sea, 2442 Sea, 2459 Sea, 2460 Sea and Assembly No. 2337 ACS Sea.

The Education Committee reported the following bills favorably without amendment:

Senate No. 2603, Assembly No. 422, Assembly Joint Resolution No. 42 and Senate No. 2356.

The Aging Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2517 Sea, 2634 Sea, Assembly Nos. 1548 (2nd OCR) Sea and 2914 (OCR) Sea.

The Judiciary Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly Nos. 588 Sea, 2512 Sea, 2854 Sea, Senate No. 2337 Sea and Senate Committee Substitute for Senate No. 2340 Sea.

The Judiciary Committee reported the following bills favorably without amendment:

Senate Resolution No. 77, Assembly Nos. 106, 2669, Senate No. 2656, Assembly No. 2331, Senate Nos. 2426, 2326 and Assembly No. 1793.

The Law, Public Safety and Defense Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 2606 Sea.

The Law, Public Safety and Defense Committee reported the following bills favorably without amendment:

Senate Nos. 32, 2132, 2716, 2336 and Senate Joint Resolution No. 18.

The Labor, Industry and Professions Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly Nos. 425 Sea, 2883 (2nd OCR) Sea, 2885 Sea, Senate Nos. 1642 Sea, 1910 Sea and 2697 Sea.

The Labor, Industry and Professions Committee reported the following bills favorably without amendment:

Senate Committee Substitute for Senate Nos. 1434/1207, Assembly No. 1155 Aca Aa, Senate No. 1958, Assembly Nos. 1106, 1288 and 845.

The Transportation and Communications Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2507 Sea, 2610 Sea, Assembly Nos. 647 Sea, 2046 (OCR) Sea and 2093 (OCR) Sea.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 1964 Sea, 2189 Sea, 2227 Sea, 2294 Sea, 2710 Sea, Senate Joint Resolution No. 48 Sea, Assembly Nos. 1978 Sea, and 3164 Sea.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bills favorably without amendment:

Assembly Joint Resolution No. 41, Senate Nos. 167, 838, Assembly No. 2031 (OCR), Senate Resolution No. 5, Senate Nos. 1458, 2528 and 1984.

The Energy and Environment Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2113 Sea, 2376 Sea, 2529 Sea, 2531 Sea, 2547 Sea, 2633 Sea and 2718 Sea.

The Energy and Environment Committee reported the following bills favorably without amendment:

Assembly Nos. 3005, 1509 and Senate No. 2657.

Senate Nos. 2356, 2442 Sea, 976 Sea, 2459 Sea, 2460 Sea, 2603, Assembly No. 422, Assembly Joint Resolution No. 42, Assembly

Committee Substitute for Assembly No. 2337 Sea, Assembly Nos. 1548 Sea, 2914 Sea, Senate Nos. 2517 Sea, 2634 Sea, 2326, Assembly Nos. 1793, 2854 Sea, Senate No. 2337 Sea, Assembly Nos. 2512 Sea, 2331, Senate No. 2426, Senate Committee Substitute for Senate No. 2340, Assembly No. 2669, Senate No. 2656, Assembly No. 588 Sea, Senate Resolution No. 77, Assembly No. 106, Senate Nos. 32, 2132, 2716, 2336, Senate Joint Resolution No. 18, Senate Nos. 2606 Sea, 2528, Assembly Nos. 1288, 1106, 845 and 425 Sea were taken up, read a second time, and ordered to a third reading.

Senate Nos. 2697 Sea, 1958, 1910 Sea, 1642 Sea, Senate Committee Substitute for Senate Nos. 1434/1207/Assembly No. 1155 Aca Aa, Assembly Nos. 2883 Sea, 2885 Sea, Senate Nos. 2507 Sea, 2610 Sea, Assembly Nos. 647 Sea, 2046 Sea, 2093 Sea, Senate Nos. 2227 Sea, 1964 Sea, 2710 Sea, 2294 Sea, Senate Joint Resolution No. 48 Sea, Senate Resolution No. 5, Senate Nos. 2189 Sea, 167, 838, Assembly Nos. 2031, 3164 Sea, Assembly Joint Resolution No. 41, Assembly No. 1978 Sea, Senate Nos. 1458, 1984, 2657, 2113, 2376 Sea, 2529 Sea, 2531 Sea, 2547 Sea, 2633, 2718 Sea, Assembly Nos. 1509 and 3005 were taken up, read a second time, and ordered to a third reading.

On motion of Mr. Zane, Mr. Rand was added as cosponsor of Senate No. 2223.

Mr. Russo offered the following resolution which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet on Thursday, February 28, 1985, at 2 p.m.

On motion of Mr. Russo the Senate then adjourned.

THURSDAY, February 28, 1985.

At 2 p.m. the Senate met.

The Session was opened with prayer by Reverend Dr. G. Ross Laidlaw, Brookdale Baptist Church, Bloomfield.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orecchio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

On motion of Mr. Russo the reading of the Journal of the previous session was dispensed with.

The Senate moved and acted upon 13 Commemorative, Ceremonial and Memorial Resolutions.

The Judiciary Committee reported the following nominations favorably:

To be a member of the Mosquito Control Commission, Leonard Spiegel, of West Long Branch, to succeed himself, for the term prescribed by law.

To be a member of the Violent Crimes Compensation Board, Kenneth Welch, of Livingston, to succeed himself, for the term prescribed by law.

To be a member of the Developmental Disabilities Council, Beatrice S. Antell, of Millburn, to succeed herself, for the term prescribed by law.

To be a member of the State Library, Archives and History Advisory Council, Judith Nudelman, of Livingston, to succeed Betty Torricelli, for the term prescribed by law.

To be a member of the Banking Advisory Board, Kenneth L. Birchby, of Saddle River, to succeed Kenneth Albers, for the term prescribed by law.

To be a member of the Drug Abuse Advisory Council, Geraldine Silverman, of Short Hills, for a term of one year.

To be a member of the Drug Abuse Advisory Council, Michael Festa, of Verona, for a term of one year.

To be a member of the Drug Abuse Advisory Council, Daniel Greenfield, M.D. of Short Hills, for a term of three years.

To be a member of the Drug Abuse Advisory Council, Joseph W. Walsh, of Chester, for a term of three years.

To be a Workers' Compensation Judge, Sandra S. Spizziri, of Wyckoff, for the term prescribed by law.

To be an Administrative Law Judge, Timothy N. Tuttle, of Mahwah, for the term prescribed by law.

To be an Administrative Law Judge, Edith Klinger, of Englewood, for the term prescribed by law.

To be a Judge of the Superior Court, Betty Joan Lester, of South Orange, for the term prescribed by law.

To be Commissioner, Department of Insurance, Hazel Frank Gluck, of Lakewood, to succeed Kenneth D. Marin, resigned, for the term prescribed by law.

To be Director, Purchase and Property, James J. Rosenberg, of Denville, for the term prescribed by law.

On motion of Mr. Lynch that the Senate do declare the confirmation of the above nominees to be an emergency matter, with exception of M. Festa, the vote is as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

On motion of Mr. Lynch, the following nominations were taken up:

To be a member of the Drug Abuse Advisory Council, Carolann Kane, of Bay Head, for a term of one year.

To be a member of the Drug Abuse Advisory Council, John Brooks, of Pleasantville, for a term of two years.

To be a member of the Drug Abuse Advisory Council, John H. Stamler, of Scotch Plains, for a term of two years.

To be a member of the Drug Abuse Advisory Council, Anna Megee Groome, of Convent Station, for a term of three years.

To be a member of the Drug Abuse Advisory Council, Mary A. Mulholland, of Morristown, for a term of three years.

To be a member of the Historical Commission, Frances D. Pigeon, of Mendham, to replace John Cunningham, for the term prescribed by law.

To be a member of the Tourism Advisory Council, Frank Gurney, of Washington Township, to succeed himself, for the term prescribed by law.

To be a member of the Civil Service Commission, Philip Matalucci, of Cape May Court House, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Edgar R. Holmes, of Cape May Court House, for the term prescribed by law.

To be a member of the Economic Development Authority, Nancy Becker, of Princeton, to succeed David Kotok, resigned, for the term prescribed by law.

To be a member of the Water Supply Authority, George M. Haskew, of Hillsdale, to succeed Col. James G. Ton, resigned, for the term prescribed by law.

To be a member of the State Council on the Arts, Gerald A. Leboff, of Teaneck, to succeed himself, for the term prescribed by law.

To be Passaic County Superintendent of Elections, Frederick DeFuria, of Little Falls, to succeed Anthony Pasqueriello, for the term prescribed by law.

To be a member of the Bergen County Board of Taxation, Berek P. Don, of Fort Lee, to succeed Jerome Yesko, for the term prescribed by law.

To be a member of the Cemetery Board, Irwin Shipper, of New Brunswick, to succeed himself, for the term prescribed by law.

To be a member of the Cemetery Board, Rabbi Yakov Dombroff, of Elizabeth, to succeed Sharon Harrington, for the term prescribed by law.

To be Director, Division of Coastal Resources, John R. Weingart, of Stockton, for the term prescribed by law.

To be a member of the Casino Control Commission, Valerie H. Armstrong of Brigantine, to succeed Donald Thomas, resigned, for the term prescribed by law.

To be a Judge of the Superior Court, Martin L. Haines, of Moorestown, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Myron H. Gottlieb, of Medford, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Alexander J. Menza, of Hillside, to succeed himself, for the term prescribed by law.

To be a member of the Advisory Council on Solid Waste Management, Richard Dovey, of Sweetwater, to succeed David Nalvin, for the term prescribed by law.

To be a member of the State Board of Shorthand Reporters, Carl Fleming, of Woodbridge, to succeed Abe Rosensweig, for the term prescribed by law.

To be a member of the Mosquito Control Commission, Leonard Spiegel of West Long Branch, to succeed himself, for the term prescribed by law.

To be a member of the Violent Crimes Compensation Board, Kenneth Welch, of Livingston, to succeed himself, for the term prescribed by law.

To be a member of the Developmental Disabilities Council, Beatrice S. Antell, of Millburn, to succeed herself, for the term prescribed by law.

To be a member of the State Library, Archives and History Advisory Council, Judith Nudelman, of Livingston, to succeed Betty Torricelli, for the term prescribed by law.

To be a member of the Banking Advisory Board, Kenneth L. Birchby, of Saddle River, to succeed Kenneth Albers, for the term prescribed by law.

To be a member of the Drug Abuse Advisory Council, Geraldine Silverman, of Short Hills, for a term of one year.

To be a member of the Drug Abuse Advisory Council, Daniel Greenfield, M.D., of Short Hills, for a term of three years.

To be a member of the Drug Abuse Advisory Council, Joseph W. Walsh, of Chester, for a term of three years.

To be a Workers' Compensation Judge, Sandra S. Spizziri, of Wyckoff, for the term prescribed by law.

To be an Administrative Law Judge, Timothy N. Tuttle, of Mahwah, for the term prescribed by law.

To be an Administrative Law Judge, Edith Klinger, of Englewood, for the term prescribed by law.

To be a Judge of the Superior Court, Betty Joan Lester, of South Orange, for the term prescribed by law.

To be Commissioner, Department of Insurance, Hazel Frank Gluck, of Lakewood, to succeed Kenneth D. Marin, resigned, for the term prescribed by law.

To be Director, Purchase and Property, James J. Rosenberg, of Denville, for the term prescribed by law.

Upon the question "Will the Senate advise and consent to the above nominations?" it was decided as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

The above nominations were declared unanimously confirmed.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bill, which bill was read for the first time and given no reference:

Assembly No. 3296 Aa, without reference.

Assembly No. 3296 Aa was taken up, read a second time, and ordered to a third reading.

Mr. Garibaldi offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Assembly No. 3296 Aa is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Assembly No. 3296 Aa was given third reading.

On motion of Mr. Garibaldi that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 18 was given third reading.

On motion of Mr. Van Wagner that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative were—

Bubba, Laskin—2.

Senate No. 131 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (Presi-

dent), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 1657 was given third reading.

On motion of Mr. Ewing that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Caufield, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—32.

In the negative were—

Bubba, Laskin—2.

Senate No. 1961 was given third reading.

On motion of Mr. Zane that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative were—

Dalton, Laskin—2.

Senate No. 1983 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Foran, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—31.

In the negative was—Laskin—1.

On motion of Mr. Cowan pursuant to Rule 124, Assembly No. 2430 was substituted for Senate No. 2155 with which it is identical, and Mr. Cowan was added as cosponsor of Assembly No. 2430.

Which was adopted by voice vote.

Assembly No. 2430 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

On motion of Ms. Costa, Senate No. 2060 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

Senate No. 2060 Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Cardinale, Senate No. 2675 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 2675 Sa was taken up, read a second time, and ordered to a third reading.

Mr. Cardinale offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2675 Sa is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman,

Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 2675 Sa was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 2215 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Ms. Costa offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2060 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 2060 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 2589 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Ewing, Foran, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—31.

In the negative was—Dumont—1.

Senate Joint Resolution No. 45 was given third reading.

On motion of Mr. Hurley that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

The Senate moved and acted upon three Commemorative, Ceremonial and Memorial Resolutions.

On motion of Mr. Dumont that Assembly No. 1934 be placed back on second reading for the purpose of amendment, the motion was lost by the following vote:

In the affirmative were—

Brown, Bubba, Cardinale, Connors, Costa, Dorsey, Dumont, Foran, Garibaldi, Gormley, Hagedorn, Hurley, Laskin—13.

In the negative were—

Caufield, Cowan, Dalton, DiFrancesco, Ewing, Graves, Haines, Hirkala, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Stockman, Van Wagner, Zane—16.

Assembly No. 1934 was given third reading.

On motion of Mr. Ewing that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Caufield, Cowan, Dalton, DiFrancesco, Ewing, Foran, Gormley, Graves, Hagedorn, Haines, Hirkala, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—23.

In the negative were—

Brown, Bubba, Cardinale, Contillo, Dorsey, Dumont, Hurley, Laskin—8.

Senate No. 1828 (OCR) (3rd AR) Aa was given third reading.

On motion of Mr. O'Connor that the Senate do concur in the Assembly amendments by Senate amendment, the vote was as follows:

In the affirmative were—

Brown, Cardinale, Caufield, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—28.

In the negative—None.

Senate No. 1970 with Governor's recommendations, was given third reading.

On motion of Mr. Caufield that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Caufield, Costa, Cowan, Dalton, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Rand, Russo, Stockman, Van Wagner, Weiss, Zane—19.

In the negative were—

Bassano, Bubba, Cardinale, Connors, Contillo, DiFrancesco, Dorsey, Dumont, Ewing, Garibaldi, Hagedorn, Haines, Hurley, Laskin, Pallone—15.

On motion of Mr. Caufield the bill was laid over.

The Revenue, Finance and Appropriations Committee reported the following bill favorably without amendment:

Assembly No. 3167.

Assembly No. 3167 was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Jackman pursuant to Rule 124, Assembly No. 3167 was substituted for Senate No. 2671 with which it is identical, and Senator Jackman was added as cosponsor of Assembly No. 3167.

Which was adopted by voice vote.

Assembly No. 3167 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Contillo, Costa, Cowan, Dalton, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—21.

In the negative were—

Brown, Bubba, Cardinale, Connors, Dorsey, Dumont, Ewing, Gormley, Haines, Hurley, Laskin—11.

Senate No. 2718 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative were—

Bassano, Laskin—2.

Ms. Costa offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved*, That Senate No. 2557 be amended in accordance with the Governor's recommendations.

Senate No. 2557 w/GR was taken up, read a second time, and ordered to a third reading.

On motion of Ms. Costa that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 2557 w/GR was taken up, read a second time, and ordered to a third reading.

Ms. Costa offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2557 with Governor's recommen-

dation is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—34.

In the negative—None.

Senate No. 2557, with Governor's recommendations, was given third reading.

On motion of Ms. Costa that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Brown, Bubba, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—32.

In the negative were—

Bassano, Russo—2.

Senate No. 2469 was given third reading.

On motion of Mr. Hagedorn that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 2623 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

On motion of Mr. Dalton, Senate No. 1672 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Foran, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—31.

In the negative—None.

Senate No. 1672 Sa was taken up, read a second time, and ordered to a third reading.

Mr. Gormley offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 1672 Sa is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—32.

In the negative—None.

Senate No. 1672 Sa was given third reading.

On motion of Mr. Gormley that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

On motion of Mr. Lesniak, Assembly No. 1568 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Caufield, Contillo, Costa, Cowan, Gormley, Graves, Hirkala, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss—18.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, Dalton, Di-Francesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Hagedorn, Haines, Hurley, Laskin, Rand—17.

Assembly No. 1568 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Russo, Assembly No. 2793 (2nd OCR) (SR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Russo, Weiss, Zane—30.

In the negative—None.

Mr. Orechio proposed further amendments to Assembly No. 2793 (2nd OCR) (SR) Sa and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—32.

In the negative—None.

Mr. Jackman proposed further amendments to Assembly No. 2793 (2nd OCR) (SR) Sa Sa and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Contillo, Costa, Cowan, Foran, Hirkala, Jackman, Lipman, Orechio (President), Pallone, Russo, Zane—15.

In the negative—None.

Assembly No. 2793 (OCR) (SR) Sa Sa Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Lesniak, Senate No. 2161 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lip-

man, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Zane—26.

In the negative—None.

Senate No. 2161 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Russo, Senate No. 791 (3rd OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, DiFrancesco, Dumont, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—29.

In the negative—None.

Senate No. 791 (3rd OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Cowan, Senate No. 1335 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Contillo, Costa, Cowan, DiFrancesco, Dumont, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—28.

In the negative—None.

Senate No. 1335 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Cowan, Senate No. 1910 Sea was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Contillo, Costa, Cowan, DiFrancesco, Dumont, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—29.

In the negative—None.

Senate No. 1910 Sea Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Caufield, Senate Joint Resolution No. 48 Sea was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Foran, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—32.

In the negative—None.

Senate Joint Resolution No. 48 Sea Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Cowan, Assembly No. 425 Sea was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Brown, Cardinale, Caufield, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Foran, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Laskin, Lesniak, Lynch, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—26.

In the negative—None.

Assembly No. 425 Sea Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Russo, Assembly No. 2883 (2nd OCR) Sea was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Cowan, DiFrancesco, Dumont, Foran, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—29.

In the negative—None.

Assembly No. 2883 (2nd OCR) Sea Sa was taken up, read a second time, and ordered to a third reading.

Senate No. 1835, with Governor's recommendations, was given second reading.

On motion of Mr. Bassano that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Foran, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, Orechio (President), Pallone, Rand, Stockman, Zane—29.

In the negative—None.

Senate No. 1835, with Governor's recommendations, was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Lynch, Senate No. 2545 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Brown, Cardinale, Caufield, Connors, Contillo, Cowan, DiFrancesco, Dorsey, Dumont, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—27.

In the negative—None.

Senate No. 2545 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

Mr. Caufield made a motion to suspend the 30 bill limitation rule. Motion adopted by voice vote.

Assembly No. 4 was given third reading.

On motion of Mr. Foran that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

Assembly No. 661 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, Orechio (President), Pallone, Russo, Stockman, Zane—28.

In the negative were—

Laskin, Lynch—2.

Assembly No. 845 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn,

Hirkala, Hurley, Jackman, Lesniak, Lipman, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—31.

In the negative were—

Haines, Laskin—2.

Assembly No. 1042 with Governor's recommendations, was given third reading.

On motion of Mr. Lynch that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative were—

Bubba, Laskin—2.

Assembly No. 1621 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—33.

In the negative—None.

Assembly No. 2578 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Assembly No. 3074 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont,

Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—32.

In the negative—None.

Assembly Joint Resolution No. 20 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

On motion of Mr. Bubba, pursuant to Rule 124, Assembly No. 319 was substituted for Senate No. 1093 with which it is identical, and Senator Bubba was added as cosponsor of Assembly No. 319.

Which was adopted by voice vote.

Assembly No. 319 was given third reading.

On motion of Mr. Bubba that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 1330 was given third reading.

On motion of Mr. Stockman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

On motion of Mr. Ewing, pursuant to Rule 124, Assembly No. 1764 was substituted for Senate No. 1650 with which it is identical, and Senator Ewing was added as cosponsor of Assembly No. 1764.

Which was adopted by voice vote.

Assembly No. 1764 was given third reading.

On motion of Mr. Ewing that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—35.

In the negative—None.

On motion of Mr. Ewing, pursuant to Rule 124, Assembly No. 1763 was substituted for Senate No. 1651 with which it is identical, and Senator Ewing was added as cosponsor of Assembly No. 1763.

Which was adopted by voice vote.

Assembly No. 1763 was given third reading.

On motion of Mr. Ewing that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

On motion of Mr. Russo, pursuant to Rule 124, Assembly No. 1762 was substituted for Senate No. 1765 with which it is identical, and Senator Russo was added as cosponsor of Assembly No. 1762.

Which was adopted by voice vote.

Assembly No. 1762 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

On motion of Mr. Russo, pursuant to Rule 124, Assembly No. 1765 was substituted for Senate No. 1766 with which it is identical, and Senator Orechio was added as cosponsor of Assembly No. 1765.

Which was adopted by voice vote.

Assembly No. 1765 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

On motion of Mr. Dalton, pursuant to Rule 124, Assembly No. 617 was substituted for Senate No. 1839 with which it is identical, and Senator Dalton was added as cosponsor of Assembly No. 617.

Which was adopted by voice vote.

Senate No. 617 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 1969 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 1331 was given third reading.

On motion of Mr. Stockman that the bill pass the vote was as follows:

In the affirmative were—

Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—30.

In the negative—None.

Senate No. 2100 was given third reading.

On motion of Mr. Stockman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 2254 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—33.

In the negative—None.

Senate No. 2309 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative was—Laskin—1.

Senate No. 2350 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lynch, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 2396 was given third reading.

On motion of Mr. Hirkala that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 2672 was given third reading.

On motion of Mr. Hirkala that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 2678 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Rand, Russo, Sockman, Van Wagner, Weiss, Zane—32.

In the negative were—

Laskin, Pallone—2.

Mr. Hagedorn made a motion to rescind vote on Senate No. 2469. Motion adopted by voice vote.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 2287, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 2913 Aca, without reference.

Assembly No. 3062, Judiciary Committee.

Assembly No. 3228, Revenue, Finance and Appropriations Committee.

Assembly No. 2913 Aca was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Hagedorn, pursuant to Rule 124, Assembly No. 2913 Aca was substituted for Senate No. 2469 with which it is identical, and Senator Hagedorn was added as cosponsor of Assembly No. 2913.

Which was adopted by voice vote.

Assembly No. 2913 Aca was given third reading.

On motion of Mr. Hagedorn that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

On motion of Mr. Stockman, Assembly No. 778 (OCR) (SR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Foran, Garibaldi, Gormley, Hagedorn, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—28.

In the negative—None.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Senate No. 1443 Sea Aca, without reference.

Senate No. 2194 Sea Aca, without reference.

Senate No. 2244 Aca, without reference.

Assembly No. 3314, without reference.

Assembly No. 766 Sea with Governor's Recommendations, without reference.

Assembly No. 1104, Labor, Industry and Professions Committee.

Assembly No. 2026 Aca Aa, Revenue, Finance and Appropriations Committee.

Assembly No. 2332 Aca Aa, Law, Public Safety and Defense Committee.

Assembly No. 2412 Aca, County and Municipal Government Committee.

Assembly Committee Substitute for Assembly Nos. 2744 and 2803, Judiciary Committee.

Assembly No. 3061, Judiciary Committee.

Assembly No. 3297 Aa, without reference.

Senate Nos. 1443 Sea Aca, 2194 Sea Aca, 2244 Aca, Assembly Nos. 3314, 766 Sea with Governor's Recommendation's and 3297 Aa were taken up, read a second time, and ordered to a third reading.

The President announced receipt of, and directed the Secretary to read sixteen letters from the Governor nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be a member of the Morris County Tax Board, Helen Lori, of Dover, to succeed herself, for the term prescribed by law.

To be a member of the Essex County Tax Board, Fred W. Federici, Jr., of Newark, to succeed himself, for the term prescribed by law.

To be a member of the Middlesex County Tax Board, Thomas English, of Old Bridge, to succeed Joseph Spataro, resigned, for the term prescribed by law.

To be a member of the Sussex County Tax Board, Joseph S. Masar, of Ogdensburg, to succeed himself, for the term prescribed by law.

To be a member of the Delaware River Joint Toll Bridge Commission, Nicholas Masi, of Newton, to succeed himself, for the term prescribed by law.

To be a member of the Historical Commission, Charles Cullen, of Princeton, to succeed Kenneth Jennings, deceased, for the term prescribed by law.

To be Brigadier General of New Jersey Air National Guard, Colonel Ralph W. Applegate, of Mt. Laurel, for the term prescribed by law.

To be a member of the Local Finance Board, Sheldon Blum, of Elmwood Park, to succeed himself, for the term prescribed by law.

To be a member of the Armed Forces and Veterans Affairs Council, Carl E. Briscoe, Sr., of Atlantic City, to succeed himself, for the term prescribed by law.

To be a member of the Commission on Aging, Patrick Curran, of Jefferson, to succeed himself, for the term prescribed by law.

To be a member of the Advisory Council on Community Affairs, Thomas Dunn, of Elizabeth, to succeed himself, for the term prescribed by law.

To be a member of the New Jersey Housing and Mortgage Finance Agency, George Kohn, of Watchung, to succeed himself, for the term prescribed by law.

To be a member of the Board of Recreation Examiners, Gregory Marshall, of Asbury, to succeed himself for the term prescribed by law.

To be a member of the Agriculture Development Committee, Samuel M. Hamill, Jr., of Princeton, to succeed himself for the term prescribed by law.

To be a member of the Advisory Council on Community Affairs, Sharon A. Worrell, of Florence, to succeed herself, for the term prescribed by law.

To be a member of the Advisory Council on Community Affairs, Bertrand Kendall, of Montclair, to succeed himself, for the term prescribed by law.

The above nominations were referred to the Judiciary Committee.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 2753, by Messrs. Bassano, DiFrancesco and Laskin, Judiciary Committee.

Senate No. 2754, by Mr. Bubba, Labor, Industry and Professions Committee.

Senate No. 2755, by Mr. Connors, Institutions, Health and Welfare Committee.

Senate No. 2756, by Mr. Dumont, Education Committee.

Senate No. 2757, by Messrs. Foran, Rand, Hurley and Dumont, Law, Public Safety and Defense Committee.

Senate No. 2758, by Mr. Van Wagner, County and Municipal Government Committee.

Senate No. 2759, by Mr. Codey, Institutions, Health and Welfare Committee.

Senate No. 2760, by Mr. Codey, County and Municipal Government Committee.

Senate No. 2761, by Mr. Connors, Institutions, Health and Welfare Committee.

Senate No. 2762, by Messrs. Gagliano, Hurley, Bassano, Bubba and Dorsey, Law, Public Safety and Defense Committee.

Senate No. 2763, by Mr. Rand, Energy and Environment Committee.

Senate No. 2764, by Messrs. Hurley, Gagliano, Foran and Dorsey, Institutions, Health and Welfare Committee.

Senate No. 2765, by Mr. DiFrancesco, Revenue, Finance and Appropriations Committee.

Senate No. 2766, by Messrs. Ewing, Dumont and Feldman, Education Committee.

Senate No. 2767, by Messrs. Garibaldi and Foran, Institutions, Health and Welfare Committee.

Senate No. 2768, by Mr. Garibaldi, Law, Public Safety and Defense Committee.

Senate No. 2769, by Messrs. Bubba, Graves, Connors, Bassano, Gagliano, Foran, DiFrancesco, Contillo, Hirkala, Caufield, Hagedorn and Garibaldi, Law, Public Safety and Defense Committee.

Senate No. 2770, by Mr. Lynch, County and Municipal Government Committee.

Senate Resolution No. 78, by Messrs. Hurley, Foran and Dumont, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2771, by Mr. Weiss, Law, Public Safety and Defense Committee.

Senate No. 2772, by Mr. Hagedorn, Education Committee.

Senate No. 2773, by Messrs. Hirkala and DiFrancesco, County and Municipal Government Committee.

Senate No. 2774, by Mr. Bubba, County and Municipal Government Committee.

Senate No. 2775, by Messrs. Rand and Orechio, Institutions, Health and Welfare Committee.

Senate No. 2776, by Mr. Russo, Judiciary Committee.

Senate No. 2777, by Mr. Jackman, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2778, by Messrs. Dorsey, Cowan, Jackman, Hurley, Garibaldi, O'Connor and Lipman, Labor, Industry and Professions Committee.

Senate No. 2779, by Messrs. Jackman and McManimon, Institutions, Health and Welfare Committee.

Senate No. 2780, by Mr. McManimon, County and Municipal Government Committee.

Senate No. 2781, by Messrs. Russo and Orechio, Judiciary Committee.

Senate No. 2782, by Mr. Hirkala, without reference.

Senate Resolution No. 79, by Ms. Lipman, Messrs. Orechio and Russo, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2783, by Messrs. Cowan and O'Connor, Institutions, Health and Welfare Committee.

Senate No. 2784, by Messrs. Cowan and O'Connor, Institutions, Health and Welfare Committee.

Senate No. 2785, by Messrs. Cowan and O'Connor, Judiciary Committee.

Senate No. 2786, by Messrs. Cowan and O'Connor, Institutions, Health and Welfare Committee.

Senate No. 2787, by Messrs. Van Wagner and Russo, Judiciary Committee.

Senate No. 2788, by Mr. Russo, without reference.

Senate No. 2789, by Ms. Costa, without reference.

Senate No. 2790, by Mr. Van Wagner, without reference.

Senate Nos. 2782, 2788, 2789 and 2790 were taken up, read a second time, and ordered to a third reading.

The Senate moved and acted upon one Ceremonial Resolution.

Mr. Russo offered the following motions which were read and adopted:

*Be It Resolved*, That pursuant to Senate Rule 88, the following bills be referred to the Revenue, Finance and Appropriations Committee:

Assembly Nos. 293, 647, 1049, 1548, 1793, 1955, 2337, Senate Nos. 1878, 2202, 2338, 2356, 2376, 2427, 2428, 2507, 2514 and 2547.

*Be It Resolved*, That Senate No. 2693 be transferred from Labor, Industry and Professions to County and Municipal Government Committee.

*Be It Resolved*, That Senate No. 1047 be referred to the Law, Public Safety and Defense Committee.

Mr. Orechio, Senate President, announced the following appointments to the Motor Vehicle Study Commission:

Senator Frank X. Graves, (D) 35th District

Senator C. Louis Bassano, (R) 21st District

On motion of Mr. Russo, Mr. Van Wagner was added as cosponsor of Senate No. 2053.

On motion of Mr. Bassano, Mr. Dalton was added as cosponsor of Senate No. 1718.

On motion of Mr. Dumont, Mr. Bubba was added as cosponsor of Senate No. 1079.

On motion of Mr. Russo, Ms. Brown was added as cosponsor of Senate No. 2053.

On motion of Mr. Graves, Mr. Bubba was added as cosponsor of Senate No. 2751.

On motion of Mr. Lesniak, Mr. Contillo was added as cosponsor of Senate No. 2738.

On motion of Mr. Russo, Ms. Brown was added as cosponsor of Senate No. 2053.

On motion of Mr. Cowan, Mr. Lynch was added as cosponsor of Senate No. 2299.

On motion of Mr. Hurley, Mr. Hurley was withdrawn as cosponsor of Senate No. 2678.

Mr. Russo offered the following resolution which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet on Saturday at 10 a.m., and that when it then adjourn, it be to meet on Monday at 10 a.m., and that when it then adjourn it be to meet on Thursday, March 7, 1985, at 2 p.m.

On motion of Mr. Russo the Senate then adjourned.

SATURDAY, March 2, 1985.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, March 4, 1985.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

THURSDAY, March 7, 1985.

Initial quorum roll call before conference meetings.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lynch, Orechio (President), Pallone, Rand, Russo, Stockman, Zane—31.

At 3:45 p.m. the Senate reconvened.

The Session was opened with prayer by Reverend Richard D. Carson (Msgr.) St. Mary's Roman Catholic Church, Nutley.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

On the motion of Mr. Caufield the reading of the Journal of the previous session was dispensed with.

The Senate moved and acted upon 21 Commemorative, Ceremonial and Memorial Resolutions.

Assembly No. 1568 was given third reading.

On motion of Mr. Dorsey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Garibaldi, Graves, Hagedorn, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—31.

In the negative were—

Connors, Ewing, Gagliano, Gormley, Haines—5.

Mr. Hirkala assumed the duties of the Chair.

Assembly No. 1997 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Costa, Cowan, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—35.

In the negative—None.

Assembly No. 3114 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Caufield, Connors, Contillo, Costa, Cowan, Dorsey, Dumont, Feldman, Foran, Graves, Hirkala, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—27.

In the negative were—

DiFrancesco, Ewing, Gagliano, Gormley, Haines—5.

Senate No. 2789 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate Joint Resolution No. 48 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 2177 was given third reading.

On motion of Mr. Stockman that the bill pass the vote was as follows:

In the affirmative were—

Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Feldman, Foran, Garibaldi, Graves, Hirkala, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—25.

In the negative were—

Bassano, Bubba, Connors, Dumont, Ewing, Gagliano, Gormley, Hagedorn, Haines, Hurley, Laskin—11.

Assembly No. 377 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Contillo, Costa, Cowan, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—21.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Laskin—17.

Senate No. 2532 was given third reading.

On motion of Mr. Foran that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 784 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Caufield, Contillo, Costa, Cowan, Dorsey, Dumont, Feldman, Garibaldi, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—26.

In the negative were—

Connors, DiFrancesco, Ewing, Gormley, Hagedorn, Haines, Hurley, Laskin—8.

Assembly No. 1580 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bubba, Caufield, Connors, Costa, Cowan, Dorsey, Dumont, Feldman, Foran, Garibaldi, Gormley, Graves, Hirkala, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Stockman, Van Wagner, Weiss—23.

In the negative were—

Bassano, Brown, Contillo, Ewing, Gagliano, Hagedorn, Haines, Hurley, Laskin, Zane—10.

Assembly No. 1825 with Governor's recommendations, was given third reading.

On motion of Mr. Rand that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 2854 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—22.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Laskin—17.

Assembly No. 3314 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Graves, Hirkala, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—29.

In the negative were—

Cardinale, Gormley, Hagedorn, Haines, Hurley, Lynch, Laskin—7.

Assembly Joint Resolution No. 65 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Senate No. 2336 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner—33.

In the negative were—

Contillo, Weiss, Zane—3.

Senate No. 2472 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Contillo, Costa, Cowan, Dalton, Feldman, Garibaldi, Graves, Hirkala, Jackman, Lipman, Lynch, Me-

Manimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—21.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connor, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Hagedorn, Haines, Hurley, Laskin, Lesniak—17.

Senate No. 2537 was given third reading.

On motion of Mr. McManimon that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Caufield, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—32.

In the negative were—

Bubba, Laskin—2.

Senate No. 2545 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—32.

In the negative were—

Bassano, Brown, Bubba, Garibaldi, Laskin—5.

Senate No. 2710 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—22.

In the negative were—

Brown, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Gagliano, Gormley, Hagedorn, Haines, Hurley, Laskin—13.

On motion of Mr. O'Connor Senate Resolution No. 5 was taken up and adopted by voice vote.

Senate No. 1480 with Governor's recommendations, was given second reading.

On motion of Mr. Caufield that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative was—Laskin—1.

Senate No. 1480 with Governor's recommendations, was taken up, read a second time and ordered to a third reading.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate No. 2819, by Mr. Dalton, without reference.

Senate No. 2819 was taken up, read a second time, and ordered to a third reading.

Mr. Dalton offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2819 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 2819 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—34.

In the negative was—Russo—1.

The Senate moved and acted upon one Ceremonial Resolution.

Mr. Russo offered the following motion which was read and adopted:

*Be It Resolved*, That Assembly No. 2594 SCS be referred to the Aging Committee.

The Senate moved and acted upon one Ceremonial Resolution.

The President declared a short recess.

Quorum call after recess.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

Senate No. 1776 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van-Wagner, Weiss—19.

In the negative were—

Cardinale, Connors, DiFrancesco, Dumont, Ewing, Foran, Gagliano, Gormley, Hagedorn, Haines, Laskin—11.

On motion of Ms. Lipman the bill was laid over.

The Law, Public Safety and Defense Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2751 Sea, 2771 Sea and Senate Committee Substitute for Senate No. 1047.

Senate Nos. 2751 Sea, 2771 Sea and Senate Committee Substitute for Senate No. 1047 were taken up, read a second time, and ordered to a third reading.

Mr. Graves offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2751 Sea is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn,

Haines, Hirkala, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate 2751 Sea was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

On motion of Mr. DiFrancesco, Senate No. 487 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 487 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

Mr. DiFrancesco offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 487 (OCR) Sa is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 487 (OCR) Sa was given third reading.

On motion of Mr. DiFrancesco that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate No. 2817, by Mr. Russo, Ms. Lipman, Ms. Costa, Messrs. Van Wagner, Jackman, Contillo, Pallone, Dalton, Zane, Weiss, Stockman, O'Connor, Cowan, Feldman, Orechio, Lynch, Lesniak, Graves, Hirkala and McManimon, without reference.

Senate No. 2817 was taken up, read a second time, and ordered to a third reading.

The Revenue, Finance and Appropriations Committee reported the following bill favorably without amendment:

Assembly No. 3228.

Assembly No. 3228 was taken up, read a second time, and ordered to a third reading.

Mr. Russo offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2817 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

On motion of Mr. Russo, pursuant to Rule 124, Assembly No. 3228 was substituted for Senate No. 2817 with which is identical, and Senator Russo was added as cosponsor of Assembly No. 3228.

Which was adopted by voice vote.

Assembly No. 3228 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate No. 2814, by Mr. Orechio, without reference.

Senate No. 2814 was taken up, read a second time, and ordered to a third reading.

Mr. Russo offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2814 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2814 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Mr. Orechio resumed the duties of the Chair.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate No. 2812, by Mr. Pallone, without reference.

Senate No. 2812 was taken up, read a second time, and ordered to a third reading.

Mr. Pallone offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2812 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Connors, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 2812 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Mr. Hirkala offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 1480, with Governor's recommendations, is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 1480, with Governor's recommendations, was given third reading.

On motion of Mr. Hirkala that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman,

Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—34.

In the negative was—Laskin—1.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate No. 2811, by Mr. Lynch, without reference.

Senate No. 2811 was taken up, read a second time, and ordered to a third reading.

Mr. Hirkala offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2811 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 2811 was given third reading.

On motion of Mr. Hirkala that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Caufield, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Hagedorn, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—28.

In the negative were—

Bubba, Connors, Laskin—3.

Assembly No. 1106 was given third reading.

On motion of Mr. McManimon that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Mr. Russo made a motion to suspend the 30 bill limitation rule.  
Motion adopted by the following vote:

In the affirmative were—

Brown, Caufield, Contillo, Costa, Cowan, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—27.

In the negative were—

Bubba, Cardinale, Connors, Ewing, Foran—5.

On motion of Mr. Lynch pursuant to Rule 124, Assembly No. 1978 was substituted for Senate No. 2227 with which it is identical, and Senator Lynch was added as cosponsor of Assembly No. 1978.

Which was adopted by voice vote.

Assembly No. 1978 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Cardinale, Caufield, Costa, Cowan, Dalton, Dumont, Feldman, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—26.

In the negative—None.

Assembly No. 1050 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Contillo, Cowan, Dumont, Graves, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Stockman, Van Wagner, Weiss—14.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Dorsey, Ewing, Foran, Gagliano, Gormley, Hagedorn, Haines, Hurley, Laskin—13.

On motion of Mr. Weiss the bill was laid over.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bill, which bill was read for the first time and referred by the President as indicated:

Assembly No. 3373, without reference.

Assembly No. 3373 was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Hirkala pursuant to Rule 124, Assembly No. 3373 was substituted for Senate No. 2782 with which it is identical, and Senator Hirkala was added as cosponsor of Assembly No. 3373.

Which was adopted by voice vote.

Assembly No. 3373 was given third reading.

On motion of Mr. Hirkala that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—22.

In the negative were—

Brown, Cardinale, Connors, Dorsey, Foran, Gormley, Haines, Laskin—8.

Senate No. 2697 was given third reading.

On motion of Mr. Hagedorn that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—32.

In the negative—None.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate No. 2832, by Mr. Dalton, without reference.

Senate No. 2832 was taken up, read a second time, and ordered to a third reading.

Mr. Dalton offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2832 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 2832 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Caufield, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—30.

In the negative was—Russo—1.

Mr. Hirkala assumed the duties of the Chair.

Senate No. 791 was given third reading.

On motion of Mr. Orechio that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Mr. Orechio resumed the duties of the Chair.

On motion of Mr. Ewing, that Senate No. 1442 be placed back on second reading for the purpose of amendment, the motion was lost by the following vote:

In the affirmative were—

Brown, Bubba, Cardinale, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Hagedorn, Haines, Laskin,—12.

In the negative were—

Caufield, Contillo, Costa, Cowan, Dalton, Garibaldi, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—20.

Senate No. 1442 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—32.

In the negative was—Laskin—1.

Senate No. 1443 Aca was given third reading.

On motion of Mr. Ewing that the Senate do concur in the Assembly amendment by Senate amendment, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Weiss, Zane—34.

In the negative were—

Bubba, Lynch—2.

Senate No. 1970, with Governor's recommendations, was given third reading.

On motion of Mr. Caufield that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Caufield, Costa, Cowan, Dalton, Feldman, Gormley, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Rand, Russo, Stockman, Van Wagner, Weiss, Zane—21.

In the negative were—

Bassano, Cardinale, Contillo, Dorsey, Dumont, Foran, Gagliano, Garibaldi, Hagedorn, Haines, Hurley, Laskin, Pallone—13.

On motion of Mr. Cowan to rescind the vote on Senate No. 1443, to concur in Assembly amendments by Senate amendment, the vote was as follows:

In the affirmative were—

Brown, Caufield, Contillo, Costa, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—23.

In the negative was—Cowan—1.

On motion of Mr. Ewing that the Senate do concur in Assembly amendments to Senate No. 1443 by Senate amendment, the motion was lost by the following vote:

In the affirmative were—

Brown, Bubba, Cardinale, Connors, Dumont, Ewing, Feldman, Gagliano, Gormley, Hagedorn, Haines, Hurley, Laskin—13.

In the negative were—

Caufield, Contillo, Costa, Cowan, Dalton, Dorsey, Foran, Garibaldi, Hirkala, Jackman, Lesniak, Lipman, Graves,

Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—24.

Senate No. 1443 Aca was given third reading.

On motion of Mr. Feldman that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative were—

Bubba, Laskin—2.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 3117, without reference.

Senate Committee Substitute for Senate No. 2046/2334 Sea Aca, without reference.

Assembly No. 3117 and Senate No. 2046/2334 SCS Sea Aca were taken up, read a second time, and ordered to a third reading.

Senate No. 2046/2334 SCS Sea Aca was given third reading.

On motion of Mr. Lynch that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Caufield, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—22.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Hagedorn, Haines, Hurley, Laskin, Gormley—16.

On motion of Ms. Lipman pursuant to Rule 124, Assembly No. 3117 was substituted for Senate No. 2613 with which it is identical, and Senator Lipman was added as cosponsor of Assembly No. 3117.

Which was adopted by voice vote.

Assembly No. 3117 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Contillo, Costa, Cowan, Dalton, Feldman, Graves,

Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—22.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Laskin—16.

The Senate moved and acted upon one Ceremonial Resolution.

On motion of Mr. Lesniak, Senate No. 2296 (2nd OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 2296 (2nd OCR) Sa was taken up, read a second time, and ordered to a third reading.

Assembly Committee Substitute for Assembly No. 165 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 320 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 593 was given third reading.

On motion of Mr. McManimon that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Assembly No. 1032, with Governor's recommendations, was given third reading.

On motion of Mr. Connors that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Assembly No. 1113 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 1846 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Assembly No. 2031 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Assembly No. 2295, with Governor's recommendations, was given third reading.

On motion of Mr. Caufield that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Assembly No. 2295, with Governor's recommendations, was taken up, read a second time, and ordered to a third reading.

Assembly No. 2793 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Contillo, Costa, Cowan, Dorsey, Dumont, Ewing, Feldman, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Van Wagner, Weiss—29.

In the negative were—

Dalton, Laskin, Zane—3.

On motion of Mr. Lynch pursuant to Rule 124, Assembly No. 3123 was substituted for Senate No. 2643 with which is identical, and Senator Lynch was added as cosponsor of Assembly No. 3123.

Which was adopted by voice vote.

Assembly No. 3123 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative was—Laskin—1.

Senate No. 1835, with Governor's recommendations, was given third reading.

On motion of Mr. Bassano that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 2194 Aca was given third reading.

On motion of Mr. Weiss that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 2244 Aca was given third reading.

On motion of Mr. Cowan that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2252 Aa was given third reading.

On motion of Mr. Lesniak that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

On motion of Mr. Hirkala pursuant to Rule 124, Assembly No. 3005 was substituted for Senate No. 2538 with which it is identical, and Senators Orechio and Hirkala were added as cosponsors of Assembly No. 3005.

Which was adopted by voice vote.

Assembly No. 3005 was given third reading.

On motion of Mr. Hirkala that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

On motion of Mr. Cowan pursuant to Rule 124, Assembly No. 3299 was substituted for Senate No. 2714 with which is identical, and Senator Cowan was added as cosponsor of Assembly No. 3299.

Which was adopted by voice vote.

Assembly No. 3299 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative was—Bubba—1.

Senate Resolution No. 77 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 2788 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

On motion of Mr. Foran, Assembly No. 1406 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

Assembly No. 1406 Sa was taken up, read a second time, and ordered to a third reading.

The Revenue, Finance and Appropriations Committee reported the following bill favorably without amendment:

Assembly No. 647.

The Revenue, Finance and Appropriations Committee reported the following bill favorably with amendments, and on motion of the Chairman the amendments were adopted:

Senate No. 1993 (OCR) Sea.

Assembly No. 647 and Senate No. 1993 (OCR) Sea were taken up, read a second time, and ordered to a third reading.

Mr. Haines offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal

of the Senate, that Assembly No. 647 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Assembly No. 647 was given third reading.

On motion of Mr. Haines that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Costa, Cowan, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—34.

In the negative—None.

On motion of Mr. Graves pursuant to Rule 124, Assembly No. 639 was substituted for Senate No. 2484 with which it is identical, and Senator Graves was added as cosponsor of Assembly No. 639.

Which was adopted by voice vote.

Assembly No. 639 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss—32.

In the negative were—

Dumont, McManimon, Zane—3.

On motion of Mr. Bassano pursuant to Rule 124, Assembly No. 640 was substituted for Senate No. 2485 with which it is identical, and Senator Bassano was added as cosponsor of Assembly No. 640.

Which was adopted by voice vote.

On motion of Mr. Laskin, that Assembly No. 640 be placed back on second reading for the purpose of amendment, the motion was lost by the following vote:

In the affirmative were—

Bassano, Cardinale, Dumont, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Laskin—9.

In the negative were—

Caufield, Contillo, Costa, Dalton, Feldman, Graves, Lesniak, O'Connor, Pallone, Rand, Russo, Weiss, Zane—13.

Assembly No. 640 was given third reading.

On motion of Mr. Bassano that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Contillo, Cowan, Dalton, Garibaldi, Graves, Hirkala, Laskin, Lesniak, Pallone, Rand, Stockman, Weiss, Zane—14.

In the negative were—

Dorsey, Dumont, Ewing, Foran, Gagliano, Haines, McManimon—7.

On motion of Mr. Bassano, Assembly No. 640 was laid over.

On motion of Mr. Dalton pursuant to Rule 124, Assembly No. 546 was substituted for Senate No. 2487 with which it is identical, and Senator Dalton was added as cosponsor of Assembly No. 546.

Which was adopted by voice vote.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—31.

In the negative were—

Dumont, Haines—2.

On motion of Mr. Contillo pursuant to Rule 124, Assembly No. 548 was substituted for Senate No. 2488 with which it is identical, and Senator Contillo was added as cosponsor of Assembly No. 548.

Which was adopted by voice vote.

Assembly No. 548 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Contillo, Costa, Cowan, Dalton, Graves, Hirkala, Laskin, Lesniak, O'Connor, Pallone, Rand, Stockman, Weiss, Zane—15.

In the negative were—

Dorsey, Dumont, Ewing, Foran, Gagliano, McManimon—6.

On motion of Mr. Contillo, Assembly No. 548 was laid over.

On motion of Mr. Graves pursuant to Rule 124, Assembly No. 864 was substituted for Senate No. 2489 with which it is identical, and Senator Graves was added as cosponsor of Assembly No. 864.

Which was adopted by voice vote.

Assembly No. 864 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—33.

In the negative—None.

On motion of Mr. Graves pursuant to Rule 124, Assembly No. 547 was substituted for Senate No. 639 with which it is identical, and Senator Graves was added as cosponsor of Assembly No. 547.

Which was adopted by voice vote.

Senate No. 547 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Laskin, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Zane—29.

In the negative were—

Dumont, Haines, McManimon—3.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Senate No. 2260 Aa, without reference.

Assembly No. 2267 Aca Aca Aa, without reference.

Assembly No. 2267 Aca Aca Aa and Senate No. 2260 Aa were taken up, read a second time, and ordered to a third reading.

Mr. Gormley offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 1993 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Costa, Cowan, Dalton, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—31.

In the negative—None.

On motion of Mr. Gormley pursuant to Rule 124, Assembly No. 2267 was substituted for Senate No. 1993 with which it is identical, and Senator Gormley was added as cosponsor of Assembly No. 2267.

Which was adopted by voice vote.

Assembly No. 2267 was given third reading.

On motion of Mr. Gormley that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Hagedorn, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—32.

In the negative—None.

Senate No. 1709 was given third reading.

On motion of Mr. Cardinale that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner—30.

In the negative—None.

Assembly No. 601 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Costa, Cowan, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss—28.

In the negative—None.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly Joint Resolution No. 46, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 955, Education Committee.

Assembly No. 3431, without reference.

Assembly No. 3173, County and Municipal Government Committee.

Assembly No. 972 Aca, Judiciary Committee.

Assembly No. 3404, without reference.

Assembly No. 110 Aca, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 2127 Aca, Education Committee.

Assembly No. 2420 Aca, Transportation and Communications Committee.

Assembly No. 2551 Aca, Education Committee.

Assembly No. 2721, County and Municipal Government Committee.

Assembly No. 3224 Aa, County and Municipal Government Committee.

Assembly Joint Resolution No. 87, Energy and Environment Committee.

Assembly Joint Resolution No. 93, Labor, Industry and Professions Committee.

Assembly Joint Resolution No. 61, without reference.

Assembly No. 1334 Aca, Revenue, Finance and Appropriations Committee.

Assembly No. 2472 Aca, Institutions, Health and Welfare Committee.

Assembly No. 3199 Aca, Revenue, Finance and Appropriations Committee.

Assembly Joint Resolution No. 61, Assembly Nos. 3431 and 3404 were taken up, read a second time, and ordered to a third reading.

The President announced receipt of and directed the Secretary to read 33 letters from the Governor, nominating for appointment, with the advice and consent of the Senate to the offices indicated the following:

To be a member of the Rutgers University Board of Governors, Peter Cartmell, of Rumson, to succeed Lawrence Schwartz, for the term prescribed by law.

To be a member of the Hunterdon County Board of Taxation, Adam J. Siodlowski, of Oldwick, to succeed himself, for the term prescribed by law.

To be a member of the Ocean County Board of Taxation, James T. Montaque, of Toms River, to succeed himself, for the term prescribed by law.

To be a member of the Somerset County Board of Taxation, H. Rick Kline, of Trenton, to succeed himself, for the term prescribed by law.

To be a member of the Somerset County Board of Taxation, Warren G. Nevins, of Belle Meade, to succeed himself, for the term prescribed by law.

To be a member of the Salem County Board of Taxation, Lester Harris, of Quinton, to succeed himself, for the term prescribed by law.

To be a member of the Warren County Board of Taxation, Frank DeLello, of Hackettstown, to succeed himself, for the term prescribed by law.

To be a member of the Atlantic County Board of Taxation, John Rogge, of Brigantine, to succeed himself, for the term prescribed by law.

To be a member of the Monmouth County Board of Taxation, Beverly J. Scarano, of Middletown, to succeed herself, for the term prescribed by law.

To be a member of the Monmouth County Board of Taxation, John C. Conover, of West Long Branch, to succeed himself, for the term prescribed by law.

To be a member of the Advisory Commission on the Status of Women, Rose McConnell, of North Plainfield, to succeed herself, for the term prescribed by law.

To be a member of the State Board of Agriculture, Veronica Ann Polen, of Sewell, to succeed Raymond Blew, for the term prescribed by law.

To be a member of the Advisory Council on Community Affairs, Wayne Alston, of Passaic, for a term of two years, as prescribed by law.

To be a member of the Agriculture Development Committee, Kenneth J. Roehrich, of Hackettstown, to succeed himself for the term prescribed by law.

To be a member of the Commission on Aging, John Gilbert, Sr., of Ocean City, to succeed Joseph Mastriani, for the term prescribed by law.

To be a member of the Commission on Aging, Reverend Joseph Shenrock, of Trenton, to succeed himself, for the term prescribed by law.

To be a member of the Commission on Aging, George Hammond, of Jamesburg, to succeed Hugh Maguire, for the term prescribed by law.

To be a member of the Commission on Aging, Frances Schlesinger, of Freehold, to succeed Nan Giller, resigned, for the term prescribed by law.

To be a member of the Advisory Commission on the Status of Women, Margeurite Page, of Passaic, to succeed herself, for the term prescribed by law.

To be a member of the Board of Public Movers and Warehousemen, Edwin F. Banfield, of Middletown, to succeed himself, for the term prescribed by law.

To be a member of the Board of Electrical Contractors, Earl Harder, of Palmyra, to succeed himself, for the term prescribed by law.

To be a member of the Board of Electrical Contractors, Jerome Yesko, of Hackensack, to succeed Donald Biber, for the term prescribed by law.

To be a member of the Board of Electrical Contractors, William J. Kondla, of Oakland, to succeed himself, for the term prescribed by law.

To be a member of the Board of Physical Therapists, Royce Bueczek, of Wall Township, to succeed himself, for the term prescribed by law.

To be a member of the Board of Physical Therapists, Hugh Main, of Livingston, to succeed himself, for the term prescribed by law.

To be a member of the State Board of Agriculture, Herman Panacek, Jr., of Quakertown, to succeed Donald Pyle, for the term prescribed by law.

To be a member of the State Council on the Arts, Lillian Levy, of Ventnor, to succeed Walter Borten, for the term prescribed by law.

To be a member of the State Council on the Arts, Joanna E. LaSane, of Atlantic City, to succeed Philip Garnick, for the term prescribed by law.

To be a member of the Cape May County Board of Taxation, Philip F. Judyski, of Avalon, to succeed himself, for the term prescribed by law.

To be a member of the Passaic County Board of Taxation, Raymond Tumminello, of Wayne, to succeed himself, for the term prescribed by law.

To be Commissioner, Department of Transportation, Roger Bodman, of Frenchtown, to succeed John Sheridan, resigned, for the term prescribed by law.

To be a member of the Board of Public Movers and Warehousemen, Emanuel Brito, of Chatham, to succeed himself, for the term prescribed by law.

To be a member of the U. S. S. New Jersey Battleship Commission, Joseph Azzolina, of Middletown, to succeed himself, for the term prescribed by law.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 2792, by Messrs. Dumont and Cardinale, Judiciary Committee.

Senate No. 2793, by Messrs. Bassano and Cowan, Labor, Industry and Professions Committee.

Senate No. 2794, by Messrs. Bassano and Cowan, Labor, Industry and Professions Committee.

Senate No. 2795, by Messrs. Contillo, Hagedorn, Bassano, Hirkala, and McManimon, Aging Committee.

Senate No. 2796, by Messrs. Bassano, Garibaldi and Jackman, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2797, by Messrs. Cardinale and Hurley, Transportation and Communications Committee.

Senate No. 2802, by Messrs. Caufield and Foran, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2806, by Messrs. Hurley, Bassano and Dorsey, Judiciary Committee.

Senate No. 2807, by Messrs. Dorsey, Foran and Hurley, Revenue, Finance and Appropriations Committee.

Senate No. 2808, by Messrs. Rand, Dalton and Zane, Natural Resources and Agriculture Committee.

Senate No. 2810, by Messrs. Rand, Graves, McManimon, Cowan and Hurley, Transportation and Communications Committee.

Senate Resolution No. 80, by Messrs. Rand, McManimon and Cowan, Transportation and Communications Committee.

Senate No. 2811, by Mr. Lynch, without reference.

Senate No. 2812, by Mr. Pallone, without reference.

Senate No. 2813, by Mr. McManimon, Institutions, Health and Welfare Committee.

Senate No. 2814, by Mr. Orechio, without reference.

Senate No. 2815, by Messrs. Foran, Haines, Rand and Zane, without reference.

Senate No. 2816, by Messrs. Bassano, Lynch and Graves, Judiciary Committee.

Senate No. 2817, by Mr. Russo, Ms. Lipman, Ms. Costa, Messrs. Van Wagner, Jackman, Contillo, Pallone, Dalton, Zane, Weiss, Stockman, O'Connor, Cowan, Feldman, Orechio, Lynch, Lesniak, Graves, Hirkala and McManimon, without reference.

Senate No. 2818, by Mr. Zane, Judiciary Committee.

Senate No. 2819, by Mr. Dalton, without reference.

Senate No. 2820, by Messrs. Contillo, Russo, Zane, Lesniak and Dalton, Energy and Environment Committee.

Senate No. 2821, by Messrs. Russo, Lesniak and Dalton, Energy and Environment Committee.

Senate No. 2822, by Messrs. Russo, Orechio, Lesniak and Dalton, Energy and Environment Committee.

Senate No. 2823, by Messrs. Russo, Orechio, Lesniak and Dalton, Energy and Environment Committee.

Senate No. 2824, by Mr. Feldman, Law, Public Safety and Defense Committee.

Senate No. 2825, by Mr. Feldman, Education Committee.

Senate Joint Resolution No. 61, by Mr. Feldman, Education Committee.

Senate No. 2826, by Mr. O'Connor, Ms. Brown, Messrs Cowan and Jackman, without reference.

Senate No. 2827, by Mr. Stockman, County and Municipal Government Committee.

Senate No. 2828, by Mr. Stockman, County and Municipal Government Committee.

Senate No. 2829, by Mr. McManimon, County and Municipal Government Committee.

Senate No. 2830, by Messrs. Cardinale, O'Connor, Ms. Brown, Messrs. Bubba, Foran, Connors and Jackman, Labor, Industry and Professions Committee.

Senate Resolution No. 81, by Messrs. Hurley, Gagliano, Connors and Gormley, Energy and Environment Committee.

Senate No. 2831, by Messrs. Hirkala and DiFrancesco, Judiciary Committee.

Senate No. 2832, by Mr. Dalton, without reference.

Senate No. 2833, by Messrs. Dumont and Feldman, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2834, by Messrs. O'Connor, Cowan and Jackman, Labor, Industry and Professions Committee.

Senate No. 2835, by Messrs. O'Connor, Cowan and Jackman, Judiciary Committee.

Senate No. 2836, by Messrs. O'Connor, Cowan and Jackman, Judiciary Committee.

Senate No. 2837, by Messrs. Cowan and O'Connor, without reference.

Senate No. 2838, by Mr. O'Connor, Labor, Industry and Professions Committee.

Senate No. 2839, by Mr. Hirkala, Revenue, Finance and Appropriations Committee.

Senate No. 2840, by Mr. Russo, without reference.

Senate No. 2841, by Mr. Van Wagner, Labor, Industry and Professions Committee.

Senate No. 2791, by Mr. Haines, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate Joint Resolution No. 60, by Mr. Dalton, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate Nos. 2812, 2814, 2815, 2819, 2826, 2832, 2837 and 2840 were taken up, read a second time, and ordered to a third reading.

On motion of Mr. Dumont, Messrs. Dorsey and Foran were added as cosponsors of Senate No. 2336.

On motion of Mr. McManimon, Mr. Garibaldi was added as cosponsor of Senate No. 2537.

On motion of Mr. Russo, Mr. Cardinale was added as cosponsor of Senate Concurrent Resolution No. 134.

On motion of Mr. Feldman, Mr. Bubba was added as cosponsor of Senate No. 1140.

On motion of Ms. Costa, Mr. Lesniak was added as cosponsor of Senate No. 2488.

On motion of Mr. Dalton, Mr. Lesniak was added as cosponsor of Senate No. 2487.

On motion of Mr. Bassano, Mr. Lesniak was added as cosponsor of Senate No. 2485.

On motion of Mr. Graves, Mr. Lesniak was added as cosponsor of Senate No. 2489.

On motion of Mr. Graves, Mr. Lesniak, was added as cosponsor of Senate No. 639.

On motion of Mr. Graves, Mr. Lesniak was added as cosponsor of Senate No. 2484.

On motion of Mr. Foran, Mr. Bubba was added as cosponsor of Senate No. 2532.

On motion of Mr. DiFrancesco, Mr. Bubba was added as cosponsor of Senate No. 487.

On motion of Mr. Van Wagner, Mr. Cowan was added as cosponsor of Senate No. 2758.

On motion of Mr. Cowan, Mr. O'Connor was added as cosponsor of Senate No. 2244.

On motion of Mr. Van Wagner, Mr. Cowan was added as cosponsor of Senate No. 2790.

On motion of Mr. Hagedorn, Ms. Costa was added as cosponsor of Senate No. 2697 Sea.

Mr. Russo offered the following resolution which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet at the call of the Senate President.

On motion of Mr. Russo the Senate then adjourned.

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SATURDAY, March 9, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, March 11, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, March 14, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, March 16, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, March 18, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

THURSDAY, March 21, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

SATURDAY, March 23, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, March 25, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, March 28, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, March 30, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, April 1, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

THURSDAY, April 4, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

SATURDAY, April 6, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, April 8, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, April 11, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, April 13, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, April 15, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

THURSDAY, April 18, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

SATURDAY, April 20, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, April 22, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, April 25, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, April 27, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, April 29, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

THURSDAY, May 2, 1985.

At 2 p.m. the Senate met.

The Session was opened with prayer.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—37.

On motion of Mr. McManimon the reading of the Journal of the previous session was dispensed with.

Mr. Caufield assumed the duties of the Chair.

Quorum call at 3 p.m.

Upon calling the role the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—36.

The Senate moved and acted upon 13 Commemorative, Cere-  
monial and Memorial Resolutions.

Mr. Russo assumed the duties of the Chair.

The Judiciary Committee reported the following nominations favorably:

To be Commissioner, Department of Transportation, Roger Bodman, of Frenchtown, to succeed John Sheridan, resigned, for the term prescribed by law.

To be a member of the Drug Abuse Advisory Council, Thomas Cooke, Jr., of East Orange, for a term of one year.

To be a member of the Commission on Aging, Frances Schlesinger, of Freehold, to succeed Nan Giller, resigned, for the term prescribed by law.

To be a member of the Commission on Aging, John Gilbert, Sr., of Ocean City, to succeed Joseph Mastriani, for the term prescribed by law.

To be a member of the Commission on Aging, Patrick Curran, of Jefferson, to succeed himself, for the term prescribed by law.

To be a member of the Commission on Aging, Reverend Joseph Shenrock, of Trenton, to succeed himself, for the term prescribed by law.

To be a member of the State Council on the Arts, Joanna E. LaSane, of Atlantic City, to succeed Philip Garnick, for the term prescribed by law.

To be a member of the State Council on the Arts, Lillian Levy, of Ventnor, to succeed Walter Borten, for the term prescribed by law.

To be a member of the State Council on the Arts, Jerome Hines, of South Orange, to succeed himself, for the term prescribed by law.

To be a member of the Drug Abuse Advisory Council, Mark Gold, M.D. of Short Hills, for a term of two years.

To be a member of the Drug Abuse Advisory Council, Miller Newton, M. D. of Hackensack, for a term of two years.

To be a member of the Drug Abuse Advisory Council, David I. Canavan, M. D. of Lawrenceville, for a term of two years.

To be a member of the Atlantic County Board of Taxation, John Rogge, of Brigantine, to succeed himself, for the term prescribed by law.

To be a member of the Cape May County Board of Taxation, Philip F. Judyski, of Avalon, to succeed himself, for the term prescribed by law.

To be a member of the Hunterdon County Board of Taxation, Adam J. Siodlowski, of Oldwick, to succeed himself, for the term prescribed by law.

To be a member of the Morris County Tax Board, Helen Lori, of Dover, to succeed herself, for the term prescribed by law.

To be a member of the Water Supply Authority, Bruce Coe, of Rumson, to succeed Richard Sellars, resigned, for the term prescribed by law.

To be a member of the Tourism Advisory Council, Patric Hyland of Convent, to succeed Frank Campione, for the term prescribed by law.

To be a member of the Advisory Commission on the Status of Women, Rose McConnell, of North Plainfield, to succeed herself, for the term prescribed by law.

To be a member of the State Board of Agriculture, Herman Panacek, Jr., of Quakertown, to succeed Donald Pyle, for the term prescribed by law.

To be a member of the State Board of Agriculture, Veronica Ann Polen, of Sewell, to succeed Raymond Blew, for the term prescribed by law.

To be a member of the Board of Recreation Examiners, Gregory Marshall, of Asbury, to succeed himself, for the term prescribed by law.

To be a member of the Board of Shorthand Reporting, Richard McCormack, of Kenilworth, to succeed himself, for the term prescribed by law.

To be a member of the Ocean County Board of Taxation, James T. Montague, of Toms River, to succeed himself, for the term prescribed by law.

To be a member of the Somerset County Board of Taxation, Warren G. Nevins, of Belle Meade, to succeed himself, for the term prescribed by law.

To be a member of the Sussex County Tax Board, Joseph S. Masar, of Ogdensburg, to succeed himself, for the term prescribed by law.

To be a member of the Warren County Board of Taxation, Frank DeLello, of Hackettstown, to succeed himself, for the term prescribed by law.

To be a member of the Delaware River Joint Toll Bridge Commission, Nicholas Masi, of Newton, to succeed himself, for the term prescribed by law.

To be a member of the Historical Commission, Charles Cullen, of Princeton, to succeed Kenneth Jennings, deceased, for the term prescribed by law.

On motion of Mr. Lynch that the Senate do declare the confirmation of the above nominees to be an emergency matter, the vote is as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Weiss—33.

In the negative—None.

On motion of Mr. Lynch, the following nominations were taken up:

To be a member of the State Council on the Arts, Joanna E. LaSane, of Atlantic City, to succeed Philip Garnick, for the term prescribed by law.

To be a member of the State Council on the Arts, Lillian Levy of Ventnor, to succeed Walter Borten, for the term prescribed by law.

To be a member the State Council on the Arts, Jerome Hines, of South Orange, to succeed himself, for the term prescribed by law.

Upon the question "will the Senate advise and consent to the above nominations?" it was decided as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dumont, Foran, Gagliano, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Weiss—27.

In the negative were—

Costa, Dalton, Laskin, Rand, Zane—5.

The above nominations were declared confirmed.

On motion of Mr. Lynch, the following nominations were taken up:

To be Commissioner, Department of Transportation, Roger Bodman, of Frenchtown, to succeed John Sheridan, resigned, for the term prescribed by law.

To be a member of the Drug Abuse Advisory Council, Thomas Cooke, Jr., of East Orange, for a term of one year.

To be a member of the Commission on Aging, Frances Schlesinger, of Freehold, to succeed Nan Giller, resigned, for the term prescribed by law.

To be a member of the Commission on Aging, John Gilbert, Sr., of Ocean City, to succeed Joseph Mastriani, for the term prescribed by law.

To be a member of the Commission on Aging, Patrick Curran, of Jefferson, to succeed himself, for the term prescribed by law.

To be a member of the Commission on Aging, Reverend Joseph Shenrock, of Trenton, to succeed himself, for the term prescribed by law.

To be a member of the Drug Abuse Advisory Council, Mark Gold, M.D., of Short Hills, for a term of two years.

To be a member of the Drug Abuse Advisory Council, Miller Newton, M.D., of Hackensack, for a term of two years.

To be a member of the Drug Abuse Advisory Council, David I. Canavan, M.D., of Lawrenceville, for a term of two years.

To be a member of the Atlantic County Board of Taxation, John Rogge, of Brigantine, to succeed himself, for the term prescribed by law.

To be a member of the Cape May County Board of Taxation, Philip F. Judyski, of Avalon, to succeed himself, for the term prescribed by law.

To be a member of the Hunterdon County Board of Taxation, Adam J. Siodlowski, of Oldwick, to succeed himself, for the term prescribed by law.

To be a member of the Morris County Tax Board, Helen Lori, of Dover, to succeed herself, for the term prescribed by law.

To be a member of the Water Supply Authority, Bruce Coe, of Rumson, to succeed Richard Sellars, resigned, for the term prescribed by law.

To be a member of the Tourism Advisory Council, Patrick Hyland, of Convent, to succeed Frank Campione, for the term prescribed by law.

To be a member of the Advisory Commission on the Status of Women, Rose McConnell, of North Plainfield, to succeed herself, for the term prescribed by law.

To be a member of the State Board of Agriculture, Herman Panacek, Jr., of Quakertown, to succeed Donald Pyle, for the term prescribed by law.

To be a member of the Warren County Board of Taxation, Frank Delello, of Hackettstown, to succeed himself, for the term prescribed by law.

To be a member of the Delaware River Joint Toll Bridge Commission, Nicholas Masi, of Newton, to succeed himself, for the term prescribed by law.

To be a member of the Historical Commission, Charles Cullen, of Princeton, to succeed Kenneth Jennings, deceased, for the term prescribed by law.

To be a member of the board of Recreation Examiners, Gregory Marshall, of Asbury, to succeed himself, for the term prescribed by law.

To be a member of the Board of Shorthand Reporting, Richard McCormack, of Kenilworth, to succeed himself, for the term prescribed by law.

To be a member of the Ocean County Board of Taxation, James T. Montague, of Toms River, to succeed himself, for the term prescribed by law.

To be a member of the Somerset County Board of Taxation, Warren G. Nevins, of Belle Meade, to succeed himself, for the term prescribed by law.

To be a member of the Sussex County Tax Board, Joseph S. Masar, of Ogdensburg, to succeed himself, for the term prescribed by law.

Upon the question "Will the Senate advise and consent to the above nominations?" it was decided as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—34.

In the negative—None.

The above nominations were declared unanimously confirmed.

Assembly No. 778 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, Graves, Hirkala, Jackman, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—21.

In the negative were—

Brown, Bubba, Codey, Connors, Dorsey, Dumont, Foran, Gagliano, Gormley, Hagedorn, Haines, Hurley, Laskin, Lesniak—14.

Senate No. 1337 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Foran, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Pallone, Rand, Russo, Stockman, Weiss, Zane—32.

In the negative—None.

Senate No. 1487 was given third reading.

On motion of Mr. Dorsey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Russo, Stockman—29.

In the negative were—

Costa, Dalton, Zane—3.

Mr. Orechio resumed the duties of the Chair.

Senate No. 2260 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—34.

In the negative—None.

The Senate moved and acted upon one Ceremonial Resolution.

Senate No. 2355 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Foran, Gagliano, Gormley, Graves, Hagedorn, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—32.

In the negative—None.

On motion of Mr. Lynch, the following nomination was taken up:

To be a member of the State Board of Agriculture, Veronica Ann Polen, of Sewell, to succeed Raymond Blew, for the term prescribed by law.

Upon the question "Will the Senate advise and consent to the above nomination?" it was decided as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hurley, Jackman, Laskin, Lesniak, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—33.

In the negative—None.

The above nomination was declared unanimously confirmed.

The following notices from Senator Dorsey were read:

Notice is given pursuant to Senate Rule 80, that a resolution will be offered to relieve the Senate State Government and Federal and Interstate Relations and Veterans Affairs Committee of Senate Concurrent Resolution No. 22 of 1984 and Senate Concurrent Resolution No. 24 of 1984.

Notice is given, pursuant to Senate Rule 80, that a resolution will be offered to relieve the Senate Judiciary Committee of Senate Concurrent Resolution No. 135 of 1985.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 1924 Aca, Institutions, Health and Welfare Committee.

Assembly No. 1963 Aca, Law, Public Safety and Defense Committee.

Assembly No. 2030, County and Municipal Government Committee.

Assembly No. 2056 Aca, County and Municipal Government Committee.

Assembly No. 2082, Aa, Judiciary Committee.

Assembly No. 2349 Aca, Energy and Environment Committee.

Assembly No. 2589, ACS, without reference.

Assembly No. 2707, ACS, Energy and Environment Committee.

Assembly No. 2779 Aca, Institutions, Health and Welfare Committee.

Assembly No. 2829 Aca, Aging Committee.

Assembly No. 2842 Aca, Law, Public Safety and Defense Committee.

Assembly No. 3381, County and Municipal Government Committee.

Assembly Concurrent Resolution No. 180, without reference.

Assembly Concurrent Resolution No. 176, without reference.

Senate No. 1177 Sea Sa Aca, without reference.

Senate No. 1186 Sea Sa Aca, without reference.

Senate No. 2324 Sea Aa, without reference.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 502 Aca Sea w/GR, without reference.

Assembly No. 623, Aca Aca, Education Committee.

Assembly No. 803, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 1415 Aca Sea w/GR, without reference.

Assembly No. 1621 Aca w/GR, without reference.

Assembly No. 1817 Aca, Revenue, Finance and Appropriations Committee.

Assembly No. 1821 w/GR, without reference.

Assembly No. 1901 Aca, County and Municipal Government Committee.

Assembly No. 2048 Aca, Judiciary Committee.

Assembly No. 2541 ACS, Education Committee.

Assembly No. 2716 Aca, Aging Committee.

Assembly No. 2875 Aca Aca, County and Municipal Government Committee.

Assembly No. 2970 Aca, Energy and Environment Committee.

Assembly No. 3013 Aca, County and Municipal Government Committee.

Assembly No. 3037, without reference.

Assembly No. 3316 Aca, Judiciary Committee.

Assembly No. 3473, Labor, Industry and Professions Committee.

Assembly No. 3484, Labor, Industry and Professions Committee.

Assembly No. 3488, Labor, Industry and Professions Committee.

Assembly No. 3514, Revenue, Finance and Appropriations Committee.

Assembly No. 3489, without reference.

Assembly No. 3582, without reference.

Assembly Joint Resolution No. 79, Transportation and Communications Committee.

Assembly Joint Resolution No. 82, without reference.

Assembly Concurrent Resolution No. 180, Assembly Nos. 3489, 3582, 2589 ACS, Assembly Concurrent Resolution No. 176, Senate Nos. 1177 Sea Sa Aca, 1186 Sea Sa Aca, Assembly Nos. 2324, 502 Aca Sea w/GR, 1415 Aca Sea w/GR, 1621 Aca w/GR, 1821 w/GR and Assembly Joint Resolution No. 82 were taken up, read a second time, and ordered to a third reading.

Senator Lipman assumed the duties of the Chair.

Motion by Mr. Russo to combine Senate Nos. 2065 and 2840 into Senate Substitute for Senate Nos. 2065 and 2840.

Motion adopted by voice vote.

Senate Substitute for Senate Nos. 2840/2065 was taken up, read a second time, and ordered to a third reading.

Mr. Russo offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate Substitute for Senate Nos. 2840/2065 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn,

Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss—35.

In the negative—None.

Senate Substitute for Senate Nos. 2840/2065 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—34.

In the negative—None.

Assembly Concurrent Resolution No. 180 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—21.

In the negative were—

Brown, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Hagedorn, Haines, Hurley, Laskin—13.

Mr. Orechio resumed the duties of the Chair.

Senate Joint Resolution No. 18 was given third reading.

On motion of Mr. McManimon that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Pallone, Rand, Russo, Zane—29.

In the negative—None.

Senate No. 2648 was given third reading.

On motion of Mr. Connors that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lip-

man, Lynch, McManimon, O'Connor, Pallone, Rand, Russo, Stockman, Weiss, Zane—34.

In the negative—None.

Senate No. 2344 was given third reading.

On motion of Mr. Connors that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Foran, Gagliano, Gormley, Hagedorn, Haines, Hurley, Jackman, Lesniak, Lynch, McManimon, Pallone, Rand, Russo, Stockman, Weiss, Zane—29.

In the negative—None.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate No. 2872, by Messrs. O'Connor and Orechio, without reference.

Senate No. 2872 was taken up, read a second time, and ordered to a third reading.

Mr. O'Connor offered the following resolution which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2872 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, Di Francesco, Dorsey, Dumont, Foran, Gagliano, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—31.

In the negative—None.

Senate No. 2872 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, DiFrancesco, Dumont, Foran, Gagliano, Gormley, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—28.

In the negative—None.

Mr. Dalton offered the following resolution which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Assembly No. 3582 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—32.

In the negative—None.

Assembly No. 3582 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—30.

In the negative—None.

Mr. Jackman offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Assembly No. 3489 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—34.

In the negative—None.

Assembly No. 3489 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Caufield, Codey, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—30.

In the negative was—Laskin—1.

Assembly No. 3404 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Graves, Hagedorn, Hirkala, Jackman, Lesniak, Lipman, McManimon, Orechio (President), Pallone, Rand, Stockman, Weiss—26.

In the negative were—

Gormley, Laskin, Dalton, Zane—4.

On motion of Mr. Russo, Assembly Committee Substitute for Assembly Nos. 1712/1432 (SR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, DiFrancesco, Dorsey, Gormley, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Pallone, Rand, Russo, Stockman, Weiss, Zane—25.

In the negative—None.

Assembly Committee Substitute for Assembly Nos. 1712/1432 (SR) Sa was taken up, read a second time, and ordered to a third reading.

Mr. Russo offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Assembly Committee Substitute for Assembly Nos. 1712/1432 (SR) Sa is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Hagedorn, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—30.

In the negative—None.

Assembly Committee Substitute for Assembly Nos. 1712/1432 (SR) Sa was given third reading.

On motion of Mr. Russo, that the bill pass the vote was as follows:

In the affirmative were—

Bubba, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Ewing, Foran, Gormley, Graves, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—27.

In the negative—None.

On motion of Mr. Jackman, Senate No. 2190 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—33.

In the negative—None.

Senate No. 2190 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

Mr. Jackman offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2190 (OCR) Sa is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—33.

In the negative—None.

Senate No. 2190 (OCR) Sa was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Foran, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—31.

In the negative were—

Bubba, Gagliano, Laskin—3.

On motion of Mr. Bassano, Senate No. 1718 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—33.

In the negative—None.

Senate No. 1718 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Bassano, Assembly No. 608 (SR) (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—33.

In the negative—None.

Assembly No. 608 (SR) (OCR) Sa was taken up, read a second time, and ordered to a third reading.

Mr. Bassano offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 1718 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—35.

In the negative—None.

On motion of Mr. Bassano pursuant to Rule 124, Assembly No. 608 (SR) (OCR) Sa was substituted for Senate No. 1718 with which it is identical, and Senator Bassano was added as cosponsor of Assembly No. 608 (SR) (OCR) Sa.

Which was adopted by voice vote.

Assembly No. 608 (SR) (OCR) Sa was given third reading.

On motion of Mr. Bassano that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—35.

In the negative—None.

On motion of Mr. Codey, Senate No. 1515 (2nd OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—30.

In the negative—None.

On motion of Mr. Hagedorn, further amendments to Senate No. 1515 (2nd OCR) Sa were offered, which were lost by the following vote:

In the affirmative were—

Brown, Bubba, Cardinale, Contillo, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Hagedorn, Haines, Hurley, Laskin—14.

In the negative were—

Caufield, Codey, Costa, Cowan, Dalton, Graves, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—18.

Senate No. 1515 (2nd OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Codey, Assembly Committee Substitute for Assembly Nos. 1829/872/873 (3rd OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Foran, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Stockman, Weiss—27.

In the negative—None.

Assembly Committee Substitute for Assembly Nos. 1829/872/873 (3rd OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Ms. Costa, Senate No. 2634 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, Dumont, Foran, Gormley, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—24.

In the negative—None.

Senate No. 2634 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

Assembly No. 588 was given third reading.

On motion of Mr. McManimon that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President) Pallone, Rand, Russo, Stockman, Weiss, Zane—34.

In the negative—None.

Assembly No. 1044 was given third reading.

On motion of Mr. McManimon that the bill pass the vote was as follows:

In the affirmative were—

Cardinale, Caufield, Codey, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Ewing, Gagliano, Graves, Hagedorn, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—26.

In the negative—None.

Assembly No. 2065 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—34.

In the negative—None.

Assembly No. 3164 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dumont, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—21.

In the negative was—Gagliano—1.

Mr. Caufield made a motion to suspend the 30 bill limitation rule.

Motion adopted by voice vote.

On motion of Mr. Bassano pursuant to Rule 124, Assembly No. 837 was substituted for Senate No. 1881 with which it is identical, and Senator Bassano was added as cosponsor of Assembly No. 837.

Which was adopted by voice vote.

Assembly No. 837 was given third reading.

On motion of Mr. Bassano that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Stockman Weiss, Zane—32.

In the negative—None.

Assembly No. 2040 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—34.

In the negative—None.

Senate No. 215 with Governor's recommendations, was given third reading.

On motion of Mr. Cowan that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—35.

In the negative—None.

On motion of Mr. Lesniak pursuant to Rule 124, Assembly No. 618 was substituted for Senate No. 514 with which it is identical, and Senator Lesniak was added as cosponsor of Assembly No. 618.

Which was adopted by voice vote.

Assembly No. 618 was given third reading.

On motion of Mr. Lesniak that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Hirkala, Jackman, Lesniak, Lipman, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—31.

In the negative was—Laskin—1.

Senate No. 1008 Aa was given third reading.

On motion of Mr. Jackman that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—34.

In the negative—None.

Senate No. 1088 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Zane—34.

In the negative—None.

Senate No. 1684 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—35.

In the negative—None.

Senate No. 1805 was given third reading.

On motion of Mr. Hagedorn that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—34.

In the negative was—Laskin—1.

Senate No. 2305 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—36.

In the negative—None.

Senate No. 2313 was given third reading.

On motion of Mr. Stockman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Pallone, Rand, Stockman, Weiss, Zane—32.

In the negative was—Laskin—1.

Senate No. 2375 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—35.

In the negative—None.

Senate No. 2610 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Stockman, Weiss, Zane—33.

In the negative—None.

Senate No. 2771 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Foran, Gagliano, Graves, Hagedorn, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio, (President), Pallone, Rand, Russo, Stockman, Weiss—29.

In the negative were—

Ewing, Laskin, Zane—3.

Senate No. 1644 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Foran, Gagliano, Gormley, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—31.

In the negative were—

Ewing, Hagedorn, Laskin—3.

Senate No. 1804 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Graves, Hagedorn, Hirkala, Jackman, Lesniak, Lipman, McManimon, Orechio (President), Pallone, Rand, Russo, Weiss, Zane—22.

In the negative were—

Brown, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Haines, Hurley, Laskin, Lynch—13.

On motion of Mr. Rand pursuant to Rule 124, Assembly No. 2172 was substituted for Senate No. 2221 with which it is identical, and Senator Rand was added as cosponsor of Assembly No. 2172.

Which was adopted by voice vote.

Assembly No. 2172 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—35.

In the negative—None.

Senate No. 2827 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Costa, Cowan, Dalton, DiFrancesco, Gormley, Graves, Haines, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss Zane—25.

In the negative were—

Bassano, Connors, Dorsey, Dumont, Ewing, Gagliano, Hagedorn, Hurley, Laskin—9.

Senate No. 1004 Aa was given third reading.

On motion of Mr. Jackman that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, Orechio (President), Pallone, Rand, Russo, Weiss, Zane—30.

In the negative was—Codey—1.

On motion of Mr. Bassano, Assembly No. 640 (SR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Foran, Gagliano, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—29.

In the negative was—Dumont—1.

Assembly No. 640 (SR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Contillo, Assembly No. 548 (SR) was placed back on second reading for the purpose of amendment, and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Contillo, Costa, Cowan, Foran, Gagliano, Gormley, Hirkala, Jackman, Lipman, McManimon, Orechio (President), Pallone, Rand, Stockman, Zane—19.

In the negative were—

Dorsey, Dumont, Ewing, Haines, Lesniak—5.

Assembly No. 548 (SR) Sa was taken up, read a second time, and ordered to a third reading.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate Resolution No. 83, by Mr. Russo, without reference.

Senate Resolution No. 83 was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Russo, Senate Resolution No. 83 was taken up and adopted by voice vote.

The President announced receipt of and directed the Secretary to read 33 letters from the Governor nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be a member of the Delaware River Joint Toll Bridge Commission, Clara Fowler, of Blairstown, to succeed herself, for the term prescribed by law.

To be a member of the Delaware River Joint Toll Bridge Commission, Joseph Tolerico, of Newton, for the term prescribed by law.

To be Sheriff of Ocean County, William Polhemus, of Seaside Heights, to succeed Arthur Brown, resigned, for the term prescribed by law.

To be Director of the New Jersey State Lottery, Joan Zielinski, of Princeton, to succeed Hazel F. Gluck, resigned, for the term prescribed by law.

To be a member of the Casino Reinvestment Development Authority, John D. Feehan, of Brigantine, for a term of four (4) years.

To be a member of the Casino Reinvestment Development Authority, David Raphael Kotok, of Vineland, for a term of three (3) years.

To be a member of the Casino Reinvestment Development Authority, Murray Raphel, of Atlantic City, for a term of one (1) year.

To be a member of the Casino Reinvestment Development Authority, Irene H. Smith, of Wenonah, for a term of two (2) years.

To be a member of the Casino Reinvestment Development Authority, Thomas P. Infusino, of Nutley, for a term of three (3) years.

To be a member of the New Jersey Highway Authority, Joseph P. Miele, of Mendham Township, to succeed J. Edward Crabel, for the term prescribed by law.

To be a member of the Higher Education Assistance Authority, Joseph Grabowski, of Wood-Ridge, to succeed John W. Bisbee, resigned, for the term prescribed by law.

To be a member of the Cumberland County Board of Taxation, Dale F. Kipers, of Millville, to succeed himself, for the term prescribed by law.

To be a member of the University of Medicine and Dentistry Board of Trustees, Herbert Stolzer, of East Brunswick, to succeed Steve Wiley, for the term prescribed by law.

To be a member of the Camden County Board of Taxation, Victor T. Kolton, of Cherry Hill, to succeed himself, for the term prescribed by law.

To be a member of the Real Estate Commission, Joseph Panuccio, of Clifton, to succeed Ben Steltzer, for the term prescribed by law.

To be a member of the Palisades Interstate Park Commission, Malcolm A. Borg, of Tenaflly, to succeed himself, for the term prescribed by law.

To be a member of the Legalized Games of Chance Commission, Robert J. Whelan, of Washington Crossing, to succeed himself, for the term prescribed by law.

To be a member of the Public Employment Relations Committee Appeals Board, Peter Smith, of Glen Gardner, to succeed Carol Graves, for the term prescribed by law.

To be a member of the Hospital Rate Setting Commission, Dorothy K. Powers, of Princeton, to succeed herself, for the term prescribed by law.

To be a member of the State Council on the Arts, Jean von Deesten Hooper, of Branchville, to succeed herself for the term prescribed by law.

To be a member of the State Council on the Arts, Kevin Shanley, of Bernardsville, to succeed himself, for the term prescribed by law.

To be a member of the State Council on the Arts, Dolores Kirk, of Livingston, to succeed herself, for the term prescribed by law.

To be a member of the Commission on Aging, Chanola Alston, of West Milford, to succeed Wanda Tugman, for the term prescribed by law.

To be a member of the Banking Advisory Board, Barry Ginstob, of Livingston, to succeed Jo Ann Kovalcik, for the term prescribed by law.

To be a member of the Public Employment Relations Committee Appeals Board, James Mastriani, of Wall, to succeed himself, for the term prescribed by law.

To be a member of the Public Employment Relations Committee Appeals Board, Reverend Robert H. Johnson, of Springfield, for the term prescribed by law.

To be a member of the Public Employment Relations Committee Appeals Board, O. F. Wenzler, of Lebanon, to succeed himself, for the term prescribed by law.

To be a member of the Casino Reinvestment Development Authority, Don Thomas, of East Orange, for a term of four (4) years.

To be a member of the Casino Reinvestment Development Authority, Robert DeCotiis, of Woodcliff Lake, for a term of one (1) year.

To be the Hunterdon County Prosecutor, Roger F. Mahon, of Raritan Township, for the term prescribed by law.

To be a member of the Board of Recreation Examiners, Marguerite Adams, of Morris Plains, to succeed herself for the term prescribed by law.

To be a member of the Commission on Capital Budgeting and Planning, Casimir Stasik, of Clifton, to succeed Eugene Jacobsen, for the term prescribed by law.

To be Chairman of the State and Local Expenditure and Revenue Policy Commission, Kenneth R. Biederman for the term prescribed by law.

The above nominations were referred to the Judiciary Committee.

Mr. Orechio, Senate President, announced the following appointment to the Motor Vehicle Inspection Study Commission:

Senator Paul Contillo (D-Bergen)

Mr. Orechio, Senate President, announced the following appointments to the State and Local Expenditure and Revenue Policy Commission:

Senator Matthew Feldman (D-Bergen)

Senator John Dorsey (R-Morris)

Mr. Orecchio, Senate President, in concurrence with Assembly Speaker Karcher, announced the following commission appointments:

Commission to Study State and Local Fiscal Policy (including State and Local Spending and the Revenue to Support It):

Walter Wechsler, Rossmore, Jamesburg

Joseph P. Galuzzi, Irvington

Ann C. Mega, Cedar Grove

The Secretary read the following memorandum:

The Office of Legislative Services has received the following material on behalf of the Senate on the date indicated.

- 2/27/85 ADMINISTRATIVE OFFICE OF THE COURTS  
(Annual Report Prevention of Domestic Violence Act)
- 2/27/85 DIVISION OF TAXATION (Annual Report, Fiscal Year 1984)
- 3/11/85 DIVISION OF THE DEAF (Annual Report, Fiscal Year 1984)
- 3/11/85 DEPARTMENT OF TRANSPORTATION (Revised N. J. Transportation Plan 1984)
- 3/13/85 N. J. WATER SUPPLY AUTHORITY (Annual Report, 1984)
- 3/14/85 DEPARTMENT OF EDUCATION (1st Draft; State Plan for Vocational Education)
- 3/15/85 STATE OF N. J. CASINO COMMISSION (Division of Affirmative Action & Planning, 4th Quarter Report: Affirmative Action Compliance in the Casino Hotel Industry)
- 3/18/85 PORT AUTHORITY OF N. Y. & N. J. (Board Minutes, 2/14/85; Bathgate Industrial Park Construction)
- 3/27/85 N. J. HEALTH CARE FACILITIES FINANCING AUTHORITY (Financial Statements, 1983 and 1984)
- 3/27/85 DIVISION OF BUDGET AND ACCOUNTING (State of New Jersey, Interim Financial Report: Six months ending 12/31/84)
- 3/29/85 NEW JERSEY HIGHWAY AUTHORITY (Annual Report, 1984)
- 3/29/85 N. J. HOUSING & MORTGAGE FINANCE AGENCY (Preliminary Annual Report, 11/1/83-6/30/84)
- 3/29/85 N. J. ECONOMIC DEVELOPMENT AUTHORITY (1984 Annual Report)

Mr. Russo offered the following motions which were read and adopted:

*Be It Resolved*, That the following bills be referred to the Revenue, Finance and Appropriations Committee:

Assembly Nos. 775, 2127, 3217 and Senate No. 2634.

*Be It Resolved*, That Assembly No. 788 be recommitted to the Revenue, Finance and Appropriations Committee.

*Be It Resolved*, That pursuant to Senate Rule 88, the following bills be referred to the Revenue, Finance and Appropriations Committee:

Senate Nos. 1876 and 2826.

*Be It Resolved*, That Senate No. 2815 be referred to the Education Committee.

*Be It Resolved*, That Assembly No. 3297 be referred to the Institutions, Health and Welfare Committee.

Mr. Cowan offered the following motion which was read and adopted:

*Be It Resolved*, That Senate Nos. 1314 and 2152 be withdrawn from the files.

Mr. Lynch offered the following motion which was read and adopted:

*Be It Resolved*, That Senate Nos. 1887 and 2419 be withdrawn from the files.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly Nos. 581 (OCR) Sea, 1353 (OCR) Sea, Senate Nos. 1484 Sea, 2311 Sea and 2802 Sea.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bills favorably without amendment:

Assembly No. 2625 (OCR), Assembly Joint Resolution No. 46, Senate Concurrent Resolution 114, Assembly Joint Resolution No. 76, Senate Nos. 2640, 1855, 2651, 2791, Assembly No. 3294 (without recommendations) and Senate No. 2777 (without recommendations).

The Education Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly Nos. 2974 Sea, 3217 Sea and Senate No. 2658 Sea.

The Education Committee reported the following bills favorably without amendment:

Assembly Nos. 2551, 2127, 955, Senate Nos. 2571, 2595, 1957, 2421 and 1281.

The County and Municipal Government Committee reported the following bills favorably with amendment:

Senate Nos. 2725 Sea, 2739 Sea, 2774 Sea, Assembly Nos. 455 Acs (OCR) Sea, 944 (OCR) Sea and 2656 (OCR) Sea.

The County and Municipal Government Committee reported the following bills favorably without amendment:

Assembly Nos. 1466, 2385, Senate Nos. 2829, 2523 and 2621.

The Judiciary Committee reported the following bills favorably with amendment, and on motion of the Chairman and amendments were adopted:

Senate No. 2567 Sea.

The Labor, Industry and Professions Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 1148 Sea, 1151 Sea, 1152 Sea, 1153 Sea, 1154 Sea and Assembly No. 340 Sea.

The Labor, Industry and Professions Committee reported the following bills favorably without amendment:

Assembly No. 3233, Senate Nos. 2834 and 2690.

The Judiciary Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2652 Sea, 2781 Sea, Assembly No. 555 Sea and Senate Committee Substitute for Senate No. 376.

The Judiciary Committee reported the following bills favorably without amendment.

Assembly No. 2186, Senate Nos. 2835, 2836, 2831, 2816, Assembly Nos. 1946, 3061, Senate No. 2645, Assembly No. 1392, Senate No. 1809, Senate Joint Resolution No. 49, Senate No. 2777, Assembly No. 3294, Senate Nos. 2802 Sea, 2651, 2791, 2311 Sea, 1855, 2640, 1484 Sea, Senate Concurrent Resolution No. 114, Assembly Joint Resolution No. 76, Assembly Nos. 581 Sea, 1353 Sea, 2625, Assembly Joint Resolution No. 46, Senate Nos. 2571, 2595, 1957, 2421, 1281, Assembly Nos. 2974 Sea, 3217 Sea, 2551, 2127, 955, Senate Nos. 2658 Sea, 2523, 2621, 2739 Sea, 2725 Sea, 2774 Sea, 2829, Assembly Nos. 455 Sea, 944 Sea, 1466, 2385, 2656, Senate Nos. 2567 Sea, 1148 Sea, 1151 Sea, 1152 Sea, 1153 Sea, 1154 Sea, 2690, 2834, Assembly Nos. 340 Sea, 3233, Senate No. 2816, Assembly Nos. 1946, 3061, Senate No. 2645, Senate Committee Substitute for Senate No. 376 Sea, Assembly No. 1392, Senate No. 1809, Senate Joint Resolution No. 49, Assembly No. 555 Sea, Senate No. 2652 Sea, Assembly No. 2186, Senate Nos. 2835, 2836, 283 and 2781 Sea were taken up, read a second time, and ordered to a third reading.

The Secretary read communications from the Governor who has absolutely vetoed the following bills, which were then filed:

Senate Nos. 2669 av, 327 av, 1221 av, 1331 av, 1694 av, 2200 av, 2591 av, Senate Joint Resolution Nos. 56 av and 55 av.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
April 26, 1985. }

SENATE BILL NO. 2669

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2669 without my signature.

This bill establishes a Personal Attendant Program under the direction of the Department of Human Services for certain persons with chronic disabilities and impairments. The purpose of this program is to provide State residents between 18 and 65 years of age with chronic physical disabilities, regular assistance in carrying out, "routine, nonmedical tasks directly related to maintaining their health and independence." These activities include bathing, dressing, meals, laundry, shopping, transportation and other such essential daily activities. This program is designed to enable these individuals to remain in their homes and communities and remain employed or receive training or education toward that end.

While financial eligibility limits are specified in this bill, it directs the Commissioner of Human Services to establish a sliding fee scale based on the individual's ability to pay, but in no event is the individual required to pay more than 75% of the cost of the services provided by the personal attendant under the program.

In addition, this bill establishes a 17 member Advisory Council on Personal Attendant Services which is charged with advising the Commissioner of Human Services as to the administration of the program and any problems arising thereunder.

As with Senate Bill No. 1694 (2nd OCR), the forerunner of this bill, I am troubled by the uncertain budgetary implications of creating a new program of this dimension. While I support the concept of the bill, I am concerned with the uncertain and potentially excessive costs presented. This is exemplified by the cost estimates prepared by the Office of Management and Budget, in conjunction with the Department of Human Services.

Program cost estimates range from \$20 million to \$400 million. This is because program variables including the number of eligibles, the level of services, hours of service per week, the unit cost per hour of service, and the level of cost sharing by the eligible are not sufficiently defined in the bill. As the bill is written, it is impossible to determine the level of expenditure with any degree of precision. The Personal Attendant Program cost estimates are based upon assumptions which widely vary. If the estimates are accurate, the low point of the range will far exceed the \$2 million ceiling appropriated by this bill. If the high point in the range is met or exceeded, the cost of \$400 million will have a devastating effect on the State's budget. As a result, since this is not a one time program, the costs and associated concerns will continue annually and no source of revenue is available over this long term to sustain this program.

In addition, I am concerned with the obvious uncertainty as to the proper client eligibility standard to be used. To date, two bills addressing this exact and very important issue have been passed by the Legislature within ten days of each other both containing entirely different client eligibility standards; Senate Bill No. 1694 (2nd OCR) on January 25, 1985 and this bill on February 5, 1985. A Personal Care Services Program of this magnitude represents a major policy and programmatic fiscal endeavor for the State. In light of these facts and unresolved problems, I would recommend that further study be undertaken to properly determine the State's course of action in dealing with this issue.

I respect the sponsor's zeal and conviction in obtaining passage of this well-intended bill; however, with the time available I am not convinced that we have found a proper course for this State to follow in dealing with this issue nor the resources to pay for it over the long term.

Accordingly, I am returning Senate Bill No. 2669 without my signature.

Respectfully,

/s/ THOMAS H. KEAN,

*Governor.*

[SEAL]

Attest:

/s/ W. CARY EDWARDS,

*Chief Counsel to the Governor.*

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT,

April 26, 1985. }

SENATE BILL No. 327

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 327 without my signature.

Senate Bill No. 327 would increase the membership on the Board of Trustees (Board) of the Public Employees' Retirement System (PERS) from nine to 13 members. The Board currently consists of two trustees appointed by the Governor, the State Treasurer, three trustees elected by State member employees, one trustee elected by county member employees and two trustees elected by municipal member employees. Of the four new trustees, municipal member employees will elect an additional trustee, member employees of school districts will elect a trustee and two trustees will be appointed by the Governor, with the advice and consent of the Senate. Of the new trustees appointed by the Governor, one shall be a member employee of a municipality and one shall be a member employee of a county. Both of these trustees must possess training and experience in local finance and public administration.

I see no reason to sign Senate Bill No. 327. The current design of the Board has existed since 1973 (P. L. 1973, c. 26) and has functioned well. I am not aware of instances where the Board has acted capriciously or unreasonably. Until such facts are clearly demonstrated, I cannot support legislation that alters the composition of the Board.

Accordingly, I return Senate Bill No. 327 without my signature.

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT,

April 26, 1985. }

SENATE BILL No. 1221 (4th OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1221 (4th OCR) without my signature.

This bill provides for the licensure of burglar and fire alarm installers and creates a Burglar and Fire Alarm Advisory Committee in the Division of Consumer Affairs, in the Department of Law and Public Safety. I must begin by commending the sponsor for his well-intentioned concern that the alarm industry requires greater regulation and that this improved regulation could best be accomplished through the establishment of a separate licensing authority. The installation of burglar and fire alarms in our residences and places of business is a serious matter. Only qualified installers should be permitted to perform this function.

This legislation emphasizes the need for a permanent mechanism to review professional licensure proposals. There has recently been a proliferation of licensing proposals for various professional groups pending in the Legislature. It is essential that the State establish an objective body to review these proposals and issue an advisory report analyzing the proposals pursuant to set criteria.

I have recently returned without my signature Assembly Bill No. 810, creating an Occupational Therapy Licensing Board. Pending in the Legislature are bills establishing boards for dietitians, nutritionists, respiratory therapists, social workers, sellers of travel, hypnotechnicians, air temperature control contractors and professional counsellors. Whatever the relative merits of these proposals, and the alarm installers bill before me now, I cannot in good conscience enact any more legislation creating licensing authorities until a permanent resolution to the question of professional licensure is set in place.

By returning this bill without my signature, I am not saying that the installers of burglar and fire alarms should not be licensed or registered by a separate professional board. This decision would best be left to a review commission including experts in the area of the regulation of professions.

This Administration supports the concept in Assembly Bill No. 2554 and Senate Bill No. 2282, introduced by Assemblyman Doria and Senator Ewing, respectively. These bills create a Professional Occupational Licensing Review Commission. I urge the speedy consideration and passage of this legislation because it would allow each licensing proposal to be evaluated by a panel of unbiased experts pursuant to set criteria. The establishment of this panel would be an invaluable aid in considering licensing proposals, such as the one before me today, which involve the overlapping jurisdiction of several existing regulatory agencies. Until this Commission is established, I feel no further licensing measures should be enacted.

I note finally that the Department of Community Affairs has recommended that the voltage level in the Electrical Contractors Licensing Act be increased for the installation of alarm systems. I encourage the Legislature to seriously review this problem.

Accordingly, I return Senate Bill No. 1221 (4th OCR) without my signature.

Respectfully,

/s/ THOMAS H. KEAN,

Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT,

April 26, 1985. }

SENATE BILL No. 1331 (2nd OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1331 (2nd OCR) without my signature.

This bill establishes the "Continuity of Employment Fund" in the Department of Human Services to aid employees of the Trenton Psychiatric Hospital, with annual gross incomes of under \$25,000, who were involuntarily transferred to Marlboro Psychiatric Hospital as part of a phasedown program within the State hospital.

The bill establishes in the Department of Human Services a special account to be known as the "Continuity of Employment Fund" into which will be deposited an appropriation of \$150,000

for the purposes of the fund. It also provides that the fund will be used for the purpose of providing either a commuting allowance, a one-time moving allowance, or access to the State-operated commuting system to employees who incur a hardship.

The issue of providing benefits to employees transferred from one facility to another falls within the purview of labor relations and should not be the subject of special legislation. A program providing relief for displaced employees must be reviewed in the context of transfer in other situations so that the State has an equitable and fair policy on this issue.

I believe that it is imperative that any program providing relief for displaced employees consider all State employees transferred and should be part of a complete plan to affect all State employees in similar circumstances. It is unfair to all State employees to legislate such a program strictly for the benefit of the Trenton Psychiatric employees. In addition, any program which the State makes available to employees who are laid off or transferred should be developed by the Department of Civil Service, not the Legislature.

Finally, the bill as written presents an employee benefit plan that is ambiguous and vague. For example, it is uncertain as to whether or not employees who relocate from one rental unit to another would be eligible for relief while employees who are homeowners are entitled to receive a \$3,000 benefit.

Further, there appears to be no prudent reason why the annual income of \$25,000 should be the line of demarcation for eligibility benefits. Finally, the bill as written does not contain an employee commuting benefit termination date. The State's obligation to reimburse the employee could continue for the employee's entire career if he or she decides not to relocate.

I respect the sponsor's zeal and conviction in obtaining passage of this well-intended bill. However, I believe that the Department of Civil Service, not the Legislature, should be the proper authority to develop such an employee benefit plan. I would strongly suggest that any further attempt to address this important issue should be done with the help and guidance of the State Office of Employee Relations.

Accordingly, I herewith return Senate Bill No. 1331 (2nd OCR) without my signature.

Respectfully,

/s/ THOMAS H. KEAN,

*Governor.*

[SEAL]

Attest:

/s/ W. CARY EDWARDS,

*Chief Counsel to the Governor.*

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT, }  
April 26, 1985. }

## SENATE BILL No. 1694 (2ND OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1694 (2nd OCR) without my signature.

This bill establishes an ongoing "Personal Care Services Program" under the direction of the Department of Human Services for certain individuals with chronic disabilities and impairments. Eligible persons must be handicapped or disabled but ambulatory, living in a private residence, with annual incomes not exceeding \$12,000, if single, or \$15,000, if married, and in need of personal care assistance. Personal care services are defined as health care related tasks performed by a qualified individual in an eligible person's home under the supervision of a registered professional nurse. The services include assistance in: essential daily activities such as bathing, dressing and meal preparation; transfer to and from a wheelchair or a bed; laundry; shopping; and driving or transportation to and from a person's place of employment. This legislation limits the first year program appropriation to \$2 million. The Department is directed to establish a sliding fee, based on the ability of each participant to pay, which may not exceed 25% of the total personal care costs.

While this legislation is well intended, at the request and urging of the sponsor, who now rejects this specific solution, and in light of my concerns cited below, I must return this bill without my signature.

My opposition to this bill as written is not because of a lack of concern in a personal care services program, but with the uncertain fiscal ramifications of creating a new program of this magnitude. As this legislation is presently phrased, approximately 96,000 eligibles would qualify for this personal care services program. Projected program cost estimates formulated by the Office of Management and Budget, in conjunction with the Department of Human Services, range from a high of almost \$400 million without the use of a 50% co-pay, to a low of approximately \$20 million with the use of a 50% co-pay. These estimates are far in excess of the \$2 million appropriation provided for in the bill.

Fiscal year 1985 surplus projections did not take into account the passage of this bill, nor did the Department of Human Services' Fiscal Year 1986 Budget request include this program. If this legislation were enacted, it would have a substantial impact on the Fiscal Year 1986 Budget and commit the State to a long term substantial financial commitment without a known source of revenue to pay for it.

While I respect the sponsor's zeal and conviction in obtaining passage of this well-intended bill, I believe that this program is one that the State can ill afford to consider at this time.

Accordingly, I am returning Senate Bill No. 1694 (2nd OCR) without my signature.

Respectfully,

/s/ THOMAS H. KEAN,

Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,

Chief Counsel of the Governor.

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT,

April 26, 1985. }

SENATE BILL No. 2200 (OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2200 (OCR) without my signature.

This bill requires the Department of Human Services, Division of Youth and Family Services to pay in full the costs of providing residential treatment services for children needing those services which are incurred by each privately sponsored agency or program with which the Division of Youth and Family Services has entered into a written agreement to provide.

Under the procedure outlined in this bill, the Division of Youth and Family Services is required to reimburse each agency or program for the funds they have provided for operating costs on or after the act's effective date.

Effective July 1, 1983, with the agreement and consent of the New Jersey Association of Children's Residential Facilities, the Division of Youth and Family Services instituted a cost-sharing policy which required private, nonprofit agencies to provide a fixed percentage of operating costs for their service contracts with the Division. This policy was in response to the inequity of rates between residential programs; the policy established small categories of similar programs and established a tight range of rates for programs in each category. The FY 1984 3% match level has been extended to FY 1985 contracts, with the fixed match level escalating to 6% and ultimately 10%.

The Department of Human Services currently has thousands of social service contracts in place that call for and require cost sharing/match. The majority of these contracts call for a 25% match. I am concerned that this proposed legislation seriously endangers the concept of cost sharing/match and could be cited as a precedent by other social services agencies on an issue that requires further

review. In an era of decreasing social service funding at the federal level, the Department cannot be expected to meet the social services needs within the State if the concept of the cost sharing/match is not protected.

If this legislation were to be enacted, the cost of providing these services could increase substantially. Consequently, fewer clients needing the service could be adequately placed and fewer placements at higher cost would negatively impact upon the provider agencies by decreasing their utilization and ultimately forcing a number of them to close. In addition, as the cost of in-state-programs continue to rise, the out-of-state-programs (many of which are already less costly) may become even more attractive, further eroding the possible client pool for New Jersey agencies.

The Division of Youth and Family Services existing contracting policy represents a cooperative effort to work with the New Jersey Association of Children's Residential Facilities towards the resolution of mutual fiscal concerns.

The Division's effort has provided over \$2 million in rate increases for residential programs in FY 1984, an average increase of 18.5% per program. If inequities or concerns exist, I believe the appropriate recourse for relief is for the residential facilities to negotiate a favorable contract with the Division as opposed to legislative means.

Accordingly, I herewith return Senate Bill No. 2200 without my signature.

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,

Chief Counsel of the Governor.

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT,

April 26, 1985. }

SENATE BILL No. 2591 (2nd OCR)

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2591 (2nd OCR) without my signature.

This legislation provides that school districts which were eligible to receive federal school aid under the Emergency School Aid Act of 1972 shall be entitled to receive State aid to compensate for the decrease in these funds. According to the sponsor, the intent of this bill is to provide special State aid for a three-year period beginning with Fiscal Year 1986 to 18 districts which are operating approved desegregation plans which have been maintained despite the loss of federal funding after 1981-82.

While I can appreciate the sponsor's concern in assisting school districts which have been affected by the loss of federal dollars, I cannot approve this bill due to the policy, technical and fiscal problems which it presents. My major concern with the bill is that it takes a short-term, narrow approach to the desegregation issue, which is an area of Statewide concern. Although there are more than 80 school districts affected by desegregation, this legislation affects only a handful and proposes a solution which will terminate after Fiscal Year 1988. As a result, this proposal would not resolve the desegregation issue, but would merely provide interim relief to a few districts. More importantly, there are many districts throughout the State which are experiencing severe desegregation problems which are not included under the provisions of this legislation.

In order to address this problem, the Department of Education has been developing a long-term comprehensive desegregation program which will affect 82 school districts and will include both planning and implementation phases. This program, which is scheduled to begin with the 1985-86 school year, provides a more equitable Statewide approach to the issue of desegregation funding.

In addition, this bill suffers from several technical defects which obscure the sponsor's intent and render it difficult to implementation. Although the sponsor intended this bill to apply to 18 school districts, the legislation refers to school districts which were "eligible to receive" federal desegregation funds; many districts, if not all, were eligible to apply for these funds. Accordingly, the bill provides much broader applicability than the sponsor intended. Furthermore, the bill also provides that only those districts which operated a desegregation plan approved by the Commissioner which was maintained despite the loss of Title VII funds would be eligible to receive State aid; again, many more districts than those which actually received federal grants meet this eligibility criteria. In addition, the bill specifies that eligible districts would be entitled to receive State aid in the amount equal to the "projected" federal Title VII aid received for the 1981-82 school year; because the federal program was a competitive grant program which did not utilize the projection of funds to individual districts, these directions are inapplicable and would create problems in administration and implementation. Finally, there is no restriction that these funds must be used for desegregation purposes. As a result, districts could use this money for other educational purposes or even non-educational purposes, such as the accumulation of surplus or tax reduction.

Although the proponents of this bill argue that the cost of implementation, which amounts to \$3.8 million for each of the next three fiscal years, is insignificant in light of the current budgetary surplus, I am concerned about the long range fiscal implications of this legislation. By enacting this bill, I would in effect be establishing an additional categorical aid program. I will not

accept any special amendments to the school aid formula without the overall revision I have requested from the Legislature. In the interim, any major requests for funding should be referred to the Joint Appropriations Committee, which is currently studying the State budget for Fiscal Year 1986.

Accordingly, I herewith return Senate Bill No. 2591 (2nd OCR) without my signature.

Respectfully,

/s/ THOMAS H. KEAN,

*Governor.*

[SEAL]

Attest:

/s/ W. CARY EDWARDS,

*Chief Counsel to the Governor.*

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT,

April 26, 1985. }

SENATE JOINT RESOLUTION No. 56

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Joint Resolution No. 56 without my approval.

The purpose of this resolution is to designate February 3, 1985 to February 9, 1985 as Catholic School Week in New Jersey and to designate February 7, 1985 as Peace Awareness Day.

Although I recognize the importance of Catholic schools and of peace awareness, I am forced to return this resolution unsigned due to the time frame surrounding its passage. This resolution was not presented to me until February 5, 1985, and consequently I was unable to issue it in time to effectively promote the causes of Catholic School Week and Peace Awareness. However, on January 28, 1984, I did issue a proclamation designating February 3, 1985 through February 9, 1985 as Catholic Schools week in awareness of the contribution Catholic schools have made to education in our State.

Accordingly, I herewith return Senate Joint Resolution No. 56 without my signature.

Respectfully,

/s/ THOMAS H. KEAN,

*Governor.*

[SEAL]

Attest:

/s/ W. CARY EDWARDS,

*Chief Counsel to the Governor.*

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
April 26, 1985. }

## SENATE JOINT RESOLUTION No. 55

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Joint Resolution No. 55 without my signature.

This Resolution would memorialize the Administrator of the United States Environmental Protection Agency to give final approval of the designation of the 106-mile offshore disposal site as the only permitted area within the New York Bight Apex for the ocean disposal of sewage sludge. The Resolution also memorializes the Administrator to expedite the final adoption of permitting procedures for disposal at that 106-mile site. Senate Joint Resolution No. 55 was introduced without reference on January 28, 1985 and received final passage on February 25, 1985 without Committee review.

Since the offshore dumping issue is an issue of the highest priority to this Administration, it is most unfortunate that this Resolution was inaccurate, and its focus misplaced, at the time it received final passage by the Legislature. That is, Senate Joint Resolution No. 55 did not correctly reflect the status of the Federal Environmental Protection Agency's regulatory actions with respect to offshore dumping and, in fact, urges that Agency to take actions it had already taken. Specifically, Senate Joint Resolution No. 55 focuses on the 106-mile site and urges that it be designated as the only site for the offshore dumping of sewage sludge. In fact, in April, 1984, approximately nine months prior to this Resolution's introduction, the Federal Environmental Protection Agency had already approved final rules which specifically designated that 106-mile site as the only site for the offshore dumping of sewage sludge. These rules also authorized the opening of the permitting process for dumping at that site. Senate Joint Resolution No. 55 should properly have memorialized the Federal Environmental Protection Agency to promulgate and adopt final rules for closing out the permitting process at the alternate 12-mile site, an action that that Federal Agency in fact accomplished on April 1, 1985. Accordingly, the issue is now moot.

Since the Legislature recessed shortly after Senate Joint Resolution No. 55 received final passage, due to the ongoing Joint Appropriations process, I was extremely disheartened at an inability to secure legislative concurrence with amendatory language which would have conformed Senate Joint Resolution No. 55 with the current status of the matter and facilitated its timely forwarding to the Federal Environmental Protection Agency. Due to the Joint Appropriations break, we had no opportunity, in the alternative, to secure passage of Assembly Joint Resolution No. 84, which addresses this same issue in an accurate fashion, so that that

Resolution might have been forwarded to the Federal Agency prior to April 1, 1985. Clearly, I could not approve and forward Senate Joint Resolution No. 55 to the Federal Environmental Protection Agency in its present form since this Resolution's stark deficiencies would make it appear to the Federal government as if the State of New Jersey had neglected its responsibility to monitor and keep abreast of all federal regulatory actions concerning this issue which is of major importance to all of our citizens and, most particularly, to those citizens residing in our shore areas.

Since this Administration was very active in seeking designation of the 106-mile site initially and, more recently, in seeking termination of the permitting process for dumping at the 12-mile site, I am quite disappointed that the technical and substantive errors contained in Senate Joint Resolution No. 55 prevent me from approving its terms.

Respectfully,

/s/ THOMAS H. KEAN,

*Governor.*

[SEAL]

Attest:

/s/ W. CARY EDWARDS,

*Chief Counsel to the Governor.*

The Secretary read communications from the Governor who has conditionally vetoed the following bills:

Senate Nos. 2586 cv, 1443 cv, Senate Committee Substitute for Senate Nos. 2046/2334 cv, Senate Nos. 1442 cv, 1356 cv and 819 cv.

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT,

April 26, 1985. }

SENATE BILL NO. 2586

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2586 with my objections and recommendations for amendment.

This bill would provide a cap exception for county expenses paid to the State for maintenance of county patients in State hospitals for the mentally ill and in State developmental centers for the developmentally disabled.

The Local Expenditure Limitations Advisory Commission is now conducting an ongoing study of local government caps. The Commission has not looked at the issue of whether county payments to the State for maintenance of patients in State hospitals should be excluded from the county cap. This is precisely the type of issue that the Commission should investigate, especially since the Commission is charged with the responsibility of studying topics associated with legislative action affecting the Cap Law.

I believe, therefore, that this matter ought to be added expressly to the list of specific cap law issues the Commission should examine. The Commission's complete and thorough review of this and other cap law matters will ultimately lead to a more comprehensive and thoughtful resolution of these difficult questions. I shall, therefore, await the Commission's recommendations on whether the maintenance of county patients in State hospitals for the mentally ill and State developmental centers for the developmentally disabled will be added to the exceptions permitted counties under the Cap Law. I also recommend that other similar State-mandated expenditures be reviewed by the Commission.

Therefore, I herewith return Senate Bill No. 2586 and recommend that it be amended as follows:

*Page 1, Title, lines 1 through 4:* On line 1 delete "An act to place limits on expenditures by coun-", delete lines 2 through 3 in entirety, delete "C. 40A:4-45.1 et seq.)" on line 4 and insert "'An act concerning limitations imposed upon increases in municipal final appropriations and county tax levies, and amending and supplementing P. L. 1976, c. 68,' approved January 31, 1983 (P. L. 1983, c. 49; C. 40A:4-45.12 et seq.)"

*Page 1, Section 1, lines 1 through 7:* Delete in entirety, insert as follows: "1. The Commission shall include in its 1985 annual report a recommendation to the Governor and Legislature on whether the maintenance of county patients in State hospitals for the mentally ill and in State developmental centers for the developmentally disabled shall be added to the exceptions from the limitations on the county tax levy permitted under Section 4 of P. L. 1976, c. 68 (C. 40A:4-45.4). The Commission shall also include in its 1985 annual report recommendations on whether other similar State-mandated expenses shall be added to exceptions from the limitations on the county tax levy."

*Page 1, Section 2, lines 1 and 2:* Delete "and shall apply to the 1985 local budget year and each local budget year thereafter"

Respectfully,

/s/ THOMAS H. KEAN,

Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,

April 26, 1985.

SENATE BILL No. 1443 (2nd OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1443 (2nd OCR) with my recommendations for reconsideration.

This bill, entitled the "State College Contracts Law," establishes procedures by which the State colleges may purchase or contract for the performance of any work or the furnishing of materials or supplies. This bill is part of the three-bill package which will give each State college the operational autonomy needed to pursue its own strengths and mission within a more flexible framework.

As I indicated in my State-of-the-State Message this past January, I strongly support the concept of State college autonomy. However, due to an amendment adopted by this Legislature, which in my judgment severely hampers autonomy in the area of State college purchasing, I find that I cannot sign this legislation, as it appears before me today.

On February 25, 1985, this bill was amended to include a provision prohibiting the colleges from contracting for services substantially similar to those performed by employees of State colleges. This subcontracting amendment is inappropriate and should be deleted from the bill for the following reasons.

First, I find this provision to be fiscally unsound. I believe that certain functions are subcontracted out by the colleges because by doing so, certain operations can be run more efficiently and at a lower cost than if the same work was to be performed by employees of the college. The overall result of this policy is better service and lower fees for students.

Second, I believe that the subcontracting clause is both fiscally and administratively limiting to the colleges. The purpose of this legislative package is to grant State colleges autonomy and Senate Bill No. 1443, in particular, is designed to give the State colleges greater flexibility with regard to purchasing. This amendment would only tighten the reigns of the institutions and, therefore, I find the subcontracting provision to be counterproductive to the goals of autonomy.

Finally, in many areas including purchasing, the State colleges have for too long labored under severe restraints which have not been imposed upon other public institutions of higher education in the State of New Jersey. By including this subcontracting amendment, I would be advocating the continuation of the practice of singling out State colleges for treatment which is not applicable to other institutions of higher education. In effect, I would be acting in contravention to the best interests of the State colleges by seeking to further restrict these institutions' purchasing and contracting abilities.

Since the subcontracting clause was first adopted by the Legislature, I have instructed my office to seek its removal. I maintain now, as I have in the past, that these institutions of higher education must be free to enter into contractual arrangements with private business and industry, with school systems, with other public sector organizations and with one another to provide such services as each is best qualified and equipped to perform. I believe that the kind of protectionism advanced in the subcontracting amendment is short sighted and against the longer range interests of the colleges, their employees, their students and the public.

Accordingly, I herewith return Senate Bill No. 1443 (2nd OCR) and recommend that it be amended as follows:

*Page 15, Section 33, lines 1-5:* Delete in entirety.

*Page 15, Section 34, line 1:* Delete "34." insert "33."

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT,

April 26, 1985. }

SENATE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 2046 AND  
SENATE BILL NO. 2334

*To the Senate:*

Pursuant to Article V, Section I, paragraph 14 of the Constitution, I herewith return Senate Committee Substitute for Senate Bill No. 2046 and Senate Bill No. 2334 with my recommendations for reconsideration.

This bill sets forth a "Fair Housing Act" which addresses the New Jersey Supreme Court rulings in *South Burlington County NAACP v. Mount Laurel*, 67 N. J. 151 (1975) and *South Burlington County NAACP v. Mount Laurel*, 92 N. J. 158 (1983). It is designed to provide an administrative mechanism to resolve exclusionary zoning disputes in place of protracted and expensive litigation. The expectation is that through these procedures, municipalities operating within State guidelines and with State oversight will be able to define and provide a reasonable opportunity for the implementation of their *Mt. Laurel* obligations.

To accomplish this the bill establishes a voluntary system through which municipalities can submit plans for providing their fair share of low and moderate income housing to a State Council on Affordable Housing which would certify the plan. This certification would give the plan a presumption of validity in court. The presumption would shift the burden of proof to the complaining party to show that the plan does not provide a realistic opportunity for the provision of the fair share before a builder's remedy could be instituted.

In addition, the bill would permit regional contribution agreements whereby a municipality could transfer up to one-third of its fair share to another municipality within the same region. The bill also provides for a phasing schedule giving municipalities a time period, in some cases more than 20 years, to provide for their fair share.

The bill establishes a Fair Housing Trust Fund to provide financial assistance for low and moderate income housing. The Fund would be financed with a \$25 million appropriation from the General Fund and with realty transfer tax revenues. This bill is tied to Assembly Bill No. 3117 which would increase the realty transfer tax revenues and places the State's portion of the realty transfer tax revenues in the Fair Housing Trust Fund account. The two bills are linked together through an effective date provision in Senate Bill No. 2046 which provides that Senate Bill No. 2046 will remain inoperative until Assembly Bill No. 3117 is enacted.

The bill also places a 12-month moratorium on the implementation of judgments imposing a builder's remedy. The Attorney General is required to seek a determination of the constitutionality of this provision in a declaratory judgment action to be filed within 30 days from the effective date of the act. If the action is not brought within that time frame, the moratorium expires. In addition, the bill contains a severability clause providing that if one portion of the act is found invalid, the remaining severable portions shall remain in effect.

This bill represents the Legislature's first attempt to address *Mt. Laurel* and reflects its desire, in which I heartily concur, of taking the issue out of the courts and placing it in the hands of local and State officials where land use planning properly belongs. While I am in accord with the basic approach set forth in this bill, I am compelled to return it for necessary amendments.

It is essential that the temporary moratorium on the builder's remedy be constitutionally sustainable in order to enable municipalities to take advantage of the procedures in this bill. The builder's remedy is disruptive to development and planning in a municipality. A moratorium for the planning period in this bill is needed. Unfortunately, the moratorium proposed by this bill would affect court judgments which have already been entered. This may represent an unconstitutional intrusion into the Judiciary's powers. I question whether the Legislature can, in effect, undo a court judgment in this way. Accordingly, I am recommending an amendment to make this moratorium prospective only by directing the courts not to impose a builder's remedy during the moratorium period in any case in which a final judgment providing for a builder's remedy has not been entered. I recommend that the moratorium commence on the effective date of this act and expire at the end of the time period in which municipalities

have to file their housing element pursuant to section 9. a., a period of 12 months from the date the Council is confirmed.

I am also deleting the provision requiring the Attorney General to seek a declaratory judgment on the constitutionality of the moratorium. This provision suggests that the Legislature has some question about the constitutionality of this provision. The change I have suggested should remove that uncertainty. In addition, a provision such as this is peculiar, since the Legislature should not be enacting laws which it believes might be unconstitutional.

In place of the Fair Housing Trust Fund and its \$25 million appropriation from this bill, I propose at this time to work with existing programs, namely the New Jersey Housing and Mortgage Finance Agency and the Neighborhood Preservation Program in the Department of Community Affairs. Until the Council is in operation and municipalities start receiving substantive certification and entering into regional contribution agreements, it is difficult to evaluate new funding programs. Accordingly, rather than set up a new housing funding mechanism, I believe it would be more administratively and economically efficient to work with existing State programs to provide housing for low and moderate income households. I propose to fund this *Mt. Laurel* housing program with \$100 million of bond funds, and a total of \$25 million from the General Fund.

The New Jersey Housing and Mortgage Finance Agency will set up a *Mt. Laurel* housing program to help finance *Mt. Laurel* housing projects. The Agency's programs will include assistance for home purchases and improvement through interest rate, down payment and closing cost assistance as well as capital buy downs; rental programs including loans or grants for projects with low and moderate income units; moderate rehabilitation of existing rental housing; congregate care and retirement facilities; conversions, infrastructure assistance, and grants and loans to municipalities, housing sponsors and community organizations for innovative affordable housing programs.

The Agency's program will be funded with a set aside of 25% of the Agency bond revenues; the set aside is estimated to be \$100 million per year. I am also recommending a State appropriation of \$15 million to the New Jersey Housing and Mortgage Finance Agency for its *Mt. Laurel* housing program.

The Neighborhood Preservation Program would be appropriated in total approximately \$10 million to assist municipalities in *Mt. Laurel* housing programs. I propose to dedicate the increase in the Realty Transfer Tax proposed by the companion bill, Assembly Bill No. 3117, to the Neighborhood Preservation Program. An outright appropriation of \$2 million from the General Fund is intended to bring the total to \$10 million.

These funds would be used in neighborhood preservation areas for such things as rehabilitation, accessory conversions and con-

versions, acquisition and demolition costs, new construction, costs for technical and professional services associated with a project, assistance to qualified housing sponsors, infrastructure and other housing costs.

In addition, assistance would be limited to housing in municipalities with substantive certification of their housing elements or housing subject to a regional contribution agreement. However, in order that programs can get underway immediately, an interim provision is inserted to enable the funds to be used for *Mt. Laurel* housing before these determinations are made for a 12-month period following the effective date with the Council having the power to extend this time frame.

The amendments I have proposed for funding low and moderate income housing far exceeds the amounts appropriated in the original bill while utilizing existing State programs and agencies.

One key element in determining a municipality's "fair share" of low and moderate income housing is the estimate of "prospective need" in the region and municipality. This bill requires the Council to estimate the prospective need for the State and regions and to adopt criteria and guidelines for municipal determination of prospective need. When preparing its housing element, a municipality must determine its fair share of prospective and present need. Its housing element must provide a realistic opportunity for the provision of this fair share. Despite its importance, nowhere in the bill is a definition of "prospective need" provided. Accordingly, I am inserting such a definition which is designed to help assure that the prospective need numbers are realistic and not based on theoretical or speculative formulas.

The bill currently permits a municipality's fair share figure to be adjusted based upon "available vacant and developable land, infrastructure considerations or environmental or historic preservation factors." I would like to strengthen this language to assure that adjustments are provided in order to preserve historically or important architecture and sites or environmentally sensitive lands and to assure that there is adequate land for recreational, conservation, or agricultural and farmland preservation purposes and open space. In addition, adjustments should be provided where there is inadequate infrastructure capacity and where the established pattern of development in the community would be drastically altered, or the pattern of development is contrary to the planning designations in the State Development and Redevelopment Plan prepared pursuant to P. L. , c. (now pending before the Legislature as Senate Bill No. 1464 of 1984).

As an additional check on excessive fair share numbers which would radically change the character of a community, I propose to authorize the council, in its discretion, to place a limit on a municipality's fair share. The limit would be based on a percentage of the municipality's housing units and any other relevant criteria, such as employment opportunities, selected by the council.

Another key element in determining a municipality's "fair share" of low and moderate income housing is an estimate of the condition of existing housing stock to determine the amount of substandard housing throughout the State. In order to achieve an accurate determination of the present and prospective housing needs of all the regions in the State, a thorough housing inventory should be performed by every municipality in the State. To require housing elements which include accurate housing inventories from only municipalities in growth areas, is to obtain only a limited picture of New Jersey's true housing needs. I am therefore recommending an amendment to the Municipal Land Use Law to require municipalities to prepare a thorough and accurate housing inventory as part of the housing element in their master plan.

The current Municipal Land Use Law requires municipalities to prepare master plans which may contain a housing element. I am recommending that the Municipal Land Use Law be amended to incorporate the housing element prepared under this statute. In this way, the housing element under the Municipal Land Use Law will be identical to the housing element prepared pursuant to this act. In addition, the Municipal Land Use Law requires that a municipality have a land use element in its master plan in order to have a valid zoning ordinance. I am adding to this requirement that the municipality have a housing element. In this way, every municipality in order to have a valid zoning ordinance would have to put together a housing element as defined in this act.

To assist municipalities in obtaining numbers that are realistic, I also suggest that language be inserted in the bill to enable the municipality when conducting its housing inventory to have access on a confidential basis to the local assessor's records. I am advised that statutory authorization is needed for this.

I am also recommending that certain language changes be made in the findings section of the bill. We should state that rehabilitation of existing housing stock in the urban centers must be encouraged. I also believe we should note that the *Mt. Laurel* obligation is limited to changes in land use regulations and clarify that municipalities need not expend their resources for *Mt. Laurel* housing.

The membership on the Council on Affordable Housing consists of four local officials (one of whom must be from an urban area and no more than one representing county interests), three representatives of households in need of low and moderate income housing (one of whom shall be a builder of low and moderate income housing) and two representing the public interest.

In order to have adequate representation of the public interest, I recommend that three members represent the public interest and two the needs of low and moderate income households. I also suggest that the executive director of the New Jersey Housing and Mortgage Finance Agency hold one of the positions in the latter category, due to the expertise of that Agency in low and moderate

income housing finances and the numerous responsibilities the Agency is given in this bill.

The Council is required to adopt rules and regulations within four months from the bill's effective date. In addition, within seven months from the bill's effective date, the Council must: (a) determine the State's housing regions, (b) establish the present and prospective need estimates for the State and the regions, (c) adopt guidelines and criteria for municipal fair share determinations, adjustments to fair share and phasing, and (d) provide population and household projections. However, the Council cannot begin its work until its membership is confirmed. Since I am given 30 days to make the nominations and the Senate must thereafter confirm the nominations, the Council's time to perform these functions will be significantly eroded by the appointment process. Accordingly, I am proposing amendments to provide that these time periods run from the date the Council members are confirmed or January 1, 1986, whichever is earlier.

With respect to pending litigation, the bill permits a party in current litigation to request the court to transfer the case to the Council on Affordable Housing for mediation procedures. When reviewing such a request, the courts must consider whether or not the transfer would result in a manifest injustice to one of the litigants.

The bill as currently drafted creates a novel mediation and review process and specifically provides that the review process should not be considered a contested case under the Administrative Procedure Act, subject to the procedures of that act and a hearing by an administrative law judge. If mediation and review by the housing council is unsuccessful, the matter will be heard in the trial court of the Superior Court.

I recommend, in place of the special procedures set forth in this bill, the regular administrative law procedure. Under this approach, if the mediation by the council is unsuccessful, the dispute will be transferred to the Office of Administrative Law as a contested case for a hearing pursuant to its rules. The ultimate decision will be made by the council and appeals will be taken from the council's decision to the Appellate Division of the Superior Court.

If a municipality receives substantive certification, its housing elements and ordinances are presumed valid. I am concerned that after going through the administrative process in this bill and receiving substantive certification, a municipality still may not have sufficient protection from a builder's remedy. I am therefore recommending that the presumption of validity be buttressed by an amendment providing that it may only be rebutted with "clear and convincing" evidence.

Senate Bill No. 2334 originally provided that a municipality could transfer up to one-half of its fair share to another municipality. In order to provide municipalities with more flexibility in their prep-

aration of regional contribution agreements, I recommend that the one-third figure be returned to the original one-half number previously recommended by Senator Lynch, the sponsor of Senate Bill No. 2334.

In addition, I recommend that a municipality which has reached a settlement in *Mt. Laurel* litigation be granted a period of repose from further litigation and be deemed to have a substantively certified housing element. This period of repose will run six years from the bill's effective date.

I recommend the deletion of the provision in this bill which allows a municipality to employ condemnation powers to acquire property for the construction and rehabilitation of low and moderate income housing. I question the authorization of such a drastic power without some evidence of its necessity in resolving our State's housing needs.

The Senate Committee Substitute as originally drafted required the Council to report to the Governor and the Legislature in the implementation of this act within two years from its effective date. The Assembly amendments place this reporting requirement upon the New Jersey Housing and Mortgage Finance Agency rather than the Council. I recommend having both the Council and Agency report to the Governor and Legislature on an annual basis.

Accordingly, I herewith return Senate Committee Substitute for Senate Bill No. 2046 and Senate Bill No. 2334 and recommend that it be amended as follows:

*Page 1, Title, Line 1:* After "housing," omit "and"; after "appropriation" insert "and amending the Municipal Land Use Law, P. L. 1975, c. 291 (C. 40:55D-1 et seq.)."

*Page 1, Section 2, Line 6:* After "provide" insert "through its land use regulations"

*Page 2, Section 2, after Line 43:* Insert new subsections as follows:

"g. Since the urban areas are vitally important to the State, construction, conversion and rehabilitation of housing in our urban centers should be encouraged. However, the provision of housing in urban areas must be balanced with the need to provide housing throughout the State for the free mobility of citizens.

h. The Supreme Court of New Jersey in its Mount Laurel decision demands that municipal land use regulations affirmatively afford a reasonable opportunity for a variety and choice of housing including low and moderate cost housing, to meet the needs of people desiring to live there. While provision for the actual construction of that housing by municipalities is not required, they are encouraged but not mandated to expend their own resources to help provide low and moderate income housing."

*Page 3, Section 4, After Line 43:* Insert new subsection as follows:

"j. 'Prospective Need' means a projection of housing needs based on development and growth which is reasonably likely to occur in a region or a municipality, as the case may be, as a result of actual

determination of public and private entities. In determining prospective need consideration shall be given to approvals of development application, real property transfers and economic projections prepared by the State Planning Commission established by P. L. \_\_\_\_\_, c. \_\_\_\_\_ (now pending before the Legislature as Senate Bill No. 1464 of 1984)."

*Page 3, Section 5, Line 10:* Omit "three" and insert "two"

*Page 4, Section 5, Line 11:* After "housing" omit "at least"

*Page 4, Section 5, Line 11:* After "issues" insert "and one of whom shall be the executive director of the agency, serving ex-officio"; and omit "two" and insert "three"

*Page 4, Section 5, Line 20:* Omit "four" and insert "three"

*Page 4, Section 5, Line 25:* After "members" insert "excluding the executive director of the agency"

*Page 5, Section 7, Line 2:* Omit "effective date of this act" and insert "confirmation of the last member initially appointed to the council, or January 1, 1986, whichever is earlier"

*Page 5, Section 7, Line 14A:* After "factors" insert " and adjustments shall be made whenever:

(a) The preservation of historically or important architecture and sites and their environs or environmentally sensitive lands may be jeopardized.

(b) The established pattern of development in the community would be drastically altered,

(c) Adequate land for recreational, conservation or agricultural and farmland preservation purposes would not be provided,

(d) Adequate open space would not be provided,

(e) The pattern of development is contrary to the planning designations in the State Development and Redevelopment Plan prepared pursuant to P. L. \_\_\_\_\_, c. \_\_\_\_\_ (now pending before the Legislature as Senate Bill No. 1464 of 1984),

(f) Vacant and developable land is not available in the municipality, and

(g) Adequate public facilities and infrastructure capacities are not available, or would result in costs prohibitive to the public if provided"

*Page 5, Section 7, After Line 18:* Insert new subsection as follows:

"c. May in its discretion, place a limit, based on a percentage of of existing housing stock in a municipality and any other criteria including employment opportunities which the council deems appropriate, upon the aggregate number of units which may be allocated to a municipality as its fair share of the region's present and prospective need for low and moderate income housing."

*Page 6, Section 7, Lines 31 through 32:* Delete "the Fair Housing Trust Fund Account established in Section 20 of this Act or"

*Page 6, Section 7, Line 33:* Delete "other"

*Page 6, Section 8, Line 1:* Omit "effective date of this act" and insert "confirmation of the last member initially appointed to the council, or January 1, 1986, whichever is earlier"

*Page 6, Section 9, Line 7:* Omit "adopted" and insert "fair share housing"

*Page 6, Section 9, Line 8:* Omit "revisions" and insert "introduced and given first reading and second reading in a hearing pursuant to C. 40:49-2" and omit "implement" and insert "implements"

*Page 6, Section 10, Line 8:* After "households" insert "and substandard housing capable of being rehabilitated, and in conducting this inventory the municipality shall have access, on a confidential basis for the sole purpose of conducting the inventory, to all necessary property tax assessment records and information in the assessor's office, including but not limited to the property record cards"

*Page 8, Section 11, Lines 31 through 32:* Delete "the Fair Housing Trust Fund Account established pursuant to Section 20 of this Act or"

*Page 8, Section 11, Line 33:* Delete "other"

*Page 8, Section 12, Line 1:* Delete "33 1/3%" insert "50%"

*Page 9, Section 12, Lines 53 through 56:* On line 53 delete "The", delete lines 54 and 55 in entirety and on line 56 delete "the regional contribution agreement."

*Page 11, Section 12, Line 112:* After "years" insert "and may include an amount agreed upon to compensate or partially compensate the receiving municipality for infrastructure or other costs generated to the receiving municipality by the development"

*Page 12, Section 14, After Line 24:* Insert "Once substantive certification is granted the municipality shall have 45 days in which to adopt its fair share housing ordinance approved by the council."

*Page 12, Section 15, Lines 11 through 16:* Delete "then the council" on line 11, delete lines 12 through 15 in entirety, delete "but the review process shall not be considered" on line 16 and insert "the matter shall be transferred to the Office of Administrative Law as"

*Page 12 to 13, Section 15, Lines 19 through 53:* Delete in entirety and insert: "The Office of Administrative Law shall expedite its hearing process as much as practicable by promptly assigning an administrative law judge to the matter; promptly scheduling an evidentiary hearing; expeditiously conducting and concluding the evidentiary hearing; limiting the time allotted for briefs, proposed findings of fact, conclusions of law, forms of order or other disposition, or other supplemental material; and the prompt preparation of the initial decision. A written transcript of all oral testimony and copies of all exhibits introduced into evidence shall be submitted to the Council by the Office of Administrative Law simultaneously with a copy of the initial decision. The evidentiary hearing shall be concluded and the initial decision issued no later

than 90 days after the transmittal of the matter as a contested case to the Office of Administrative Law by the Council, unless the time is extended by the Director of Administrative Law for good cause shown."

*Page 14, Section 17, Line 7:* After "demonstrate" insert "by clear and convincing evidence"

*Page 14, Section 17, Line 16:* After "demonstrate" insert "by clear and convincing evidence"

*Pages 14 and 15, Section 20, Lines 1 through 34:* After "20." delete in entirety and insert: "The Neighborhood Preservation Program within the Department of Community Affairs' Division of Housing and Development, established pursuant to the Commissioner of the Department of Community Affairs' authority under P. L. 1975, c. 248, Section 8 (C. 52:27D-149), shall establish a separate Neighborhood Preservation Nonlapsing Revolving Fund for monies appropriated by Section 33 of this act.

a. The Commissioner shall award grants or loans from this Fund to municipalities whose housing elements have received substantive certification from the Council, to municipalities subject to builder's remedy as defined in Section 31 of this act or to receiving municipalities in cases where the Council has approved a regional contribution agreement and a project plan developed by the receiving municipality. The Commissioner shall assure that a substantial percentage of the loan or grant awards shall be made to projects and programs in those municipalities receiving State aid pursuant to P. L. 1978, c. 14 (C. 52:27D-178 et seq.).

b. The Commissioner shall establish rules and regulations governing the qualifications of applicants, the application procedures, and the criteria for awarding grants and loans and the standards for establishing the amount, terms of conditions of each grant or loan.

c. During the first twelve months from the effective date of this act and for any additional period which the council may approve, the Commissioner may assist affordable housing programs which are not located in municipalities whose housing elements have been granted substantive certification or which are not in furtherance of a regional contribution agreement; provided that the affordable housing program will meet all or part of a municipal low and moderate income housing obligation.

d. Amounts deposited in the Neighborhood Preservation Fund shall be targeted to regions based on the region's percentage of the State's low and moderate income housing need as determined by the Council. Amounts in the Fund shall be applied for the following purposes in designated neighborhoods:

(1) Rehabilitation of substandard housing units occupied or to be occupied by low and moderate income households;

(2) Creation of accessory apartments to be occupied by low and moderate income households;

(3) Conversion of nonresidential space to residential purposes provided a substantial percentage of the resulting housing units are to be occupied by low and moderate income households;

(4) Acquisition of real property; demolition and removal of buildings; and/or construction of new housing that will be occupied by low and moderate income households;

(5) Grants of assistance to eligible municipalities for costs of necessary studies, surveys, plans and permits, engineering, architectural and other technical services, costs of land acquisition and any buildings thereon, and costs of site preparation, demolition and infrastructure development for projects undertaken pursuant to an approved regional contribution agreement;

(6) Assistance to a local housing authority, nonprofit or limited dividend housing corporation or association for rehabilitation or restoration of housing units which it administers which: (a) are unusable or in a serious state of disrepair; (b) can be restored in an economically feasible and sound manner; and (c) can be retained in a safe, decent and sanitary manner, upon completion of rehabilitation or restoration; and

(7) Such other housing programs for low and moderate income housing, including infrastructure projects directly facilitating the construction of low and moderate income housing not to exceed a reasonable percentage of the construction costs of the low and moderate income housing to be provided.

e. Any grant or loan agreement entered into pursuant to this section shall incorporate contractual guarantees and procedures by which the Division will ensure that any unit of housing provided for low and moderate income households shall continue to be occupied by low and moderate income households for at least 20 years following the award of the loan or grant except that the Division may approve a guarantee for a period of less than 20 years where necessary to ensure project feasibility."

*Pages 15 to 17, Section 21, Lines 1 through 87:* After "21." delete in entirety and insert: "The agency shall establish affordable housing programs to assist municipalities in meeting the obligation of developing communities to provide low and moderate income housing.

a. Of the bond authority allocated to it under Section 24 of P. L. 1983, c. 530 (C. 55:14K-24) the agency will allocate, for a reasonable period of time established by its board, no less than 25% to be used in conjunction with housing to be constructed or rehabilitated with assistance under this Act.

b. The agency shall to the extent of available funds, award assistance to affordable housing programs located in municipalities whose housing elements have received substantive certification from the council, or which have been subject to a builder's remedy or which are in furtherance of a regional contribution agreement approved by the council. During the first twelve months from the

effective date of this act and for any additional period which the council may approve, the agency may assist affordable housing programs which are not located in municipalities whose housing elements have been granted substantive certification or which are not in furtherance of a regional contribution agreement provided the affordable housing program will meet all or in part a municipal low and moderate income housing obligation.

c. Assistance provided pursuant to this section may take the form of grants or awards to municipalities, prospective home purchasers, housing sponsors as defined in P. L. 1983, c. 530 (C. 55:14K-1 et seq.), or as contributions to the issuance of mortgage revenue bonds or multi-family housing development bonds which have the effect of achieving the goal of producing affordable housing.

d. Affordable housing programs which may be financed or assisted under this provision may include, but are not limited to:

(1) Assistance for home purchase and improvement including interest rate assistance, down payment and closing cost assistance, and direct grants for principal reduction;

(2) Rental programs including loans or grants for developments containing low and moderate income housing, moderate rehabilitation of existing rental housing, congregate care and retirement facilities;

(3) Financial assistance for the conversion of nonresidential space to residences;

(4) Such other housing programs for low and moderate income housing, including infrastructure projects directly facilitating the construction of low and moderate income housing; and

(5) Grants or loans to municipalities, housing sponsors and community organizations to encourage development of innovative approaches to affordable housing, including:

(a) Such advisory, consultation, training and educational services as will assist in the planning, construction, rehabilitation and operation of housing; and

(b) Encouraging research in and demonstration projects to develop new and better techniques and methods for increasing the supply, types and financing of housing and housing projects in the State.

e. The agency shall establish procedures and guidelines governing the qualifications of applicants, the application procedures and the criteria for awarding grants and loans for affordable housing programs and the standards for establishing the amount, terms and conditions of each grant or loan.

f. In consultation with the council, the Agency shall establish requirements and controls to insure the maintenance of housing assisted under this Act as affordable to low and moderate income households for a period of not less than 20 years; provided that

the agency may establish a shorter period upon a determination that the economic feasibility of the program is jeopardized by the requirement and the public purpose served by the program outweighs the shorter period. Such controls may include, among others, requirements for recapture of assistance provided pursuant to the Act or restrictions on return on equity in the event of failure to meet the requirements of the program. With respect to rental housing financed by the agency pursuant to this act or otherwise which promotes the provision or maintenance of low and moderate income housing, the agency may waive restrictions on return on equity required pursuant to P. L. 1983, c. 530 (C. 55:14K-1 et seq.) which is gained through the sale of the property or of any interest in the property or sale of any interest in the housing sponsor.

g. The agency may establish affordable housing programs through the use or establishment of subsidiary corporations or development corporations as provided in P. L. 1983, c. 530 (C. 55:14K-1 et seq.). Such subsidiary corporations or development corporations shall be eligible to receive funds provided under this act for any permitted purpose."

*Pages 17 to 18, Section 22, Lines 1 to 32:* After "22." delete in entirety and insert: "Any municipality which has reached a settlement of any exclusionary zoning litigation prior to the effective date of this act, shall not be subject to any exclusionary zoning suit for a six year period following the effective date of this act. Any such municipality shall be deemed to have a substantively certified housing element and ordinances, and shall not be required during that period to take any further actions with respect to provisions for low and moderate income housing in its land use ordinances or regulations."

*Page 21, Section 25, Line 2:* Delete "condemn or otherwise acquire" and insert "lease or acquire by gift"

*Page 22, Section 26, Line 1:* Delete "24" insert "12"

*Page 22, Section 26, Line 2:* Delete "two years" insert "year" and after "agency" insert "and the council" after "report" insert "separately"

*Page 22, Section 26, Lines 5 through 9:* Delete "The report shall give specific" on line 5, delete lines 6 through 8 in entirety and on line 9 delete "not been sufficient in promoting this end." and on line 9 delete "report" and insert "reports"

*Page 22, Section 26, Line 11:* Delete "believes" and insert "and the council believe"

*Pages 22 and 23, Section 28, Lines 1 through 15:* After "28." delete in entirety and insert new section as follows: "No builder's remedy shall be granted to a plaintiff in any exclusionary zoning litigation which has been filed on or after January 20, 1983, unless a final judgment providing for a builder's remedy has already been rendered to that plaintiff. This provision shall terminate upon the expiration of the period set forth in section 9. a. of this act for the filing with the council of the municipality's housing element.

For the purposes of this section, 'final judgment' shall mean a judgment subject to an appeal as of right for which all right to appeal is exhausted.

For the purposes of this section 'exclusionary zoning litigation' shall mean lawsuits filed in courts of competent jurisdiction in this State challenging a municipality's zoning and land use regulations on the basis that the regulations do not make realistically possible the opportunity for an appropriate variety and choice of housing for all categories of people living within the municipality's housing region, including those of low and moderate income, who may desire to live in the municipality.

For the purpose of this section 'builder's remedy' shall mean a court imposed remedy for a litigant who is an individual or a profit-making entity in which the court requires a municipality to utilize zoning techniques such as mandatory set asides or density bonuses which provides for the economic viability of a residential development by including housing which is not for low and moderate income households."

*Page 23, Section 28, After Line 15:* Insert new section 29 as follows: "29. Section 19 of P. L. 1975, c. 291 (C. 40:55D-28) is amended as follows:

19. Preparation; contents; modification.

a. The planning board may prepare and, after public hearing adopt or amend a master plan, or component parts thereof, to guide the use of lands within the municipality in a manner which protects public health and safety and promotes the general welfare.

b. The master plan shall generally comprise a report or statement and land use and development proposals, with maps, diagrams and text, presenting where appropriate, the following elements:

(1) A statement of objectives, principles, assumptions, policies and standards upon which the constituent proposals, for the physical, economic and social development of the municipality are based;

(2) A land use plan element (a) taking into account the other master plan elements and natural conditions, including, but not necessarily limited to, topography, soil conditions, water supply, drainage, flood plain areas, marshes, and woodlands, (b) showing the existing and proposed location, extent and intensity of development of land to be used in the future for varying types of residential, commercial, industrial, agricultural, recreational, educational and other public and private purposes or combination of purposes, (c) showing the existing and proposed location of any airports and the boundaries of any airport hazard areas delineated pursuant to the "Air Safety and Hazardous Zoning Act of 1983," P. L. 1983, c. 260 (C. 6:1-80 et seq.), and (d) including a statement of the standards of population density and development intensity recommended for the municipality;

(3) A housing plan element pursuant to section 10 of P. L. , c. (C. ) (now pending before the Legislature as Senate Committee Substitute for Senate Bill No. 2046 and Senate Bill No. 2334), including but not limited to, residential standards and proposals for the construction and improvement of housing;

(4) A circulation plan element showing the location and types of facilities for all modes of transportation required for the efficient movement of people and goods into, about, and through the municipality;

(5) A utility service plan element analyzing the need for and showing the future general location of water supply and distribution facilities, drainage and flood control facilities, sewerage and waste treatment, solid waste disposal and provision for other related utilities;

(6) A community facilities plan element showing the location and type of educational or cultural facilities, historic sites, libraries, hospitals, fire houses, police stations and other related facilities, including their relation to the surrounding areas;

(7) A recreation plan element showing a comprehensive system of areas and public sites for recreation;

(8) A conservation plan element providing for the preservation, conservation, and utilization of natural resources, including, to the extent appropriate, open space, water, forests, soil, marshes, wetlands, harbors, rivers and other waters, fisheries, wildlife and other natural resources;

(9) An energy conservation plan element which systematically analyzes the impact of each other component and element of the master plan on the present and future use of energy in the municipality, details specific measures contained in the other plan elements designed to reduce energy consumption, and proposes other measures that the municipality may take to reduce energy consumption and to provide for the maximum utilization of renewable energy sources; and

(10) Appendices or separate reports containing the technical foundation for the master plan and its constituent elements.

c. The master plan and its plan elements may be divided into subplans and subplan elements projected according to periods of time or staging sequences.

d. The master plan shall include a specific policy statement indicating the relationship of the proposed development of the municipality as developed in the master plan to (1) the master plans of contiguous municipalities, (2) the master plan of the county in which the municipality is located and (3) any comprehensive guide plan pursuant to section 15 of P. L. 1961, c. 47 (C. 13:1B-15.52)."

Page 23, Section 28, After Line 15: Insert new section 30 as follows: "30. Section 49 of P. L. 1975, c. 291 (C. 40:55D-62) is amended as follows:

## 49. Power to zone.

a. The governing body may adopt or amend a zoning ordinance relating to the nature and extent of the uses of land and of buildings and structures thereon. Such ordinance shall be adopted after the planning board has adopted the land use plan element *and the housing plan element* of a master plan and all of the provisions of such zoning ordinance or any amendment or revision thereto shall either be substantially consistent with the land use plan element *and the housing plan element* of the master plan or designed to effectuate such plan [element] *elements* provided that the governing body may adopt a zoning ordinance or amendment or revision thereto which in whole or part is inconsistent with or not designed to effectuate the land use plan element *and the housing plan element*, but only by affirmative vote of a majority of the full authorized membership of the governing body with the reasons of the governing body for so acting recorded in its minutes when adopting such a zoning ordinance; and provided further that, notwithstanding anything aforesaid, the governing body may adopt an interim zoning ordinance pursuant to subsection 77b. of this act.

The zoning ordinance shall be drawn with reasonable consideration to the character of each district and its peculiar suitability for particular uses and to encourage the most appropriate use of land. The regulations in the zoning ordinance shall be uniform throughout each district for each class or kind of buildings or other structures or uses of land, including planned unit development, planned unit residential development and residential cluster, but the regulations in one district may differ from those in other districts.

b. No zoning ordinance and no amendment or revision to any zoning ordinance shall be submitted to or adopted by initiative or referendum.

c. The zoning ordinance shall provide for the regulation of any airport hazard areas delineated under the "Air Safety and Hazardous Zoning Act of 1983," P. L. 1983, c. 260 (C. 6:1-80 et seq.), in conformity with standards promulgated by the Commissioner of Transportation."

*Page 23, Section 28, After Line 15:* Insert new section 31 as follows: "31. Until August 1, 1988, any municipality may continue to regulate development pursuant to a zoning ordinance in accordance with section 49 of the "Municipal Land Use Law," P. L. 1975, c. 291 (C. 40:55D-62) as same read before the effective date of this act."

*Page 23, Section 29, Line 1:* Delete "29." insert "32."

*Page 23, Section 30, Line 1:* Delete "30." insert "33."

*Page 23, Section 30, Line 3:* Delete "to the Fair Housing Trust Fund Account"

*Page 23, Section 30, Lines 4 and 5:* After "sum of" delete remainder of line 4 and line 5 in entirety and insert "\$17,000,000

to be allocated as follows: "a. \$2,000,000 to the Neighborhood Preservation Fund established pursuant to the Maintenance of Viable Neighborhoods Act (N. J. S. A. 52:127D-146 et seq.) which shall be used to effectuate the purposes set forth in section 20 of this act. b. \$15,000,000 to the Housing and Mortgage Finance Agency to be used to effectuate the purpose of section 21 of this act.

Of the amounts herein appropriated a reasonable sum, approved by the Treasurer may be expended for the administration of this act by the Department of Community Affairs and the agency."

*Page 23, Section 31, Line 1: Delete "31." insert "34."*

Respectfully,

/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
April 26, 1985. }

SENATE BILL No. 1442 (2nd OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1442 (2nd OCR) with my recommendations for reconsideration.

This bill provides for a State college governing system which would further the autonomy of State colleges by decentralizing authority and placing the decision-making in the Board of Trustees and Administrators of the individual State colleges.

As I indicated in my State of the State message this past January, I strongly support the concept of State college autonomy. I view this autonomy as the most important change in the governance of the State colleges in almost two decades.

In recent years, I have seen the State colleges update their general education programs and raise the standards for both their faculty and students. With this truly commendable effort, State colleges are on the brink of becoming among the very best State colleges in the nation and this autonomy package holds the key to allowing the colleges to pursue the excellence they are so close to achieving. Unfortunately, due to a series of amendments adopted by this Legislature which tie the hands of the State colleges, I find that I cannot sign this bill as it appears before me today.

On February 14, 1985, Sections 12 and 13 of this bill were amended at what I believe was, the expense of the future of State college autonomy. I shall, therefore, address these counterproductive amendments in this message.

The first objectionable portion of the bill appears in Section 12 and addresses the makeup of the negotiating team. As originally drafted, the bill provided for a representative of the State College Governing Board's Association and the Chancellor's Office to be full members of the negotiating team. However, many interested parties expressed great dissatisfaction with this and were successful in amending this section to decrease their membership to "observer status."

Throughout the amendment process, my office was contacted by various representatives of the affected unions who expressed a desire to preserve the "status quo" with respect to the negotiating team. In weighing the pros and cons of the arguments, I believe that the negotiating team should remain as it has in the past. Moreover, under this "status quo," I shall retain my authority to function as the public employer under the "New Jersey Employer-Employee Relations Act," P. L. 1941, c. 100.

Another objectionable portion of Section 12 seeks to specifically list the various entities which play a role in collective negotiations and the establishment of terms and conditions of employment. As originally drafted, this bill was silent as to the involvement of these entities. I believe that maintaining this silence, by removing the restrictive language, will provide an opportunity for collective bargaining to evolve into a more productive form.

I advocate, therefore, the deletion of all of Section 12, except the initial reference to the functions of my Office of Employee Relations with respect to all matters regarding negotiations. I believe that my decision to excise the remainder of Section 12 and remain silent as to the composition of the negotiating team serves to clarify my role with respect to bargaining as well as to preserve the "status quo."

The third objectionable portion of this bill appears in Section 13, which discusses the exclusion of employees from Civil Service. The original intention of this section was to remove from Civil Service all managerial positions, whether classified or unclassified, and all professional positions. The overriding purpose behind this was to grant State college's autonomy from Civil Service restrictions, especially regarding educational professionals who must act independently on the basis of experience in rendering services to students. Moreover, this section was added to remedy the fact that New Jersey State college faculty are the only higher education faculty in the United States to be regulated in any way by a system of Civil Service. However, subsequent amendments to Section 13 effectively precluded removal of all teaching and non-teaching professionals from the confines of the Civil Service system. Rather, the amended bill removed from Civil Service only the classified and unclassified *managers* who are *not* part of any bargaining unit.

It is my strong belief that autonomous colleges must demand a high level of professionalism from their faculty and educational

staff. As the colleges respond to changing times and student needs, they must be free to do so without the excessive entanglements inherent in the present Civil Service system. For these reasons, I have redrafted the original language to remove the teaching and nonteaching professionals from their present status in civil service. In addition, I have afforded certain protection to the managerial employees by allowing those who are currently classified to retain all rights and privileges of classified employees so long as they maintain uninterrupted service in, or are on an approved leave of absence from, that position.

Since the amendments to Sections 12 and 13 were first adopted by this Legislature, I have instructed my office to seek their removal. I maintain today, as I have in the past, that for the State colleges to function effectively, they must be permitted to exercise the same authority in fiscal and personnel affairs as do the other senior public institutions. It is very clear to me that the time has come to give each State college the operational autonomy needed to pursue its own strengths and mission within a more flexible framework.

Finally, I addressed several technical concerns in the bill. One in particular, is the reference in Section 5 of the bill to the fixed two percent tuition waiver. I am removing the two percent cap in order to allow the individual state colleges to make their own determination as to the appropriate tuition waiver percentage they wish to extend to their college community. I believe this amendment comports with the autonomy concept.

Accordingly, I herewith return Senate Bill No. 1442 (2nd OCR) and recommend that it be amended as follows:

*Page 6, Section 4, Line 73:* After "staffs" insert "as defined in section 13 of P. L. ...., c. .... (C. .... ) (now pending before the Legislature as Senate Bill No. 1442 (2nd OCR) of 1984),"

*Page 6, Section 4, Line 77:* Omit "polices" insert "policies"

*Page 8, Section 5, Line 2:* Omit "Pupils" insert "Students"

*Page 8, Section 5, Line 8:* Omit "of up to 2%"

*Page 10, Section 12, Lines 5 to 19:* Omit "A representative of the" on line 5 and omit lines 6 through 19 in entirety.

*Page 11, Section 13, Lines 5-11:* Omit lines 5 through 11 in entirety and insert: "Professional members of the academic, administrative and teaching staffs shall include all faculty positions, current professional positions listed as unclassified positions pursuant to Title 11, Civil Service, of the Revised Statutes and all professional positions currently listed as classified positions pursuant to Title 11 of the Revised Statutes which are not presently included within any bargaining unit. All these positions shall be removed from the provisions of Title 11 of the Revised Statutes; however, any employee currently having classified status in a title shall have the option of retaining all the rights and privileges of a

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classified employee in that title for so long as the employee maintains uninterrupted service in, or is on an approved leave of absence from, that title."

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT,

April 26, 1985. }

SENATE BILL No. 1356 (OCR)

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1356 (OCR) with my recommendations for reconsideration.

Senate Bill No. 1356 (OCR) would allow a chief investigator, assistant chief investigator, senior investigator, or investigator in a county welfare agency to transfer membership from a county pension fund or the Public Employees' Retirement System (PERS) to the Police and Firemen's Retirement System (PFRS). Eligible employees may transfer pension systems only if the county passes an ordinance or resolution providing for the transfer. The transferring employees must pay the cost of the transfer. The cost will be the difference between the employer and employee contributions to the county pension fund or the PERS and what employer and employee contributions would have been if the employee had always been a member of the PFRS. The decision to transfer to the PFRS will be optional for current employees, but will be a condition of employment for individuals hired after the effective date of an ordinance or resolution.

I must return Senate Bill No. 1356 (OCR) so that it may be amended in three areas:

Senate Bill No. 1356 (OCR) must be amended to properly reflect the purpose for which it was introduced. The sponsor intended that Senate Bill No. 1356 (OCR) apply to a chief investigator, assistant chief investigator, senior investigator, and investigator in a county welfare agency in a county of the first class. In its current form, Senate Bill No. 1356 (OCR) applies to individuals employed in the above occupations in all county welfare agencies. I recommend that Senate Bill No. 1356 (OCR) be amended to narrow the scope to conform with the sponsor's intent by limiting its application to counties of the first class.

I also recommend that Senate Bill No. 1356 (OCR) be amended to ensure that the employee will pay the employer's portion of the pension system transfer cost. The bill provides that the employee will be liable for any payment to the PFRS that the employer will be required to make on behalf of the member for the transfer of

THURSDAY, MAY 2, 1985

service credit. The Division of Pensions advises that there is no cost either to the employer or employee when service credit is transferred between pension systems. The cost arises after the transfer when the difference is calculated between employer and employee contributions to the PERS or county pension fund and what contributions to the PERS would have been. Senate Bill No. 1356 (OCR) must be amended to strengthen the language pertaining to the employee's obligation to pay the employer's portion of the pension system transfer cost, and to describe the cost.

Finally, I am proposing a technical correction to reflect a recent amendment to current law through the enactment of P. L. 1985, c. 29 (February 1, 1985), Senate Bill No. 2004 (OCR).

Accordingly, I return Senate Bill No. 1356 (OCR) and recommend that it be amended as follows:

*Page 2, Section 1, Line 40:* After "captain," delete "and deputy keeper" insert "investigators, senior investigators, principal investigators, assistant chief investigators, chief investigators and Directors of Custody Operations I, II, III"

*Page 3, Section 1, Line 61:* After "agency" insert "in a county of the first class"

*Page 6, Section 2, Lines 28-30:* Delete "any payment to the retirement system that the employer would have been required to make on behalf of the member for the transfer of such credit" insert "the amount of the difference between (1) the total contribution paid by the employer of the employee to the Public Employees' Retirement System of New Jersey or county pension fund with respect to any service credit transferred therefrom to the Police and Firemen's Retirement System under this subsection, and (2) the contribution which the employer would have been required to pay to the Police and Firemen's Retirement System with respect to that service credit if the employee had been enrolled in the Police and Firemen's Retirement System during the entire period with respect to which he accumulated that credit"

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,  
Governor.

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
April 26, 1985. }

SENATE BILL No. 819

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I am returning Senate Bill No. 819 with my objections, for reconsideration.

The purpose of this bill is to require any person convicted of a theft offense to be ordered by the court to make monetary restitu-

tion for financial loss sustained by the victim, in addition to any other authorized disposition. The offender must make monetary restitution for financial loss sustained by the victim of the offense, the victim's dependents or an insurer. The court shall determine the extent and method of restitution payments and if the interests of the victim or justice would not be served by ordering restitution, the court shall state on record the reasons for withholding a sentence of restitution.

The intent behind this bill is laudable. I have long supported measures to aid victims of crime. Victims of violent crimes pay a physical, psychological and financial price. Some pay the ultimate price when their death occurs as a result of a violent crime. These victims deserve more than our sympathy. They deserve our support and compensation.

I have signed into law numerous laws designed to benefit crime victims. Last year I also proposed a comprehensive package of victim/witness initiatives to be enacted by the Legislature. Some of these proposals have been merged with some measures proposed by Assemblymen Herman and Girgenti to form a nine bill comprehensive bi-partisan package of victim/witness initiatives which are presently pending in the Legislature. All of the bills have been released from the Assembly Judiciary Committee, and a few are already in the Senate.

One of these bills, Assembly Bill No. 2804 proposes to make restitution mandatory in all cases before the Superior Court. Assembly Bill No. 2804 received a very thorough review at four separate Assembly Judiciary Committee meetings. The efforts of the Attorney General's Office, the Public Advocate's Office, the Administrative Office of the Courts, other criminal justice agencies, and the committee's staff resulted in a bill which is much more technically correct than Senate Bill No. 819.

Senate Bill No. 819 leaves too many questions unanswered which are addressed in Assembly Bill No. 2804. The definitions of property loss and loss in personal injury cases are better defined in Assembly Bill No. 2804. In Assembly Bill No. 2804 the amount of loss is not affected by a reduction of charges. A system is established to take judicial notice of evidence adduced at earlier proceedings. Assembly Bill No. 2804 also provides that the restitution order shall be docketed as a civil judgment with the court setting the priority of payments if there is more than one victim. Finally, Assembly Bill No. 2804 specifically states that restitution shall not operate as a bar to civil recovery by the victim, and provides for a set-off in case a civil judgment is made in addition to a restitution order. Senate Bill No. 819 is merely a three paragraph supplement to Title 2C of the New Jersey Statutes while Assembly Bill No. 2804 amends all the applicable sections of Title 2C which would need to be amended to accomplish this change. As such, I believe Assembly Bill No. 2804 is the better bill to accomplish changing the mandatory restitution sections of our statutes, and

I propose that Senate Bill No. 819 be amended to be identical to Assembly Bill No. 2804.

I urge the Legislature to act on all of the bills in the victim/witness package as soon as possible and that the bills be acted upon as a comprehensive bi-partisan package.

Accordingly, I herewith return Senate Bill No. 819 for reconsideration and recommend that it be amended as follows:

*Page 1, Title, Line 1:* After "restitution" DELETE remainder of line and INSERT "and revising parts of the statutory law."

*Page 1, Section 1, Lines 1-17:* DELETE entire section; INSERT as follows:

"1. N. J. S. 2C:1-2 is amended to read as follows:

2C:1-2. Purposes; Principles of Construction. a. The general purposes of the provisions governing the definition of offenses are:

(1) To forbid, prevent, and condemn conduct that unjustifiably and inexcusably inflicts or threatens serious harm to individual or public interests;

(2) To insure the public safety by preventing the commission of offenses through the deterrent influence of the sentences authorized, the rehabilitation of those convicted, and their confinement when required in the interests of public protection;

(3) To subject to public control persons whose conduct indicates that they are disposed to commit offenses;

(4) To give fair warning of the nature of the conduct proscribed and of the sentence authorized upon conviction;

(5) To differentiate on reasonable grounds between serious and minor offenses; and

(6) To define adequately the act and mental state which constitute each offense, and limit the condemnation of conduct as criminal when it is without fault.

b. The general purposes of the provisions governing the sentencing of offenders are:

(1) To prevent and condemn the commission of offenses;

(2) To promote the correction and rehabilitation of offenders;

(3) To insure the public safety by preventing the commission of offenses through the deterrent influence of sentences imposed and the confinement of offenders when required in the interest of public protection;

(4) To safeguard offenders against excessive, disproportionate or arbitrary punishment;

(5) To give fair warning of the nature of the sentences that may be imposed on conviction of an offense;

(6) To differentiate among offenders with a view to a just individualization in their treatment; [and]

(7) To advance the use of generally accepted scientific methods and knowledge in sentencing offenders[.]; and

(8) *To promote reparation to victims for harm suffered as a result of criminal conduct.*

c. The provisions of the code shall be construed according to the fair import of their terms but when the language is susceptible of differing constructions it shall be interpreted to further the general purposes stated in this section and the special purposes of the particular provision involved. The discretionary powers conferred by the code shall be exercised in accordance with the criteria stated in the code and, insofar as such criteria are not decisive, to further the general purposes stated in this section.

d. Nothing contained in this code shall limit the right of a defendant and, subject only to the federal and State constitutions, the right of the State to appeal or seek leave to appeal pursuant to law and Rules of Court.

2. N. J. S. 2C:1-14 is amended to read as follows:

2C:1-14. General Definitions. In this code, unless a different meaning plainly is required:

a. "Statute" includes the Constitution and a local law or ordinance of a political subdivision of the State;

b. "Act" or "action" means a bodily movement whether voluntary or involuntary;

c. "Omission" means a failure to act;

d. "Conduct" means an action or omission and its accompanying state of mind, or, where relevant, a series of acts and omissions;

e. "Actor" includes, where relevant, a person guilty of an omission;

f. "Acted" includes, where relevant, "omitted to act";

g. "Person," "he," and "actor" include any natural person and, where relevant, a corporation or an unincorporated association;

h. "Element of an offense" means (1) such conduct or (2) such attendant circumstances or (3) such a result of conduct as

(a) Is included in the description of the forbidden conduct in the definition of the offense;

(b) Establishes the required kind of culpability;

(c) Negative an excuse or justification for such conduct;

(d) Negatives a defense under the statute of limitations; or

(e) Establishes jurisdiction or venue;

i. "Material element of an offense" means an element that does not relate exclusively to the statute of limitations, jurisdiction, venue or to any other matter similarly unconnected with (1) the harm or evil, incident to conduct, sought to be prevented by the law defining the offense, or (2) the existence of a justification or excuse for such conduct;

j. "Reasonably believes" or "reasonable belief" designates a belief the holding of which does not make the actor reckless or criminally negligent[.];

k. "Offense" means a crime, a disorderly persons offense or a petty disorderly persons offense unless a particular section in this code is intended to apply to less than all three[.];

l. "County Court" shall mean the Superior Court after December 7, 1978[.];

m. "Amount involved," "benefit," and other terms of value. Where it is necessary in this act to determine value, for purposes of fixing the degree of an offense, that value shall be the fair market value at the time and place of the operative act[.];

n. "*Victim*" means any person who suffers physical, financial or emotional injury caused by the conduct of the offender;

o. "*Gain*" means the amount of money or value of property derived by the offender from his criminal conduct;

p. "*Loss*" means the amount of value separated from the victim or the victim's family incurred as a result of the conduct constituting the offense including medical expenses and related costs, funeral and burial expenses, lost income and property loss or damage.

3. N. J. S. 2C:43-3 is amended to read as follows:

2C:43-3. Fines and Restitutions. A person who has been convicted of an offense may be sentenced to pay a fine, to make restitution, or both, such fine not to exceed:

a. \$100,000.00, when the conviction is of a crime of the first or second degree;

b. \$7,500.00, when the conviction is of a crime of the third or fourth degree;

c. \$1,000.00, when the conviction is of a disorderly persons offense;

d. \$500.00, when the conviction is of a petty disorderly persons offense;

e. Any higher amount equal to double the pecuniary gain to the offender or loss to the victim caused by the conduct constituting the offense by the offender. In such case the court shall make a finding as to the amount of the gain or loss, and if the record does not contain sufficient evidence to support such a finding the court may conduct a hearing upon the issue. [For purposes of this section the terms "*gain*" means the amount of money or the value of property derived by the offender and "*loss*" means the amount of value separated from the victim;]

f. Any higher amount specifically authorized by another section of this code or any other statute.

*A person who has been convicted of an offense in Superior Court shall be ordered to pay restitution to the victim or victim's family where the victim has suffered a loss caused by the conduct constituting the offense.*

*The restitution order shall be mandatory unless waived by the victim or victim's representative.*

*In property cases, mandatory restitution shall be limited to the value of the property unlawfully taken or damaged. In cases involving injury to a person, mandatory restitution shall include such items as medical expenses and related costs, reasonable funeral and burial expenses and lost income up to any definite date ascertainable at the time of sentencing; mandatory restitution shall not include compensation for such items as valuation of life or loss or impairment of the function of any bodily member or organ, loss of future earnings not readily ascertainable at the time of sentencing, pain and suffering or loss consortium.*

*Except where the amount of restitution is not in dispute between the victim and defendant, the amount of restitution payable shall be determined by the court at sentencing. The amount of restitution due the victim under this section shall be the actual amount of compensable loss caused by the defendant's actions and shall not be limited by a reduction in charges pursuant to a plea agreement. Proof may be by affidavit, which the victim may submit through the local Office of Victim-Witness Advocacy, describing the loss caused by the defendant's conduct. The defendant may submit to the court an affidavit or affidavits on this subject. In making its finding, the court may also take judicial notice of any evidence adduced at the trial, plea hearing or other court proceeding and may consider the presentence report. The presentence report shall identify the source of the information bearing upon the issue of restitution and indicate how the amount of loss was calculated. If the record, including the presentence report and any submitted affidavits, does not contain a sufficient basis to support a finding of the amount of restitution due the victim or victim's family, the court may take evidence upon the issue.*

*The court shall file a copy of the restitution order with the clerk of the Superior Court who shall enter upon the record of docketed judgments the name of the convicted person as judgment debtor, and of the victim as judgment creditor, a statement that the restitution is ordered under this section, the amount of restitution, and the date of the order. This entry shall have the same force as judgment docketed in the Superior Court. If restitution to more than one victim is set at the same time, the court shall set priorities of payment to the victims.*

*The ordering of restitution pursuant to this section shall not operate as a bar to the seeking of civil recovery by the victim based on the incident underlying the criminal conviction. Restitution ordered under this section is to be in addition to any civil remedy which a victim may possess, but any amount due the victim under any civil remedy shall be reduced by the amount ordered under this section and the initial restitution judgment shall remain in full force and effect.*

*The restitution ordered paid to the victim shall not exceed his loss. Any restitution imposed on a person shall be in addition to any fine which may be imposed pursuant to this section.*

4. N. J. S. 2C:43-4 is amended to read as follows:

2C:43-4. Penalties Against Corporations; Forfeiture of Corporate Charter or Revocation of Certificate Authorizing Foreign Corporation to do Business in the State. a. The court may suspend the imposition of sentence of a corporation which has been convicted of an offense or may sentence it to pay a fine of up to three times the fine provided for in section 2C:43-3 [or make] *in addition to any* restitution [authorized] *required* by section 2C:43-3.

b. When a corporation is convicted of an offense or a high managerial agent of a corporation, as defined in section 2C:2-7 is convicted of an offense committed in conducting the affairs of the corporation, the court may request the Attorney General to institute appropriate proceedings to dissolve the corporation, forfeit its charter, revoke any franchises held by it, or to revoke the certificate authorizing the corporation to conduct business in this State.

5. N. J. S. 2C:43-13 is amended to read as follows:

N. J. S. 2C:43-13. Supervisory Treatment Procedure. a. Agreement. The terms and duration of the supervisory treatment shall be set forth in writing, signed by the prosecutor and agreed to and signed by the participant. If the participant is represented by counsel, defense counsel shall also sign the agreement. Each order of supervisory treatment shall be filed with the county clerk.

*In every case in which the victim has suffered a loss as a result of the conduct of the participant, the participant shall be required, as part of the terms of the agreement, to make restitution to the victim or victim's family. The assignment judge or his designee shall make a finding as to the amount of restitution, as under N. J. S. 2C:43-3.*

b. Charges. During a period of supervisory treatment the charge or charges on which the participant is undergoing supervisory treatment shall be held in an inactive status pending termination of the supervisory treatment pursuant to subsection d. or e. of this section.

c. Period of treatment. Supervisory treatment may be for such period, as determined by the designated judge or the assignment judge, not to exceed one year, provided, however, that the period of supervisory treatment may be shortened or terminated as the program director may determine with the consent of the prosecutor and the approval of the court.

d. Dismissal. Upon completion of supervisory treatment, and with the consent of the prosecutor, the complaint, indictment or accusation against the participant may be dismissed with prejudice.

e. Violation of conditions. Upon violation of the conditions of supervisory treatment, the court shall determine, after summary hearing, whether said violation warrants the participant's dismissal from the supervisory treatment program or modification of the conditions of continued participation in that or another supervisory

treatment program. Upon dismissal of participant from the supervisory treatment program, the charges against the participant may be reactivated and the prosecutor may proceed as though no supervisory treatment had been commenced.

f. Evidence. No statement or other disclosure by a participant undergoing supervisory treatment made or disclosed to the person designated to provide such supervisory treatment shall be disclosed, at any time, to the prosecutor in connection with the charge or charges against the participant, nor shall any such statement or disclosure be admitted as evidence in any civil or criminal proceeding against the participant. Nothing provided herein, however, shall prevent the person providing supervisory treatment from informing the prosecutor, or the court, upon request or otherwise as to whether or not the participant is satisfactorily responding to supervisory treatment.

g. Delay. No participant agreeing to undergo supervisory treatment shall be permitted to complain of a lack of speedy trial for any delay caused by the commencement of supervisory treatment.

6. N. J. S. 2C:44-2 is amended to read as follows:

2C:44-2. Criteria for Imposing Fines and Restitutions. a. The court may sentence a defendant to pay a fine [or make restitution, or both,] in addition to a sentence of imprisonment or probation if:

(1) The defendant has derived a pecuniary gain from the offense; or

(2) The court is of opinion that a fine [or restitution, or both,] is specially adapted to deterrence of the type of offense involved or to the correction of the offender.

b. The court may sentence a defendant to pay a fine [or make restitution, or both,] if the defendant is able, or given a fair opportunity to do so, will be able to pay the fine [or make restitution, or both]. The court may sentence a defendant to pay a fine only if the fine will not prevent the defendant from making restitution to the victim of the offense.

c. In determining the amount of the fine and method of payment of a fine or restitution, the court shall take into account the financial resources of the defendant and the nature of the burden that its payment will impose.

d. Nonpayment. When a defendant is sentenced to pay a fine or make restitution, or both, the court shall not impose at the same time an alternative sentence to be served in the event that the fine or restitution is not paid. The response of the court to non-payment shall be determined only after the fine or restitution has not been paid, as provided in section 2C:46-2.

7. N. J. S. 2C:45-1 is amended to read as follows:

2C:45-1. Conditions of Suspension or Probation.

a. When the court suspends the imposition of sentence on a person who has been convicted of an offense or sentences him to be placed on probation, it shall attach such reasonable conditions, authorized by this section, as it deems necessary to insure that he will lead a law-abiding life or is likely to assist him to do so. These conditions may be set forth in a set of standardized conditions promulgated by the county probation department and approved by the court.

b. The court, as a condition of its order, may require the defendant:

(1) To support his dependents and meet his family responsibilities;

(2) To find and continue in gainful employment;

(3) To undergo available medical or psychiatric treatment and to enter and remain in a specified institution, when required for that purpose;

(4) To pursue a prescribed secular course of study or vocational training;

(5) To attend or reside in a facility established for the instruction, recreation or residence of persons on probation;

(6) To refrain from frequently unlawful or disreputable places or consorting with disreputable persons;

(7) Not to have in his possession any firearm or other dangerous weapon unless granted written permission;

(8) To make restitution [of the fruits of his offense, in an amount he can afford to pay, for the loss or damage caused thereby] *ordered pursuant to 2C:43-3*;

(9) To remain within the jurisdiction of the court and to notify the court or the probation officer of any change in his address or his employment;

(10) To report as directed to the court or the probation officer, to permit the officer to visit his home, and to answer all reasonable inquiries by the probation officer;

(11) To pay a fine;

(12) To satisfy any other conditions reasonably related to the rehabilitation of the defendant and not unduly restrictive of his liberty or incompatible with his freedom of conscience;

(13) To require the performance of community-related service[.];

(14) *To pay a penalty assessment pursuant to section 2. of P. L. 1979, c. 396 (C. 2C:43-3.1).*

c. When the court sentences a person who has been convicted of a crime to be placed on probation, it may require him to serve a term of imprisonment not exceeding 364 days as an additional condition of its order. When the court sentences a person convicted of a disorderly persons offense to be placed on probation, it

may require him to serve a term of imprisonment not exceeding 90 days as an additional condition of its order. In imposing a term of imprisonment pursuant to his subsection, the sentencing court shall specifically place on the record the reasons which justify the sentence imposed. The term of imprisonment imposed hereunder shall be treated as part of the sentence, and in the event of a sentence of imprisonment upon the revocation of probation, the term of imprisonment served hereunder shall be credited toward service of such subsequent sentence. A term of imprisonment imposed under this section shall be governed by the "Parole Act of 1979," P. L. 1979, c. 441 (C. 30:4-123.45 et seq.).

Whenever a person is serving a term of parole as a result of a sentence of incarceration imposed as a condition of probation, supervision over that person shall be maintained pursuant to the provisions of the law governing parole. Upon termination of the period of parole supervision provided by law, the county probation department shall assume responsibility for supervision of the person under sentence of probation. Nothing contained in this section shall prevent the sentencing court from at any time proceeding under the provisions of this chapter against any person for a violation of probation.

d. The defendant shall be given a copy of the terms of his probation or suspension of sentence and any requirements imposed pursuant to this section, stated with sufficient specificity to enable him to guide himself accordingly. The defendant shall acknowledge, in writing, his receipt of these documents and his consent to their terms."

*Page 1, Section 2, Line 1: DELETE "2." INSERT "8."; DELETE "immediately" INSERT "upon the effective date of P. L. , c. (now pending before the Legislature as Assembly Bill No. 1995 of 1984) and shall be applicable to offenses committed after the effective date"*

Respectfully,

[SEAL] /s/ THOMAS H. KEAN,  
Attest: Governor.  
/s/ W. CARY EDWARDS,  
Chief Counsel to the Governor.

#### MESSAGE FROM THE GENERAL ASSEMBLY

Dated: April 29, 1985.

*Mr. President:* I am directed by the General Assembly to forward herewith to the Senate the enclosed 40 copies of Assembly Concurrent Resolution No. 169 Aca entitled "A Concurrent Resolution proposing to amend Article II, paragraph 2 of the Constitution," with the request that they be placed upon the desks of the members of the Senate in open meeting forthwith.

J. MILLER, Jr.,  
Clerk of the General Assembly.

The following resolution was read and adopted:

# SENATE RESOLUTION

*Resolved:* 1. That printed copies of Assembly Concurrent Resolution No. 169 Aca entitled "A Concurrent Resolution proposing to amend Article II, paragraph 2 of the Constitution," be placed upon the desks of the members of the Senate forthwith; and

2. A record of the placing thereof be made in the Senate Journal and the Secretary certify such placing and the date thereof to the Clerk of the General Assembly.

The Secretary then caused to be placed upon the desks of each member a copy of Assembly Concurrent Resolution No. 169 Aca and the placing thereof is hereby noted in the Journal.

## MESSAGE FROM THE GENERAL ASSEMBLY

Dated: May 2, 1985.

*Mr. Speaker:* I am directed by the Senate to inform the General Assembly that a printed copy of Assembly Concurrent Resolution No. 169 Aca entitled "A Concurrent Resolution proposing to amend Article II, paragraph 2 of the Constitution," has this day been placed upon the desk of each memebre of the Senate while the same was in open meeting.

JOHN J. MCCARTHY,  
*Secretary of the Senate.*

## MESSAGE FROM THE GENERAL ASSEMBLY

Dated: April 29, 1985.

*Mr. President:* I am directed by the General Assembly to forward herewith to the Senate the enclosed copies of Assembly Concurrent Resolution No. 31 entitled "A Concurrent Resolution proposing to amend Article IV, Section VII, paragraph 2 of the Constitution of the State of New Jersey," with the request that they be placed upon the desks of the members of the Senate in open meeting forthwith.

J. MILLER, Jr.,  
*Clerk of the General Assembly.*

The following resolution was read and adopted:

# SENATE RESOLUTION

*Resolved:* 1. That printed copies of Assembly Concurrent Resolution No. 31 entitled "A Concurrent Resolution proposing to amend Article IV, Section VII, paragraph 2, of the Constitution of the State of New Jersey," be placed upon the desks of the members of the Senate forthwith, and

2. A record of the placing thereof be made in the Senate Journal and the Secretary certify such placing and the date thereof to the Clerk of the General Assembly.

The Secretary then caused to be placed on the desk of each member a copy of Assembly Concurrent Resolution No. 31 and the placing thereof is hereby noted in the Journal.

## MESSAGE FROM THE GENERAL ASSEMBLY

Dated: May 2, 1985.

*Mr. Speaker:* I am directed by the Senate to inform the General Assembly that a printed copy of Assembly Concurrent Resolution No. 31 entitled "A Concurrent Resolution proposing to amend Article IV, Section VII, paragraph 2, of the Constitution of the State of New Jersey," has this day been placed upon the desk of each member of the Senate while the same was in open meeting.

JOHN J. MCCARTHY,  
*Secretary of the Senate.*

## MESSAGE FROM THE GENERAL ASSEMBLY

Dated: April 29, 1985.

*Mr. President:* I am directed by the General Assembly to forward herewith to the Senate the enclosed 40 copies of Assembly Concurrent Resolution No. 113 entitled "A Concurrent Resolution proposing to amend Article IV, Section II, paragraph 4 of the Constitution," with the request that they be placed upon the desks of the members of the Senate in open meeting forthwith.

J. MILLER, JR.,  
*Clerk of the General Assembly.*

The following resolution was read and adopted:

## SENATE RESOLUTION

*Resolved:* 1. That printed copies of Assembly Concurrent Resolution No. 113 entitled "A Concurrent Resolution proposing to amend Article IV, Section II, paragraph 4 of the Constitution," be placed upon the desks of the members of the Senate forthwith; and

2. A record of the placing thereof be made in the Senate Journal and the Secretary certify such placing and the date thereof to the Clerk of the General Assembly.

The Secretary then caused to be placed upon the desks of each member a copy of Assembly Concurrent Resolution No. 113, and the placing thereof is hereby noted in the Journal.

## MESSAGE FROM THE GENERAL ASSEMBLY

Dated: May 2, 1985.

*Mr. Speaker:* I am directed by the Senate to inform the General Assembly that a printed copy of Assembly Concurrent Resolution No. 113, entitled "A Concurrent Resolution proposing to amend Article IV, Section II, paragraph 2 of the Constitution," has this day been placed upon the desk of each member of the Senate while the same was in open meeting.

JOHN J. MCCARTHY,  
*Secretary of the Senate.*

The Senate moved and acted upon 10 Commemorative, Ceremonial and Memorial Resolutions.

The Senate moved and acted upon 15 Commemorative, Ceremonial and Memorial Resolutions.

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The Senate moved and acted upon 15 Commemorative, Ceremonial and Memorial Resolutions.

The Senate moved and acted upon 15 Commemorative, Ceremonial and Memorial Resolutions.

The Senate moved and acted upon 11 Commemorative, Ceremonial and Memorial Resolutions.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 2842, by Mr. Bubba, Law, Public Safety and Defense Committee.

Senate No. 2843, by Messrs. Van Wagner and Pallone, Institutions, Health and Welfare Committee.

Senate No. 2844, by Mr. Ewing, Labor, Industry and Professions Committee.

Senate No. 2845, by Messrs. DiFrancesco and Bassano, Judiciary Committee.

Senate No. 2846, by Ms. Lipman, Mr. Cowan, Ms. Costa, Messrs. Rand, Graves, Stockman, Pallone, Feldman, Ms. Brown, Messrs. Connors, Bubba and Hirkala, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2847, by Mr. Garibaldi, Aging Committee.

Senate No. 2848, by Mr. Garibaldi, Law, Public Safety and Defense Committee.

Senate No. 2849, by Mr. Lesniak, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2850, by Mr. Lynch, Aging Committee.

Senate No. 2851, by Mr. Van Wagner, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2852, by Messrs. Garibaldi, Connors and Dorsey, Labor, Industry and Professions Committee.

Senate No. 2853, by Messrs. Dorsey and Foran, County and Municipal Government Committee.

Senate No. 2854, by Mr. Ewing, Energy and Environment Committee.

Senate No. 2855, by Mr. Dumont, Education Committee.

Senate No. 2856, by Messrs. Graves, Bubba and Hirkala, Judiciary Committee.

Senate No. 2857, by Mr. Lesniak, Natural Resources and Agriculture Committee.

Senate No. 2858, by Messrs. Foran and McManimon, Institutions, Health and Welfare Committee.

Senate No. 2859, by Mr. Dorsey, Energy and Environment Committee.

Senate No. 2860, by Messrs. Gagliano and Dorsey, Judiciary Committee.

Senate No. 2861, by Mr. Garibaldi, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2862, by Ms. Brown, County and Municipal Government Committee.

Senate No. 2863, by Messrs. Hurley and Zane, Natural Resources and Agriculture Committee.

Senate No. 2864, by Mr. Foran, Judiciary Committee.

Senate No. 2865, by Mr. Van Wagner, County and Municipal Government Committee.

Senate No. 2866, by Mr. Jackman, Law, Public Safety and Defense Committee.

Senate No. 2867, by Ms. Lipman, Ms. Brown, Mr. Contillo, Ms. Costa, Messrs. Stockman, Graves, Rand and Bassano, Institutions, Health and Welfare Committee.

Senate No. 2868, by Mr. Dalton, Energy and Environment Committee.

Senate No. 2869, by Mr. Codey, Institutions, Health and Welfare Committee.

Senate Joint Resolution No. 62, by Messrs. Ewing, Haines and Bassano, Labor, Industry and Professions Committee.

Senate Concurrent Resolution No. 137, by Mr. Garibaldi, Aging Committee.

Senate Concurrent Resolution No. 138, by Mr. Garibaldi, State Government and Federal and Interstate Relations Committee.

Senate Concurrent Resolution No. 139, by Mr. Codey, Institutions, Health and Welfare Committee.

Senate Resolution No. 82, by Mr. Garibaldi, County and Municipal Government Committee.

Senate No. 2870, by Messrs. Feldman and Caufield, without reference.

Senate No. 2871, by Messrs. Graves, Codey and Bassano, Law, Public Safety and Defense Committee.

Senate No. 2872, by Messrs. Orechio and O'Connor, without reference.

Senate No. 2873, by Mr. Hagedorn, without reference.

Senate Resolution No. 83, by Mr. Russo, without reference.

Senate No. 2874, by Mr. Codey, Institutions, Health and Welfare Committee.

Senate No. 2875, by Mr. Codey, Institutions, Health and Welfare Committee.

Senate No. 2876, by Messrs. Russo and Dalton, Energy and Environment Committee.

Senate No. 2877, by Mr. Russo, Energy and Environment Committee.

Senate No. 2878, by Mr. Russo, Aging Committee.

Senate Joint Resolution No. 63, by Messrs. Dumont and Foran, without reference.

Senate Concurrent Resolution No. 140, by Mr. Russo, Aging Committee.

Senate No. 2879, by Messrs. Laskin, Connors, Hagedorn, Bubba, Garibaldi and Dalton, Labor, Industry and Professions Committee.

Senate No. 2880, by Messrs. Laskin, Connors, Hagedorn, Bubba, Garibaldi and Dalton, Labor, Industry and Professions Committee.

Senate No. 2881, by Messrs. Contillo, Graves, Bubba, Caufield and Bassano, Law, Public Safety and Defense Committee.

Senate No. 2882, by Messrs. Orechio, Codey, Russo and McManimon, Institutions, Health and Welfare Committee.

Senate No. 2883, by Ms. Costa, Messrs. Orechio and Rand, Revenue, Finance and Appropriations Committee.

Senate No. 2884, by Messrs. Hurley, Gagliano, Connors, Gormley, Russo and Jackman, without reference.

Senate No. 2885, by Mr. Hirkala, Revenue, Finance and Appropriations Committee.

Senate No. 2886, by Ms. Lipman and Mr. Stockman, Education Committee.

Senate No. 2887, by Mr. Hirkala, Judiciary Committee.

Senate Resolution No. 84, by Ms. Lipman, Mr. Caufield and Ms. Costa, without reference.

Senate No. 2888, by Ms. Lipman and Ms. Brown, Institutions, Health and Welfare Committee.

Senate No. 2889, by Ms. Costa, Messrs. Connors and Weiss, Institutions, Health and Welfare Committee.

Senate No. 2890, by Messrs. Lesniak, Lynch, Bassano, Weiss and DiFrancesco, without reference.

Senate No. 2891, by Messrs. Lesniak and Dalton, Energy and Environment Committee.

Senate No. 2892, by Messrs. Cowan and Connors, Institutions, Health and Welfare Committee.

Senate No. 2893, by Mr. McManimon, Labor, Industry and Professions Committee.

Senate No. 2894, by Mr. Codey, County and Municipal Government Committee.

Senate No. 2895, by Messrs. Russo, Rand, Dalton and Zane, Labor, Industry and Professions Committee.

Senate No. 2896, by Mr. Stockman, Labor, Industry and Professions Committee.

Senate No. 2897, by Messrs. Cowan and Connors, County and Municipal Government Committee.

Senate No. 2898, by Messrs. Cowan and O'Connor, Institutions, Health and Welfare Committee.

Senate No. 2899, by Mr. Cowan, Institutions, Health and Welfare Committee.

Senate No. 2900, by Messrs. O'Connor, Cowan, Lynch, Lesniak, Codey, Graves and Dalton, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate Joint Resolution No. 64, by Messrs. O'Connor and Cowan, Institutions, Health and Welfare Committee.

Senate No. 2901, by Ms. Lipman, without reference.

Senate No. 2902, by Messrs. DiFrancesco, Bassano, Ms. Lipman, Ms. Brown and Mr. Gagliano, Institutions, Health and Welfare Committee.

Senate No. 2903, by Messrs. DiFrancesco, Bassano, Ms. Brown and Mr. Gagliano, Institutions, Health and Welfare Committee.

Senate No. 2904, by Messrs. DiFrancesco, Bassano, Ms. Lipman, Ms. Brown and Mr. Gagliano, Institutions, Health and Welfare Committee.

Senate No. 2905, by Messrs. DiFrancesco, Bassano, Ms. Lipman, Ms. Brown and Mr. Gagliano, Institutions, Health and Welfare Committee.

Senate No. 2906, by Mr. Codey, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate Joint Resolution No. 65, by Mr. Cowan, Labor, Industry and Professions Committee.

Senate No. 2907, by Messrs. O'Connor, Cowan, Graves, Dalton, Lesniak and Russo, without reference.

Senate Joint Resolution No. 66, by Messrs. Pallone and Russo, without reference.

Senate Concurrent Resolution No. 141, by Mr. Dalton, without reference.

Senate Nos. 2870, 2872, 2873, Senate Resolution No. 83, Senate Joint Resolution No. 63, Senate No. 2884, Senate Resolution No. 84, Senate Nos. 2890, 2901, 2907, Senate Joint Resolution No. 66 and Senate Concurrent Resolution No. 141 were taken up, read a second time, and ordered to a third reading.

On motion of Mr. Bubba, Messrs. Hirkala and Graves were added as cosponsors of Senate Nos. 116 and 117.

On motion of Mr. Cardinale, Mr. Contillo was added as cosponsor of Senate No. 2706.

On motion of Mr. Bassano, Mr. Contillo was added as cosponsor of Senate No. 1881.

On motion of Mr. Lynch, Ms. Brown was added as cosponsor of Senate No. 1708.

On motion of Mr. Stockman, Mr. Ewing was added as cosponsor of Senate No. 2627.

On motion of Mr. Stockman, Mr. Dumont was added as cosponsor of Senate No. 2313.

On motion of Mr. Zane, Mr. Cowan was added as cosponsor of Senate No. 2550.

The President announced:

Pursuant to Rule 82, authorization is hereby granted that the 15 bill limitation be exceeded.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Assembly Nos. 340, 1104, 1179, 3233, Senate Nos. 1148, 1151, 1152, 1153, 1154, 1509, 2053, 2690, 2830, 2834 and 2838, notwithstanding the lack of five days' notice.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Assembly No. 2385, notwithstanding the lack of five days' notice.

On motion of Mr. Hagedorn, Senate No. 2357 was withdrawn from the files.

Mr. Russo offered the following resolution which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet on Saturday at 10 a.m., and that when it then adjourn it be to meet on Monday, May 6, 1985, at 2 p.m.

On motion of Mr. Russo, the Senate then adjourned.

SATURDAY, May 4, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, May 6, 1985.

At 2 p.m. the Senate met.

The Session was opened with prayer by Reverend Robert Antczak, St. Thomas of the Apostle Church, of Bloomfield.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

On the motion of Mr. Russo the reading of the Journal of the previous session was dispensed with.

The President announced receipt of, and directed the Secretary to read 11 letters from the Governor, nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be an Administrative Law Judge, William B. Palleria, of Clinton, for the term prescribed by law.

To be a Judge of the Superior Court, Donald J. Cunningham, of Avon-by-the-Sea, to succeed himself for the term prescribed by law.

To be a Judge of the Superior Court, A. Donald Bigley, of Voorhees, to succeed himself for the term prescribed by law.

To be a Judge of the Tax Court, Anthony M. Lario, of Cherry Hill, to succeed himself for the term prescribed by law.

To be a Judge of the Superior Court, Thomas F. Shebell, Jr., of Lincroft, to succeed himself for the term prescribed by law.

To be a Judge of the Superior Court, Alfred M. Wolin, of Westfield, to succeed himself for the term prescribed by law.

To be a Judge of the Superior Court, I. V. DiMartino of Pennsauken, to succeed himself, for the term prescribed by law.

To be a member of the Public Employment Relations Committee, Reverend Robert H. Johnson, of Springfield, for the term prescribed by law.

To be Chairman of the Public Employment Relations Committee, James Mastriani, of Wall, to succeed himself, for the term prescribed by law.

To be a member of the Public Employment Relations Committee, Peter Smith, of Glen Gardner, to succeed Carol Graves, for the term prescribed by law.

To be a member of the Public Employment Relations Committee, O. F. Wenzler, of Lebanon, to succeed himself, for the term prescribed by law.

The above nominations were referred to the Judiciary Committee.

The President announced receipt of and directed the Secretary to read one letter from the Governor, withdrawing the following nominations:

To be members of the Public Employment Relations Committee Appeals Board: Reverend Robert H. Johnson, of Springfield; James Mastriani, of Wall; Peter Smith, of Glen Gardner; and O. F. Wenzler, of Lebanon.

The Judiciary Committee reported the following nominations favorably:

To be a member of the Advisory Council on Solid Waste Management, Steven Pollock, of Toms River, to succeed himself, for the term prescribed by law.

To be a member of the Monmouth County Board of Taxation, Beverly J. Scarano, of Middletown, to succeed herself, for the term prescribed by law.

To be a member of the Delaware River Joint Toll Bridge Commission, Clara Fowler, of Blairstown, to succeed herself, for the term prescribed by law.

To be a member of the Delaware River Joint Toll Bridge Commission, Joseph Tolerico, of Newton for the term prescribed by law.

To be Brigadier General of New Jersey Air National Guard, Colonel Ralph W. Applegate, of Mt. Laurel, for the term prescribed by law.

To be a member of the Board of Electrical Contractors, Earl Harder, of Palmyra, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, I. V. DiMartino, of Pennsauken, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, A. Donald Bigley, of Voorhees, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Donald J. Cunningham, of Avon-by-the-Sea, to succeed himself, for the term prescribed by law.

To be Judge of the Tax Court, Anthony M. Lario, of Cherry Hill, to succeed himself, for the term prescribed by law.

To be a member of the Port Authority of New York and New Jersey, William K. Hutchison, of Short Hills, to succeed himself, for the term prescribed by law.

To be Director of the New Jersey State Lottery, Joan Zielinski, of Princeton, to succeed Hazel F. Gluck, resigned, for the term prescribed by law.

To be a member of the Board of Public Utilities, Robert Guido, of Paramus, to succeed Edward Hynes, resigned, for the term prescribed by law.

The Senate moved and acted upon six Commemorative, Ceremonial and Memorial Resolutions.

Mr. Jackman offered the following resolution which was read and adopted:

*Be It Resolved*, That Senate No. 2623 be recalled from the General Assembly.

Mr. Dalton offered the following resolution which was read and adopted:

*Be It Resolved*, That Senate No. 1644 be recalled from the General Assembly.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate Concurrent Resolution No. 140, notwithstanding the lack of five days' notice.

Pursuant to Rule 82, authorization is hereby granted to schedule Assembly No. 3473 and Senate No. 2893, notwithstanding the lack of five days' notice.

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 2886, Senate No. 637/Assembly No. 623 and Assembly No. 1278, notwithstanding the lack of five days' notice.

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 2874, 2875, 2888 and 2898, notwithstanding the lack of five days' notice.

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 2399, notwithstanding the lack of five days' notice.

Pursuant to Rule 82, authorization is hereby granted to schedule Assembly No. 2744, notwithstanding the lack of five days' notice.

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 2906 and Assembly No. 803, notwithstanding the lack of five days' notice and that the 15 bill limitation is exceeded.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 393 Aca Sea w/GR, without reference.

Assembly No. 1447 Aca w/GR, without reference.

Assembly No. 1661 Aca, Energy and Environment Committee.

Assembly No. 1925 Aca, County and Municipal Government Committee.

Assembly No. 1931, County and Municipal Government Committee.

Assembly Joint Resolution No. 101, without reference.

Assembly Nos. 393 Aca Sea w/GR, 1447 Aca w/GR and Assembly Joint Resolution No. 101 were taken up, read a second time, and ordered to a third reading.

The Law, Public Safety and Defense Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2399 Sea, 2454 Sea, 2618 Sea, 2769 Sea, Assembly Nos. 510 (OCR) Sea, 2455 Sea and 2933 Sea.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2503 Sea and 2906 Sea.

The Judiciary Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly No. 1526 Sea.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly No. 803 (OCR) Sea.

The Labor, Industry and Professions Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly No. 614 Sea and Senate No. 2893 Sea.

The Institutions, Health and Welfare Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2347 Sea, 2573 Sea, 2764 Sea, 2784 Sea, 2888 Sea, Senate Resolution No. 69 Sea, Assembly Nos. 1056 (OCR) Sea and 1360 (OCR) Sea.

The Education Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 637 Sea, 1731 Sea, 2351 Sea, 2636 Sea and 2766 Sea.

The Institutions, Health and Welfare Committee reported the following bills favorably without amendment:

Senate No. 2898, Senate Joint Resolution No. 57, Senate Nos. 2875, 2874, Assembly No. 2129 (2nd OCR) Senate Nos. 2786 and 2783.

The Education Committee reported the following bills favorably without amendment:

Senate Nos. 2498, 2707, 2886, Assembly Nos. 623 and 1278 SCS.

The Labor, Industry and Professions Committee reported the following bills favorably without amendment:

Senate Nos. 1580, 2709, 2830, Assembly Nos. 2450 (2nd OCR), 1104 and 3473 (waiver).

The Judiciary Committee reported the following bills favorably without amendment:

Assembly Nos. 2140, 2744 ACS and 597.

The Aging Committee reported the following bills favorably without amendment:

Assembly Nos. 2594/2613 ACS and Senate Concurrent Resolution No. 140.

Senate No. 2399 Sea, Assembly Nos. 2933 Sea, 2455 Sea, 510 Sea, Senate Nos. 2769 Sea, 2618 Sea, 2454 Sea, 2906 Sea, 2503 Sea, Assembly Nos. 597, 1526 Sea, 803 Sea, 2140, 2744 ACS, Senate Concurrent Resolution No. 140, Assembly Nos. 2594/2613 ACS, Senate Nos. 1580, 2709, Assembly Nos. 614 Sea, 1104, 2450, Senate Nos. 2893 Sea, 2830, 2347 Sea, 2786, 2783, 2573 Sea, Assembly Nos. 1056 Sea, 1360 Sea, 2129, Senate Nos. 2764 Sea, 2784 Sea, 2874, 2875, 2888 Sea, 2898, Senate Joint Resolution No. 69 Sea, Senate No. 637 Sea and Senate Joint Resolution No. 57 were taken up, read a second time, and ordered to a third reading.

Senate Nos. 1731 Sea, 2351 Sea, 2498, 2636 Sea, 2766 Sea, 2707, 2886, Assembly Nos. 623, 1278 and 3473 (waiver) were taken up, read a second time, and ordered to a third reading.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Senate No. 1945 Sea Aca, without reference.

Assembly No. 3610, without reference.

Senate No. 1945 Sea Aca and Assembly No. 3610 were taken up, read a second time, and ordered to a third reading.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 1719 Aca, Energy and Environment Committee.

Assembly No. 3205, Revenue, Finance and Appropriations Committee.

The Secretary reported receipt of the following message from the General Assembly:

May 6, 1985.

Mr. President: I am directed by the General Assembly to inform the Senate that the General Assembly has passed the following resolution:

*Resolved*, The Senate concurring, that Assembly No. 3484 be recalled.

In which the concurrence of the Senate is requested.

J. MILLER, JR.

*Clerk of the General Assembly.*

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 2908, by Mr. Feldman, Education Committee.

Senate No. 2909, by Mr. Hagedorn, Institutions, Health and Welfare Committee.

Senate No. 2910, by Mr. Connors, County and Municipal Government Committee.

Senate No. 2911, by Mr. Gormley, County and Municipal Government Committee.

Senate No. 2912, by Mr. Hagedorn, Aging Committee.

Senate No. 2913, by Messrs. Bassano and Haines, Law, Public Safety and Defense Committee.

Senate No. 2914, by Mr. Ewing, Law, Public Safety and Defense Committee.

Senate No. 2915, by Messrs. Cardinale, Hagedorn, Contillo and Hirkala, County and Municipal Government Committee.

Senate No. 2916, by Mr. Graves, Judiciary Committee.

Senate No. 2917, by Mr. Graves, Law, Public Safety and Defense Committee.

Senate No. 2918, by Mr. Codey, County and Municipal Government Committee.

Senate No. 2919, by Mr. Gormley, Education Committee.

Senate No. 2920, by Mr. Graves, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2921, Mr. Graves, Law, Public Safety and Defense Committee.

Senate No. 2922, by Mr. Hagedorn, Institutions, Health and Welfare Committee.

Senate No. 2923, by Mr. Hagedorn, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2924, by Mr. Gormley, County and Municipal Government Committee.

Senate No. 2925, by Mr. Connors, Education Committee.

Senate No. 2926, by Mr. Cardinale, Revenue, Finance and Appropriations Committee.

Senate No. 2927, by Mr. Cardinale, Labor, Industry and Professions Committee.

Senate No. 2928, by Mr. Cardinale, Institutions, Health and Welfare Committee.

Senate No. 2929, by Mr. McManimon, County and Municipal Government Committee.

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Senate No. 2930, by Mr. Connors, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2931, by Messrs. Foran and Dumont, Revenue, Finance and Appropriations Committee.

Senate No. 2932, by Mr. Foran, Revenue, Finance and Appropriations Committee.

Senate No. 2933, by Mr. Cardinale, Energy and Environment Committee.

Senate No. 2934, by Ms. Lipman and Mr. Hirkala, Labor, Industry and Professions Committee.

Senate No. 2935, by Ms. Lipman, Messrs. Rand and Caufield, Labor, Industry and Professions Committee.

Senate No. 2936, by Ms. Brown, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2937, by Ms. Costa, Messrs. O'Connor, Dalton and Rand, Judiciary Committee.

Senate No. 2938, by Mr. Ewing, Education Committee.

Senate No. 2939, by Mr. Ewing, Law, Public Safety and Defense Committee.

Senate No. 2940, by Mr. Zane, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2941, by Ms. Brown, Judiciary Committee.

Senate No. 2942, by Messrs. Zane, Dalton, Graves, Rand, Weiss, Lynch, Ms. Costa, Messrs. McManimon, Jackman, Ms. Lipman and Mr. Hirkala, Labor, Industry and Professions Committee.

Senate No. 2943, by Messrs. Gagliano, Dorsey and Haines, Revenue, Finance and Appropriations Committee.

Senate No. 2944, by Messrs. Gagliano and Pallone, Judiciary Committee.

Senate No. 2945, by Messrs. Cardinale, Hagedorn and Foran, Institutions, Health and Welfare Committee.

Senate No. 2946, by Messrs. Rand and Gagliano, Education Committee.

Senate No. 2947, by Messrs. Caufield, Foran, Cowan, Graves, Bassano, Contillo and Bubba, Labor, Industry and Professions Committee.

Senate No. 2948, by Mr. Lynch, County and Municipal Government Committee.

Senate No. 2949, by Mr. Lynch, Judiciary Committee.

Senate No. 2950, by Mr. Rand, Ms. Costa and Mr. Weiss, Labor, Industry and Professions Committee.

Senate No. 2951, by Mr. Lynch, Institutions, Health and Welfare Committee.

Senate No. 2952, by Mr. Graves, Law, Public Safety and Defense Committee.

Senate No. 2953, by Ms. Brown, Messrs. Cowan, Lynch, Bubba and Connors, County and Municipal Government Committee.

Senate No. 2954, by Mr. Bassano, Institutions, Health and Welfare Committee.

Senate No. 2955, by Mr. Lesniak, Revenue, Finance and Appropriations Committee.

Senate No. 2956, by Mr. Dorsey, County and Municipal Government Committee.

Senate No. 2957, by Ms. Costa, Messrs. Russo and Rand, Aging Committee.

Senate No. 2958, by Mr. Dalton, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2959, by Messrs. Dalton, Lesniak and Russo, Energy and Environment Committee.

Senate No. 2960, by Messrs. Dalton and Russo, Energy and Environment Committee.

Senate No. 2961, by Messrs. Lesniak, Dalton and Russo, Energy and Environment Committee.

Senate No. 2962, by Ms. Costa, Messrs. Russo and Rand, Aging Committee.

Senate No. 2963, by Ms. Brown, Labor, Industry and Professions Committee.

Senate No. 2964, by Mr. Pallone, Institutions, Health and Welfare Committee.

Senate No. 2965, by Mr. Pallone, Institutions, Health and Welfare Committee.

Senate No. 2966, by Mr. Pallone, Institutions, Health and Welfare Committee.

Senate No. 2967, by Mr. Pallone, Institutions, Health and Welfare Committee.

Senate No. 2968, by Mr. Pallone, Institutions, Health and Welfare Committee.

Senate No. 2969, by Mr. Pallone, Institutions, Health and Welfare Committee.

Senate No. 2970, by Mr. Pallone, Institutions, Health and Welfare Committee.

Senate No. 2971, by Mr. Pallone, Institutions, Health and Welfare Committee.

Senate No. 2972, by Messrs. Pallone and Dalton, Energy and Environment Committee.

Senate No. 2973, by Messrs. Russo, Dalton and Lesniak, Energy and Environment Committee.

Senate Joint Resolution No. 67, by Ms. Costa and Mr. Rand, County and Municipal Government Committee.

Senate Joint Resolution No. 68, by Mr. Pallone, Institutions, Health and Welfare Committee.

Senate Joint Resolution No. 69, by Mr. Graves and Ms. Brown, Law, Public Safety and Defense Committee.

Senate Concurrent Resolution No. 142, by Mr. Hagedorn, Institution, Health and Welfare Committee.

Senate Resolution No. 85, by Mr. Feldman, Education Committee.

Senate Resolution No. 86, by Mr. Lynch, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate Resolution No. 87, by Ms. Brown and Mr. Bubba, Energy and Environment Committee.

Senate No. 2974, by Mr. Codey, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2975, by Mr. Russo, without reference.

Senate No. 2976, by Ms. Lipman, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2975 was taken up, read a second time, and ordered to a third reading.

The following resolution was read and adopted:

#### SENATE RESOLUTION

*Resolved:* 1. That printed copies of Senate Concurrent Resolution No. 134 entitled "A Concurrent Resolution proposing an amendment to the Constitution limiting State expenditures," be placed upon the desks of the members of the General Assembly forthwith; and

2. A record of the placing thereof be made in the Minutes and the Clerk certify such placing and the date thereof to the Secretary of the Senate.

#### MESSAGE TO THE GENERAL ASSEMBLY

Dated: May 6, 1985.

*Mr. Speaker:* I am directed by the Senate to forward herewith to the General Assembly the enclosed 80 copies of Senate Concurrent Resolution No. 134 entitled "A Concurrent Resolution proposing amendment to the Constitution limiting State expenditures," with the request that they be placed upon the desks of the members of the General Assembly in open meeting forthwith.

JOHN J. MCCARTHY,

*Secretary of the Senate.*

The Secretary then caused to be placed upon the desks of each member a copy of Senate Concurrent Resolution No. 134 and the placing thereof is hereby noted in the Journal.

#### MESSAGE TO THE GENERAL ASSEMBLY

Dated: May 6, 1985.

*Mr. Speaker:* I am directed by the Senate to inform the General Assembly that a printed copy of Senate Concurrent Resolution No. 134 entitled "A concurrent resolution proposing an amendment to the Constitution limiting State expenditures," has this day been

placed upon the desk of each member of the Senate while the same was in open meeting.

JOHN J. MCCARTHY,  
*Secretary of the Senate.*

MESSAGE TO THE GENERAL ASSEMBLY

Dated: May 6, 1985.

*Mr. President:* I am directed by the General Assembly to forward herewith to the Senate the enclosed 40 copies of Assembly Concurrent Resolution No. 31 (OCR) entitled "A Concurrent Resolution proposing to amend Article IV, Section VII, paragraph 2, of the Constitution of the State of New Jersey" with the request that the Senate rescind its action in placing copies of Assembly Concurrent Resolution No. 31 upon the desks of the members of the Senate on May 2, 1985 and place copies of Assembly Concurrent Resolution No. 31 (OCR) upon the desks of the members of the Senate in open public meeting forthwith.

J. MILLER, JR.,  
*Clerk of the General Assembly.*

The following resolution was read and adopted:

SENATE RESOLUTION

*Resolved:* 1. That printed copies of Assembly Concurrent Resolution No. 31 (OCR) entitled "A Concurrent Resolution proposing to amend Article IV, Section VII, paragraph 2, of the Constitution of the State of New Jersey," be placed upon the desks of the members of the Senate forthwith, and

2. A record of the placing thereof be made in the Senate Journal and the Secretary certify such placing and the date thereof to the Clerk of the General Assembly.

The Senate then rescinded its action, of placing upon the desks of each member a copy of Assembly Concurrent Resolution No. 31 on May 2, 1985 and caused to be placed upon the desks of each member a copy of Assembly Concurrent Resolution No. 31 (OCR) and the placing thereof is hereby noted in the Journal.

MESSAGE TO THE GENERAL ASSEMBLY

Dated: May 6, 1985.

*Mr. Speaker:* I am directed by the Senate to inform the General Assembly that a printed copy of Assembly Concurrent Resolution No. 31 (OCR) entitled "A Concurrent Resolution proposing to amend Article IV, Section VII, paragraph 2, of the Constitution of the State of New Jersey," has this day been placed upon the desk of each member of the Senate while the same was in open meeting.

JOHN J. MCCARTHY,  
*Secretary of the Senate.*

MONDAY, MAY 6, 1985

The following resolution was read and adopted:

SENATE RESOLUTION

*Resolved:* 1. That printed copies of Senate Concurrent Resolution No. 140 entitled "A Concurrent Resolution proposing an amendment to the Constitution to provide that Casino Revenue Fund moneys not be used to finance homestead rebates after June 30, 1985 for senior citizens and disabled veterans," be placed upon the desks of the members of the General Assembly forthwith; and

2. A record of the placing thereof be made in the Minutes and the Clerk certify such placing and the date thereof to the Secretary of the Senate.

The Secretary then caused to be placed upon the desks of each member a copy of Senate Concurrent Resolution No. 140 and the placing thereof is hereby noted in the Journal.

MESSAGE TO THE GENERAL ASSEMBLY

Dated: May 6, 1985.

*Mr. Speaker:* I am directed by the Senate to inform the General Assembly that a printed copy of Senate Concurrent Resolution No. 140 entitled "A Concurrent Resolution proposing an amendment to the Constitution to provide that Casino Revenue Fund moneys not be used to finance homestead rebates after June 30, 1985 for senior citizens and disabled veterans," has this day been placed upon the desk of each member of the Senate while the same was in open meeting.

MESSAGE TO THE GENERAL ASSEMBLY

Dated: May 6, 1985.

*Mr. President:* I am directed by the General Assembly to inform the Senate that a printed copy of Senate Concurrent Resolution No. 140 entitled "A Concurrent Resolution proposing an amendment to the Constitution to provide that Casino Revenue Fund moneys not be used to finance homestead rebates after June 30, 1985 for senior citizens and disabled veterans," has this day been placed upon the desk of each member of the General Assembly while the same was in open meeting.

JOHN J. MILLER,  
*Clerk of the General Assembly.*

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 3053, Education Committee.

Assembly No. 3561 Aca, Revenue, Finance and Appropriations Committee.

Assembly No. 3614 Aca, without reference.

Senate No. 2186 Aca, without reference.

Assembly No. 3614 Aca and Senate No. 2186 Aca were taken up, read a second time, and ordered to a third reading.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate Nos. 2623 and 2931, notwithstanding the lack of five days' notice and Assembly Nos. 3217, 775, 2966 and Senate Concurrent Resolution No. 134 which exceed the 15 bill limitation.

The Revenue, Finance and Appropriations Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Concurrent Resolution No. 134 Sea, Senate Nos. 2547 (OCR) Sea, 2619 Sea, 2719 Sea and Senate Committee Substitute for Senate Nos. 2107/1229/Assembly No. 2355 (OCR).

The Revenue, Finance and Appropriations Committee reported the following bills favorably without amendment:

Assembly Nos. 2026 (OCR), 2246 (OCR), 2824 (OCR), 2966, 775, 3217, Senate Nos. 2148 (OCR), 2376 (OCR), 2593, 2748, 2623 and 2931.

Senate No. 2623, Assembly Nos. 2966, 2824 (OCR), 2246 (OCR), 2026 (OCR), Senate No. 2931, Senate Concurrent Resolution No. 134 Sea, Senate Nos. 2748, 2719 Sea, 2619 Sea, 2593, 2547 (OCR) Sea, 2376 (OCR), 2148 (OCR), Senate Committee Substitute for Senate Nos. 2107/1229/Assembly No. 2355 (OCR), Assembly Nos. 3217 and 775 were taken up, read a second time, and ordered to a third reading.

Mr. Russo offered the following motion which was read and adopted:

*Be It Resolved*, That Senate No. 1047 be referred to the Revenue, Finance and Appropriations Committee.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate Joint Resolution No. 47, notwithstanding the lack of five days' notice.

The Natural Resources and Agriculture Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 531 Sea, 2608 Sea and 2662 Sea.

The Natural Resources and Agriculture Committee reported the following bills favorably without amendment:

Senate Nos. 2642, 2502 and Senate Joint Resolution No. 47.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 2897, notwithstanding the lack of five days' notice.

The Natural Resources and Agriculture Committee reported the following bills favorably without amendment:

Assembly Nos. 1931, 728 and 1475.

The County and Municipal Government Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly Nos. 760 Sea and 1637 (OCR) Sea.

The County and Municipal Government Committee reported the following bills favorably without amendment:

Senate Nos. 1562, 2897, 2647, 2693 and Assembly No. 2054.

The Transportation and Communications Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Committee Substitute for Senate No. 2810, Senate No. 2663 Sea and Senate Resolution No. 80 Sea.

The Transportation and Communications Committee reported the following bill favorably without amendment:

Assembly No. 2125.

The Energy and Environment Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2125 Sea, 2406 Sea, 2604 Sea, 2637 Sea, Assembly Nos. 457 ACS (OCR) Sea and 2707 ACS Sea.

The Energy and Environment Committee reported the following bills favorably without amendment:

Senate Nos. 2821, 2877, 2763, 2734 and 2891.

On motion of Mr. Cowan, Mr. Russo was added as cosponsor of Senate No. 1538.

Senate Joint Resolution No. 47, Senate Nos. 531 Sea, 2502, 2608 Sea, 2642, 2662 Sea, Assembly Nos. 728, 1475, Senate Nos. 2897, 2647, 2693, Assembly No. 2054, Senate No. 1562, Assembly Nos. 1931, 1637 (OCR) Sea, 760 Sea, 2125, Senate Committee Substitute for Senate No. 2810 Sea, Senate No. 2663 Sea, Senate Resolution No. 80 Sea, Senate Nos. 2821, 2877, 2125 Sea, 2637 Sea, Assembly Committee Substitute for 2707 Sea, Assembly No. 457 ACS (OCR) Sea, Senate Nos. 2406 Sea, 2604 Sea, 2763, 2734 and 2891 were taken up, read a second time, and ordered to a third reading.

Mr. Russo offered the following resolution which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet on Thursday at 10 a.m., and that when it then adjourn, it be to meet on Saturday at 10 a.m., and that when it then adjourn it be to meet on Monday, May 13, 1985, at 2 p.m.

On motion of Mr. Russo the Senate then adjourned.

THURSDAY, May 9, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, May 11, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, May 13, 1985.

At 2 p.m. the Senate met.

The Session was opened with prayer.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—38.

On the motion of Mr. Russo the reading of the Journal of the previous session was dispensed with.

The Senate moved and acted upon 22 Commemorative, Ceremonial and Memorial Resolutions.

Roll call after recess.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—36.

Senate No. 2893 was given third reading.

On motion of Mr. McManimon that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—37.

In the negative—None.

Senate No. 2829 was given third reading.

On motion of Mr. McManimon that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey,

Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—37.

In the negative—None.

Senate No. 2623 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Weiss, Zane—34.

In the negative—None.

Senate No. 407 was given third reading.

On motion of Mr. Stockman that the bill pass the vote was as follows.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—34.

In the negative was—Laskin—1.

Mr. Dorsey offered the following resolution, which was read, and lost by the following vote:

*Resolved*, That the Senate Judiciary Committee be and is hereby relieved of Senate Concurrent Resolution No. 135 of 1985 and that the resolution be given second reading.

*Further Resolved*, That Senate Concurrent Resolution No. 135 of 1985 be placed on the desks of the Senate forthwith, and that the Secretary of the Senate forward the necessary number of copies of the resolution to the General Assembly with the request that they be placed upon the desks of each member of the General Assembly in open meeting forthwith.

*Further Resolved*, That the Senate Judiciary Committee hold a public hearing on Senate Concurrent Resolution No. 135 of 1985 no later than June 14, 1985.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Laskin—17.

In the negative were—

Codey, Cowan, Hirkala, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Stockman—10.

Mr. Dorsey offered the following resolution, which was read, and lost by the following vote:

*Resolved*, That the Senate State Government and Federal and Interstate Relations and Veterans Affairs Committee be and is hereby relieved of Senate Concurrent Resolution No. 22 of 1984 and that the resolution be given second reading.

*Further Resolved*, That Senate Concurrent Resolution No. 22 of 1984 be placed on the desks of the Senate forthwith, and that the Secretary of the Senate forward the necessary number of copies of the resolution to the General Assembly with the request that they be placed upon the desks of each member of the General Assembly in open meeting forthwith.

*Further Resolved*, That the Senate State Government and Federal and Interstate Relations and Veterans Affairs Committee hold a public hearing on Senate Concurrent Resolution No. 22 of 1984 no later than June 14, 1985.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, Contillo, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Laskin—18.

In the negative were—

Caufield, Codey, Feldman, Lesniak, Lipman, Lynch, Pallone, Stockman, Van Wagner—9.

On motion of Mr. Lynch, Assembly No. 640 (2nd SR) was placed back on second reading for the purposes of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Zane—30.

In the negative were—

Dumont, Haines, Laskin, Lesniak—4.

Assembly No. 640 (2nd SR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Bassano that notwithstanding Senate Rule 80, Senate No. 1748 be removed from the Senate Law, Public Safety and Defense Committee, and made the order of the day, the motion was lost by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Laskin—17.

In the negative were—

Caufield, Contillo, Costa, Cowan, Graves, Hirkala, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss—14.

On motion of Mr. Jackman pursuant to Rule 124, Assembly No. 3294 was substituted for Senate No. 2777 with which it is identical, and Senator Jackman was added as cosponsor of Assembly No. 3294.

Which was adopted by voice vote.

Assembly No. 3294 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 3473 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 2877 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Graves, Hagedorn, Hirkala, Jackman, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative were—

Garibaldi, Gormley, Haines, Hurley, Laskin—5.

Assembly No. 422 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Assembly No. 1915 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

On motion of Mr. Ewing, that Assembly No. 3217 be placed back on second reading for the purpose of amendment, the motion was lost by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Laskin—17.

In the negative were—

Caufield, Codey, Contillo, Cowan, Costa, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—21.

Assembly No. 3217 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Brown, Cardinale, Caufield, Codey, Contillo, Cowan, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Gormley, Graves, Hirkala, Jackman, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—27.

In the negative were—

Bassano, Connors, DiFrancesco, Gagliano, Hagedorn, Haines, Hurley, Laskin—8.

On motion of Mr. Weiss, Senate Concurrent Resolution No. 134 (OCR) was lifted from the desk for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Brown, Pubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

#### MESSAGE TO THE GENERAL ASSEMBLY

Dated: May 13, 1985.

*Mr. Speaker:* I am directed by the Senate to forward herewith to the General Assembly the enclosed 80 copies of Senate Concurrent Resolution No. 134 (2nd OCR) entitled "A Concurrent Resolution proposing to amend Article VIII, Section II of the Constitution of the State of New Jersey" with the request that the General Assembly rescind its action in placing copies of Senate Concurrent Resolution No. 134 (OCR) upon the desks of the members of the General Assembly on May 13, 1985 and place copies of Senate Concurrent Resolution No. 134 (2nd OCR) upon the desks of the members of the General Assembly in open public meeting forthwith.

JOHN J. MCCARTHY,  
*Secretary of the Senate*

#### MESSAGE TO THE GENERAL ASSEMBLY

The General Assembly rescinded its action of placing upon the desks of each member a copy of Senate Concurrent Resolution No. 134 (OCR) on May 13, 1985 and caused to be placed upon the desks of each member a copy of Senate Concurrent Resolution No. 134 (2nd OCR) and the placing thereof is hereby noted in the Minutes.

JOHN J. MILLER, JR.  
*Clerk of the General Assembly*

The Secretary then caused to be placed upon the desks of each member a copy of Senate Concurrent Resolution No. 134 (2nd OCR) and the placing thereof is hereby noted in the Journal.

On motion of Mr. Jackman, the following resolution was adopted by voice vote:

WHEREAS, The Senate passed a Senate resolution on May 6, 1985 to recall Senate Bill No. 2623 and the General Assembly returned the bill to the possession of the Senate on that date; and

MONDAY, MAY 13, 1985

WHEREAS, On May 6, 1985, without reconsidering the vote by which Senate Bill No. 2623 was passed, the Senate referred Senate Bill No. 2623 to the Senate Revenue, Finance and Appropriations Committee which favorably reported the bill and on that date the bill was given second reading; now, therefore,

*Resolved*, That the motion to recall Senate Bill No. 2623, passed by the Senate on May 6, 1985, be rescinded; and

*Further Resolved*, That the action in referring Senate Bill No. 2623 to the Senate Revenue, Finance and Appropriations Committee and giving the bill second reading on May 6, 1985, be rescinded.

### SENATE CONCURRENT RESOLUTION

*Resolved* by the Senate of the State of New Jersey (the General Assembly concurring):

That the General Assembly return the bill, designated below, to the Senate for the purposes of further consideration, viz., Senate Bill No. 2623.

Which motion passed by voice vote.

On motion of Mr. Jackman, the following resolution was adopted by the following vote:

*Resolved*, That pursuant to Senate Rule 132, the vote by which Senate No. 2623 was passed be reconsidered.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 2663 Aca, County and Municipal Government Committee.

Assembly No. 3373 w/GR, without reference.

Assembly No. 3448 Aca, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 3475, Law, Public Safety and Defense Committee.

Senate No. 2710 Sea Aca, without reference.

Assembly No. 3373 w/GR and Senate No. 2710 Sea Aca were taken up, read a second time, and ordered to a third reading.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate Joint Resolution No. 69, Assembly No. 2287, Senate No. 1047 SCS, Assembly Nos. 3561 Aca Aa and 3514, notwithstanding the lack of five days' notice.

The Revenue, Finance and Appropriations Committee reported the following bills favorably with amendment and on motion of the Chairman the amendments were adopted:

Senate No. 1047 SCS Sea.

The Revenue, Finance and Appropriations Committee reported the following bills favorably without amendment:

Senate No. 2322, Assembly Nos. 3561 Aca Aa and 3514.

The Law, Public Safety and Defense Committee reported the following bill favorably without amendment:

Senate Joint Resolution No. 69.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bill favorably without amendment:

Assembly No. 2287.

The Education Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 1966 Sea.

Assembly Nos. 3561 Aca Aa, 3514, Senate No. 1047 SCS Sea, Senate Joint Resolution No. 69, Senate No. 2322, Assembly No. 2287 and Senate No. 1966 Sea were taken up, read a second time, and ordered to a third reading.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 2988, by Mr. Zane, without reference.

Senate No. 2994, by Mr. Orchio, without reference.

Senate Nos. 2988 and 2994 were taken up, read a second time, and ordered to a third reading.

On motion of Mr. Lynch the following nominations were taken up:

To be a member of the Advisory Council on Solid Waste Management, Steven Pollock, of Toms River, to succeed himself, for the term prescribed by law.

To be a member of the Monmouth County Board of Taxation, Beverly J. Searano, of Middletown, to succeed herself, for the term prescribed by law.

To be a member of the Delaware River Joint Toll Bridge Commission, Clara Fowler, of Blairstown, to succeed herself, for the term prescribed by law.

To be Brigadier General of New Jersey Air National Guard, Colonel Ralph W. Applegate, of Mt. Laurel, for the term prescribed by law.

MONDAY, MAY 13, 1985

To be a member of the Board of Electrical Contractors, Earl Harder, of Palmyra, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, I. V. DiMartino, of Pennsauken, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, A. Donald Bigley, of Voorhees, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Donald J. Cunningham, of Avon-by-the-Sea, to succeed himself, for the term prescribed by law.

To be Judge of the Tax Court, Anthony M. Lario, of Cherry Hill, to succeed himself, for the term prescribed by law.

To be a member of the Port Authority of New York and New Jersey, William K. Hutchison, of Short Hills, to succeed himself, for the term prescribed by law.

To be Director of the New Jersey State Lottery, Joan Zielinski, of Princeton, to succeed Hazel F. Gluck, resigned, for the term prescribed by law.

To be a member of the Board of Public Utilities, Robert Guido, of Paramus, to succeed Edward Hynes, resigned, for the term prescribed by law.

Upon the question "Will the Senate advise and consent to the above nominations?" it was decided as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—38.

In the negative—None.

The above nominations were declared unanimously confirmed.

On motion of Mr. Lynch, the following nomination was taken up:

To be a member of the Delaware River Joint Toll Bridge Commission, Joseph Tolerico, of Newton, for the term prescribed by law.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Zane—33.

In the negative—None.

The above nomination was declared unanimously confirmed.

Senate No. 1177 Aa was given third reading.

On motion of Mr. Gagliano that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Brown, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative were—

Bassano, Bubba, Cardinale, Dumont—4.

Mr. Graves offered the following resolution which was read and lost by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate Committee Substitute for Senate No. 1047 Sea is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—21.

In the negative—None.

Senate No. 2710 Aa was given third reading.

On motion of Mr. Caufield that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Brown, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

Senate No. 1776 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Zane—21.

In the negative were—

Connors, Dumont, Gormley, Haines, Laskin—5.

Senate No. 1186 (AR) Aa was given third reading.

On motion of Mr. Lynch that the Senate do concur in the Assembly amendments by Senate amendment, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 2123 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

On motion of Mr. Van Wagner Senate No. 2790 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gormley, Graves, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

Senate No. 2790 Sa was taken up, read a second time, and ordered to a third reading.

Mr. Van Wagner offered the following resolution, which was read and lost by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2790 Sa is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—21.

In the negative—None.

Senate Committee Substitute for Senate Nos. 2046/2334 with Governor's recommendations, was given second reading.

On motion of Mr. Lynch that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lynch, O'Connor, Orechio (President), Pallone, Russo, Van Wagner, Weiss, Zane—35.

In the negative were—

Lipman, Stockman—2.

Senate Committee Substitute for Senate Nos. 2046/2334 w/GR was taken up, read a second time, and ordered to a third reading.

Mr. Jackman assumed the duties of the Chair.

On motion of Mr. Garibaldi, pursuant to Rule 124, Assembly No. 836 was substituted for Senate No. 1289 with which it is identical, and Senator Garibaldi was added as cosponsor of Assembly No. 836.

Which was adopted by voice vote.

Assembly No. 836 was given third reading.

On motion of Mr. Garibaldi that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Assembly No. 1946 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak,

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Lipman, Lynch, O'Connor, Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Assembly No. 2157 was given third reading.

On motion of Mr. Zane that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Connors, Contillo, Cowan, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, O'Connor, Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—29.

In the negative—None.

Assembly Joint Resolution No. 56 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Assembly Joint Resolution No. 82 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 887 was given third reading.

On motion of Mr. Hurley that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 2125 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Stockman, Van Wagner, Zane—35.

In the negative—None.

On motion of Ms. Brown, pursuant to Rule 124, Assembly No. 775 was substituted for Senate No. 2148 with which it is identical, and Senator Brown was added as cosponsor of Assembly No. 775.

Which was adopted by voice vote.

Assembly No. 775 was given third reading.

On motion of Ms. Brown that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss—32.

In the negative was—Codey—1.

Senate No. 2347 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative was—Laskin—1.

Senate No. 2349 was given third reading.

On motion of Mr. Zane that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 2376 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2517 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, O'Connor, Pallone, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 2576 was given third reading.

On motion of Mr. Foran that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2577 was given third reading.

On motion of Mr. Foran that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 2556 was given third reading.

On motion of Mr. Gormley that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2802 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 2836 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Zane—35.

In the negative—None.

Senate No. 2870 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 2907 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate Concurrent Resolution No. 141 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate Joint Resolution No. 52 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate Resolution No. 84 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative was—Laskin—1.

On motion of Mr. Bassano, Senate No. 2502 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Stockman, Van Wagner, Zane—34.

In the negative—None.

Senate No. 2502 Sa was taken up, read a second time, and ordered to a third reading.

On motion of Ms. Costa, Senate No. 808 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Feldman, Foran, Gormley, Haines, Hirkala, Hurley, Jackman, Laskin, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—30.

In the negative—None.

Senate No. 808 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

Senate No. 2449 was given third reading.

On motion of Mr. Hirkala that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, DiFrancesco, Dumont, Foran, Gagliano, Garibaldi, Graves, Hagedorn, Haines, Hirkala, Jackman, Lesniak, O'Connor, Orechio (President), Pallone, Russo, Van Wagner, Weiss—25.

In the negative were—

Laskin, Zane—2.

On motion of Mr. Laskin, Assembly No. 3561 (2nd OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Assembly No. 3561 (2nd OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Laskin, Senate Bill No. 1047 SCS Sea was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 1047 SCS Sea Sa was taken up, read a second time, and ordered to a third reading.

Senate No. 2652 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Codey, Contillo, Costa, Cowan, Dalton, Feldman, Hirkala, Jackman, Lesniak, Lynch, O'Connor, Orechio (President), Russo, Stockman, Van Wagner, Weiss, Zane—17.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Hagedorn, Hurley, Laskin, Pallone—16.

On motion of Mr. Russo, Senate No. 2652 was laid over.

Senate No. 2299 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 2308 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley,

Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 2633 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Zane—30.

In the negative—None.

Senate No. 2875 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bubba, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Gormley, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—25.

In the negative were—

Bassano, Hagedorn, Laskin—3.

Mr. Van Wagner made a motion to suspend the 30 bill limitation rule. Motion adopted by voice vote.

On motion of Mr. Codey pursuant to Rule 124, Assembly No. 3614 was substituted for Senate No. 2906 with which it is identical, and Senator Codey was added as cosponsor of Assembly No. 3614.

Which was adopted by voice vote.

Motion by Mr. Gormley, that Assembly No. 3614 be placed back on second reading for the purpose of amendment, which motion was lost by the following vote:

In the affirmative were—

Brown, Bubba, Dalton, Dorsey, Dumont, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Laskin—13.

In the negative were—

Bassano, Codey, Costa, Cowan, Feldman, Hirkala, Jackman, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Stockman, Van Wagner, Weiss, Zane—16.

Assembly No. 3614 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

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In the affirmative were—

Bassano, Cardinale, Codey, Costa, Cowan, DiFrancesco, Ewing, Feldman, Foran, Hirkala, Jackman, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—21.

In the negative were—

Brown, Bubba, Contillo, Dalton, Dorsey, Dumont, Gagliano, Gormley, Hagedorn, Haines, Hurley, Laskin—12.

Assembly No. 2966 was given third reading.

On motion of Mr. Van Wagner that the bill pass the vote was as follows:

In the affirmative were—

Codey, Contillo, Costa, Cowan, Dalton, Feldman, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—19.

In the negative were—

Connors, DiFrancesco, Dorsey, Dumont, Gagliano, Hagedorn, Haines, Hurley, Laskin—9.

On motion of Mr. Van Wagner, Assembly No. 2966 was laid over.

On motion of Mr. Pallone, Senate No. 2547 (2nd OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Cardinale, Codey, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Feldman, Gagliano, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss—25.

In the negative—None.

Senate No. 2547 (2nd OCR) Sa was taken up, read a second time, and ordered to a third reading.

Senate No. 2821 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Feldman, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss—22.

In the negative—None.

Senate No. 2595 was given third reading.

On motion of Ms. Brown that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Ewing, Feld-

man, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, Orechio (President), Pallone, Stockman, Van Wagner, Weiss—30.

In the negative—None.

Senate No. 2890 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Codey, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Feldman, Gormley, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss—23.

In the negative was—Laskin—1.

Senate No. 2725 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were—

Contillo, Costa, Cowan, Dalton, Feldman, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Stockman, Van Wagner, Weiss—16.

In the negative was—Russo—1.

On motion of Mr. Contillo, Senate No. 2725 was laid over.

On motion of Mr. Gagliano, Senate No. 2943 was withdrawn from the files.

Mr. Haines offered the following resolution which was read and adopted:

WHEREAS, Former Senator H. James Saxton was elected to and is now serving in the United States House of Representatives, now, therefore,

*Resolved*, That Senator Haines be admitted as the prime sponsor of the following bill which was sponsored by former Senator Saxton:

Senate Bill No. 692 of 1984.

The President announced receipt of and directed the Secretary to read 17 letters from the Governor nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be a member of the Mosquito Control Commission, Aaron Rappaport, of West Orange, for the term prescribed by law.

To be a member of the Marine Fisheries Council, William J. Gifford, of Absecon, to succeed himself, for the term prescribed by law.

To be a member of the Board of Professional Engineers and Land Surveyors, James Bornheimer, of East Brunswick, to succeed Marcia Forman, for the term prescribed by law.

To be a member of the Marine Fisheries Council, Robert L. Morgan, of Leesburg, to succeed himself, for the term prescribed by law.

To be a member of the Boat Regulation Commission, Kenneth Husted, of Bridgeton, for the term prescribed by law.

To be a member of the Marine Fisheries Council, William E. Bowen, of Bridgeton, to succeed himself, for the term prescribed by law.

To be a member of the Board of Professional Engineers and Land Surveyors, Bertram L. Buckler, of East Brunswick, to succeed John T. McCann, of West Orange, for the term prescribed by law.

To be a member of the Shellfisheries Council, Richard J. Malinowski, of Salem, to succeed himself, for the term prescribed by law.

To be a member of the Shellfisheries Council, John Henderson, on Atlantic City, to succeed himself, for the term prescribed by law.

To be a member of the Shellfisheries Council, Donald McDaniels, of Cold Spring, to succeed himself, for the term prescribed by law.

To be a member of the Passaic Valley Sewerage Commission, Donald Tucker, of Newark, to succeed Isaac Thomas, for the term prescribed by law.

To be a member of the State Board of Human Services, Patricia Devaney, of Cape May, to succeed Joann Lynch, for the term prescribed by law.

To be a member of the New Jersey Highway Authority, Lionel M. Levey, of South Orange, to succeed himself, for the term prescribed by law.

To be a member of the State Board of Human Services, Natalie Adams, of Penns Grove, to succeed herself, for the term prescribed by law.

To be a member of the State Parole Board, Sally G. Carroll, of Newark, to succeed herself, for the term prescribed by law.

To be a member of the University of Medicine and Dentistry Board of Trustees, Milan Johnson, of Summit, to succeed himself, for the term prescribed by law.

To be a member of the Hudson County Board of Taxation, Marita Borzaga, of West New York, to succeed herself, for the term prescribed by law.

The above nominations were referred to the Judiciary Committee.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 1966, notwithstanding the lack of five days' notice.

Pursuant to Rule 82, authorization is hereby granted to schedule Senate Nos. 2738 and 2743, notwithstanding the lack of five days' notice.

The Energy and Environment Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2738 Sea and 2743 Sea.

Senate Nos. 2738 Sea and 2743 Sea were taken up, read a second time, and ordered to a third reading.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 1309 ACS, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 722 Aca, without reference.

Assembly Concurrent Resolution No. 117, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 506 ACS, Labor, Industry and Professions Committee.

Assembly No. 2948, Law, Public Safety and Defense Committee.

Assembly No. 3323 Aa, without reference.

Assembly No. 3323 Aa and Senate No. 722 Aca were taken up, read a second time, and ordered to a third reading.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 2977, by Messrs. Connors, Dorsey, Garibaldi and Hurley, Education Committee.

Senate No. 2978, by Mr. Garibaldi, Revenue, Finance and Appropriations Committee.

Senate No. 2979, by Mr. Garibaldi, County and Municipal Government Committee.

Senate No. 2980, by Mr. Garibaldi, Energy and Environment Committee.

Senate No. 2981, by Mr. Garibaldi, Energy and Environment Committee.

Senate No. 2982, by Mr. Garibaldi, Energy and Environment Committee.

Senate No. 2983, by Mr. Garibaldi, County and Municipal Government Committee.

Senate No. 2984, by Mr. Garibaldi, Education Committee.

Senate No. 2985, by Mr. Laskin, Education Committee.

Senate No. 2986, by Mr. Feldman, Energy and Environment Committee.

Senate Resolution No. 88, by Messrs. Garibaldi, Dorsey, Gagliano, Connors and Hurley, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate Resolution No. 89, by Mr. Garibaldi, Labor, Industry and Professions Committee.

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Senate No. 2987, by Mr. Van Wagner, without reference.

Senate No. 2988, by Messrs. Zane, Dalton, Contillo, Lynch, Pallone, Rand, Graves, Hirkala, Jackman, McManimon, Cowan and Orechio, without reference.

Senate No. 2989, by Mr. Hagedorn, Institutions, Health and Welfare Committee.

Senate No. 2990, by Ms. Costa, Messrs. Dalton and Lesniak, Energy and Environment Committee.

Senate No. 2991, by Mr. Graves, Law, Public Safety and Defense Committee.

Senate Resolution No. 90, by Messrs. Hurley and Gagliano, without reference.

Senate No. 2992, by Messrs. Hagedorn and Dumont, Transportation and Communications Committee.

Senate No. 2993, by Messrs. Hagedorn and Foran, Revenue, Finance and Appropriations Committee.

Senate No. 2994, by Mr. Orechio, without reference.

Senate Resolution No. 91, by Messrs. Bubba, Garibaldi, Connors and Jackman, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2995, by Messrs. Caufield, Cowan, Foran, Bassano and Hagedorn, Labor, Industry and Professions Committee.

Senate No. 2996, by Messrs. Orechio, Codey and Caufield, Revenue, Finance and Appropriations Committee.

Senate No. 2997, by Messrs. Stockman and Dumont, Labor, Industry and Professions Committee.

Senate No. 2998, by Mr. Caufield, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2999, by Mr. Caufield, County and Municipal Government Committee.

Senate No. 3016, by Mr. Caufield, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3017, by Ms. Lipman, Messrs. Stockman, Lynch and Codey, without reference.

Senate No. 3018, by Messrs. Cowan and O'Connor, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3019, by Messrs. Cowan and O'Connor, Education Committee.

Senate Resolution No. 92, by Messrs. Cowan and O'Connor, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3020, by Mr. Russo, Energy and Environment Committee.

Senate No. 3021, by Mr. Russo, Institutions, Health and Welfare Committee.

Senate No. 3022, by Mr. Russo, Energy and Environment Committee.

Senate No. 3023, by Mr. Russo, Labor, Industry and Professions Committee.

Senate No. 3024, by Messrs. Jackman, Van Wagner and Cowan, County and Municipal Government Committee.

Senate No. 3025, by Messrs. Contillo and Russo, Labor, Industry and Professions Committee.

Senate No. 3026, by Mr. Russo, without reference.

Senate No. 3027, by Messrs. Contillo and Russo, Law, Public Safety and Defense Committee.

Senate No. 3028, by Mr. Stockman, State Government and Federal and Interstate and Veterans Affairs Committee.

Senate No. 3029, by Messrs. Foran, Haines, Hagedorn, Connors, DiFrancesco, Jackman, Cowan, Ms. Costa and Mr. Hirkala, Labor, Industry and Professions Committee.

Senate No. 3030, by Messrs. Foran, Haines, Hagedorn, Connors, DiFrancesco, Jackman, Cowan, Ms. Costa and Mr. Hirkala, Labor, Industry and Professions Committee.

Senate No. 3031, by Messrs. Foran, Haines, Hagedorn, Connors, DiFrancesco, Jackman, Cowan, Ms. Costa and Mr. Hirkala, Labor, Industry and Professions Committee.

Senate No. 3032, by Ms. Brown, Messrs. Garibaldi, DiFrancesco, Graves, Bassano, Bubba and Contillo, Law, Public Safety and Defense Committee.

Senate No. 3033, by Messrs. Van Wagner, Pallone and Gagliano, Judiciary Committee.

Senate No. 3034, by Messrs. Orechio and Russo, without reference.

Senate Nos. 2987, 2988, 3017, 3026 and 3034 were taken up, read a second time, and ordered to a third reading.

The Senate moved and acted upon one Ceremonial Resolution.

Mr. Russo offered the following motions which were read and adopted:

*Be It Resolved*, That Senate No. 11 be transferred from the Energy and Environment Committee to the County and Municipal Government Committee.

*Be It Resolved*, That Assembly No. 2620 be transferred from the State Government and Federal and Interstate Relations and Veterans Affairs Committee to the Revenue, Finance and Appropriations Committee.

*Be It Resolved*, That pursuant to Senate Rule 88, the following bills be referred to the Revenue, Finance and Appropriations Committee:

Senate Nos. 2707, 2739, 2743, 2791, Assembly Nos. 457, 2551 and 2656.

*Be It Resolved*, That Assembly No. 803 be referred to the Revenue, Finance and Appropriations Committee.

The Senate moved and acted upon six Commemorative, Ceremonial and Memorial Resolutions.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills,

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which bills were read for the first time and referred by the President as indicated:

Assembly No. 3668, Education Committee.

Assembly No. 1879, Law, Public Safety and Defense Committee.

Assembly No. 2041, Judiciary Committee.

Assembly No. 2345, Revenue, Finance and Appropriations Committee.

Assembly No. 2571, Revenue, Finance and Appropriations Committee.

Assembly No. 2802 Aca, Judiciary Committee.

Assembly No. 2805 ACS, Judiciary Committee.

Assembly No. 2806 Aca, Judiciary Committee.

Assembly No. 3075 Aca, County and Municipal Government Committee.

Assembly No. 3463 Aca, Aging Committee.

Assembly No. 3518, Judiciary Committee.

Assembly No. 3638, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 2175, County and Municipal Government Committee.

Senate No. 419 Sea Sea Aca, without reference.

Senate No. 419 Sea Sea Aca was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Russo, Mr. Connors was added as cosponsor of Senate No. 2821.

On motion of Mr. Cowan, Mr. Russo was added as cosponsor of Senate No. 2633.

On motion of Mr. Feldman, Mr. Lesniak was added as cosponsor of Senate No. 2986.

On motion of Mr. Pallone, Mr. Lesniak was added as cosponsor of Senate No. 2547.

On motion of Mr. Orechio, Mr. Lesniak was added as cosponsor of Senate No. 2376.

On motion of Mr. O'Connor, Mr. Bubba was added as cosponsor of Senate No. 2907.

On motion of Mr. Orechio, Mr. Bubba was added as cosponsor of Senate No. 2517.

On motion of Mr. Hirkala, Mr. Bubba was added as cosponsor of Senate No. 2449.

On motion of Mr. Graves, Messrs. Bubba and Bassano were added as cosponsors of Senate No. 1047.

On motion of Mr. Hagedorn, Mr. Bubba was added as cosponsor of Senate No. 2873.

On motion of Mr. Foran, Mr. Bubba was added as cosponsor of Senate No. 2577.

On motion of Mr. Graves, Messrs. Caufield, Codey, Contillo, Ms. Costa, Messrs. Cowan, Dalton, Feldman, Hirkala, Jackman, Lesniak, Ms. Lipman, Messrs. Lynch, McManimon, O'Connor,

Orechio, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss and Zane were added as cosponsors of Senate No. 1047.

On motion of Mr. Orechio, Mr. Lesniak was added as cosponsor of Senate No. 2349.

On motion of Mr. Caufield, Mr. Bubba was added as cosponsor of Senate No. 2802.

On motion of Mr. Garibaldi, Mr. Lesniak was added as cosponsor of Senate No. 2187.

On motion of Mr. Gagliano, Mr. Van Wagner was added as cosponsor of Senate No. 2944.

On motion of Mr. Haines, Ms. Costa was added as cosponsor of Senate No. 2791.

Mr. Russo offered the following resolution which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet on Thursday at 10 a.m., and that when it then adjourn, it be to meet on Saturday at 10 a.m., and that when it then adjourn it be to meet on Monday, June 17, 1985, at 2 p.m.

On motion of Mr. Russo the Senate then adjourned.

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THURSDAY, May 16, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, May 18, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

SATURDAY, MAY 25, 1985

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MONDAY, May 20, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, May 23, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, May 25, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, May 27, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, May 30, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, June 1, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

SATURDAY, JUNE 8, 1985

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MONDAY, June 3, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, June 6, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, June 8, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, June 10, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, June 13, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, June 15, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, June 17, 1985.

At 10:30 a.m. the Senate met.

The Session was opened with prayer by Reverend Harold Lay Vincent, United Methodist Church, Nutley.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, O'Connor, Orechio (President), Pallone, Rand, Russo, Weiss—29.

On motion of Mr. Caufield the reading of the Journal of the previous session was dispensed with.

The Senate recessed till 1 p.m.

Quorum call after recess.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Codey Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

The President announced receipt of, and directed the Secretary to read seven letters from the Governor nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be a Judge of the Superior Court, Rudolph N. Hawkins, Jr., of Plainfield, for the term prescribed by law.

To be a Judge of the Superior Court, Edwin J. Nyklewicz, of Paterson, for the term prescribed by law.

To be a Judge of the Superior Court, Garrett E. Brown, Jr., of Westfield, for the term prescribed by law.

To be a Judge of the Superior Court, Leonard S. Sachar, of Plainfield, for the term prescribed by law.

To be an Administrative Law Judge, Phillip B. Cummis, of North Caldwell, for the term prescribed by law.

To be a Judge of the Intermunicipal Court of Corbin City, Estell Manor City and Weymouth Township, Samuel J. Serata, of Bridgeton, for the term prescribed by law.

To be a Judge of the Superior Court, Florence R. Peskoe, of Colts Neck, to succeed herself, for the term prescribed by law.

The above nominations were referred to the Judiciary Committee.

The President announced receipt of and directed the Secretary to read one letter from the Governor withdrawing the following nominations:

To be members of the Casino Reinvestment Development Authority: Thomas P. Infusino, of Nutley, and Robert DeCotiis, of Woodcliff Lake.

The Judiciary Committee reported the following nominations favorably:

To be a Judge of the Superior Court, Alfred M. Wolin, of Westfield, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Thomas F. Shebell, Jr., of Lineroft, to succeed himself, for the term prescribed by law.

To be a member of the Casino Reinvestment Development Authority, John D. Feehan, of Brigantine, for a term of four years.

To be a member of the Casino Reinvestment Development Authority, Don Thomas, of East Orange, for a term of four years.

To be a member of the Casino Reinvestment Development Authority, David Raphael Kotok, of Vineland, for a term of three years.

To be a member of the Casino Reinvestment Development Authority, Irene H. Smith, of Wenonah, for a term of two years.

To be a member of the Casino Reinvestment Development Authority, Murray Raphael, of Atlantic City, for a term of one year.

To be Hunterdon County Prosecutor, Rodger F. Mahon, of Raritan Township, for the term prescribed by law.

To be a member of the Board of Professional Engineers and Land Surveyors, James Bornheimer, of East Brunswick, to succeed Marcia Forman, for the term prescribed by law.

To be a member of the Rutgers University Board of Governors, Peter Cartmell, of Rumson, to succeed Lawrence Schwartz, for the term prescribed by law.

To be a member of the Camden County Board of Taxation, Victor T. Kolton, of Cherry Hill, to succeed himself, for the term prescribed by law.

To be a member of the Mercer County Board of Taxation, H. Rick Kline, of Trenton, to succeed himself, for the term prescribed by law.

To be a member of the Salem County Board of Taxation, Lester Harris of Quinton, to succeed himself, for the term prescribed by law.

To be a member of the Public Employment Relations Commission, James Mastriani, of Wall, to succeed himself, for the term prescribed by law.

To be a member of the Marine Fisheries Council, Robert L. Morgan, of Leesburg, to succeed himself, for the term prescribed by law.

To be a member of the Commission on Aging, George Hammond, of Jamesburg, to succeed Hugh Maguire, for the term prescribed by law.

To be a member of the Advisory Council on Community Affairs, Wayne Alston, of Passaic, for a term of two years, as prescribed by law.

To be a member of the Drug Abuse Advisory Council, Arthur S. McLellan, M.D., of New Vernon, for a term of three years.

To be a member of the Cumberland County Board of Taxation, Dale F. Kipers, of Millville, to succeed himself, for the term prescribed by law.

To be a member of the Legalized Games of Chance Commission, Robert J. Whelan, of Washington Crossing, to succeed himself, for the term prescribed by law.

To be a member of the Hospital Rate Setting Commission, Dorothy K. Powers, of Princeton, to succeed herself, for the term prescribed by law.

To be a member of the University of Medicine and Dentistry Board of Trustees, Herbert Stolzer, of East Brunswick, to succeed Steve Wiley, for the term prescribed by law.

To be a member of the Drug Abuse Advisory Council, Joseph Guadagnino, of North Brunswick, for a term of three years.

To be a member of the State Council on the Arts, Jean von Deesten Hooper, of Branchville, to succeed herself, for the term prescribed by law.

To be a member of the Board of Electrical Contractors, Jerome Yesko, of Hackensack, to succeed Donald Biber, for the term prescribed by law.

To be a member of the Public Employment Relations Commission, O. F. Wenzler, of Lebanon, to succeed himself, for the term prescribed by law.

To be a member of the State Board of Human Services, Patricia Devaney, of Cape May, to succeed Joann Lynch, for the term prescribed by law.

To be a member of the State Board of Human Services, Natalie Adams of Penns Grove, to succeed herself, for the term prescribed by law.

To be a member of the Marine Fisheries Council, William E. Bowen, of Bridgeton, to succeed himself, for the term prescribed by law.

To be a member of the New Jersey Highway Authority, Joseph P. Miele, of Mendham Township, to succeed J. Edward Crabiel, for the term prescribed by law.

To be a member of the Agriculture Development Committee, Kenneth J. Roehrich of Hackettstown, to succeed himself, for the term prescribed by law.

To be a member of the Higher Education Assistance Authority, Joseph Grabowski, of Woodbridge, to succeed John W. Bisbee, resigned, for the term prescribed by law.

To be a member of the Urban Enterprise Zone Authority, Herbert Tate, of Newark, for a term of one year, as prescribed by law.

To be an Administrative Law Judge, Richard J. Murphy, of Plainsboro, for the term prescribed by law.

To be a member of the State Council on the Arts, Margaret Q. Hager, of Short Hills, to succeed herself, for the term prescribed by law.

To be Chairman of the State and Local Expenditure and Revenue Policy Commission, Kenneth R. Biederman, of Pennington, for the term prescribed by law.

To be a member of the Interstate Sanitation Commission, Samuel P. Owen, of Metuchen, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Florence R. Peskoe, of Colts Neck, to succeed herself, for the term prescribed by law.

On motion of Mr. Lynch that the Senate do declare the confirmation of the above nominees to be an emergency matter, the vote is as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

On motion of Mr. Lynch, the following nominations were taken up:

To be a Judge of the Superior Court, Alfred M. Wolin, of Westfield, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Thomas F. Shebell, Jr., of Lincroft, to succeed himself, for the term prescribed by law.

To be a member of the Casino Reinvestment Development Authority, John D. Feehan, of Brigantine, for the term of four years.

To be a member of the Casino Reinvestment Development Authority, Don Thomas, of East Orange, for a term of four years.

To be a member of the Casino Reinvestment Development Authority, David Raphael Kotok, of Vineland, for a term of three years.

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To be a member of the Casino Reinvestment Development Authority, Irene H. Smith, of Wenonah, for a term of two years.

To be a member of the Casino Reinvestment Development Authority, Murray Raphel, of Atlantic City, for a term of one year.

To be Hunterdon County Prosecutor, Roger F. Mahon, of Raritan Township, for the term prescribed by law.

To be a member of the Board of Professional Engineers and Land Surveyors, James Bornheimer, of East Brunswick, to succeed Marcia Forman, for the term prescribed by law.

To be a member of the Rutgers University Board of Governors, Peter Cartmell, of Rumson, to succeed Lawrence Schwartz, for the term prescribed by law.

To be a member of the Camden County Board of Taxation, Victor T. Kolton, of Cherry Hill, to succeed himself, for the term prescribed by law.

To be a member of the Mercer County Board of Taxation, H. Rick Kline, of Trenton, to succeed himself, for the term prescribed by law.

To be a member of the Salem County Board of Taxation, Lester Harris, of Quinton, to succeed himself, for the term prescribed by law.

To be a member of the Public Employment Relations Commission, James Mastriani, of Wall, to succeed himself, for the term prescribed by law.

To be a member of the Marine Fisheries Council, Robert L. Morgan, of Leesburg, to succeed himself, for the term prescribed by law.

To be a member of the Commission on Aging, George Hammond, of Jamesburg, to succeed Hugh Maguire, for the term prescribed by law.

To be a member of the Advisory Council on Community Affairs, Wayne Alston, of Passaic, for a term of two years, as prescribed by law.

To be a member of the Drug Abuse Advisory Council, Arthur S. McLellan, M.D., of New Vernon, for a term of three years.

To be a member of the Cumberland County Board of Taxation, Dale F. Kipers, of Millville, to succeed himself, for the term prescribed by law.

To be a member of the Legalized Games of Chance Commission, Robert J. Whelan, of Washington Crossing, to succeed himself, for the term prescribed by law.

To be a member of the Hospital Rate Setting Commission, Dorothy K. Powers, of Princeton, to succeed herself, for the term prescribed by law.

To be a member of the University of Medicine and Dentistry Board of Trustees, Herbert Stolzer, of East Brunswick, to succeed Steve Wiley, for the term prescribed by law.

To be a member of the Drug Abuse Advisory Council, Joseph Guadagnino, of North Brunswick, for a term of three years.

To be a member of the Board of Electrical Contractors, Jerome Yesko, of Hackensack, to succeed Donald Biber, for the term prescribed by law.

To be a member of the Public Employment Relations Commission, O. F. Wenzler, of Lebanon, to succeed himself, for the term prescribed by law.

To be a member of the State Board of Human Services, Patricia Denvaney, of Cape May, to succeed Joann Lynch, for the term prescribed by law.

To be a member of the State Board of Human Services, Natalie Adams, of Penns Grove, to succeed herself, for the term prescribed by law.

To be a member of the Marine Fisheries Council, William E. Bowen, of Bridgeton, to succeed himself, for the term prescribed by law.

To be a member of the New Jersey Highway Authority, Joseph P. Miele, of Mendham Township, to succeed J. Edward Crabel, for the term prescribed by law.

To be a member of the Agriculture Development Committee, Kenneth J. Roehrich, of Hackettstown, to succeed himself, for the term prescribed by law.

To be a member of the Higher Education Assistance Authority, Joseph Grabowski, of Woodbridge, to succeed John W. Bisbee, resigned, for the term prescribed by law.

To be a member of the Urban Enterprise Zone Authority, Herbert Tate, of Newark, for a term of one year, as prescribed by law.

To be an Administrative Law Judge, Richard J. Murphy, of Plainsboro, for the term prescribed by law.

To be Chairman of the State and Local Expenditure and Revenue Policy Commission, Kenneth R. Biederman, of Pennington, for the term prescribed by law.

To be a member of the Interstate Sanitation Commission, Samuel P. Owen, of Metuchen, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Florence R. Peskoe, of Colts Neck, to succeed herself, for the term prescribed by law.

Upon the question "Will the Senate advise and consent to the above nominations?" it was decided as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch,

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O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

The above nominations were unanimously confirmed.

On motion of Mr. Lynch, the following nominations were taken up:

To be a member of the State Council on the Arts, Jean von Deesten Hooper, of Branchville, to succeed herself, for the term prescribed by law.

To be a member of the State Council on the Arts, Margaret Q. Hager, of Short Hills, to succeed herself, for the term prescribed by law.

Upon the question "Will the Senate advise and consent to the above nominations?" it was decided as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss—33.

In the negative were—

Dalton, Laskin, Rand, Zane—4.

The above nominations were declared confirmed.

On motion of Mr. Graves pursuant to Rule 124, Assembly No. 3561 was substituted for Senate No. 1047 with which it is identical, and Senator Graves was added as cosponsor of Assembly No. 3561.

Which was adopted by voice vote.

Assembly No. 3561 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 419 was given third reading.

On motion of Mr. Stockman that the bill pass the vote was as follows:

In the affirmative were—

Bubba, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Feldman, Garibaldi, Graves, Hirkala, Jackman,

Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—23.

In the negative were—

Cardinale, Duont, Foran, Gagliano, Gormley, Hagedorn, Laskin—7.

Senate No. 2547 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2450 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—33.

In the negative—None.

Senate No. 2529 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—37.

In the negative—None.

Senate No. 2531 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon,

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O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Senate No. 2873 was given third reading.

On motion of Mr. Hagedorn that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 2652 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Gormley, Hirkala, Jackman, Lesniak, Lynch, McManimon, O'Connor, Orechio (President), Rand, Russo, Stockman, Van Wagner, Weiss, Zane—21.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dumont, Ewing, Foran, Gagliano, Garibaldi, Hagedorn, Hurley, Laskin, Pallone—15.

Senate No. 2888 was given third reading.

On motion of Ms. Lipman and Ms. Brown that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

The Labor, Industry and Professions Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 2995 Sea.

On motion of Mr. Van Wagner pursuant to Rule 124, Assembly No. 2966 was substituted for Senate No. 2987 with which it is identical, and Senator Van Wagner was added as cosponsor of Assembly No. 2966.

Which was adopted by voice vote.

Assembly No. 2966 was given third reading.

On motion of Mr. Van Wagner that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—23.

In the negative were—

Bassano, Connors, DiFrancesco, Dumont, Haines, Hurley, Laskin—7.

Mr. Feldman assumed the duties of the Chair.

Senate No. 2399 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dumont, Feldman, Graves, Hirkala, Jackman, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss—21.

In the negative were—

Bubba, Cardinale, Connors, Gagliano, Gormley, Hurley—6.

Senate No. 2302 was given third reading.

On motion of Mr. Orechio that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—35.

In the negative were—

Brown, Ewing, Gagliano—3.

Senate No. 2303 was given third reading.

On motion of Mr. Orechio that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (Presi-

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dent), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative were—

Brown, Dorsey, Ewing, Gagliano—4.

Senate No. 2725 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—31.

In the negative were—

Bassano, Brown, Connors, Laskin, Russo, Garibaldi—6.

Senate No. 2988 was given third reading.

On motion of Mr. Zane that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Laskin, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

On motion of Mr. Foran pursuant to Rule 124, Assembly Joint Resolution No. 76 was substituted for Senate Joint Resolution No. 47 with which it is identical, and Senator Foran was added as cosponsor of Assembly Joint Resolution No. 76.

Which was adopted by voice vote.

Assembly Joint Resolution No. 76 was given third reading.

On motion of Mr. Foran that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—36.

In the negative were—

Lesniak, Russo—2.

Assembly No. 268 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:  
In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Feldman, Foran, Garibaldi, Graves, Hagedorn, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—28.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, Dumont, Ewing, Gormley, Haines, Hurley, Zane—11.

Senate No. 1392 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—21.

In the negative were—

Bassano, Brown, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Hagedorn, Haines, Hurley—14.

Assembly No. 548 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Cardinale, Caufield, Codey, Contillo, Costa, Dalton, Feldman, Gagliano, Graves, Hagedorn, Hurley, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—24.

In the negative were—

Brown, Bubba, Dumont, Foran, Haines, McManimon—6.

Assembly No. 640 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Zane—29.

In the negative were—

Bubba, Dumont, Foran, Haines, McManimon—5.

Mr. Caufield offered the following resolution, which was read and adopted by the following vote:

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*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2995 Sa is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2995 Sa was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipan, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

Mr. Caufield assumed the duties of the Chair.

Motion by Mr. Ewing, that Assembly No. 1278 be placed back on second reading for the purpose of amendment, which motion was lost by the following vote:

In the affirmative were—

Brown, Bubba, Codey, Connors, DiFrancesco, Dorsey, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Laskin, Lynch—16.

In the negative were—

Bassano, Cardinale, Contillo, Costa, Cowan, Dalton, Dumont, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Orechio (President), Pallone, Stockman, Van Wagner—17.

On motion of Mr. Gagliano to table Assembly No. 1278, the motion was lost by the following vote:

In the affirmative were—

Connors, Dorsey, Ewing, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Laskin, McManimon—10.

In the negative were—

Bassano, Codey, Contillo, Costa, Cowan, Dalton, Dumont,

Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, O'Connor, Pallone, Stockman, Van Wagner, Zane—18.

Assembly No. 1278 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Foran, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Zane—29.

In the negative were—

Codey, Connors, Dorsey, Ewing, Gagliano, Hagedorn, Haines, Laskin, McManimon—9.

The Judiciary Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 2694 Sea.

The County and Municipal Government Committee reported the following bill favorably without amendment.

Senate No. 2915.

The Law, Public Safety and Defense Committee reported the following bill favorably without amendment:

Assembly No. 1963 (OCR).

On motion of Mr. Codey, Senate No. 1194 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Pallone, Rand, Stockman, Zane—31.

In the negative—None.

Senate No. 1194 Sa was taken up, read a second time, and ordered to a third reading.

Senate No. 1356 with Governor's recommendations, was given second reading.

On motion of Mr. Caufield that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont,

Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Zane—31.

In the negative—None.

Senate No. 1442, with Governors recommendations, was given second reading.

On motion of Mr. Feldman that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, Contillo, Costa, DiFrancesco, Dorsey, Ewing, Feldman, Foran, Gagliano, Gormley, Haines, Hurley, Laskin, McManimon, Stockman—19.

In the negative were—

Cowan, Dalton, Garibaldi, Hirkala, Lesniak, Lipman, Lynch, O'Connor, Pallone, Rand, Zane—11.

Senate No. 1442 w/GR was taken up, read a second time, and ordered to a third reading.

Senate No. 1443 with Governor's recommendations, was given second reading.

On motion of Mr. Feldman that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, Contillo, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Hagedorn, Haines, Hurley, Laskin, Stockman—18.

In the negative were—

Caufield, Codey, Cowan, Dalton, Dorsey, Garibaldi, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Pallone, Rand, Van Wagner, Zane—17.

Senate No. 1443 w/GR was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Caufield, Senate No. 2781 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—31.

In the negative—None.

Senate No. 2781 Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Hagedorn, Senate No. 1515 (3rd OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Stockman, Van Wagner, Zane—32.

In the negative—None.

Senate No. 1515 (3rd OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Hagedorn, Assembly Committee Substitute for Assembly Nos. 1829/872/873 (3rd OCR) (SR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Zane—33.

In the negative—None.

Assembly Committee Substitute for Assembly Nos. 1829/872/873 (3rd OCR) (SR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Caufield, Senate No. 2734 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Stockman, Zane—31.

In the negative—None.

Senate No. 2734 Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Garibaldi, Senate Nos. 2606 (OCR) and 2636 (OCR) were amended by Senate Substitute and the Senate Substitute was adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—35.

In the negative—None.

Senate Substitute for Senate Nos. 2606 (OCR)/2636 (OCR) was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Weiss, Assembly No. 2026 (2nd OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—34.

In the negative—None.

Assembly No. 2026 (2nd OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Caufield, Assembly No. 2102 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—33.

In the negative—None.

Assembly No. 2102 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. O'Connor, Assembly No. 1893 (SR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Zane—31.

In the negative—None.

Assembly No. 1893 (SR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Russo, Assembly No. 2824 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—37.

In the negative—None.

Assembly No. 2824 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Pallone, Senate No. 2694 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—32.

In the negative—None.

Senate No. 2694 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Russo, Assembly No. 1963 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—32.

In the negative—None.

Assembly No. 1963 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Ms. Lipman, Senate No. 1744 (2nd OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Brown, Cardinale, Caufield, Contillo, Costa, Cowan, Dorsey, Dumont, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—27.

In the negative—None.

Senate No. 1744 (2nd OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Lesniak, Assembly No. 1394 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—32.

In the negative—None.

Assembly No. 1394 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate No. 3073, by Mr. Hurley, without reference.

Senate No. 3073 was taken up, read a second time, and ordered to a third reading.

Mr. Hurley offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3073 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 3073 was given third reading.

On motion of Mr. Hurley that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Zane—33.

In the negative—None.

Mr. Russo offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Assembly No. 2824 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Assembly No. 2824 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative was—Contillo—1.

Mr. Cardinale offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2915 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon,

O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

Senate No. 2915 was given third reading.

On motion of Mr. Cardinale that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

Mr. Weiss offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Assembly No. 2026 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Assembly No. 2026 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—38.

In the negative—None.

The Natural Resources and Agriculture Committee reported the following bill favorably without amendment:

Senate No. 2388.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 2388, notwithstanding the lack of five days' notice.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate Resolution No. 95, by Mr. Foran, without reference.

On motion of Mr. Foran, Senate Resolution No. 95 was taken up and adopted by voice vote.

Assembly No. 393, with Governor's recommendations, was given third reading.

On motion of Mr. Cowan that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—38.

In the negative—None.

Assembly No. 393 w/GR was taken up, read a second time, and ordered to a third reading.

Assembly No. 502 with Governor's recommendations, was given third reading.

On motion of Mr. Russo that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Mr. Russo made a motion to suspend the 30 bill limitation rule. Motion adopted by voice vote.

Assembly No. 1415 with Governor's recommendations, was given third reading.

On motion of Mr. Russo that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman,

Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Assembly No. 1621 with Governor's recommendations, was given third reading.

On motion of Mr. Russo that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Assembly No. 2246 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 3373 with Governor's recommendations, was given third reading.

On motion of Mr. Russo that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative was—Laskin—1.

Senate No. 32 was given third reading.

On motion of Mr. Foran that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey,

Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Senate No. 235 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative was—Lynch—1.

Senate No. 1642 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 1335 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss—37.

In the negative—None.

Senate No. 1945 was given third reading.

On motion of Mr. Lesniak that the bill pass the vote was as follows:

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In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Senate No. 2136 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative were—

Bubba, Lynch—2.

Senate No. 2186 Aa was given third reading.

On motion of Mr. McManimon that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—38.

In the negative—None.

Senate No. 1682 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Senate No. 2593 was given third reading.

On motion of Mr. Orechio that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 2603 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate Concurrent Resolution No. 118 was given third reading.

On motion of Mr. McManimon that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Stockman, Van Wagner, Zane—33.

In the negative—None.

Senate No. 1852 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Garibaldi, Gormley, Hagedorn, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—31.

In the negative—None.

Senate No. 2272 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly Joint Resolution No. 29, Energy and Environment Committee.

Assembly No. 2748, County and Municipal Government Committee.

Assembly No. 2863, without reference.

Assembly No. 3040, Institutions, Health and Welfare Committee.

Assembly No. 3181, Education Committee.

Assembly No. 3279, without reference.

Assembly No. 3315, without reference.

Assembly No. 3630, Energy and Environment Committee.

Senate No. 1781, Sea Sea Aca, without reference.

Senate No. 2690 was given third reading.

On motion of Mr. Lesniak that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Jackman, Laskin, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Assembly Nos. 2863, 3279, 3315 and Senate No. 1781 Sea Sea Aca were taken up, read a second time, and ordered to a third reading.

On motion of Mr. Hurley pursuant to Rule 124, Assembly No. 3279 was substituted for Senate No. 2619 with which it is identical, and Senator Hurley was added as cosponsor of Assembly No. 3279.

Which was adopted by voice vote.

Assembly No. 3279 was given third reading.

On motion of Mr. Hurley that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors,

Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—35.

In the negative—None.

On motion of Mr. Hagedorn pursuant to Rule 124, Assembly No. 3315 was substituted for Senate No. 2748 with which it is identical, and Senate Hagedorn was added as cosponsor of Assembly No. 3315.

Which was adopted by voice vote.

Assembly No. 3315 was given third reading.

On motion of Mr. Hagedorn that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

On motion of Mr. Ewing pursuant to Rule 124, Assembly No. 2669 was substituted for Senate No. 2337 with which it is identical, and Senator Ewing was added as cosponsor of Assembly No. 2669.

Which was adopted by voice vote.

Assembly No. 2669 was given third reading.

On motion of Mr. Ewing that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

The County and Municipal Government Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2758 Sea, 2865 Sea and 2948 Sea.

The County and Municipal Government Committee reported the following bills favorably without amendment:

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Senate No. 2910, Assembly Nos. 1901, 1927, 3173, Senate Nos. 2956 and 2434 (Without recommendation).

The Education Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly Nos. 634/635 SCS, 2541 ACS Sea and Senate No. 1856 Sea.

The Education Committee reported the following bill favorably without amendment:

Senate No. 2908.

The Law, Public Safety and Defense Committee reported the following bills favorably without amendment:

Senate Nos. 2917 and 2939.

The Aging Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2723 Sea, 2847 Sea, 2912 Sea, 2957 Sea and 2962 Sea.

The Aging Committee reported the following bills favorably without amendment:

Senate Concurrent Resolution No. 137, Senate No. 2878, Assembly Nos. 2716 (OCR), 2829 (OCR) and 3463.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bill favorably without amendment:

Senate No. 85.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 458 Sea, 658 Sea, 1035 Sea, 1816 Sea, Senate Resolution No. 53 Sea and Assembly No. 736 (OCR) Sea.

The Labor, Industry and Professions Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 2609 Sea.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bills favorably without amendment:

Assembly No. 1309 (OCR), Senate Resolution No. 76 and Senate No. 2077.

The Labor, Industry and Professions Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 2844 Sea.

The Judiciary Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Committee Substitute for Assembly Committee Substitute for Assembly No. 1995, Senate Committee Substitute for Assembly Committee Substitute for Assembly No. 571, Assembly Nos. 574 ACS Sea, 3316 Sea and Senate No. 1217 Sea.

The Labor, Industry and Professions Committee reported the following bills favorably without amendment:

Assembly Nos. 3488, 970, Senate No. 2116 and Assembly No. 238 (OCR) Sea.

The Judiciary Committee reported the following bills favorably without amendment:

Assembly No. 2802, Senate No. 2550, Assembly Nos. 2806, 2805, 2205 and Senate No. 2949.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 3035, by Mr. Lesniak, Judiciary Committee.

Senate No. 3036, by Mr. Feldman, Law, Public Safety and Defense Committee.

Senate No. 3037, by Mr. Feldman, Education Committee.

Senate No. 3038, by Mr. Garibaldi, Law, Public Safety and Defense Committee.

Senate No. 3039, by Mr. Garibaldi, Labor, Industry and Professions Committee.

Senate No. 3040, by Messrs. Connors, Hurley, DiFrancesco and Ms. Brown, County and Municipal Government Committee.

Senate No. 3041, by Mr. Bassano, Judiciary Committee.

Senate No. 3042, by Mr. Haines, Energy and Environment Committee.

Senate No. 3044, by Mr. Dumont, Education Committee.

Senate No. 3045, by Messrs. Dalton, Lesniak, Ms. Costa, Messrs. Rand, Graves, Zane, Contillo, Stockman, Van Wagner, Pallone, Garibaldi, Connors, Russo, Hirkala, O'Connor, Cowan, Lynch, Ms. Lipman, Messrs. Caufield, Feldman, Codey, Weiss, Jackman and Orechio, Energy and Environment Committee.

Senate No. 3046, by Messrs. Bassano, Feldman and Russo, Judiciary Committee.

Senate No. 3047, by Messrs. Bassano and Feldman, Judiciary Committee.

Senate No. 3048, by Mr. Garibaldi, Energy and Environment Committee.

Senate No. 3049, by Mr. Ewing, Labor, Industry and Professions Committee.

Senate No. 3050, by Messrs. DiFrancesco and Hagedorn, Revenue, Finance and Appropriations Committee.

Senate No. 3051, by Ms. Lipman, Messrs. Codey and Gormley, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3052, by Messrs. Feldman and Contillo, Judiciary Committee.

Senate No. 3053, by Ms. Lipman, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3054, by Mr. Ewing, Education Committee.

Senate No. 3055, by Mr. Pallone, Institutions, Health and Welfare Committee.

Senate No. 3056, by Mr. Pallone, Energy and Environment Committee.

Senate No. 3057, by Messrs. Gagliano, DiFrancesco, Haines, Hurley and Weiss, Labor, Industry and Professions Committee.

Senate No. 3058, by Mr. Zane, Labor, Industry and Professions Committee.

Senate No. 3059, by Mr. Van Wagner, Education Committee.

Senate No. 3060, by Mr. Haines, Natural Resources and Agriculture Committee.

Senate No. 3061, by Mr. Contillo, without reference.

Senate No. 3062, by Mr. Feldman, Education Committee.

Senate No. 3063, by Mr. Feldman, Institutions, Health and Welfare Committee.

Senate No. 3064, by Mr. Zane, Institutions, Health and Welfare Committee.

Senate No. 3065, by Mr. Ewing, Education Committee.

Senate No. 3066, by Mr. Ewing, Education Committee.

Senate No. 3067, by Messrs. Ewing and Feldman, Education Committee.

Senate No. 3068, by Mr. Haines, Institutions, Health and Welfare Committee.

Senate No. 3069, by Mr. Codey, County and Municipal Government Committee.

Senate No. 3070, by Mr. Codey, Institutions, Health and Welfare Committee.

Senate Joint Resolution No. 70, by Mr. Pallone, Energy and Environment Committee.

Senate Concurrent Resolution No. 143, by Messrs. Hurley, Dorsey, Connors and Gormley, Energy and Environment Committee.

Senate Concurrent Resolution No. 144, by Messrs. Connors and McManimon, Judiciary Committee.

Senate Concurrent Resolution No. 145, by Ms. Brown, Institutions, Health and Welfare Committee.

Senate Concurrent Resolution No. 146, by Mr. Dumont, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate Resolution No. 93, by Mr. Dumont, Natural Resources and Agriculture Committee.

Senate No. 3001, by Mr. Weiss, without reference.

Senate No. 3071, by Mr. DiFrancesco, without reference.

Senate No. 3072, by Mr. Jackman, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3073, by Mr. Hurley, without reference.

Senate No. 3074, by Mr. Feldman, without reference.

Senate No. 3075, by Mr. Jackman, without reference.

Senate No. 3076, by Messrs. Feldman and Ewing, Education Committee.

Senate No. 3077, by Messrs. Weiss, Rand and Foran, Revenue, Finance and Appropriations Committee.

Senate No. 3078, by Messrs. Foran, Rand, Weiss, Gagliano, Garibaldi, Connors, DiFrancesco, Hagedorn, Bassano, Ewing, Bubba and Ms. Brown, Revenue, Finance and Appropriations Committee.

Senate Resolution No. 94, by Mr. McManimon, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3000, by Mr. Weiss, without reference.

Senate No. 3079, by Messrs. O'Connor and Cowan, Revenue, Finance and Appropriations Committee.

Senate No. 3080, by Ms. Lipman and Mr. Jackman, Revenue, Finance and Appropriations Committee.

Senate No. 3081, by Ms. Lipman, County and Municipal Government Committee.

Senate No. 3082, by Messrs. McManimon, Foran, Cardinale, Ms. Lipman and Ms. Costa, without reference.

Senate No. 3083, by Ms. Lipman and Mr. Caufield, Revenue, Finance and Appropriations Committee.

Senate No. 3084, by Ms. Costa, Messrs. Graves and Rand, Law, Public Safety and Defense Committee.

Senate Concurrent Resolution No. 147, by Ms. Costa, Messrs. Jackman, Stockman, O'Connor and Rand, without reference.

Senate Concurrent Resolution No. 148, by Ms. Costa, Messrs. Graves, O'Connor, Ms. Lipman and Mr. Russo, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3085, by Ms. Costa, Messrs. O'Connor, Rand, Garibaldi and Ms. Brown, Labor, Industry and Professions Committee.

Senate No. 3086, by Ms. Costa, Messrs. O'Connor, Garibaldi and Ms. Brown, Labor, Industry and Professions Committee.

Senate No. 3087, by Ms. Costa, Messrs. O'Connor, Rand, Garibaldi and Ms. Brown, Labor, Industry and Professions Committee.

Senate No. 3088, by Mr. Lynch, County and Municipal Government Committee.

Senate No. 3089, by Mr. Gormley, Law, Public Safety and Defense Committee.

Senate No. 3090, by Mr. Dalton, Energy and Environment Committee.

Senate No. 3091, by Ms. Lipman and Mr. O'Connor, Labor, Industry and Professions Committee.

Senate Resolution No. 95, by Messrs. Foran and Haines, without reference.

Senate No. 3092, by Messrs. Lesniak, Lynch, Orechio, Hirkala, Gagliano, Cardinale, Hurley and DiFrancesco, Labor, Industry and Professions Committee.

Senate No. 3093, by Mr. Russo, Energy and Environment Committee.

Senate No. 3094, by Mr. Orechio, Energy and Environment Committee.

Senate No. 3095, by Mr. Russo, Judiciary Committee.

Senate No. 3096, by Messrs. Codey, Rand, Gormley and Gagliano, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3097, by Ms. Lipman and Mr. DiFrancesco, Institutions, Health and Welfare Committee.

Senate No. 3098, by Mr. Russo, Judiciary Committee.

Senate No. 3099, by Mr. Graves, Law, Public Safety and Defense Committee.

Senate No. 3100, by Messrs. Orechio and Dalton, Energy and Environment Committee.

Senate No. 3101, by Messrs. Orechio and Graves, Law, Public Safety and Defense Committee.

Senate No. 3102, by Messrs. Lynch and Orechio, without reference.

Senate No. 3103, by Messrs. Hagedorn, Bubba and Ms. Brown, Energy and Environment Committee.

Senate No. 3104, by Messrs. O'Connor, Cowan, Jackman, Ms. Costa and Mr. Van Wagner, Law, Public Safety and Defense Committee.

Senate No. 3105, by Mr. Orechio, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3106, by Messrs. Jackman, McManimon, Caufield, Cowan, Hirkala, Dumont, Hurley, Ewing and Garibaldi, Aging Committee.

Senate No. 3107, by Mr. Contillo, Judiciary Committee.

Senate No. 3108, by Ms. Costa, Energy and Environment Committee.

Senate Resolution No. 96, by Ms. Costa and Mr. Zane, Labor, Industry and Professions Committee.

Senate No. 3109, by Mr. Rand, Energy and Environment Committee.

Senate No. 3002, by Mr. Weiss, without reference.

On motion of Mr. Caufield, Messrs. Gagliano and McManimon were added as cosponsors of Senate No. 2995.

On motion of Mr. Graves, Messrs. Rand, Contillo and Caufield were added as cosponsors of Senate No. 2917.

On motion of Mr. Lesniak, Mr. Caufield and Ms. Lipman were added as cosponsors of Senate No. 3092.

On motion of Mr. Pallone, Mr. Lesniak was added as cosponsor of Senate No. 2547.

On motion of Mr. Van Wagner, Mr. Cowan was added as cosponsor of Senate No. 2758.

On motion of Mr. Feldman, Messrs. O'Connor and Cowan were added as cosponsors of Senate No. 2603.

On motion of Mr. Dumont, Mr. Hagedorn was added as cosponsor of Senate No. 1516.

On motion of Mr. Hurley, Mr. Ewing was added as cosponsor of Senate No. 1856.

On motion of Mr. Hurley, Ms. Costa was added as cosponsor of Senate No. 2670.

On motion of Ms. Lipman, Mr. Ewing was added as cosponsor of Senate No. 2867.

On motion of Mr. Ewing, Messrs. Graves, Caufield and Contillo were added as cosponsors of Senate No. 2939.

On motion of Mr. Cardinale, Mr. Feldman was added as cosponsor of Senate No. 2915.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly Committee Substitute for Assembly No. 552, Judiciary Committee.

Assembly No. 2124 Aca, Law, Public Safety and Defense Committee.

Assembly Committee Substitute for Assembly Nos. 2453/2888, Education Committee.

Assembly No. 2554 Aca, Labor, Industry and Professions Committee.

Assembly No. 3375 Aa, without reference.

Assembly No. 2812, Energy and Environment Committee.

Assembly No. 2959 Aca, Institutions, Health and Welfare Committee.

Assembly Concurrent Resolution No. 179, without reference.

Assembly No. 3046, Judiciary Committee.

Assembly No. 3434 Aa, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 3565, without reference.

Assembly No. 3685, without reference.

Senate No. 2174 Sa Aca, without reference.

Assembly No. 3375 Aa, Assembly Concurrent Resolution No. 179, Assembly Nos. 3565, 3685 and Senate No. 2174 Sa Aca were taken up, read a second time, and ordered to a third reading.

Senate Nos. 2917, 2939. 2956, 2910, 2434, 2758 Sea, 2865 Sea, 2948 Sea, 2388, 2908, 2847 Sea, 2912 Sea, 2878, 2844 Sea, 1217 Sea, 2116, 1856 Sea, Senate Resolution Nos. 76, 53 Sea, Senate Nos. 2077, 1816 Sea, 1035 Sea, 658 Sea, 458 Sea, 85, Senate Concurrent Resolution No. 137, Senate Nos. 2962 Sea, 2957 Sea, 2723 Sea, 2609 Sea, 2949, 2550, Assembly Nos. 2802, 1995 Acs SCS, 3316 Sea, 2805 and 3488 were taken up, read a second time, and ordered to a third reading.

Assembly Nos. 574 ACS Sea, 571 ACS SCS, 2806, 2205, 970, 238 (OCR) Sea, 736 (OCR) Sea, 2829, 2541 ACS Sea, 1901, 3173, 1309 (OCR), 3463, 2716, 634/635 SCS and 1927 were taken up, read a second time, and ordered to a third reading.

The President announced receipt of, and directed the Secretary to read 32 letters from the Governor nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be a member of the Athletic Training Advisory Committee, Jeffery Middleton, of South Amboy, for the term prescribed by law.

To be a member of the Commission on Radiation Protection, Dr. Edward G. Moss, of Cherry Hill, to succeed Henry J. Powsner, of Princeton, for the term prescribed by law.

To be a member of the Athletic Training Advisory Committee, Richard F. Malacrea, of Princeton Junction, for the term prescribed by law.

To be a member of the Athletic Training Advisory Committee, Joseph P. Zawadsky, of Princeton, for the term prescribed by law.

To be a member of the Athletic Training Advisory Committee, Donald Kessler, of Princeton, for the term prescribed by law.

To be a member of the Athletic Training Advisory Committee, Joseph Camillone, of Trenton, for the term prescribed by law.

To be a member of the Athletic Training Advisory Committee, Patricia Firth, of Trenton, for the term prescribed by law.

To be a member of the New Jersey Highway Authority, Julian K. Robinson, of Jersey City, to succeed himself, for the term prescribed by law.

To be a member of the New Jersey Highway Authority, H. George Buckwald, of Lakewood, to succeed Charles E. Starkey, for the term prescribed by law.

To be a member of the New Jersey Commission on Science and Technology, Edward David, of Florham Park, for the term prescribed by law.

To be a member of the New Jersey Commission on Science and Technology, Shirley Ann Jackson, of Piscataway, for the term prescribed by law.

To be a member of the New Jersey Commission on Science and Technology, Edward Barr, of Fort Lee, for the term prescribed by law.

To be a member of the New Jersey Commission on Science and Technology, William O. Baker, of Murray Hill, for the term prescribed by law.

To be a member of the Crime Prevention Advisory Council, John B. Wefing, of Montclair, for the term prescribed by law.

To be a member of the Crime Prevention Advisory Council, John Kelly, of Nutley, for the term prescribed by law.

To be a member of the Crime Prevention Advisory Council, Duff P. Dufresne, of Chester, for the term prescribed by law.

To be a member of the Crime Prevention Advisory Council, Brian Ahl, of Franklin Lakes, for the term prescribed by law.

To be a member of the State Commission on Cancer Research, David R. Kaloupek, of Cinnaminson, to succeed himself, for the term prescribed by law.

To be a member of the State Commission on Cancer Research, Lindsay L. Pratt, M.D., of Cherry Hill, to succeed himself, for the term prescribed by law.

To be a member of the State Commission on Cancer Research, Frederick B. Cohen, of South Orange, to succeed himself, for the term prescribed by law.

To be a member of the Commissioners of Pilotage, Nelson Kornstein, of Clark, to succeed himself, for the term prescribed by law.

To be a member of the Commissioners of Pilotage, Richard L. Amster, of Short Hills, to succeed himself, for the term prescribed by law.

To be a member of the Commissioners of Pilotage, George N. Axiotes, of East Orange, to succeed himself, for the term prescribed by law.

To be a member of the Commissioners of Pilotage, Frank A. Johannessen, of Rahway, to succeed Donald W. Gates, for the term prescribed by law.

To be a member of the Passaic Valley Sewerage Commission, Thomas J. Cifelli, of Harrison, to succeed himself, for the term prescribed by law.

To be a member of the New Jersey Historical Commission, Douglas Greenberg, of Princeton, to succeed Richard McCormack, for the term prescribed by law.

To be a member of the University of Medicine and Dentistry Board of Trustees, Herbert Holmes, M.D., of Maplewood, to succeed himself, for the term prescribed by law.

To be a member of the University of Medicine and Dentistry Board of Trustees, Mary Smith, of Newark, to succeed herself, for the term prescribed by law.

To be a member of the University of Medicine and Dentistry Board of Trustees, Francis X. Keeley, of Haddonfield, to succeed himself, for the term prescribed by law.

To be a member of the Advisory Commission on the Status of Women, Rabbi Zlotowitz, of Fair Lawn, to succeed himself, for the term prescribed by law.

To be a member of the Election Law Enforcement Commission, Owen V. McNanny, III, of Maplewood, to succeed himself, for the term prescribed by law.

To be a member of the New Jersey Transit Corporation, Martin Brody, of Short Hills, to succeed himself, for the term prescribed by law.

To be a member of the Civil Rights Commission, Felton Lingo, Sr., of Bridgeton, for the term prescribed by law.

The above nominations were referred to the Judiciary Committee.

The Senate moved and acted upon 15 Commemorative, Ceremonial and Memorial Resolutions.

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The Senate moved and acted upon 17 Commemorative, Ceremonial and Memorial Resolutions.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 83 Aca, Education Committee.

Assembly No. 84, Education Committee.

Assembly No. 85 Aca, Education Committee.

Assembly No. 86 Aca, Education Committee.

Assembly No. 2164, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 2447, County and Municipal Government Committee.

Assembly No. 2878, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 2910, Education Committee.

Assembly No. 3177 Aca, Institutions, Health and Welfare Committee.

Assembly Concurrent Resolution No. 31 Aa, without reference.

Senate No. 339 Aca, without reference.

Senate No. 417 Aca, without reference.

Senate No. 1764 Aca, without reference.

Senate No. 2124 Aca, without reference.

Senate No. 1186 Sea Sa Aca, without reference.

Assembly Concurrent Resolution No. 31 Aa, Senate Nos. 339 Aca, 417 Aca, 1764 Aca, 2124 Aca and 1186 Sea Sa Aca were taken up, read a second time, and ordered to a third reading.

Mr. Russo offered the following motions which were read and adopted:

*Be It Resolved*, pursuant to Senate Rule 88, that the following bills be referred to the Revenue, Finance and Appropriations Committee:

Assembly Nos. 510, 623 Aca, 2129, 2707, Senate Nos. 637 Sea, 2406, 2498, 2503, 2573, 2637, 2763, 2764, 2783, 2784, 2786, 2810, 2874, 2886 and 2898.

*Be It Resolved*, That Assembly No. 3610 be referred to the Law, Public Safety and Defense Committee.

On motion of Mr. Graves the following bills were withdrawn from the files:

Senate Nos. 642, 2921, 1110, 2089 and 2676.

On motion of Mr. Van Wagner, Senate No. 2346 was withdrawn from the files.

The following memorandum was read:

To: John J. McCarthy  
Secretary of the Senate  
From: Barbara Faith Kalik, Chair  
Assembly Revenue, Finance and Appropriations  
Committee  
Date: June 17, 1985  
Subject: Report of Public Hearing on Assembly  
Concurrent Resolution 31 (OCR)

In compliance with the Rules of the General Assembly, the Assembly Revenue, Finance and Appropriations Committee reports that a public hearing on Assembly Concurrent Resolution 31 (OCR) was held on Friday, May 10, 1985, in Room 438, State House Annex. Attached is a copy of the transcript.

You are requested to record this report in the Senate Journal.

The Secretary read the following memorandum:

The Office of Legislative Services has received the following material on behalf of the Senate on the date indicated.

- 4/3/85 COMMISSION OF INVESTIGATION (Six Annual Report: Including Public Hearing Report/Newark Benefits Fund)
- 4/3/85 N. J. TURNPIKE AUTHORITY (1984 Annual Report)
- 4/9/85 DIVISION OF LOCAL GOVERNMENT SERVICES (46th Annual Report: published December 1984)
- 4/10/85 COMMISSION ON SEX DISCRIMINATION IN THE STATUTES (Third Report: Toward Economic Equity —Recommendations for elimination of Sex Discrimination in Credit, Housing, Insurance, Probate, Property, Public Obligations and Tax Statutes) January 1985
- 4/10/85 COMMISSION ON SEX DISCRIMINATION IN THE STATUTES (Executive Summary)
- 4/12/85 THE PORT AUTHORITY OF N. Y. & N. J. (1984 Annual Report)
- 4/16/85 UNIFORM CRIME REPORTING UNIT OF THE N. J. STATE POLICE (1984 Domestic Violence Report)
- 4/16/85 PORT AUTHORITY OF N. Y. & N. J. (Board Minutes of 3/14/85—Bathgate Industrial Park: Contract for Lighting, Sidewalks, Fencing)
- 4/16/85 PORT AUTHORITY OF N. Y. & N. J. (Board Minutes of 4/11/85—Industrial Development Program, Essex County Resource Recovery Facility)
- 5/6/85 ADMINISTRATIVE OFFICE OF THE COURTS (New Jersey Judiciary Annual Report, 1984)
- 5/6/85 THE PINELANDS COMMISSION (1984 Annual Report)

#### *COMPLIMENTARY COPIES*

- 4/18/85 The Human Services Connection: A Guide through the N. J. Department of Human Services
- 4/18/85 Asbestos Policy Committee's Report to the Governor

The Secretary read the following memorandum:

The Office of Legislative Services has received the following material on behalf of the Senate on the date indicated.

- 5/9/85 N. J. DEVELOPMENT DISABILITIES COUNCIL (N. J. State Plan, 1985 Update)
- 5/14/85 THE PORT AUTHORITY OF N. Y. & N. J. (Board Minutes of 5/9/85: Essex Co. Resource Recovery Facility-Certification and Bathgate Industrial Park-Amendment to Agreement with Ampeo Printing Corp.)

- 5/20/85 ATTORNEY GENERAL (Legislative Agents Report, 1st Quarter, 1985)
- 5/23/85 N. J. SPORTS & EXPOSITION AUTHORITY (1984 Annual Report, The Meadowlands)
- 5/24/85 CASINO CONTROL COMMISSION (1984 Annual Report)
- 5/29/85 UNIFORM CRIME REPORTING UNIT, DIVISION OF STATE POLICE (Crime in New Jersey, 1984 Uniform Crime Report)
- 5/30/85 CASINO CONTROL COMMISSION (Report on Affirmative Compliance in the Casino Hotel Industry, 1st Quarter, 1985)
- 5/31/85 NEW JERSEY TASK FORCE ON EQUITABLE COMPENSATION (Six-month Interim Report, June 1, 1985)
- 6/4/85 STATE INVESTMENT COUNCIL (N. J. Cash Management Fund, End of Fiscal Year Annual Report, 1984)
- 6/4/85 N. J. MARINE SCIENCES CONSORTIUM (Annual Report, 1984)
- 6/7/85 N. J. DEPARTMENT OF TRANSPORTATION (1984 Annual Report)

The Secretary read the following memorandum:

The Office of Legislative Services has received the following material on behalf of the Senate on the date indicated.

- 6/14/85 DIVISION OF PENSIONS (1984 Annual Reports: (1) Judicial Retirement System (2) Prison Officers' Pension Fund (3) State Agency for Social Security (4) State Health Benefits Commission Biennial (5) State Health Benefits Programs (6) Supplemental Annuity Collective Trust)
- 6/14/85 DEPARTMENT OF CIVIL SERVICE (Fiscal Recommendation of 6/13/85 in connection with Interim Report—Six Months of Progress by the Task Force on Equitable Compensation of June 1, 1985)

The Secretary read a communication from the Governor, who has absolutely vetoed the following bill, which was then filed:

Senate No. 76 av.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
June 17, 1985. }

SENATE BILL No. 76

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 76 without my signature.

This bill would authorize counties to issue bonds or bond anticipation notes and to lend the proceeds thereof to privately operated

nonprofit organizations treating the mentally ill. These organizations would have to provide services on a nonsectarian basis, and they could utilize the money lent them to construct and renovate facilities used by county residents for screening, diagnosis and in-patient and out-patient treatment of mental illness.

I am disturbed that this bill departs significantly from the authority counties now have to issue bonds without setting up adequate standards and guidelines. The bill in no way details whether the nonprofit organizations would have to be considered nonprofit by the federal government, and in particular the Internal Revenue Service, in order to qualify for county bond money. Nor does the bill make clear whether only those facilities that meet applicable State certification standards would qualify for county bond money.

I am also concerned that this legislation does not spell out in detail the terms and conditions under which a county would be repaid for loans made to mental health facilities and thus the security behind the bonds that the property taxpayers of the county would have to repay. I note that the bill contains no procedure for the review and prior approval of the Local Finance Board. If the sponsor is attempting to provide for subsidized payments for the construction of these mental health facilities, that is not clear, and I would thus question whether this is the proper vehicle to accomplish that goal.

There currently exists in New Jersey a statute that permits a county to appropriate to any approved, privately operated, nonprofit organization whose services are nonsectarian, funds for the purpose of defraying the necessary expense incident to the diagnosis, treatment and training of mentally retarded, brain injured or mentally ill persons who are residents of the county.

N. J. S. A. 40:23-8.11. This would appear to be an appropriate statute under which counties are currently able to provide some form of aid to private, nonprofit mental facilities, to be utilized with any new law permitting county bonding expansion intended to be a subsidization of these types of facilities.

The New Jersey Health Care Facility Financing Authority has the authority to issue bonds for public or private nonprofit health care organizations, including those organizations providing mental health services. While it is not clear that every organization that would like to receive funds for the construction and renovation of mental health facilities would be able to qualify for Health Care Facilities Authority loans, it is the Authority that has the expertise necessary to issue bonds in this area on both a public and private basis. Last year, for example, the Health Care Facilities Financing Authority completed 12 financings totalling over \$200 million, and it is from the Authority that mental health care facilities might initially attempt to receive construction loans. I have not been able to ascertain whether this vehicle has in fact been utilized

to its maximum potential to deal with the needs of community mental health facilities.

I am deeply committed to making sure that proper mental health care services are available in New Jersey. The proponents of this legislation have not made clear to my satisfaction that the best way to achieve this would be to permit counties to bond so that they could lend money for the construction and renovation of private, nonprofit mental health facilities that may or may not be good risks. Moreover, if this is the preferred method of achieving the goal of providing needed health care services, I would only approve legislation in this area that defines the contemplated program in much greater detail, so as to ensure the continuation of the fiscal integrity and stability of our local and county bonding procedures that are now a hallmark in this State and protect their overall low interest rates. This legislation falls far short of that goal.

Finally, my staff has discussed the bill with many of its proponents, who have not been able to answer all the questions raised within the limited period of time in which I must act on this legislation. Given that fact, and my review of the legislative record of the bill, I am left with no alternative but to veto it. I do, however, remain open-minded on the issue and am prepared to support vigorously the expansion of the capacity of county and local governments to fund these desperately needed facilities. I look forward to working with the Legislature and the sponsor to do so in a manner when the ramifications can be clearly understood by all.

Accordingly, I herewith return Senate No. 76 without my signature.

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor,

/s/ W. CARY EDWARDS,

*Chief Counsel to the Governor.*

The Secretary read communications from the Governor, who has conditionally vetoed the following bills:

Senate Nos. 1004 (2nd OCR) cv and 1307 cv.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
June 17, 1985. }

SENATE BILL No. 1004 (2ND OCR)

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1004 (2nd OCR) with my recommendations for amendment.

Senate Bill No. 1004 (2nd OCR) would require that check cashing licensee applicants prove to the Commissioner of Banking that a capital or net worth of \$50,000.00 is available for the opera-

tion of the business. The applicant must also prove that liquid assets of \$50,000.00 are available for the operation of the business at each location or for each mobile unit specified in the application.

An applicant or licensee holding a license on the effective date of this act would only have to maintain a capital or net worth of \$5,000.00, and liquid assets of \$5,000.00 at each location or mobile unit. Senate Bill No. 1004 (2nd OCR) also removes the \$8.00 maximum fee cap that a business may charge for cashing a check, draft or money order, but retains the 1% limit on checks, drafts or money orders drawn on banks or financial institutions of this State and the 1½% or .50¢ requirement, whichever is greater, on checks, drafts or money orders drawn on all other banks and financial institutions.

I support the concept expressed within Senate Bill No. 1004 (2nd OCR). Increasing the capital or net worth and liquidity requirements to \$50,000.00 for new licensees will ensure safety and soundness within the industry. Senate Bill No. 1004 (2nd OCR) will benefit consumers.

I am returning Senate Bill No. 1004 (2nd OCR) because of the inequity that will exist between current licensees and applicants who will receive licenses after the effective date of this act. If raising the capital or net worth and liquidity requirements for new check cashing applicants will benefit consumers, raising the capital requirement for present licensees should benefit them as well. However, in the interest of fairness to current licensees, I recommend that they be required to comply with the \$50,000.00 capital or net worth and liquidity requirements within five years of the effective date of Senate Bill No. 1004 (2nd OCR). By phasing in the new capital or net worth and liquidity requirements over a five year period, current licensees will be given adequate time to build up their reserves so they will not be forced out of business. The phase in of the \$50,000.00 requirements represents an equitable means by which to place current and future licensees on an equal footing.

Accordingly, I return Senate Bill No. 1004 (2nd OCR) and recommend that it be amended as follows:

*Page 1, Section 1, Line 14:* Delete "except" insert "provided"

*Page 1, Section 1, Line 19:* After "unit" insert "until five years from the effective date of this 1985 amendatory act at which time the applicant or licensee shall be required to prove and maintain at all times a capital or net worth of at least \$50,000.00 and liquid assets of at least \$50,000.00 at each location or for each mobile unit"

*Page 2, Section 2, Line 16:* Delete "except" insert "provided"

*Page 2, Section 2, Line 21:* After "unit" insert "until five years of the effective date of this 1985 amendatory act at which time the commissioner shall be required to find that the applicant has a capital or net worth of at least \$50,000.00 and has available for the

operation of the business liquid assets of at least \$50,000.00 for each specified location or for each mobile unit"

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor,

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,

June 17, 1985. }

SENATE BILL No. 1307

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1307 with my recommendations for reconsideration.

Senate Bill No. 1307 would allow a veteran member of the Public Employees' Retirement System (PERS) who is age 60 with at least 30 years of aggregate service credit to retire and then receive a retirement allowance of 1/60 of the compensation received during his final year of employment for each year of creditable service. The effect of Senate Bill No. 1307 is to allow an eligible veteran PERS member to receive a minimum retirement allowance of 50% of final year's compensation.

I am advised that the sponsor introduced Senate Bill No. 1307 for veteran members of the PERS who are at least age 60 with at least 35 years of aggregate service credit. In its current form, Senate Bill No. 1307 would apply to veteran PERS members who are at least age 60 with at least 30 years of aggregate service credit. I recommend that Senate Bill No. 1307 be amended to raise the aggregate service credit requirement from 30 to 35 years to accurately reflect the sponsor's intent.

Accordingly, I return Senate Bill No. 1307 and recommend that it be amended as follows:

*Page 2, Section 1, Line 43: Delete "30" insert "35"*

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor,

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

Mr. Russo offered the following resolution which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet on Thursday, June 20, 1985, at 2 p.m.

On motion of Mr. Russo the Senate then adjourned.

THURSDAY, June 20, 1985.

At 1:30 p.m. the Senate met.

The Session was opened with prayer by Reverend Paul Leggett, Pastor of Grace Presbyterian Church, Montclair.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

On the motion of Mr. Russo the reading of the Journal of the previous session was dispensed with.

The Judiciary Committee reported the following nominations favorably:

To be a member of the Advisory Commission on the Status of Women, Marguerite Page, of Passaic, to succeed herself, for the term prescribed by law.

To be a member of the University of Medicine and Dentistry Board of Trustees, Milan Johnson, of Summit, to succeed himself, for the term prescribed by law.

To be a member of the Real Estate Commission, Joseph Panuccio, of Clifton, to succeed Ben Steltzer, for the term prescribed by law.

To be a member of the Passaic Valley Sewerage Commission, Donald Tucker, of Newark, to succeed Isaac Thomas, for the term prescribed by law.

To be a member of the New Jersey Automobile Full Insurance Underwriting Association, Clive E. Perrin, of Glastonbury, Connecticut, to succeed William Buckley, resigned, for the term prescribed by law.

To be a member of the Tourism Advisory Council, Harry Gilbert, of Cape May, to succeed himself, for the term prescribed by law.

To be a member of the Monmouth County Board of Taxation, John C. Conover, of West Long Branch, to succeed himself, for the term prescribed by law.

To be a member of the Advisory Council on Community Affairs, Thomas Dunn, of Elizabeth, to succeed himself, for the term prescribed by law.

To be a member of the Advisory Council on Community Affairs, Sharon A. Worrell, of Florence, to succeed herself, for the term prescribed by law.

To be a member of the Agriculture Development Committee, Samuel M. Hamill, Jr., of Princeton, to succeed himself, for the term prescribed by law.

To be a member of the Boat Regulation Commission, Kenneth Husted, of Bridgeton, for the term prescribed by law.

To be a member of the Shellfisheries Council, John Henderson, of Atlantic City, to succeed himself, for the term prescribed by law.

To be a member of the Public Employment Relations Commission, Reverend Robert H. Johnson, of Springfield, for the term prescribed by law.

To be a member of the State Council on the Arts, Delores Kirk, of Livingston, to succeed herself, for the term prescribed by law.

To be a member of the U. S. S. New Jersey Battleship Commission, Joseph Azzolina, of Middletown, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Thomas DeMartin, of Trenton, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, William T. McElroy, of Basking Ridge, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Rudolph N. Hawkins, Jr., of Plainfield, for the term prescribed by law.

To be a Judge of the Superior Court, Leonard S. Sachar, of Plainfield, for the term prescribed by law.

To be an Administrative Law Judge, William B. Palleria, of Clinton, for the term prescribed by law.

To be an Administrative Law Judge, Philip B. Cummis, of North Caldwell, for the term prescribed by law.

To be a member of the New Jersey Highway Authority, Lionel M. Levey, of South Orange, to succeed himself, for the term prescribed by law.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 3053, notwithstanding the lack of five days' notice and that the 15 bill limitation is exceeded.

The Education Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 1313 Sea and 2583 Sea.

The Education Committee reported the following bills favorably without amendment:

Senate Nos. 3076, 2803, 2756, 2825, 2985, Assembly Nos. 624 (OCR) and 3053.

The Transportation and Communications Committee reported the following bill favorably without amendment:

Senate Committee Substitute for Senate No. 2797/Assembly No. 2108.

The Law, Public Safety and Defense Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 2871 Sea.

The Law, Public Safety and Defense Committee reported the following bills favorably without amendment:

Assembly No. 2948, Senate Committee Substitute for Assembly No. 3610/Senate No. 2952/Assembly No. 1099, Senate Nos. 1592 and 2881.

The Institutions, Health and Welfare Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2448 Sea, 2699 Sea, 2892 Sea, 2954 Sea, Assembly Nos. 541 (OCR) Sea, 1119 Sea and 2846 Sea.

The Institutions, Health and Welfare Committee reported the following bills favorably without amendment:

Assembly No. 3040, Senate Nos. 2869, 2882, 2909 and Senate Committee Substitute for Senate Nos. 2162/2038/2039/2040/2486/2664.

Senate Committee Substitute for Senate No. 2797/Assembly No. 2108, Senate Nos. 1313 Sea, 2583 Sea, 2803, 2756, 2825, 2985, Assembly Nos. 624 (OCR), 3053, Senate Committee Substitute for Assembly No. 3610/Senate No. 2952/Assembly No. 1099, Senate Nos. 1592, 2881, Assembly No. 2948, Senate Nos. 2871 Sea, 3076, 2448 Sea, 2954 Sea, 2892 Sea, 2699 Sea, Assembly Nos. 2846 Sea, 1119 Sea, 541 (OCR) Sea, 3040, Senate Nos. 2869, 2882, 2909 and Senate Committee Substitute for Senate Nos. 2162/2038/2039/2040/2486/2664 were taken up, read a second time, and ordered to a third reading.

The Senate moved and acted upon nine Commemorative, Ceremonial and Memorial Resolutions.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 3110, by Mr. Codey, Energy and Environment Committee.

Senate No. 3111, by Messrs. Connors, Bubba and Garibaldi, Education Committee.

Senate No. 3112, by Mr. Dumont, Natural Resources and Agriculture Committee.

Senate No. 3113, by Messrs. Contillo, Stockman and Cardinale, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3114, by Mr. Contillo, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3115, by Mr. Lynch, County and Municipal Government Committee.

Senate No. 3116, by Mr. Lynch, County and Municipal Government Committee.

Senate No. 3117, by Mr. Bassano, Revenue, Finance and Appropriations Committee.

Senate No. 3118, by Mr. Codey, Education Committee.

Senate No. 3119, by Mr. Codey, Education Committee.

Senate No. 3120, by Mr. Zane, Judiciary Committee.

Senate No. 3121, by Mr. Lynch, Judiciary Committee.

Senate No. 3122, by Mr. Garibaldi, County and Municipal Government Committee.

Senate No. 3123, by Messrs. DiFrancesco and Hirkala, County and Municipal Government Committee.

Senate No. 3124, by Mr. Ewing, Law, Public Safety and Defense Committee.

Senate No. 3125, by Mr. Hurley, Judiciary Committee.

Senate No. 3126, by Mr. Ewing, Law, Public Safety and Defense Committee.

Senate No. 3127, by Mr. Ewing, Energy and Environment Committee.

Senate No. 3128, by Messrs. Dorsey, Foran, Ms. Brown, Messrs. Ewing, Hagedorn, Dalton, Ms. Costa and Mr. Contillo, Energy and Environment Committee.

Senate No. 3129, by Messrs. Cardinale, Dalton and Hurley, Law, Public Safety and Defense Committee.

Senate No. 3130, by Mr. Cardinale, Labor, Industry and Professions Committee.

Senate No. 3131, by Mr. Garibaldi, Education Committee.

Senate No. 3132, by Mr. Connors, Energy and Environment Committee.

Senate No. 3133, by Mr. Graves, Institutions, Health and Welfare Committee.

Senate No. 3134, by Mr. Dumont, County and Municipal Government Committee.

Senate No. 3135, by Mr. Dorsey, Institutions, Health and Welfare Committee.

Senate No. 3136, by DiFrancesco, Ms. Brown, Messrs. O'Connor and Cardinale, Labor, Industry and Professions Committee.

Senate No. 3137, by Mr. Jackman, County and Municipal Government Committee.

Senate No. 3138, by Messrs. Graves, Bassano, Bubba, Contillo and Caufield, Law, Public Safety and Defense Committee.

Senate No. 3139, by Messrs. Dalton and Graves, Transportation and Communications Committee.

Senate No. 3140, by Messrs. Pallone, Van Wagner and Gagliano, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3141, by Mr. Pallone, Natural Resources and Agriculture Committee.

Senate No. 3142, by Mr. Dalton, Energy and Environment Committee.

Senate No. 3143, by Mr. Bassano, Labor, Industry and Professions Committee.

Senate No. 3144, by Messrs. Dalton and Weiss, Energy and Environment Committee.

Senate No. 3145, by Mr. DiFrancesco, Ms. Lipman, Messrs. Lesniak and Bassano, Institutions, Health and Welfare Committee.

Senate No. 3146, by Mr. Lesniak, Energy and Environment Committee.

Senate No. 3147, by Mr. Feldman, Revenue, Finance and Appropriations Committee.

Senate No. 3148, by Mr. Van Wagner, County and Municipal Government Committee.

Senate No. 3149, by Mr. Ewing, Education Committee.

Senate Joint Resolution No. 71, by Mr. Codey, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate Joint Resolution No. 72, by Ms. Brown, Messrs. Foran and Weiss, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate Concurrent Resolution No. 149, by Mr. Contillo, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate Concurrent Resolution No. 150, by Mr. Lesniak, Labor, Industry and Professions Committee.

Senate Resolution No. 97, by Mr. Lynch, Judiciary Committee.

Senate No. 3150, by Mr. Russo, without reference.

Senate No. 3151, by Mr. Weiss, without reference.

Senate No. 3152, by Mr. Russo, without reference.

Senate No. 3153, by Mr. Lesniak, without reference.

Senate Nos. 3150, 3151, 3152 and 3153 were taken up, read a second time, and ordered to a third reading.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 800 AaAa, without reference.

Assembly No. 1561 Aca, Revenue, Finance and Appropriations Committee.

Assembly No. 1672, Energy and Environment Committee.

Assembly No. 2072 Aca Aa, Judiciary Committee.

Assembly No. 2073, Judiciary Committee.

Assembly No. 2764, without reference.

Assembly No. 3024 Aca Aa Aa Aa Aa, without reference.

Assembly Nos. 3121/3131 ACS, Education Committee.

Assembly No. 3136, Transportation and Communications Committee.

Assembly No. 3288, County and Municipal Government Committee.

Assembly No. 3291 Aca, Energy and Environment Committee.

Assembly No. 3652, Labor, Industry and Professions Committee.

Assembly No. 3738, without reference.

Assembly Concurrent Resolution No. 141, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly Nos. 800 Aa Aa, 2764, 3024 Aca Aa Aa Aa Aa and 3738 were taken up, read a second time and ordered to a third reading.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bills favorably without amendment:

Senate Nos. 1280, 2974, 2900, 3096, 1001, 2688, 239, 1601, Assembly Nos. 3638, 1444, 45, 663 (OCR) (without recommendation) and Senate No. 383.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bills favorably with amendment and on motion of the Chairman the amendments were adopted:

Senate Nos. 183 Sea, 208 Sea, 862 Sea, 1355 Sea, 2584 Sea, 2833 Sea, 3053 Sea, Assembly Nos. 3434 (OCR) Sea and 3448 (OCR) Sea.

The Labor, Industry and Professions Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 1877 Sea, 2053 Sea, 2508 Sea and 2838 Sea.

The Labor, Industry and Professions Committee reported the following bills favorably without amendment:

Senate No. 1879, Assembly Nos. 1246 and 1811.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate Nos. 3093, 3094, 1483, 3090 and Assembly No. 3630, notwithstanding the lack of five days' notice.

Senate Nos. 1280, 2974, 2900, 3096, 1001, 2688, 862 Sea, 2584 Sea, 239, 1601, Assembly No. 3434 (OCR) Sea, Senate Nos. 183 Sea, 3448 (OCR) Sea, Assembly Nos. 3638, 1444, 45, 663 (OCR), Senate Nos. 3053 Sea, 2833 Sea, 208 Sea, 1355 Sea, 383, 1879, Assembly Nos. 1246, 1811, Senate Nos. 1877 Sea, 2053 Sea, 2508 Sea and 2838 Sea were taken up, read a second time, and ordered to a third reading.

The Revenue, Finance and Appropriations Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 132 (OCR) Sea, 2566 Sea, 2620 Sea, 2708 Sea, 2883 Sea, 2955 Sea, Assembly Nos. 1548 (2nd OCR) (SR) Sea, 2127 (OCR) Sea, Assembly Committee Substitute for Assembly No. 2337 (SR) Sea, Assembly Nos. 2656 (OCR) (SR) Sea and 2982 (OCR) Sea.

The Revenue, Finance and Appropriations Committee reported the following bills favorably without amendment:

Senate Nos. 3077, 3078, Assembly No. 1955, Senate No. 1878, Assembly Committee Substitute for Assembly No. 457, Assembly Nos. 803, 1049, Senate Nos. 1876, 2791, 2743, 2738, 2996, 2706 and Assembly No. 3205.

The Energy and Environment Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 1483 Sea, 2990 Sea, 3056 Sea, 3090 Sea, Assembly Joint Resolution No. 87 Sea, Senate Joint Resolution No. 59 Sea and Assembly No. 3630 Sea.

The Energy and Environment Committee reported the following bills favorably without amendment:

Senate Nos. 2876, 3094, 3093, Assembly Nos. 1661 and 2970.

Senate Nos. 2706, 2708 Sea, Assembly No. 3205, Senate Nos. 2566 Sea, 132 (OCR) Sea, 2738, 2996, Assembly No. 2982 (OCR) Sea, Senate Nos. 2743, 2791, 2883 Sea, 2955 Sea, Assembly Committee Substitute for Assembly No. 457, Assembly Nos. 803, 1049, Senate No. 1876, Assembly Nos. 1548 (2nd OCR) (SR) Sea, 1955, Senate No. 1878, Assembly No. 2656 (OCR) (SR) Sea, Senate Nos. 3077, 3078, Assembly Committee Substitute for Assembly No. 2337 (SR) Sea, Assembly No. 2127 (OCR) Sea, Senate Nos. 2620 Sea, 3093, 2990 Sea, Assembly No. 2970, Assembly Joint Resolution No. 87 Sea, Senate Nos. 3094, 3056 Sea, Senate Joint Resolution No. 59 Sea, Senate No. 1483 Sea, Assembly No. 1661, Senate No. 3090 Sea, Assembly No. 3630 Sea and Senate No. 2876 were taken up, read a second time, and ordered to a third reading.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 1341 Aca w/GR, without reference.

Assembly No. 2962 Aca, Education Committee.

Assembly No. 3681, without reference.

Assembly Concurrent Resolution No. 132 Aca, Institutions, Health and Welfare Committee.

Senate No. 560 Sea Aca, without reference.

Senate No. 561 Sea Aca, without reference.

Senate No. 562 Sea Aca, without reference.

Senate No. 563 Sea Aca, without reference.

Senate No. 2164 Aca, without reference.

Assembly Nos. 1341 Aca w/GR, 3681, Senate Nos. 560 Sea Aca, 561 Sea Aca, 562 Sea Aca, 563 Sea Aca and 2164 Aca were taken up, read a second time, and ordered to a third reading.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 3080, Assembly No. 2127 (OCR), Assembly Committee Substitute for Assembly No. 2337 (SR), Senate Nos. 3077, 3078 and Assembly No. 2656 (OCR) (SR), notwithstanding the lack of five days' notice and that the 15 bill limitation is exceeded.

The County and Municipal Government Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 1833 Sea and 1834 Sea.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Assembly No. 1400, Senate Nos. 1832, 1833, 1834, 2377, 3088 and Assembly No. 2875, notwithstanding the lack of five days' notice and that the 15 bill limitation is exceeded.

The County and Municipal Government Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 889 Sea, 1102 Sea (without recommendation), 1832 Sea and Assembly No. 339 (OCR) Sea.

The County and Municipal Government Committee reported the following bills favorably without amendment:

Assembly No. 127, Senate Nos. 1187, 2929, 2377, 3088 and Assembly No. 1400.

The County and Municipal Government Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 2451 Sea.

The Revenue, Finance and Appropriations Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 1708 (OCR) Sea, 2874 Sea and 3080 Sea.

The County and Municipal Government Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly No. 338 (OCR) Sea and Senate No. 3024 Sea.

The Revenue, Finance and Appropriations Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 2588 Sea.

The County and Municipal Government Committee reported the following bills favorably with amendment and on motion of the Chairman the amendments were adopted:

Assembly Nos. 337 (OCR) Sea and 2875 (2nd OCR) Sea.

Senate Nos. 1834 Sea, 1833 Sea, Assembly No. 1400, Senate Nos. 889 Sea, 3088, 2377, 2929, 1187, Assembly No. 127, Senate Nos. 1102 Sea, 1832 Sea, Assembly No. 339 (OCR) Sea, Senate Nos. 1708 (OCR) Sea, 3080 Sea, 2874 Sea, Assembly No. 338 (OCR) Sea, Senate Nos. 3024 Sea, 2588 Sea, Assembly Nos. 2875 (2nd OCR) Sea, 337 (OCR) Sea and Senate No. 2451 Sea were taken up, read a second time, and ordered to a third reading.

Mr. Russo offered the following resolution which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet on Saturday at 10 a.m., and that when it then adjourn it be to meet on Monday, June 24, 1985 at 10:30 a.m.

On motion of Mr. Russo the Senate then adjourned.

SATURDAY, June 22, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, June 24, 1985.

At 11 a.m. the Senate met.

The Session was opened with prayer by Reverend Gerold Fortunato, Silver Lake Baptist Church, Belleville, N. J.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

Recess.

Quorum call at 3:50 p.m.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

On motion of Mr. Russo the reading of the Journal of the previous session was dispensed with.

The Senate moved and acted upon 11 Commemorative, Ceremonial and Memorial Resolutions.

On motion of Mr. McManimon pursuant to Rule 124, Assembly No. 3024 was substituted for Senate No. 3082 with which it is identical, and Senator McManimon was added as cosponsor of Assembly No. 3024.

Which was adopted by voice vote.

Assembly No. 3024 was given third reading.

On motion of Mr. McManimon that the bill pass the vote was as follows:

In the affirmative were—

Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative were—

Bassano, Bubba, DiFrancesco, Dorsey, Garibaldi, Haines, Laskin—7.

Senate No. 1095 was given third reading.

On motion of Mr. Bubba that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—37.

In the negative was—Laskin—1.

Assembly No. 3685 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Stockman, Van Wagner, Zane—31.

In the negative were—

Contillo, Graves, Laskin—3.

Senate No. 2174 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative were—

Bubba, Laskin—2.

Senate No. 3000 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—37.

In the negative were—

Bubba, Laskin—2.

Senate No. 3096 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Caufield, Codey, Connors, Contillo, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hirkala, Hurley, Lesniak, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—31.

In the negative were—

Graves, Hagedorn, Haines, Laskin—4.

On motion of Mr. Russo pursuant to Rule 124, Assembly No. 2982 was substituted for Senate No. 2588 with which it is identical, and Senator Russo was added as cosponsor of Assembly No. 2982.

Which was adopted by voice vote.

Assembly No. 2982 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Feldman, Garibaldi, Graves, Hagedorn, Hirkala, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—30.

In the negative were—

Brown, Dumont, Ewing, Foran, Gormley, Haines, Hurley—7.

Senate No. 2124 Aa was given third reading.

On motion of Mr. Russo that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco,

Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Senate No. 2883 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative was—Laskin—1.

Senate No. 2996 was given third reading.

On motion of Mr. Caufield for Mr. Orechio that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Graves, Hagedorn, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative were—

Connors, Gormley, Haines, Laskin—4.

President *pro tem* Feldman assumed the duties of the Chair.

Assembly No. 457 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Feldman, Graves, Hagedorn, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—28.

In the negative were—

Brown, Bubba, Connors, Dumont, Foran, Gagliano, Garibaldi, Gormley, Haines, Hurley—10.

Senate No. 722 Aa was given third reading.

On motion of Ms. Brown that the Senate do concur in the Assembly amendments by Senate amendment the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Zane—38.

In the negative—None.

On motion of Mr. Rand pursuant to Rule 124, Assembly No. 800 was substituted for Senate No. 808 with which it is identical, and Senator Rand was added as cosponsor of Assembly No. 800.

Which was adopted by voice vote.

Assembly No. 800 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative were—

Bassano, Bubba, Lesniak—3.

Senate No. 1356 with Governor's recommendations, was given third reading.

On motion of Mr. Caufield that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative were—

Gagliano, Laskin—2.

Senate No. 1713 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman,

Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative was—Laskin—1.

Senate No. 1744 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Stockman, Van Wagner, Weiss—34.

In the negative were—

Bubba, Laskin, Zane—3.

Senate No. 1781 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

Senate No. 2066 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

On motion of Mr. Cardinale pursuant to Rule 124, Assembly No. 3205 was substituted for Senate No. 2706 with which it is identical, and Senator Cardinale was added as cosponsor of Assembly No. 3205.

Which was adopted by voice vote.

Assembly No. 3205 was given third reading.

On motion of Mr. Cardinale that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 2738 was given third reading.

On motion of Mr. Lesniak that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Zane—38.

In the negative—None.

Senate No. 2739 was given third reading.

On motion of Mr. Bassano that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner—35.

In the negative were—

Laskin, Rand, Zane—3.

On motion of Ms. Lipman pursuant to Rule 124, Assembly No. 3316 was substituted for Senate No. 2781 with which it is identical, and Senator Russo was added as cosponsor of Assembly No. 3316.

Which was adopted by voice vote.

Assembly No. 3316 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley,

Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

Senate No. 2874 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative was—Laskin—1.

Senate No. 3001 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

Senate No. 3002 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio, (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative were—

Cardinale, Laskin—2.

Senate No. 3061 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey,

Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

Senate No. 3071 was given third reading.

On motion of Mr. DiFrancesco that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate Committee Substitute for Assembly No. 571 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

Senate Committee Substitute for Assembly No. 574 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Assembly No. 1642 was given third reading.

On motion of Mr. Caufield, that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Assembly No. 1929 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

Assembly No. 1963 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

Mr. Caufield made a motion to suspend the 30 bill limitation rule. Motion adopted by voice vote.

Assembly No. 3375 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

nor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative were—

Bubba, Laskin—2.

Assembly Joint Resolution No. 101 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

Assembly Concurrent Resolution No. 179 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

Senate No. 3151 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative was—Laskin—1.

Assembly No. 1548 was given third reading.

On motion of Mr. Hirkala that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi,

Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

Assembly No. 2154 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Zane—21.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Laskin—17.

On motion of Mr. Jackman pursuant to Rule 124, Assembly No. 2863 was substituted for Senate No. 2571 with which it is identical, and Senator Feldman was added as cosponsor of Assembly No. 2863.

Which was adopted by voice vote.

Assembly No. 2863 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—38.

In the negative—None.

Mr. Caufield assumed the duties of the Chair.

Senate Committee Substitute for Assembly Nos. 634/635 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative were—

Bubba, Laskin—2.

The President announced receipt of, and directed the Secretary to read seven letters from the Governor nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be a Judge of the Superior Court, William T. McElroy, of Basking Ridge, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Thomas DeMartin, of Trenton, to succeed himself, for the term prescribed by law.

To be a member of the Board of Professional Planners, Daniel J. DiBenedetto, of West Orange, to succeed Albert Pearlman, for the term prescribed by law.

To be Brigadier General of the Line, New Jersey Army National Guard, Colonel Mark B. Mullin, of Magnolia, to succeed Colonel Robert Katz, for the term prescribed by law.

To be a member of the State Commission on Cancer Research, Dr. Arnold J. Levine, of Princeton, for the term prescribed by law.

To be a member of the State Commission on Cancer Research, Dr. Arnold E. Denton, of Camden, for the term prescribed by law.

To be a member of the State Board of Professional Engineers and Land Surveyors, Bruce R. Blair, of Hillsborough Township, for the term prescribed by law.

The above nominations were referred to the Judiciary Committee.

Mr. Feldman assumed the duties of the Chair.

The Judiciary Committee reported the following nominations favorably:

To be a Judge of the Superior Court, Thomas DeMartin, of Trenton, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, William T. McElroy, of Basking Ridge, to succeed himself, for the term prescribed by law.

On motion of Mr. Lynch that the Senate do declare the confirmation of the above nominees to be an emergency matter, the vote is as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

On motion of Mr. Lynch, the following nominations were taken up:

To be a Judge of the Superior Court, Thomas DeMartin, of Trenton, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, William T. McElroy, of Basking Ridge, to succeed himself, for the term prescribed by law.

To be a member of the U.S.S. New Jersey Battleship Commission, Joseph Azzolina, of Middletown, to succeed himself, for the term prescribed by law.

To be a member of the Advisory Council on Community Affairs, Sharon Worrell, of Florence, to succeed herself, for the term prescribed by law.

To be a member of the Agriculture Development Committee, Samuel M. Hamill, Jr., of Princeton, to succeed himself, for the term prescribed by law.

To be a member of the Boat Regulation Commission, Kenneth Husted, of Bridgeton, for the term prescribed by law.

To be a member of the Shellfisheries Council, John Henderson, of Atlantic City, to succeed himself, for the term prescribed by law.

To be a member of the Public Employment Relations Commission, Reverend Robert H. Johnson, of Springfield, for the term prescribed by law.

To be a Judge of the Superior Court, Rudolph N. Hawkins, Jr., of Plainfield, for the term prescribed by law.

To be a Judge of the Superior Court, Leonard S. Sachar, of Plainfield, for the term prescribed by law.

To be an Administrative Law Judge, William B. Palleria, of Clinton, for the term prescribed by law.

To be an Administrative Law Judge, Philip B. Cummis, of North Caldwell, for the term prescribed by law.

To be a member of the New Jersey Highway Authority, Lionel M. Levey, of South Orange, to succeed himself, for the term prescribed by law.

To be a member of the Advisory Commission on the Status of Women, Marguerite Page, of Passaic, to succeed herself, for the term prescribed by law.

To be a member of the University of Medicine and Dentistry Board of Trustees, Milan Johnson, of Summit, to succeed himself, for the term prescribed by law.

To be a member of the Real Estate Commission, Joseph Panuccio, of Clifton, to succeed Ben Steltzer, for the term prescribed by law.

To be a member of the Passaic Valley Sewerage Commission, Donald Tucker, of Newark to succeed Isaac Thomas, for the term prescribed by law.

To be a member of the Tourism Advisory Council, Harry Gilbert, of Cape May, to succeed himself, for the term prescribed by law.

To be a member of the Monmouth County Board of Taxation, John C. Conover, of West Long Branch, to succeed himself, for the term prescribed by law.

To be a member of the Advisory Council on Community Affairs, Thomas Dunn, of Elizabeth, to succeed himself, for the term prescribed by law.

Upon the question "Will the Senate advise and consent to the above nominations?" it was decided as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

The above nominations were declared unanimously confirmed.

On motion of Mr. Lynch, the following nomination was taken up:

To be a member of the State Council on the Arts, Dolores Kirk of Livingston, to succeed herself, for the term prescribed by law.

Upon the question "Will the Senate advise and consent to the above noination?" it was decided as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—35.

In the negative were—

Dalton, Haines, Laskin, Zane—4.

The above nomination was declared confirmed.

Mr. Orechio resumed the duties of the Chair.

On motion of Mr. Lynch, Senate No. 3102 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Foran, Garibaldi, Graves, Hagedorn, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—30.

In the negative were—

Brown, Gormley—2.

Senate No. 3102 Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Russo, Senate No. 3026 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—33.

In the negative—None.

Senate No. 3026 Sa was taken up, read a second time, and ordered to a third reading.

Senate No. 2882 was given third reading.

On motion of Mr. Russo for Mr. Orechio that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Senate No. 3093 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—23.

In the negative were—

Brown, Cardinale, DiFrancesco, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Laskin—13.

Mr. Caufield assumed the duties of the Chair.

Senate No. 3094 was given third reading.

On motion of Mr. Orechio that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—23.

In the negative were—

Bassano, Brown, Cardinale, Connors, DiFrancesco, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Haines, Hurley, Laskin—14.

Mr. Russo assumed the duties of the Chair.

On motion of Mr. Foran to send Senate No. 3024 back to the Revenue, Finance and Appropriations Committee, the motion was lost by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Laskin—16.

In the negative were—

Codey, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—20.

Senate No. 3024 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Cowan, Dalton, Garibaldi, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—21.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Cowan, Costa, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Haines, Hurley, Laskin—16.

Mr. Orechio resumed the duties of the Chair.

Senate No. 1004 (2nd OCR) with Governor's recommendations, was given second reading.

On motion of Mr. Jackman that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (Presi-

dent), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—35.

In the negative—None.

Senate No. 1004 (2nd OCR) w/GR was taken up, read a second time, and ordered to a third reading.

Mr. Jackman offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 1004 (2nd OCR) w/GR is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—37.

In the negative—None.

Senate No. 1004 (2nd OCR) with Governor's recommendations, was given third reading.

On motion of Mr. Jackman that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner—34.

In the negative—None.

Senate No. 1307 with Governor's recommendations, was given second reading.

On motion of Mr. Hirkala that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—36.

In the negative—None.

Senate No. 1307 w/GR was taken up, read a second time, and ordered to a third reading.

Mr. Hirkala offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 1307 w/GR is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner—36.

In the negative—None.

Senate No. 1307 with Governor's recommendations, was given third reading.

On motion of Mr. Hirkala that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orzechio (President), Pallone, Rand, Russo, Stockman, Van Wagner—36.

In the negative—None.

On motion of Mr. Cardinale pursuant to Rule 124, Assembly No. 1838 was substituted for Senate No. 1568 with which it is identical, and Senator Cardinale was added as cosponsor of Assembly No. 1838.

Which was adopted by voice vote.

Assembly No. 1838 was given third reading.

On motion of Mr. Cardinale that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Pallone, Rand, Stockman, Van Wagner—32.

In the negative—None.

Senate No. 2985 was given third reading.

On motion of Mr. Laskin that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner,  
—35.

In the negative was—DiFrancesco—1.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 3142, notwithstanding the lack of five days' notice.

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 2637 (OCR), notwithstanding the lack of five days' notice.

The Energy and Environment Committee reported the following bill favorably without amendment:

Senate No. 3142.

The County and Municipal Government Committee reported the following bills favorably without amendment:

Senate Nos. 2683, 2894 and Assembly No. 2748.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate Nos. 2894, 2683 and Assembly No. 2748, notwithstanding the lack of five days' notice.

The Revenue, Finance and Appropriations Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 2637 (OCR) Sea.

The Transportation and Communications Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly No. 2714 Sea.

On motion of Mr. Ewing, Senate No. 1649 was withdrawn from the files.

Mr. Russo offered the following motions which were read and adopted:

*Be It Resolved*, That Assembly Bill 2577 be transferred from the Senate County and Municipal Government Committee to the Energy and Environment Committee.

*Be It Resolved*, That pursuant to Senate Rule 88, the following bills be referred to the Revenue, Finance and Appropriations Committee:

Senate Nos. 85, 658, 2451, 2865, 2909, Assembly Nos. 624, 2541, 2805, 2829 and 2970.

*Be It Resolved*, That Senate No. 1023 be referred to the Senate Judiciary Committee.

*Be It Resolved*, That Senate No. 2624 be transferred from the Revenue, Finance and Appropriations Committee to the State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate Nos. 3142, 2683, 2894, Assembly No. 2748, Senate No. 2637 (OCR) Sea and Assembly No. 2714 Sea were taken up, read a second time, and ordered to a third reading.

The Secretary read the following memorandum:

The Office of Legislative Services has received the following material on behalf of the Senate on the date indicated.

6-20-85 DIVISION OF PENSIONS (1984 Annual Reports:

(1) Teachers' Pension & Annuity Fund;

(2) Police & Firemen's Retirement System)

6-21-85 NJ HAZARDOUS WASTE FACILITIES SITING COMMISSION (1984 Annual Report)

Quorum call after recess.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss—31.

On motion of Ms. Lipman, Assembly No. 1309 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Cardinale, Caufield, Codey, Contillo, Costa, Foran, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—22.

In the negative—None.

On motion of Mr. Haines, that Assembly No. 1309 (OCR) be further amended, the amendments were lost by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Connors, DiFrancesco, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Laskin—15.

In the negative were—

Caufield, Contillo, Costa, Dalton, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—17.

Assembly No. 1309 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Haines that Senate No. 1309 (OCR) Sa be referred to the Revenue, Finance and Appropriations Committee, the motion was lost by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Connors, DiFrancesco, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Laskin—15.

In the negative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—19.

Senate Committee Substitute for Senate Nos. 2046/2334 with Governor's recommendations, was given third reading.

On motion of Ms. Lipman that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Connors, Contillo, Costa, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Lynch, Pallone—21.

In the negative were—

Caufield, Codey, Graves, Hirkala, Laskin, Lesniak, Lipman, Russo, Stockman—9.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 3154, by Mr. Dumont, Education Committee.

Senate No. 3155, by Mr. Garibaldi, Revenue, Finance and Appropriations Committee.

Senate No. 3158, by Mr. Van Wagner, without reference.

Senate No. 3157, by Mr. Dalton, without reference.

Senate No. 3158, by Mr. Van Wagner, without reference.

Senate No. 3159, by Messrs. Hagedorn, Feldman, Cardinale, Graves, McManimon, Codey, Bubba, Garibaldi, Bassano, Connors, Hirkala, Gagliano, Dumont, DiFrancesco, O'Connor, Ms. Brown, Ms. Lipman and Mr. Stockman, Institutions, Health and Welfare Committee.

Senate No. 3160, by Messrs. Hagedorn, Feldman, Cardinale, Graves, McManimon, Garibaldi, Connors, Bubba, Hirkala, Dumont, DiFrancesco, O'Connor, Ms. Brown, Ms. Lipman, Messrs. Stockman and Dorsey, Institutions, Health and Welfare Committee.

Senate No. 3161, by Mr. McManimon, without reference.

Senate No. 3162, by Mr. Orechio, without reference.

Senate No. 3163, by Mr. Foran, without reference.

Senate No. 3164, by Mr. Foran, without reference.

Senate No. 3165, by Mr. Foran, without reference.

Senate No. 3166, by Mr. Foran, without reference.

Senate No. 3167, by Mr. O'Connor, County and Municipal Government Committee.

Senate No. 3168, by Messrs. O'Connor, Cowan and Jackman, County and Municipal Government Committee.

Senate No. 3169, by Messrs. Cowan and O'Connor, Energy and Environment Committee.

Senate No. 3170, by Messrs. O'Connor and Cowan, without reference.

Senate No. 3171, by Mr. Russo, State Government, Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3172, by Mr. Jackman, without reference.

Senate No. 3173, by Mr. Orechio, County and Municipal Government Committee.

Senate No. 3174, by Mr. Russo, without reference.

Senate No. 3175, by Ms. Brown, Messrs. Foran, Bubba and Dorsey, without reference.

Senate No. 3176, by Messrs. Contillo, Feldman and Laskin, Energy and Environment Committee.

Senate No. 3177, by Mr. Orechio, without reference.

Senate Nos. 3156, 3157, 3158, 3161, 3162, 3163, 3164, 3165, 3166, 3170, 3172 and 3174 were taken up, read a second time, and ordered to a third reading.

Mr. Orechio, Senate President, in concurrence with Assembly Speaker Karcher, announced the following commission appointments:

Commission to Study the Employment and Compensation of Agricultural Workers

Ida Castro

Daniel Bray

Angel Dominguez

David Sobelman

Russel Clark, Sr.

Stephen Main

On motion of Mr. Hagedorn, Mr. Lesniak was added as cosponsor of Senate No. 3092.

On motion of Mr. Rand, Mr. Bassano was added as cosponsor of Senate No. 2954.

On motion of Ms. Brown, Mr. Lynch was added as cosponsor of Senate No. 1708.

On motion of Mr. Bubba, Mr. Dumont was added as cosponsor of Senate No. 1781.

On motion of Mr. Bubba, Mr. Feldman was added as cosponsor of Senate No. 1023.

On motion of Mr. Bubba, Mr. Feldman was added as cosponsor of Senate No. 2066.

On motion of Mr. Bubba, Mr. Lesniak was added as cosponsor of Senate No. 2738.

On motion of Mr. Bubba, Mr. Orechio was added as cosponsor of Senate No. 2996.

On motion of Mr. Cowan, Mr. Bubba was added as cosponsor of Senate No. 117.

On motion of Mr. Cowan, Mr. Bubba was added as cosponsor of Senate No. 116.

On motion of Ms. Costa, Mr. Stockman was added as cosponsor of Senate No. 2626.

On motion of Ms. Costa, Mr. Stockman was added as cosponsor of Senate No. 2625.

On motion of Mr. Stockman, Ms. Costa was added as cosponsor of Senate No. 2883.

On motion of Mr. Russo, Mr. Lesniak was added as cosponsor of Senate No. 2738.

On motion of Mr. Russo, Mr. Dalton was added as cosponsor of Senate No. 2743.

On motion of Ms. Lipman, Mr. McManimon was added as cosponsor of Senate No. 3161.

On motion of Mr. Bubba, the following Senators were added as cosponsors of Senate No. 117:

Messrs. Connors, Hurley, Cardinale, Ms. Brown, Messrs. Gormley, Garibaldi, Van Wagner, DiFrancesco, Bassano, Haines, Ewing, Hagedorn, Dorsey, Foran, Dumont, Hirkala, O'Connor, Lynch, Codey, Contillo, Gagliano, Feldman, McManimon, Jackman and Caufield.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 3619, Education Committee.

Assembly No. 3202 Aa, Law, Public Safety and Defense Committee.

Assembly No. 3188, Law, Public Safety and Defense Committee.

Assembly No. 967 Aea Aa, Institutions, Health and Welfare Committee.

Assembly No. 1130 Aes, Labor, Industry and Professions Committee.

mittee.

Assembly No. 1132 Aes, Labor, Industry and Professions Com-

Assembly No. 1133 Acs, Labor, Industry and Professions Committee.

Assembly No. 3762, without reference.

Assembly No. 618 w/GR, without reference.

Assembly No. 1936 Aca, County and Municipal Government Committee.

Assembly No. 2098, Judiciary Committee.

Assembly No. 3353 Aca, Law, Public Safety and Defense Committee.

Assembly No. 3584 Aca, without reference.

Assembly No. 373, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 3079 Aca Aa, Labor, Industry and Professions Committee.

Assembly No. 3643, County and Municipal Government Committee.

Assembly No. 3683, without reference.

Assembly No. 3836, without reference.

Assembly No. 2324 Aca, Education Committee.

Assembly No. 3505, Aging Committee.

Assembly No. 3506 Aca, Aging Committee.

Assembly No. 3507 Aca Aa, Aging Committee.

Assembly No. 3856, without reference.

Assembly No. 1044 w/GR, without reference.

Assembly No. 2058 Aca, Energy and Environment Committee.

Assembly No. 2804 Aca, Judiciary Committee.

Assembly No. 3234 Aca, Education Committee.

Assembly No. 3574, Energy and Environment Committee.

Assembly No. 3730, without reference.

Assembly No. 3855, without reference.

Assembly Nos. 3730, 3855, 3856, 1044 w/GR, 3683, 3836, 3584 Aca, 618 w/GR and 3762 were taken up, read a second time, and ordered to a third reading.

Senate Nos. 3175 and 3177 were taken up, read a second time, and ordered to a third reading.

Mr. Russo offered the following resolution which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet on Thursday, June 27, 1985, at 10:30 a.m.

On motion of Mr. Russo, the Senate then adjourned.

THURSDAY, June 27, 1985.

At 11 a.m. the Senate met.

The Session was opened with prayer by Reverend Edward Haber Our Lady of Mt. Carmel Church, Nutley, N. J.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Weiss—31.

On the motion of Mr. Russo the reading of the Journal of the previous session was dispensed with.

Reconvene quorum roll call.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

The Senate moved and acted upon 11 Commemorative, Ceremonial and Memorial Resolutions.

President *pro tem* Feldman assumed the duties of the Chair immediately followed by Mr. Weiss.

Motion by Mr. Haines, that Assembly No. 1309 be placed back on second reading for the purpose of amendment, which motion was lost by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Laskin, Zane—18.

In the negative were—

Caufield, Codey, Contillo, Costa, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—21.

Assembly No. 1309 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Dalton, Feldman, Garibaldi, Gormley, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—24.

In the negative were—

Bassano, Brown, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Hagedorn, Haines, Hurley, Laskin—14.

On motion of Mr. Cowan pursuant to Rule 124, Assembly No. 803 was substituted for Senate No. 2620 with which it is identical, and Senator Cowan was added as cosponsor of Assembly No. 803.

Which was adopted by voice vote.

Assembly No. 803 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

Senate No. 2322 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, VanWagner, Weiss, Zane—39.

In the negative—None.

Senate No. 3077 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala,

Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative was—Laskin—1.

Senate No. 3078 was given third reading.

On motion of Mr. Foran that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—37.

In the negative was—Laskin—1.

On motion of Mr. Dumont pursuant to Rule 124, Assembly No. 3434 was substituted for Senate No. 2833 with which it is identical, and Senator Dumont was added as cosponsor of Assembly No. 3434.

Which was adopted by voice vote.

Assembly No. 3434 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Brown, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dumont, Feldman, Foran, Garibaldi, Hagedorn, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—27.

In the negative were—

Bassano, Cardinale, Connors, DiFrancesco, Dorsey, Gagliano, Gormley, Graves, Hurley, Laskin—10.

Motion by Messrs. Haines and Laskin, that Senate No. 2900 be placed back on second reading for the purpose of amendment, which motion was lost by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Contillo, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Laskin—17.

In the negative were—

Caufield, Codey, Connors, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss—21.

Senate No. 2900 was given third reading.

On motion of Mr. Connors that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dumont, Feldman, Graves, Hirkala, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—24.

In the negative were—

Bassano, Cardinale, Connors, DiFrancesco, Dorsey, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley—13.

On motion of Mr. Dalton pursuant to Rule 124, Assembly No. 3630 was substituted for Senate No. 3090 with which it is identical, and Senator Dalton was added as cosponsor of Assembly No. 3630.

Which was adopted by voice vote.

Assembly No. 3630 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative was—Bubba—1.

Senate No. 3158 was given third reading.

On motion of Mr. Van Wagner that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner—39.

In the negative—None.

Senate No. 3162 was given third reading.

On motion of Mr. Hirkala that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, DiFrancesco, Feldman, Foran,

Garibaldi, Gormley, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Zane—28.

In the negative were—

Connors, Dorsey, Dumont, Ewing, Gagliano, Hagedorn, Hurley, Laskin—8.

Assembly No. 2656 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Garibaldi, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—24.

In the negative were—

Bassano, Bubba, Connors, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Hagedorn, Haines, Hurley, Laskin—13.

Senate No. 3142 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

Assembly No. 2846 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—38.

In the negative—None.

Senate Committee Substitute for Assembly No. 3610 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative was—Laskin—1.

Assembly No. 1050 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dumont, Feldman, Garibaldi, Graves, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner—22.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Ewing, Foran, Gormley, Hagedorn, Haines, Hurley, Russo, Zane—15.

Senate No. 2662 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Lesniak, Orechio (President), Pallone, Zane—4.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Gormley, Hagedorn, Haines, Jackman, Laskin, McManimon—20.

Mr. Russo made a motion to place the House under call. The vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—23.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Laskin—17.

Senate No. 2881 was given third reading.

On motion of Mr. Contillo, that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

The President announced receipt of and directed the Secretary to read 29 letters from the Governor nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be a Judge of the Superior Court, Timothy J. Sullivan, of Hillsdale, for the term prescribed by law.

To be a Judge of the Superior Court, Isabel P. Stark, of Hackensack, for the term prescribed by law.

To be a Administrative Law Judge, Kenneth Springer, of New Providence, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Bruce Campbell, of Trenton, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Thomas E. Clancy, of Bound Brook, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Gerald T. Foley, of Florham Park, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Robert S. Miller, of Princeton, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, David Monyek, of Highland Park, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Sybil R. Moses, of Hackensack, to succeed herself, for the term prescribed by law.

To be an Administrative Law Judge, J. Roger Persichilli, of Trenton, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Arnold Samuels, of Glen Rock, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Robert W. Scott, of Woodbury, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Diana Sukovich, of Fords, to succeed herself, for the term prescribed by law.

To be an Administrative Law Judge, Walter F. Sullivan, of Hopewell, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, August Thomas, of Willingboro, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Richard L. Voliva, Jr., of Pennington, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Ward R. Young, of Morristown, to succeed himself, for the term prescribed by law.

To be a member of the New Jersey Transit Corporation Advisory Committee, Bertram L. Buckler, of East Brunswick, to succeed Ronald Weening, for the term prescribed by law.

To be a member of the New Jersey Casino Control Commission, E. Kenneth Burdge, of Lakewood, to succeed himself, for the term prescribed by law.

To be a member of the New Jersey Sports and Exposition Authority, Sid Benjamin, of Flemington, to succeed Robert E. Mulcahy, III, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Frances Gray, of Oxford, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Robert Trugman, of Verona, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Louis Cagnola, of New Providence, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, John Pace, of Hackettstown, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Earl Brancolini, of Trenton, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Roger LaMachia, of Trenton, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Seymour Rubin, of Highland Park, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Bridget Damiano, of West Paterson, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Laura Grant, of Newark, for the term prescribed by law.

The above nominations were referred to the Judiciary Committee.

The Judiciary Committee reported the following nominations favorably:

To be a member of the New Jersey Highway Authority, H. George Buckwald, of Lakewood, to succeed Charles E. Starkey, for the term prescribed by law.

To be a member of the Commission on Capital Budgeting and Planning, Casimir Stasik, of Clifton, to succeed Eugene Jacobsen, for the term prescribed by law.

To be a member of the Local Finance Board, Sheldon Blum, of Elmwood Park, to succeed himself, for the term prescribed by law.

To be a member of the Passaic County Board of Taxation, Raymond Tumminello, of Wayne, to succeed himself, for the term prescribed by law.

To be a member of the Monmouth County Board of Taxation, Prospero DeBona, of Rumson, to succeed Jack Westlake, for the term prescribed by law.

On motion of Mr. Lynch that the Senate do declare the confirmation of the above nominees to be an emergency matter, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

On motion of Mr. Lynch, the following nominations were taken up:

To be a member of the New Jersey Highway Authority, H. George Buckwald, of Lakewood, to succeed Charles E. Starkey, for the term prescribed by law.

To be a member of the Commission on Capital Budgeting and Planning, Casimir Stasik, of Clifton, to succeed Eugene Jacobsen, for the term prescribed by law.

To be a member of the Local Finance Board, Sheldon Blum, of Elmwood Park, to succeed himself, for the term prescribed by law.

To be a member of the Passaic County Board of Taxation, Raymond Tumminello, of Wayne, to succeed himself, for the term prescribed by law.

To be a member of the Monmouth County Board of Taxation, Prospero DeBona, of Rumson, to succeed Jack Westlake, for the term prescribed by law.

Upon the question "Will the Senate advise and consent to the above nominations?" it was decided as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

The above nominations were declared unanimously confirmed.

On motion of Mr. Jackman, Assembly No. 2885 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont,

Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—36.

In the negative was—Cooley—1.

Assembly No. 2885 Sa was taken up, read a second time, and ordered to a third reading.

Mr. Jackman offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Assembly No. 2885 Sa is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 2885 Sa was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Zane—38.

In the negative—None.

Mr. Hirkala assumed the duties of the Chair.

Senate No. 2683 was given third reading.

On motion of Mr. Orechio that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative were—

Connors, Haines, Laskin—3.

Mr. Orechio resumed the duties of the Chair.

Senate No. 2949 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Costa, Cowan, Dalton, DiFrancesco, Feldman, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—24.

In the negative were—

Bassano, Bubba, Cardinale, Connors, Contillo, Dorsey, Dumont, Ewing, Foran, Garibaldi, Hagedorn, Haines, Laskin, Russo—14.

Senate No. 3075 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Connors, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative was—Laskin—1.

Senate No. 3150 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative was—Dalton—1.

Assembly No. 1893 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley,

Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative was—Laskin—1.

Assembly No. 2102 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Costa, Cowan, Dalton, DiFrancesco, Foran, Gagliano, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—26.

In the negative were—

Bassano, Bubba, Dorsey, Dumont, Hagedorn, Haines, Laskin—7.

Assembly No. 2589 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

Senate No. 2019 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—33.

In the negative were—

Cardinale, Gagliano, Hurley, Laskin—4.

Senate No. 2351 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Gagliano, Garibaldi, Gormley, Graves, Hagedorn,

Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative were—

Bubba, Laskin—2.

Senate No. 2377 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—22.

In the negative were—

Brown, Cardinale, Connors, DiFrancesco, Dorsey, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Laskin—13.

On motion of Mr. Lynch pursuant to Rule 124, Assembly No. 3855 was substituted for Senate No. 3102 with which it is identical, and Senator Lynch was added as cosponsor of Assembly No. 3855.

Which was adopted by voice vote.

Assembly No. 3855 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bubba, Caufield, Codey, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—23.

In the negative were—

Bassano, Brown, Cardinale, Connors, Contillo, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hurley, Laskin—17.

Assembly No. 3762 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Zane—32.

In the negative—None.

Assembly No. 3514 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—34.

In the negative was—Bubba—1.

Senate No. 1194 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hurley, Jackman, Laskin, Lipman, Lynch, McManimon, Orechio (President), Pallone, Stockman—28.

In the negative were—

Connors, DiFrancesco, Feldman, Lesniak, Zane—5.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated.

Assembly No. 3829 Aca, without reference.

Assembly No. 3268 Aca Aca, without reference.

Assembly Nos. 3268 Aca Aca and 3829 Aca were taken up, read a second time, and ordered to a third reading.

On motion of Mr. Gormley pursuant to Rule 124, Assembly No. 3829 Aca was substituted for Senate No. 1483 with which it is identical, and Senator Gormley was added as cosponsor of Assembly No. 3829 Aca.

Which was adopted by voice vote.

Assembly No. 3829 Aca was given third reading.

On motion of Mr. Gormley that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—39.

In the negative—None.

On motion of Mr. Dalton pursuant to Rule 124, Assembly No. 3268 Aca Aca was substituted for Senate No. 2473 with which it is identical, and Senator Dalton was added as cosponsor of Assembly No. 3268 Aca Aca.

Which was adopted by voice vote.

Assembly No. 3268 Aca Aca was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 123 Aca Aca, Education Committee.

Assembly No. 278, Education Committee.

Assembly No. 1559 Aca, Institutions, Health and Welfare Committee.

Assembly No. 1712/1432 ACS Sea Sa w/GR, without reference.

Assembly No. 1942, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 2086 Aca Aca, Institutions, Health, and Welfare Committee.

Assembly No. 2137, Education Committee.

Assembly No. 2398 Aca Aca, Institutions, Health and Welfare Committee.

Assembly No. 2500 Aca, Labor, Industry and Professions Committee.

Assembly No. 2556, County and Municipal Government Committee.

Assembly No. 2838, without reference.

Assembly No. 2903 Aca, Judiciary Committee.

Assembly No. 3183 Aca, Revenue, Finance and Appropriations Committee.

Assembly No. 3226 Aca, Energy and Environment Committee.

Assembly No. 3308, County and Municipal Government Committee.

Assembly No. 3354, without reference.

Assembly No. 3414, Law, Public Safety and Defense Committee.  
Assembly No. 3472 Aca, Institutions, Health and Welfare Committee.

Assembly No. 3680, Education Committee.

Assembly No. 3736, Judiciary Committee.

Assembly No. 3923, Aging Committee.

Senate No. 2888 Sca Aca, without reference.

Senate No. 2336 Aca, without reference.

Senate No. 196 Aca, without reference.

Assembly No. 1701, Aca Aa, Transportation and Communications Committee.

Assembly No. 2565 ACS, Transportation and Communications Committee.

Assembly No. 2583 Aca, Education Committee.

Assembly No. 3918, County and Municipal Government Committee.

Senate No. 215 Aca w/GR, without reference.

Senate No. 1356 Aca w/GR, without reference.

Senate No. 1503 Sca Aca, without reference.

Senate No. 1540 Sa Aca, without reference.

Senate No. 2308 Aca, without reference.

Assembly No. 3117 w/GR, without reference.

Assembly No. 607 Aca ACS, Education Committee.

Assembly No. 3517 Aca, Education Committee.

Assembly No. 3735, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 3863, State Government and Federal and Interstate and Veterans Affairs Committee.

Assembly No. 3910, Energy and Environment Committee.

Assembly Nos. 3354, 3117 w/GR, 1712/1432 ACS Sca Sa w/GR, 2838, Senate Nos. 196 Aca, 2336 Aca, 215 Aca w/GR, 1356 Aca w/GR, 1503 Sca Aca, 1540 Sa Aca and 2308 Aca were taken up, read a second time, and ordered to a third reading.

Mr. Hirkala assumed the duties of the Chair.

On motion of Mr. Haines pursuant to Rule 124, Assembly No. 3354 was substituted for Senate No. 2791 with which it is identical, and Senator Haines was added as cosponsor of Assembly No. 3354.

Which was adopted by voice vote.

Assembly No. 3354 was given third reading.

On motion of Mr. Haines that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caulfield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey,

Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Mr. Foran made a motion to suspend the 30 bill limitation rule. Motion adopted by voice vote.

Mr. Lynch offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Assembly No. 3117 w/GR is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Van Wagner, Weiss, Zane—36.

In the negative—None.

Assembly No. 3117 with Governor's recommendations, was given third reading.

On motion of Mr. Lynch that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Brown, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Van Wagner, Weiss—28.

In the negative were—

Bassano, Bubba, Connors, Dumont, Hagedorn, Laskin, Lesniak, Zane—8.

On motion of Mr. Feldman pursuant to Rule 124, Assembly No. 3738 was substituted for Senate No. 3076 with which it is identical, and Senate Feldman was added as cosponsor of Assembly No. 3738.

Which was adopted by voice vote.

Assembly No. 3738 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey,

Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated.

Assembly Joint Resolution No. 109, Energy and Environment Committee.

Assembly No. 2003 ACS Aca, Energy and Environment Committee.

Assembly No. 3436 Aca, without reference.

Assembly No. 3868, State Government and Federal and Interstate Relations and Veterans Affairs.

Assembly No. 3913, Labor, Industry and Professions Committee.

Assembly No. 3436 Aca was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Russo, Senate No. 3174 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—32.

In the negative—None.

Senate No. 3174 Sa was taken up, read a second time, and ordered to a third reading.

Assembly Committee Substitute for Assembly No. 2337 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Caufield, Codey, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—36.

In the negative—None.

On motion of Mr. Feldman pursuant to Rule 124, Assembly No. 339 was substituted for Senate No. 1832 with which it is identical, and Senator Feldman was added as cosponsor of Assembly No. 339.

Which was adopted by voice vote.

Assembly No. 339 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—37.

In the negative—None.

On motion of Mr. Feldman pursuant to Rule 124, Assembly No. 337 was substituted for Senate No. 1833 with which it is identical, and Senator Feldman was added as cosponsor of Assembly No. 337.

Which was adopted by voice vote.

Assembly No. 337 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

On motion of Mr. Feldman pursuant to Rule 124, Assembly No. 338 was substituted for Senate No. 1834 with which it is identical, and Senator Feldman was added as cosponsor of Assembly No. 338.

Which was adopted by voice vote.

Assembly No. 338 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

Assembly No. 1394 was given third reading.

On motion of Mr. Lesniak that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—40.

In the negative—None.

Senate No. 18 (OCR) with Governor's recommendations, was given second reading.

On motion of Mr. Van Wagner that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 18 (OCR) w/GR was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Lynch, Assembly No. 1807 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Dalton, DiFrancesco, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—32.

In the negative—None.

Senate No. 1807 Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Gagliano, Senate Committee Substitute for Senate No. 376 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont,

Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—32.

In the negative—None.

Senate Committee Substitute for Senate No. 376 Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Russo, Assembly No. 2512 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Assembly No. 2512 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

Senate No. 196 Aa was given third reading.

On motion of Mr. Caufield that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

On motion of Mr. Codey, Senate No. 2974 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 2974 Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Codey, Assembly No. 3638 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Assembly No. 3638 Sa was taken up, read a second time, and ordered to a third reading.

The Secretary read the following memorandum:

The Office of Legislative Services has received the following material on behalf of the Senate on the date indicated.

- 6-25-85 N. J. EXPRESSWAY AUTHORITY (1984 Annual Report)
- 6-25-85 N. J. STATE COMMISSION OF INVESTIGATION (Statement by James J. Morley, Executive Director, SCI, before President's Committee on Organized Crime, N.Y.C.)
- 6-26-85 N. J. ECONOMIC DEVELOPMENT AUTHORITY (Report on Financing Projects Undertaken and Planned)
- 6-26-85 N. J. STATE COMMISSION OF INVESTIGATION (Report on the Division of Motor Vehicle Handling of the Sears-Taggart Photo License Proposal, June 3, 1985)
- 6-27-85 DIVISION OF PENSIONS (1984 Annual Report: Consolidated Police & Firemen's Pension Fund of N. J.)

Mr. Orechio, Senate President, announced the following appointments to the Commission to Study the Employment and Compensation of Agricultural Workers:

Senator Frank Pallone, Jr. (D.) 11th District

Senator C. William Haines (R.) 8th District

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 3112/116 ACS, without reference.

Assembly No. 3283 Aca, without reference.

Assembly No. 3830 Aca, Energy and Environment Committee.

Assembly No. 3834, Energy and Environment Committee.

Assembly No. 3112/116 ACS and 3282 Aca were taken up, read a second time, and ordered to a third reading.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 3178, by Mr. Connors, Energy and Environment Committee.

Senate No. 3179, by Mr. Dumont, Education Committee.

Senate No. 3180, by Messrs. Haines, Foran, Dalton and Zane, Natural Resources and Agriculture Committee.

Senate No. 3181, by Mr. Lynch, Judiciary Committee.

Senate No. 3182, by Messrs. Pallone, Dalton and Van Wagner, Energy and Environment Committee.

Senate No. 3183, by Mr. Lynch, Energy and Environment Committee.

Senate No. 3184, by Mr. Dalton, Judiciary Committee.

Senate No. 3185, by Messrs. Haines, Foran, Dumont, Connors, Garibaldi, Gormley, Zane, Dalton, Weiss, Rand, Ms. Costa and Mr. Hurley, Natural Resources and Agriculture Committee.

Senate No. 3186, by Messrs. Zane, Dalton and Rand, Revenue, Finance and Appropriations Committee.

Senate No. 3187, by Messrs. Gormley, Garibaldi, Connors and Dorsey, Energy and Environment Committee.

Senate No. 3188, by Messrs. Gagliano, Hurley, Cardinale and DiFrancesco, Energy and Environment Committee.

Senate No. 3189, by Messrs. Gardinale and Hagedorn, Energy and Environment Committee.

Senate No. 3190, by Mr. Garibaldi, Energy and Environment Committee.

Senate No. 3191, by Messrs. DiFrancesco, Gagliano and Dorsey, Energy and Environment Committee.

Senate No. 3192, by Mr. Foran, Institutions, Health and Welfare Committee.

Senate No. 3193, by Messrs. Laskin and Van Wagner, Judiciary Committee.

Senate No. 3194, by Mr. Foran, Energy and Environment Committee.

Senate No. 3195, by Mr. Garibaldi, Transportation and Communications Committee.

Senate No. 3196, by Mr. Graves, County and Municipal Government Committee.

Senate No. 3197, by Mr. Stockman, County and Municipal Government Committee.

Senate Concurrent Resolution No. 151, by Mr. Garibaldi, Natural Resources and Agriculture Committee.

Senate No. 3198, by Mr. Lesniak, without reference.

Senate No. 3199, by Mr. Weiss, Revenue, Finance and Appropriations Committee.

Senate No. 3200, by Mr. Russo, Judiciary Committee.

Senate No. 3201, by Messrs. Lesniak, DiFrancesco, Lynch and Bassano, Education Committee.

Senate No. 3202, by Mr. Orechio, without reference.

Senate No. 3203, by Messrs. O'Connor, Jackman, Cardinale, DiFrancesco and Cowan, Labor, Industry and Professions Committee.

Senate No. 3204, by Mr. DiFrancesco, without reference.

Senate No. 3205, by Messrs. Rand, Dalton and Laskin, Institutions, Health and Welfare Committee.

Federal and Interstate Relations and Veterans Affairs Committee.  
Federal and Interstate Relations and Veterans Affairs.

Senate No. 3206, by Messrs. Contillo, Dalton and Ms. Costa, Energy and Environment Committee.

Senate No. 3207, by Mr. McManimon, with reference.

Senate No. 3208, by Mr. Orechio, Revenue, Finance and Appropriations Committee.

Senate No. 3209, by Ms. Costa and Mr. O'Connor, Law, Public Safety and Defense Committee.

Senate No. 3210, by Ms. Costa, Institutions, Health and Welfare Committee.

Senate No. 3211, by Ms. Costa and Mr. Rand, Labor, Industry and Professions Committee.

Senate No. 3212, by Mr. Codey, Institutions, Health and Welfare Committee.

Senate No. 3213, by Mr. Codey, Institutions, Health and Welfare Committee.

Senate No. 3214, by Mr. Codey, Institutions, Health and Welfare Committee.

Senate No. 3215, by Mr. Codey, Institutions, Health and Welfare Committee.

Senate No. 3216, by Mr. Codey, Law, Public Safety and Defense Committee.

Senate No. 3217, by Mr. Codey, Institutions, Health and Welfare Committee.

Senate No. 3218, by Messrs. Hagedorn, Cardinale, Bassano, Gagliano, Dumont and Feldman, Institutions, Health and Welfare Committee.

Senate No. 3219, by Ms. Lipman, Institutions, Health and Welfare Committee.

Senate No. 3221, by Messrs. Hagedorn, Bassano, Haines, Feldman and Jackman, Labor, Industry and Professions Committee.

Senate No. 3220, by Messrs. Russo, Orechio, Weiss, without reference.

Senate No. 3222, by Messrs. Dalton, Russo, Orechio and Van-Wagner, without reference.

Senate No. 3223, by Ms. Costa, Energy and Environment Committee.

Senate Concurrent Resolution No. 152, by Mr. Ewing, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate Resolution No. 99, by Mr. Cardinale, without reference.

Senate Nos. 3198, 3202, 3204, 3207, 3220, 3222 and Senate Joint Resolution No. 99 were taken up, read a second time, and ordered to a third reading.

Quorum call at 10 p.m.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—37.

Mr. Hirkala assumed the duties of the Chair.

The County and Municipal Government Committee reported the following bill favorably without amendment:

Assembly No. 2721.

Assembly No. 2721 was taken up, read a second time, and ordered to a third reading.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Assembly No. 2721, notwithstanding the lack of five days' notice.

Senate No. 215 with Governor's recommendations, was given third reading.

On motion of Mr. Codey that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Cowan, Dalton, Dorsey, Dumont, Feldman, Gagliano, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Zane—31.

In the negative—None.

The following communication from Senator Gormley was read by the Secretary:

Mr. President,

On Senate Nos. 219, 1601, 2162, 2294, 2340, 2558, 2645, 2871, 2876, 2897, 2931, Assembly Nos. 1955, 1049, 1044, 1821, 2125, 2744, 2806, Senate Nos. 1037, 1580, 1708, 2053, Assembly Nos. 78, 3040 and Assembly Concurrent Resolution No. 31 I am recorded as not voting.

I wish to be recorded in the affirmative on the above listed bills.

Senate No. 601 was given third reading.

On motion of Mr. Connors that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Cowan, Dalton, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—32.

In the negative—None.

Senate No. 2162 was given third reading.

On motion of Mr. Hagedorn that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—34.

In the negative—None.

Senate No. 2294 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—36.

In the negative—None.

Senate No. 2340 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing,

Feldman, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—34.

In the negative—None.

Senate No. 2558 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—36.

In the negative—None.

Senate No. 2645 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—35.

In the negative—None.

Senate No. 2871 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Weiss, Zane—34.

In the negative—None.

Senate No. 2876 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Foran, Gagliano, Garibaldi, Gormley, Hirkala, Hurley, Jackman, Lesniak, Lipman,

Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Weiss, Zane—28.

In the negative were—

Bubba, Dorsey, Dumont, Haines—4.

Senate No. 2897 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—35.

In the negative—None.

Senate No. 2931 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane.—37.

In the negative—None.

On motion of Mr. Connors pursuant to Rule 124, Assembly No. 1955 was substituted for Senate No. 1878 with which it is identical, and Senator Connors was added as cosponsor of Assembly No. 1955.

Which was adopted by voice vote.

Assembly No. 1955 was given third reading.

On motion of Mr. Connors that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—37.

In the negative—None.

On motion of Mr. Connors pursuant to Rule 124, Assembly No. 1049 was substituted for Senate No. 1876 with which it is identical, and Senator Connors was added as cosponsor of Assembly No. 1049.

Which was adopted by voice vote.

Assembly No. 1949 was given third reading.

On motion of Mr. Connors that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—37.

In the negative—None.

Assembly No. 78 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—36.

In the negative—None.

The following communication from Senator Weiss was read by the Secretary:

Mr. President,

On Assembly Nos. 78, 3040 and Assembly Concurrent Resolution No. 31, I am reported as not voting.

I wish to be recorded in the affirmative on the above listed bills.

Assembly No. 1044 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—38.

In the negative—None.

Assembly No. 1821 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—33.

In the negative was—Lynch—1.

Assembly No. 2125 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—36.

In the negative—None.

Assembly No. 2744 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—38.

In the negative—None.

Assembly No. 2806 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative were—None.

Assembly No. 3040 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

On motion of Mr. Russo pursuant to Rule 124, Assembly Concurrent Resolution No. 31 was substituted for Senate Concurrent Resolution No. 140 with which it is identical, and Senator Russo was added as cosponsor of Assembly Concurrent Resolution No. 31.

Which was adopted by voice vote.

Assembly Concurrent Resolution No. 31 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Senate No. 1037 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 1580 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves,

Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—35.

In the negative was—Bubba—1.

Senate No. 1708 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

On motion of Mr. Hurley pursuant to Rule 124, Assembly No. 3683 was substituted for Senate No. 1856 with which it is identical, and Senator Hurley was added as cosponsor of Assembly No. 3683.

Which was adopted by voice vote.

Assembly No. 3683 was given third reading.

On motion of Mr. Hurley that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2053 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

On motion of Mr. Graves pursuant to Rule 124, Assembly No. 3037 was substituted for Senate No. 2553 with which it is identical, and Senator Graves was added as cosponsor of Assembly No. 3037.

Which was adopted by voice vote.

Assembly No. 3037 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Mr. Orechio resumed the duties of the Chair.

On motion of Mr. Gormley pursuant to Rule 124, Assembly No. 2625 was substituted for Senate No. 2640 with which it is identical, and Senator Gormley was added as cosponsor of Assembly No. 2605.

Which was adopted by voice vote.

Assembly No. 2625 was given third reading.

On motion of Mr. Gormley that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 2642 was given third reading.

On motion of Mr. Haines that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

On motion of Mr. O'Connor pursuant to Rule 124, Assembly No. 3856 was substituted for Senate No. 3170 with which it is identical, and Senator O'Connor was added as cosponsor of Assembly No. 3856.

Which was adopted by voice vote.

Assembly No. 3856 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane.—39.

In the negative—None.

Assembly No. 1444 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane.—34.

In the negative—None.

Assembly Joint Resolution No. 87 was given third reading.

On motion of Mr. Hirkala that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane.—38.

In the negative—None.

Senate No. 2888 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey,

Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

On motion of Mr. Dalton pursuant to Rule 124, Assembly No. 3112 was substituted for Senate No. 3157 with which it is identical, and Senator Dalton was added as cosponsor of Assembly No. 3112.

Which was adopted by voice vote.

Assembly No. 3112 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 560 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Garibaldi, Gormley, Graves, Hagedorn, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss—32.

In the negative were—

Bubba, Russo, Zane—3.

Senate No. 561 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss—33.

In the negative were—

Bubba, Russo, Zane—3.

Senate No. 562 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss—35.

In the negative were—

Bubba, Zane—2.

Senate No. 563 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Stockman, Van Wagner, Weiss—32.

In the negative were—

Bubba, Russo, Zane—3.

On motion of Mr. Ewing pursuant to Rule 124, Assembly No. 3282 was substituted for Senate No. 2708 with which it is identical, and Senator Ewing was added as cosponsor of Assembly No. 3282.

Which was adopted by voice vote.

Assembly No. 3282 was given third reading.

On motion of Mr. Ewing that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—37.

In the negative—None.

On motion of Mr. Codey pursuant to Rule 124, Assembly No. 1829/872/873 ACS was substituted for Senate No. 1515 with which it is identical, and Senator Codey was added as cosponsor of Assembly No. 1829/872/873 ACS.

Which was adopted by voice vote.

Assembly No. 1829/872/873 ACS was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—35.

In the negative were—

Gagliano, Russo—2.

Quorum call 11 p.m.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dunont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

Mr. Russo offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3174 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Ewing, Feldman, Foran, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

On motion of Mr. Russo pursuant to Rule 124, Assembly No. 3436 was substituted for Senate No. 3174 with which it is identical, and Senator Russo was added as cosponsor of Assembly No. 3436.

Which was adopted by voice vote.

Assembly No. 3436 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Ewing, Feldman, Foran, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—33.

In the negative were—

Bubba, Dumont, Hagedorn—3.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 3092 ACS, County and Municipal Government Committee.

Senate No. 2821 Aca, without reference.

Senate No. 2840 Aca, without reference.

Senate Nos. 2821 Aca and 2840 Aca were taken up, read a second time, and ordered to a third reading.

Senate No. 2840 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—38.

In the negative—None.

Mr. Codey offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Assembly No. 3638 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—33.

In the negative—None.

Assembly No. 3638 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Zane—35.

In the negative—None.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate No. 3220, by Mr. Russo, without reference.

Senate No. 3220 was taken up, read a second time, and ordered to a third reading.

Mr. Russo offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3220 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 3220 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Zane—33.

In the negative was—Bubba—1.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate No. 3224, by Mr. Hirkala, without reference.

Senate No. 3224 was taken up, read a second time, and ordered to a third reading.

Mr. Hirkala offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3224 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative was—Bubba—1.

Senate No. 3224 was given third reading.

On motion of Mr. Hirkala that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—34.

In the negative was—Dumont—1.

Ms. Costa offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Assembly No. 1807 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 1807 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Graves, Hagedorn, Haines, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 2602 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative was—Contillo—1.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate Resolution No. 99, by Messrs. Cardinale, Bassano, Ms. Brown, Messrs. Bubba, Caufield, Codey, Connors, Contillo, Ms. Costa, Messrs. Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Ms. Lipman, Messrs. Lynch, McManimon, O'Connor, Orechio, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss and Zane, without reference.

On motion of Mr. Cardinale, Senate Resolution No. 99 was taken up and adopted by voice vote.

Senate No. 2688 was given third reading.

On motion of Mr. McManimon that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner—37.

In the negative—None.

The Secretary read a communication from the Governor, who has conditionally vetoed the following bill:

Senate No. 1776 (2nd OCR)ev.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
June 27, 1985. }

## SENATE BILL No. 1776 (2nd OCR)

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1776 (2nd OCR) with my recommendations for reconsideration.

Senate Bill No. 1776 (2nd OCR) will amend the Small Business Set-Aside Act (P. L. 1983, c. 482) to require State contracting agencies to establish goals of setting aside a certain percentage of their contracts for minority business enterprises (MBE's) and women's business enterprise (WBE's). Current law requires State contracting agencies to establish a set-aside goal of 15% of their contracts for small businesses (SBE's). Senate Bill No. 1776 (2nd OCR) will require State contracting agencies to establish additional set-aside goals of 7% for MBE's and 3% for WBE's.

I support the concept expressed within Senate Bill No. 1776 (2nd OCR). This bill will encourage the growth and competitiveness of MBE's and WBE's in the market place and will provide an opportunity for these businesses to establish favorable reputations in their areas of expertise. However, I must return the bill for amendment as it is deficient in three areas.

The terms "Office" and "Chief" must be amended to refer to the Office of Minority Business Enterprise (OMBE), Department of Commerce and Economic Development, and to the head of that office, when the terms are used in conjunction with the MBE set-aside program. Presently, the terms only refer to the Office of Small Business Assistance (OSBA), Department of Commerce and Economic Development, and to the head of that office. OMBE has the responsibility of qualifying businesses as MBE's and for establishing and coordinating programs to assist MBE's. Amending Senate Bill No. 1776 (2nd OCR) in this manner will ensure that the appropriate office within the Department of Commerce and Economic Development will administer the MBE set-aside program.

I also recommend that Senate Bill No. 1776 (2nd OCR) be amended to insert an appropriation in the amount of \$150,000.00. The Department of Commerce and Economic Development advises that this sum is necessary to provide funding for the implementation of the MBE and WBE set-aside programs.

Finally, I recommend that the effective date of this bill be amended from immediately to six months after the date of enactment. Delaying the effective date in this manner will enable the Department of Commerce and Economic Development to establish procedures and promulgate regulations to ensure that the MBE and WBE set-aside programs will function efficiently and effectively.

Accordingly, I return Senate Bill No. 1776 (2nd OCR) and recommend that it be amended as follows:

*Page 1, Title, Line 8:* Delete "and"

*Page 1, Title, Line 9:* After "act" insert ", and to make an appropriation"

*Page 2, Section 4, Line 7:* After "Assistance" insert "when used in conjunction with the small business and female business set-aside programs, or the Chief of the Office of Minority Business Enterprise when used in conjunction with the minority business set-aside program"

*Page 2, Section 4, Line 11:* After "Development" insert "when used in conjunction with the small business and female business set-aside programs, or the Office of Minority Business Enterprise when used in conjunction with the minority business set-aside program"

*Page 3, Section 6, Line 6:* Delete "minortiy" insert "minority"

*Page 7, Section 11, After Line 25:* Insert new section as follows:

"15. There is appropriated to the Department of Commerce and Economic Development the sum of \$150,000.00 from the General Fund for the purpose of enabling the Department to carry out its duties and responsibilities under this act."

*Page 7, Section 15, Line 1:* Delete "15" insert "16"

*Page 7, Section 15, Line 1:* Delete "immediately" insert "six months after the date of enactment"

Respectfully,

[SEAL]  
Attest:

/s/ THOMAS H. KEAN,  
Governor.

/s/ W. CARY EDWARDS,  
Chief Counsel to the Governor.

Senate No. 1776 (2nd OCR) with Governor's recommendations, was given second reading.

On motion of Ms. Lipman that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—37.

In the negative—None.

Senate No. 1776 (2nd OCR) w/GR was taken up, read a second time, and ordered to a third reading.

The Secretary read a communication from the Governor, who has conditionally vetoed the following bill:

Senate No. 419 (3rd OCR) cv.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
June 27, 1985. }

SENATE BILL NO. 419 (3rd OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 419 (3rd OCR) with my recommendations for reconsideration.

This legislation, titled the open "Effective Schools Program Act," creates an effective school program and appropriates \$1 million to be distributed as grants to support improvement efforts undertaken in individual schools. To be eligible for this funding, the administrative and teaching personnel of the school shall submit a proposal to the Commissioner of Education which indicates an intention to use effective school research in the development of a plan to improve their schools.

I wholeheartedly endorse the concept of effective school research, which encourages all parties interested in education, such as teachers, board members, administrators, support staff, parents and community members, to work collaboratively in the planning and implementation of an improvement effort for their local school. However, I would like to propose several recommendations which I feel will make this bill even better. These proposals have been discussed with the Senate sponsor of this bill, who concurs with them.

One of the components of a successful effective school program is a close monitoring effort by the Department of Education. In order for the Department to effectively perform this function, the program must be manageable in terms of their resources. For this reason, I am recommending that the appropriation in this bill be reduced from \$1,000,000 to \$500,000 in order to better permit the Department of Education to fulfill this important responsibility.

Related to the funding issue is the formula provided by this legislation, which stipulates that no grant shall exceed \$25 multiplied by the school's average daily attendance during the preceding school year. While the intent of this provision is ostensibly to ensure that the available funds are widely distributed, this limitation may serve to deter the implementation of any significant programs. Furthermore, the concept of effective schools research is not dependent on the size of a particular school, as small schools may propose ambitious programs and large schools may initiate more narrowly focused ones.

Finally, I am proposing the elimination of some language which is inappropriate in legislation which establishes an educational program.

I am hopeful that the Legislature will concur in my recommendations immediately in order that this program may be implemented in the fall.

Therefore, I herewith return Senate Bill No. 419 and recommend that it be amended as follows:

*Page 2, Section 4, line 12:* Delete “, and providing for”.

*Page 2, Section 4, lines 12A through 12C:* Delete in their entirety.

*Page 2, Section 4, line 12D:* Delete “N. J. S. 18A:1-1”.

*Page 2, Section 4, lines 20 through 20B:* After “process.” delete in entirety.

*Page 3, Section 6, lines 3 and 4:* Delete in their entirety.

*Page 3, Section 6, line 5:* Delete “the preceding school year.”

*Page 3, Section 7, line 3:* Delete “\$1,000,000.00” and insert “\$500,000.00”.

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

Senate No. 419 (3rd OCR) with Governor's recommendations, was given second reading.

On motion of Mr. Stockman that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss—34.

In the negative—None.

Senate No. 419 (3rd OCR) w/GR was taken up, read a second time, and ordered to a third reading.

Senate No. 2637 was given third reading.

On motion of Mr. Dorsey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner—37.

In the negative—None.

Assembly No. 1515 with Governor's recommendations, was given third reading.

On motion of Mr. Lynch that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner—34.

In the negative—None.

Senate No. 2954 was given third reading.

On motion of Mr. Bassano that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—38.

In the negative—None.

Senate No. 3165 was given third reading.

On motion of Mr. Foran that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner—36.

In the negative—None.

Assembly No. 2764 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—37.

In the negative—None.

The following bill was read for the first time by its title and referred to committee as indicated.

Senate No. 3207, by Mr. McManimon, without reference.

Senate No. 3207 was taken up, read a second time, and ordered to a third reading.

Mr. McManimon offered the following resolution which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3207 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—34.

In the negative—None.

Senate No. 3207 was given third reading.

On motion of Mr. McManimon that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—34.

In the negative—None.

Senate No. 2336 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Costa, Cowan, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hagedorn, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss—30.

In the negative—None.

On motion of Mr. Pallone, Mr. McManimon was added as co-sponsor of Senate No. 2691.

On motion of Mr. Russo, Mr. Stockman was added as cosponsor of Senate No. 3220.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 3225, by Mr. Pallone, Energy and Environment Committee.

Senate No. 3226, by Mr. Orechio, Labor, Industry and Professions Committee.

Senate No. 3227, by Mr. Orechio, Labor, Industry and Professions Committee.

Senate No. 3228, by Mr. Pallone, Energy and Environment Committee.

Mr. Russo offered the following motions which were read and adopted:

*Be It Resolved*, That pursuant to Senate Rule 88, the following bills be referred to the Revenue, Finance and Appropriations Committee:

Senate Nos. 239, 2699, 2799, 2803, 2875, 2912 Sea, 2939, 3163, 3164, 3166 and 3175.

*Be It Resolved*, That Senate No. 3172 be referred to the Labor, Industry and Professions Committee.

*Be It Resolved*, That Assembly No. 3353 be transferred to the Revenue, Finance and Appropriations Committee from the Law, Public Safety and Defense Committee.

The Secretary read a communication from the Governor, who has absolutely vetoed Senate No. 2877. Which was then filed.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
June 27, 1985. }

SENATE BILL NO. 2877

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2877 without my signature.

This bill amends the State Solid Waste Management Act to permit a county government to designate a municipal incinerator authority to supervise the implementation of its county solid waste management plan. The Solid Waste Management Act presently requires the designation of a department, unit or committee of county government to perform this function.

This legislation is unnecessary and inappropriate. Present law allows a county government to provide for the implementation of specific projects contained in its solid waste management plan by local authorities such as municipal utilities authorities, municipal incinerator authorities, improvement authorities and the like. Thus, no statutory change is required for a municipal unit to design, construct, finance, operate, or otherwise participate in the development of solid waste disposal facilities which are determined to be necessary and appropriate by a county governing body.

It is, however, inappropriate for a municipal unit to supervise the overall implementation of a county solid waste management plan. One major concern which led to the development of the Solid Waste Management Act was the need to eliminate the piecemeal

and parochial manner in which solid waste management had frequently been conducted in the past. County governments were recognized as the appropriate regional entities to accomplish this objective and were given important and continuing responsibility for the implementation of their plans. Given this continuing responsibility, it is important for the governing body of a county to remain actively involved in the implementation of its solid waste management plan, either directly or through an entity which is accountable to that county governing body and which possesses the regional perspective central to the role of counties under the Solid Waste Management Act. A municipal agency or authority cannot provide this perspective or accountability.

Accordingly, I herewith return Senate Bill No. 2877 without my signature.

Respectfully,  
/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
*Chief Counsel to the Governor.*

The Secretary read communications from the Governor, who has conditionally vetoed the following bills:

Senate Nos. 1177 (3rd OCR) cv, 1186 (3rd OCR) cv, 2675 (OCR) cv and 2710 (2nd OCR) cv.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
June 27, 1985. }

SENATE BILL No. 1177 (3RD OCR)

*To the Senate:*

Pursuant to Article V, Section I, paragraph 14 of the Constitution, I herewith return Senate Bill No. 1177 (3rd OCR) with my recommendations for reconsideration.

Senate Bill No. 1177 and its companion measures Senate Bill No. 1186, sponsored by Senator DiFrancesco, and Assembly Bill No. 2589, sponsored by Assemblyman Paterniti, implement many of the recommendations of the Jury Utilization and Management Task Force appointed by Chief Justice Wilentz in 1981 to study the State's jury trial system. The report, which was completed in December of 1982, contained a series of recommendations with respect to the qualifications of jurors, exemptions and excuses from jury duty, postponements of jury service, juror compensation and administration of the jury system.

The recommendations addressed by these three bills are intended to remedy four general problems that the Task Force found with the existing jury system:

1. The obligation of jury service is distributed inequitably among the population;
2. Outdated statutory provisions inhibit the efficient operation of the jury system;
3. Juror compensation is inadequate; and
4. Long terms of service and days of inactivity on the part of jurors have created a basic desire to avoid jury service.

Senate Bill No. 1177 makes some long needed changes in the statutes dealing with the jury process up to the point at which the person is summoned for jury service. Among these are provisions that update juror qualifications by eliminating the two-year residency requirement and replacing it with a requirement that the juror be a citizen of the United States and eliminating the upper age limit of seventy-five for juror eligibility.

However, by far, the most important reforms of Senate Bill No. 1177 are those that expand the number of people who may be called for jury duty. The bill does this by eliminating the current provision that prohibits persons directly or indirectly connected with the administration of justice from serving as jurors and repealing virtually all of the occupational exemptions allowed by law except for those exemptions for policemen, firemen and first aid or rescue squad personnel.

Another way in which Senate Bill No. 1177 expands the number of people who may be called for jury duty is to expand the number of sources from which the jury list is compiled. This is increased from the voter registration lists and motor vehicle drivers license lists used under current law to include tax assessment lists, lists of persons filing gross income tax returns and telephone directories.

Senate Bill No. 1177 also expands employment protection for jurors by allowing a person discharged from employment because of jury service to sue for recovery of lost wages plus reasonable attorney fees.

The effective date of Senate Bill No. 1177 is July 1, 1985, although the bill is to remain inoperative until its companion measures Senate Bill No. 1186 and Assembly Bill No. 2589 are enacted.

Unfortunately, while I am totally supportive of most of the changes embodied in these three bills and of all of the modifications made by Senate Bill No. 1177, I cannot sign any of the bills in their present form. Although I believe that juror compensation is inadequate and should be increased, I cannot support the State assumption of the cost of this increase as required by Assembly Bill No. 2589. In a year with a budget surplus it is easy to rationalize a commitment to new spending programs but I cannot, in good conscience, commit the State to expenditures such as this which will continue on into years in which a surplus may not be available to pay for them. Accordingly, Assembly Bill No. 2589 should be amended to remove this provision, while leaving in place the actual increase in juror compensation.

In order to ensure that the much needed reforms contained in this bill are not held up by the legislative process any longer than is necessary, I recommend an amendment of the effective date of this bill to remove the linkage to the other two bills in the package. Also, since the July 1 effective date in the bill is almost upon us, this effective date should be changed to 120 days from the date of enactment to give the counties and the Administrative Office of the Courts time to implement the changes required by the bill.

Accordingly, I herewith return Senate Bill No. 1177 (3rd OCR) and recommend that it be amended as follows:

*Page 12, Section 35, line 1:* After "effect" delete "on July 1, 1985 but shall remain" insert "120 days after enactment."

*Page 12, Section 35, lines 2 through 4:* Delete in entirety.

Respectfully,

/s/ THOMAS H. KEAN,

Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT,

June 27, 1985. }

SENATE BILL NO. 1186 (3RD OCR)

*To the Senate:*

Pursuant to Article V, Section I, paragraph 14 of the Constitution, I herewith return Senate Bill No. 1186 (3rd OCR) with my recommendations for reconsideration.

Senate Bill No. 1186 and its companion measures Senate Bill No. 1177, sponsored by Senator Gagliano, and Assembly Bill No. 2589, sponsored by Assemblyman Paterniti, implement many of the recommendations of the Jury Utilization and Management Task Force appointed by Chief Justice Wilentz in 1981 to study the State's jury trial system. The report, which was completed in December of 1982, contained a series of recommendations with respect to the qualifications of jurors, exemptions and excuses from jury duty, postponements of jury service, juror compensation and administration of the jury system.

The recommendations addressed by these three bills are intended to remedy four general problems that the Task Force found with the existing jury system:

1. The obligation of jury service is distributed inequitably among the population;
2. Outdated statutory provisions inhibit the efficient operation of the jury system;
3. Juror compensation is inadequate; and

4. Long terms of service and days of inactivity on the part of jurors have created a basic desire to avoid jury service.

While Senate Bill No. 1177, which I have also conditionally vetoed, would generally update and streamline statutes dealing with the jury process up to the point at which a person is summoned for jury service, Senate Bill No. 1186 deals with those statutes affecting jurors after they are summoned for service. The most important reform contained in this bill is the establishment of a severe hardship exemption to replace the occupational exemptions existing under current law which are repealed by Senate Bill No. 1177.

The effective date of Senate Bill No. 1186 is July 1, 1985, although the bill is to remain inoperative until its companion measures Senate Bill No. 1177 and Assembly Bill No. 2589 are enacted.

Unfortunately, while I am totally supportive of most of the changes embodied in these three bills, I cannot sign any of the bills in their present form. Although I believe that juror compensation is inadequate and should be increased, I cannot support a State assumption of the cost of this increase as required by Assembly Bill No. 2589. In a year with a budget surplus it is easy to rationalize a commitment to new spending programs but I cannot, in good conscience, commit the State to expenditures such as this which will continue on into years in which a surplus may not be available to pay for them. Accordingly, Assembly Bill No. 2589 should be amended to remove this provision, while leaving in place the actual increase in juror compensation.

In order to ensure that the much needed reforms contained in this bill are not held up by the legislative process any longer than is necessary, I recommend an amendment of the effective date of this bill to remove the linkage to the other two bills in the package. Also, since the July 1 effective date in the bill is almost upon us, this effective date should be changed to 120 days from the date of enactment to give the counties and the Administrative Office of the Courts time to implement the changes required by the bill.

Accordingly, I herewith return Senate Bill No. 1186 (3rd OCR) and recommend that it be amended as follows:

*Page 7, Section 17, line 1:* After "effect" delete "on July 1, 1985 but shall remain" insert "120 days after enactment."

*Page 7, Section 17, lines 2 through 4:* Delete in entirety.

Respectfully,

/s/ THOMAS H. KEAN,

Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
June 27, 1985. }

## SENATE BILL No. 2675 (OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2675 (OCR) with my objections and recommendations for amendment.

This bill amends current law, P. L. 1978, c. 68, to extend the life of the Commission on Sex Discrimination in the Statutes from January 14, 1986 to January 9, 1990. The Commission on Sex Discrimination in the Statutes was created in 1978 as a temporary commission to study sex discrimination in the statutes with a view toward proposing a comprehensive modernization and revision of statutes containing sex-based classifications.

The original bill provided that the Commission on Sex Discrimination in the Statutes was to expire on January 8, 1980. In March of 1981, Governor Byrne signed Senate Bill No. 1599 of the 1980-1981 legislative session which extended the life of this Commission to January 10, 1984. On August 23, 1983, I signed Senate Bill No. 2003 of the 1982-1983 legislative session which extended the life of the Commission to January 14, 1986.

I applaud the work of the Commission on Sex Discrimination in the Statutes, and I recognize the need to extend the life of the Commission to enable it to continue studying the New Jersey Statutes, in particular the criminal justice code, to eliminate sex bias. The support of my Administration and the Legislature for the work of this Commission is evidenced by the enactment of many vital pieces of legislation that were prepared in response to the Commission's many reports. However, I am recommending that the life of the Commission be extended for two years to January 12, 1988, in order to be consistent with past practice in this regard. Two years should be sufficient time for the Commission to complete its task concerning the criminal justice system, particularly when there are already groups such as the Criminal Disposition Commission which possess the statistical evidence the Commission on Sex Discrimination will need in its study. I expect these Commissions to draw on each others resources.

I am also recommending that Section 2 of Senate Bill No. 2675 (OCR) be amended to clarify the terms of the members. Section 2 currently provides that each member of the Commission appointed from either House of the Legislature shall serve only as long as he shall be a member of that House and all members shall serve for terms of two years and until their respective successors shall be appointed and shall qualify. The Commission was first established as a temporary two-year Commission and consequently the passage of periodic legislation extending the life was interpreted by some to imply automatic reappointment. This never was

my intent when I signed P. L. 1983, c. 314. Therefore, I am recommending that Section 2 be changed to include language indicating that the public members shall serve for terms of two years from the date of their initial appointment and until their successors are appointed and qualified. Also, the Director of the Division on Women who currently serves on the Commission has no fixed term and I recommend that she or he shall serve as long as that person holds the Director's position.

Finally, I am recommending the incorporation of language providing that the Chairperson shall be elected by the Commission from among its members and shall serve for a two-year term during her or his membership on the Commission. By amending Section 2 of Senate Bill No. 2675 (OCR) in this manner, the procedure for electing the Chairperson and the Chairperson's term of office will be clarified.

I believe that Section 1 of Senate Bill No. 2675 (OCR) must be amended to omit the language included by a Senate amendment providing that the four public members are to be appointed by me upon the advice and consent of the Senate. The original bill as well as the enabling legislation signed in 1978 did not require these appointments to receive the Senate's concurrence.

In addition, to ensure that there is bipartisan representation among the four public members on this Commission I am recommending that Section 1 be amended to delete the language "without regard of political affiliation" and to insert the language "that no more than two of whom shall be from the same political party."

In conclusion, I believe that Senate Bill No. 2675 (OCR) is important legislation in that it will allow the Commission on Sex Discrimination to continue its study of the New Jersey Statutes to eliminate sex bias. However, for the aforementioned reasons, I return Senate Bill No. 2675 (OCR) and recommend that it be amended as follows:

*Page 1, Section 1, Line 9:* After "Governor" delete "with the advice and consent of the" insert ", no more than two of whom shall be from the same political party."

*Page 1, Section 1, Line 10:* Omit entirely.

*Page 1, Section 2, Line 4:* After "House" insert ", the Director of the Division on Women shall serve as long as that position is held"; after "all" insert "public"

*Page 1, Section 2, Line 5:* After "years" insert "from the date of their initial appointment"

*Page 1, Section 2, Line 6:* After "qualify." insert "Within thirty days of the effective date of the amendatory act, a Chairperson shall be elected by the Commission from among its members who shall serve for two years during her or his membership on the Commission."

*Page 2, Section 2, Line 8:* After "made" omit ", except that the filling of any vacancy among the public" and insert "."

*Page 2, Section 2, Lines 9-11: Omit entirely.*

*Page 2, Section 3, Line 3: Omit "January 9, 1990" insert "January 12, 1988"*

Respectfully,

/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel to the Governor.

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT,

June 27, 1985. }

SENATE BILL NO. 2710 (2ND OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2710 (2nd OCR) with my recommendations for reconsideration.

Senate Bill No. 2710 (2nd OCR) would allow a member of the Police and Firemen's Retirement System (PFRS) with at least 20 years of creditable service who leaves a position covered by the PFRS to work for a public agency or private nonprofit organization to purchase up to two years of credit for the time of service with the public agency or private nonprofit organization. The public agencies or private nonprofit organizations include federal agencies; an agency of another state or local government; a national, regional, statewide, areawide or metropolitan organization representing member state or local governments; an association of state or local public officials; and a nonprofit organization which has as one of its principal functions the offering of professional advisory, research, educational or development services to governments and universities concerned with public management.

The member must pay the entire cost of the service credit purchase. The member may purchase the credit within three years of the date of his last contribution to the PFRS immediately preceding the service with the public agency or private nonprofit organization.

I must return Senate Bill No. 2710 (2nd OCR) so that it may be amended to properly reflect the purpose for which it was introduced. The sponsor introduced Senate Bill No. 2710 (2nd OCR) to enable certain individuals who have left positions covered by the PFRS for positions with other public agencies or private nonprofit organizations to purchase up to three years of service credit for the time of service with the public agency or private nonprofit organization. In its current form, Senate Bill No. 2710 (2nd OCR) would limit a service credit purchase to two years. I recommend that Senate Bill No. 2710 (2nd OCR) be amended to increase the service credit purchase limit from two to three

years. Consequently, I also recommend that the time limit for purchasing the service credit be increased from three to four years to ensure that an eligible PFRS member will have the opportunity to purchase up to three years of service credit. Amending Senate Bill No. 2710 (2nd OCR) in this manner will conform the bill to the sponsor's intent.

Accordingly, I return Senate Bill No. 2710 (2nd OCR) and recommend that it be amended as follows:

*Page 2, Section 1, Line 22:* Delete "two" insert "three"

*Page 2, Section 1, Line 52:* Delete "three" insert "four"

Respectfully,

/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
*Chief Counsel to the Governor.*

Mr. Russo offered the following resolution which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet on Saturday at 10 a.m., and that when it then adjourn it be to meet at the call of the President.

On motion of Mr. Russo the Senate then adjourned.

SATURDAY, June 29, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, July 1, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

---

WEDNESDAY, July 3, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

---

SATURDAY, July 6, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, July 8, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

---

THURSDAY, July 11, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

---

SATURDAY, July 13, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, July 15, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, July 18, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, July 20, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, July 22, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, July 25, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, July 27, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, July 29, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, August 1, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, August 3, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, August 5, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, August 8, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, August 10, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, August 12, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, August 15, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, August 17, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, August 19, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, August 22, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, August 24, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, August 26, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

WEDNESDAY, August 28, 1985.

At 2 p.m. the Senate met.

The session was opened with prayer.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

On motion of Mr. Russo the reading of the Journal of the previous session was dispensed with.

The Senate moved and acted upon 11 Commemorative, Ceremonial and Memorial Resolutions.

The following resolution was read and adopted by the following vote:

STATE OF NEW JERSEY  
NEW JERSEY LEGISLATURE  
A Senate Resolution

WHEREAS, A vacancy exists in the office of a member of the Senate from Legislative District 40 by reason of the death of Garrett W. Hagedorn on August 9, 1985; therefore,

BE IT RESOLVED, That a writ of election and proclamation issue, under the hand of the President of the Senate, attested to by the Secretary of the Senate, directing that an election be held according to the laws of the State of New Jersey in Legislative District

40, on Tuesday, November 5, 1985, for the purpose of electing a member of the Senate for that district to fill the vacancy.  
Date: August 28, 1985.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

### STATE OF NEW JERSEY

#### NEW JERSEY LEGISLATURE

#### Writ of Election and Proclamation

State of New Jersey  
New Jersey Senate

WHEREAS, Garrett W. Hagedorn was, at the general election held in the month of November, 1983, elected by the voters of Legislative District 40 to represent said district in the Senate and did subsequently qualify as a member of the Senate from said district and after said election and qualification died on August 9, 1985, and thereby a vacancy happened in the Senate; and

WHEREAS, By resolution of the Senate, duly adopted on August 28, 1985, the President of the Senate was authorized and directed to issue a writ of election in the manner and from hereinafter set forth;

THEREFORE, I, Carmen A. Orechio, President of the Senate, pursuant to law and to said resolution, do hereby issue this writ of election and proclamation directing an election to be held, according to the laws of the State of New Jersey, in Legislative District 40, on November 5, 1985, for the purpose of electing a member of the Senate for said district, to fill the vacancy in the office of Garrett W. Hagedorn as a member of the Senate, that the candidates for said office to be voted upon at said election be selected or nominated in the manner provided by law and that the district boards of registry and election meet as soon hereafter as is practicable for the purpose of making, revising or correcting the registers of voters to be used at the special election.

Given under my hand and seal this 28th day of August, in the year of our Lord 1985 and in the Independence of the United States, 209th.

CARMEN A. ORECHIO,  
*President of the Senate.*

Attest:

JOHN J. MCCARTHY,  
*Secretary of the Senate.*

The Senate moved and acted upon 11 Commemorative, Ceremonial and Memorial Resolutions.

The Senate moved and acted upon 11 Commemorative, Ceremonial and Memorial Resolutions.

The Senate moved and acted upon 14 Commemorative, Ceremonial and Memorial Resolutions.

The Secretary read communications from the Governor, who has absolutely vetoed the following bills, which were then filed:

Senate Nos. 1983 (OCR) av, 2472 av, 2450 av, 2391 (OCR) av, 2250 (OCR) av, 2177 av and 2900 av.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
August 28, 1985. }

SENATE BILL No. 1983 (OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1983 (OCR) without my signature.

Senate Bill No. 1983 (OCR) would reduce the age from 60 to 55 at which a member of a pension system of a city of the first class having a population of less than 300,000 may retire after 25 years of service. An eligible member would receive a retirement allowance of one half of final salary. If a member having at least 25 years of service retires before age 55, his retirement allowance will be reduced in accordance with a table of actuarial equivalents recommended by the actuary for the system. In no instance will a member's annual retirement allowance be less than \$2,500.00.

On February 4, 1985, I conditionally vetoed Senate Bill No. 1985 which permits local governmental institutions to issue refunding bonds to fund the actuarial liabilities of non-State administered public employee pension systems. In my statement, I directed the Division of Pensions to examine the condition of non-State administered pension systems, of which there are more than 30. The Division has not yet completed its report, which will assess the feasibility of consolidating the non-State administered pension systems to place them on a more sound actuarial footing. Affirmative action on Senate Bill No. 1983 (OCR), which could have a substantial impact on several non-State administered systems, should await the completion of the Division's investigation.

Accordingly, I return Senate Bill No. 1983 (OCR) without my signature.

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
August 28, 1985. }

## SENATE BILL No. 2472

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2472 without my signature.

This bill would amend the "Major Hazardous Waste Facilities Siting Act" to prohibit the Hazardous Waste Facilities Siting Commission from locating a major hazardous waste facility within two miles of any building or structure that is used to store, manufacture, or process products or materials that are highly combustible or explosive, would produce toxic or poisonous fumes, or are especially susceptible to spontaneous ignition. The bill would also prohibit the location of a hazardous waste facility within four square miles of an area with a population of 25,000 persons or more.

I see no justification for this change in the law. In 1981, the "Major Hazardous Waste Facilities Siting Act" created the Hazardous Waste Facilities Siting Commission and empowered it to formulate a comprehensive management plan for and adopt site designations for the types of major hazardous waste facilities necessary for the proper location and disposal of hazardous waste in New Jersey. In siting major new hazardous waste facilities, the Commission is not permitted to consider those areas of New Jersey specifically excluded by the Siting Act and subsequent criteria established by the Hazardous Waste Advisory Council and the Department of Environmental Protection. Senate Bill No. 2472 would expand these exclusions to include certain industrial zones and populous areas.

Cleaning up New Jersey's environment is one of our highest and most important priorities. Our efforts to accomplish this task requires that hazardous waste be properly treated or stored somewhere if we are to prevent these contaminants from doing major damage to the environment and to the health of our citizens. Just where that somewhere should be is not an easy choice to make, environmentally or politically. This difficult assignment has been given by law to the Hazardous Waste Facilities Siting Commission, which has already made progress in determining those areas of the State that are too sensitive environmentally to allow the siting of such facilities. The Commission must be permitted to continue the siting process using the best available environmental data and modern scientific methods. Moreover, it should be left to the Commission to evaluate the risks associated with siting hazardous waste facilities adjacent to specific industrial facilities and populated areas.

Therefore, I am opposed to any measure that would preempt the work of the New Jersey Hazardous Waste Facilities Siting

Commission by excluding additional areas in the State from the siting of hazardous waste facilities.

Accordingly, I herewith return Senate Bill No. 2472 without my approval.

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,

*Chief Counsel to the Governor.*

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
August 28, 1985. }

SENATE BILL No. 2450

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2450 without my signature.

This bill would amend the Uniform Nonpartisan Elections Law to permit the question of whether to adopt or abandon the holding of run-off elections for the offices of mayor, councilman-at-large, ward councilman, commissioner or village trustee to be determined singly or in combination with one or more of the other offices.

Current law permits municipalities that hold regular municipal elections on the second Tuesday in May to adopt or abandon a procedure for run-off elections, as long as four years have passed since the question was last submitted to the voters. Current law, however, does not permit run-off elections to be held only for some of the offices in a municipality; the issue must be decided, in short, on an "all or nothing" basis.

I believe that sound public policy mandates that a uniform procedure be retained in this area of election law. Whatever arguments exist for the holding of run-off elections in the case of municipalities having regular municipal elections apply, across the board, to all municipal officeholders in these municipalities. Voters in these municipalities have the option of choosing a run-off system, and I leave to their sound discretion whether or not to do so.

It would be extremely confusing, however, to have a situation where the office of mayor was elected by plurality vote, but the office of council member only after a run-off should the requisite majority vote not be received at the initial election. One could even posit a system under this bill whereby council candidates running at-large could be elected by a plurality vote at the initial election in May, while ward council candidates receiving less than a majority could only be elected after a runoff election. Such a convoluted system seems too confusing for voters in the municipalities holding regular municipal elections to endure.

An argument has been made that run-off elections are an expense to administer. While there is undoubtedly some truth to this, it seems to me that bifurcating the system within any given municipality would not lead to a lessening of the election expenses that the municipality must bear. The expense is in holding the run-off election and is not obviated by placing the name of only the mayoral candidates or the council candidates but not both on the run-off ballot.

In sum, I believe that the modification of the Uniform Non-partisan Elections Law contemplated by this bill would add unnecessary confusion, without furthering legitimate public policy considerations or substantially lessening the cost to municipalities which choose to make use of this change in the law.

Accordingly, I herewith return Senate Bill No. 2450 without my signature.

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,

*Chief Counsel to the Governor.*

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
August 28, 1985. }

SENATE BILL No. 2391 (OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2391 (OCR) without my signature.

This legislation provides that, if a noncitizen has a promise of employment as a teaching staff member in a public school, a sworn statement before the Commissioner of Education or his designee shall constitute a sufficient declaration of intent to become a citizen for the purpose of determining eligibility for a teacher's certificate.

This bill was introduced for the benefit of a noncitizen who was originally denied a teacher's certificate on the basis of a Department of Education regulation requiring such a declaration of intent to become a citizen to be made before the United States Immigration and Naturalization Service. However, the Department has amended its procedures and the individual in question has recently received a teacher's certificate on the basis of an affidavit filed with the Commissioner. Because this issue has been resolved by the Department administratively, this legislation is unnecessary.

Accordingly, I herewith return Senate Bill No. 2391 (OCR) without my signature.

Respectfully,

/s/ THOMAS H. KEAN,

Governor.

[SEAL]  
Attest:

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,

August 28, 1985. }

SENATE BILL No. 2250 (OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2250 (OCR) without my signature.

Senate Bill No. 2250, the State Judicial Unification Act, requires the State to assume judicial costs which are currently borne by the county. The counties are required to pass on a portion of the savings from the takeover to the taxpayers in the form of property tax relief.

Pursuant to the bill, the State takeover will be phased-in over a four year period. In 1986 the State will be required to assume all county judicial costs and all judicial employees will be employees of the State. The bill defines judicial costs as any costs incurred by the county for funding the judicial system and judicial employees as any employees who perform judicial functions except employees of the county clerk's office, the surrogate's office and sheriff's office. In 1987 the State will be required to begin the assumption of county probation costs, the single largest component of county court costs. The assumption of the county probation costs will be phased-in over a three year period. In 1987 the State will assume 25% of the 1986 net probation costs plus any increase in the probation costs. In 1988 the State will assume 50% of the 1986 costs plus any increase in probation costs. In 1989 the State will assume 75% of the 1986 costs plus any increase. Finally in 1990 the State will fully assume the costs of probation. With that the court cost takeover will be complete.

For purposes of striking tax rates in the years 1986 through 1990 the county must deduct from its final appropriation the amount of the costs that the State is to assume pursuant to the provisions of the bill. After 1990, the counties are free to raise their tax rates to recoup this money and use it for other programs.

In vetoing this bill I am not ruling out an eventual transfer of county judicial costs to the State. However, I believe that any issue with an eventual recurring cost estimated to be in excess of \$170 million a year, such as the assumption of county court costs, should be decided only in the context of a careful and inclusive revamping of the relationship between the local and State tax

systems. Such a study is the purpose of the State and Local Expenditure and Revenue Policy Commission which was created pursuant to P. L. 1984, c. 213. This Commission is charged with conducting a comprehensive study of the structure of State expenditures and mandated spending formulas, with particular attention to the adequacy of the tax system to support the needs of the residents of the State and its localities for public services and facilities. Additionally, the Commission is charged to conduct a review of the methods of providing revenues to finance government services in a way to provide the most equitable distribution of the cost of government. The Commission will also review both the ability of various levels of government to raise the revenues necessary to provide services as well as the proper and efficient allocation of costs among the various levels of government. I believe that the issue raised by Senate Bill No. 2250, the appropriateness of the State takeover of the county court system, is clearly within the purview of this Commission. The decision as to whether or not the State should assume county court costs should wait until the Commission has completed its analysis of this issue and made its recommendations. Any assumption of such a large cost of local government should not be conducted on a piecemeal basis but should be the subject of close and careful study in order to ensure an efficient allocation of the cost of government and the attendant tax levy.

Notwithstanding the policy considerations, I also have had the very difficult task in this last budget year of deciding which programs should receive funding and which programs should not. Even in a year in which there is a budget surplus, such as this year, spending programs must not be entered into without a thorough review. For every worthy program funded, there have been five or six good programs that we just could not afford. In looking at the equities of the situation, I have decided to fund those major programs that will not receive funding from any other source and therefore would not exist without State funding. These programs include: a \$150 million clean New Jersey program to ensure a clean environment for our citizens; a \$10 million State college challenge for excellence; and \$1.4 million increase for major initiatives to improve urban schools. They also include: a \$60 million program for prison construction, a \$25 million increase in Safe and Clean funding to provide neighborhood police officers, a \$32.5 million program for the medically needy, \$8 million for a welfare grant increase, \$11.4 million to expand community mental health programs, \$25 million to expand the PAAD program, and \$1.6 million to reduce infant mortality in our cities. All of these programs would not exist or could not be expanded without State funding. This must be contrasted to the total annualized cost in excess of \$170 million it will cost the State to assume the cost of the county courts, a cost that can and will be met from other sources.

I must also point out that in vetoing this program I am *not* vetoing property tax relief. My budget contains funding for many programs that either directly or indirectly provide the goal of property tax relief. Directly, my budget includes a variety of appropriations which make substantial contributions to ease the property tax burden on the citizens of the State. These appropriations include: State Aid for Education including full funding of the T&E formula for education at \$2,638.1 million; \$396 million in homestead rebates; \$158.7 million in business personal property tax replacement; \$60 million for the Municipal Purposes Tax Assistance Fund; \$685 million in property tax relief from the proceeds of the Gross Receipts and Franchise Tax; \$50 million in State revenue sharing; \$45.8 million for senior citizen and disabled residents' property tax deductions; \$24.7 million in veterans' property tax deductions; and \$13.2 million in library aid, to name a few.

In directly, the State contributes to property tax relief by assuming substantial portions of local expenditures. My FY 1986 budget appropriates funds to a variety of programs that work at the county level. These programs include: \$87 million for county college aid; \$25 million to pay one-half of the actual per capital cost of maintenance of patients in county mental institutions; \$1.7 million for county and municipal highway aid; and \$6.5 million for salaries of former county district and juvenile and domestic relations court judges.

Combined, both direct aid through property tax relief programs and indirect relief through State aid increased by \$603 million in this budget year. This increase will have the same effect as Senate Bill No. 2250 of reducing local property taxes next year and is added to our State aid appropriation for a total appropriation of \$4.47 billion including school aid for this budget year.

Also, I am troubled by the fact that although this program has been heralded as permanent tax relief, the permanence of the relief is actually illusory. Although Senate Bill No. 2250 requires that any savings to the counties be passed on the taxpayers, this benefit extends, however, only until 1990. Any subsequent benefits to the taxpayers, beyond 1990, is utterly dependent upon the degree of fiscal restraint counties choose to impose upon themselves. Therefore, this tax relief program is in no way permanent.

Accordingly, I herewith return Senate Bill No. 2250 (OCR) without my signature.

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
August 28, 1985. }

## SENATE BILL No. 2177

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2177 without my signature.

This legislation would permit State employees who work regular weeks to select at their discretion overtime pay or compensatory time off or any overtime worked. Under current law, this decision is made by the employee's department head.

The determination of whether a State employee is compensated for overtime by money or compensatory time is presently vested in the department head in order to ensure the orderly administration of State government. By making such decisions with full knowledge of budgetary and manpower needs, the department head can use this discretion to ensure that State services are provided in an efficient manner and at a reasonable cost to the public.

The intention of this legislation was severely thwarted by *Garcia v. San Antonio Metropolitan Transit Authority*, in which the United States Supreme Court ruled that the minimum wage and overtime provisions of the Fair Labor Standards Act are applicable to State employees. Because the Fair Labor Standards Act makes very limited provisions or the granting of compensatory time and generally requires that employees be compensated in cash for overtime, this bill grants State employees an option which they may be largely precluded from exercising by federal law.

Although the ramifications of *Garcia* on the operations of State government will not be fully known for some time, it appears likely that Senate Bill No. 2177 will apply to bona fide executive, administrative or professional State employees, who are excluded from the applicable provisions of the Fair Labor Standards Act. However, those employees which are, in fact, exempted cannot be identified until the State has the opportunity to apply the applicable federal criteria to its employees on an individual basis. The issue of granting the choice of overtime pay or compensatory time to these classes of employees is one which deserves a detailed study, especially in light of *Garcia*. However, this process will be a lengthy one and this legislation is therefore premature.

The notion of changing the method of recompensing employees for overtime in only one of many issues that have been discussed in connection with Civil Service Reform, which has been a priority of my Administration since its inception. I would like to see the Legislature address this issue in the context of comprehensive and responsible Civil Service Reform legislation. Although the Legislature has not as yet agreed with me that Civil Service Reform is one of New Jersey's highest priorities, it has submitted to me a

series of bills which highlight problems with the Civil Service system. I call upon the Legislature to consider Assembly Bill No. 142 and Senate Bill No. 832, which were introduced on behalf of my Administration at the very beginning of this legislative session, but have not yet been discussed in Committee. These bills offer a comprehensive, reasonable approach to Civil Service Reform which would serve the interests of this State far better than the other proposals which have been considered by the Legislature, which either take a piecemeal approach towards Civil Service Reform or represent special interest legislation masquerading as Civil Service Reform.

Accordingly, I herewith return Senate Bill No. 2177 without my signature.

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,

*Chief Counsel to the Governor.*

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
August 28, 1985. }

SENATE BILL No. 2900

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2900 without my approval.

This bill amends P. L. 1974, c. 26 (C. 19:44A-33) and prohibits a gubernatorial candidate from receiving *any* public matching funds for primary election campaign expenses under three circumstances. First, when no one else has filed a nominating petition pursuant to R. S. 19:23-14 to be a competing candidate in the same primary election. Second, if no one else has filed with the Election Law Enforcement Commission notification of the designated campaign treasurer and depository as a candidate for nomination for election to the Office of the Governor in the primary election. Third, if no one else has announced publicly that he is a candidate for nomination for election to the Office of the Governor in the same primary election.

I cannot support this legislation. New Jersey's Public Financing Law was enacted to help ensure that all candidates for Governor have an equal chance to take their case to the voters, and to prevent the exercise of undue outside influence on any candidate. We cannot now apply the law selectively to candidates on the basis of circumstances which are beyond their control. Either candidates who opt to accept public financing and the conditions that come with it are eligible for public financing or they are not. The law simply cannot be applied selectively.

A qualified candidate does not necessarily know if he were running unopposed until the fifty-four days prior to the primary, because according to N. J. S. A. 19:13-9, candidates do not have to file petitions until that time. The qualified candidate, who had previously received public funds due to his eligibility under N. J. S. A. 19:44A-33, would, under the implementation of this bill, become ineligible for those funds if he is unopposed and would probably have to repay the funds received to the Election Law Enforcement Commission. This bill fails to address this problem—and therefore makes legitimate campaign planning impossible.

Undoubtedly, some support for this bill stems from the fact that there was an uncontested primary in one of the major parties this year. Yet, that uncontested primary is an excellent example of why the law should not deny public funds to some candidates. In this year's gubernatorial primary, the six Democrat candidates spent over \$5.2 million, most of which was spent attacking one candidate—me. Conversely, I spent approximately \$1.1 million defending my record of the last three and one half years. In this example, I believe that *I should* be given the same opportunity to present my record and positions to the public as the other candidates had. It would have been unfair to deny any one candidate the equal opportunity to make their case before the public.

The purpose of public financing of gubernatorial elections is to ensure that public financing be adequate in amount "... so that the candidates for election to the office of Governor may conduct their campaigns free from improper influence and so that persons of limited financial means may seek election to the State's highest office." (N. J. S. A. 19:44A-27.) If potential opposition candidates are expending millions of dollars attacking the public record of an incumbent, this bill would force an incumbent to seek donations from any source possible in order to publicly defend his record. I have long supported the concept of public financing. Such a policy helps to limit the influence of big contributors and encourages open political campaigns. Senate Bill No. 2900 is a step backwards. It undermines the Public Financing Law by creating an unnatural imbalance in its application.

This bill also opens the door for fraud and the unnecessary expenditure of public funds. In New Jersey it is easy to get on the ballot; a mere one thousand signatures on a petition enables a person to become a candidate. This bill eliminates any incentive to restrict the ballot to serious candidates. If, for example, one party had one serious, strong candidate, rather than lose the primary campaign election funds, this bill encourages the party to add candidates which are not serious so that the one serious candidate could take advantage of the funds. Thus, both efficiency and respect for the democratic process argue strongly in opposition to this bill.

In addition, I believe that there is a possible First Amendment and Equal Protection problem with this bill.

Therefore, I herewith return Senate Bill No. 2900 without my approval.

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

Mr. Orechio, Senate President, announced the following commission and council appointments.

Commission to Study the Economic, Legal and Environmental Liability Insurance Coverage in the State:

Senator Daniel J. Dalton (D) 4th District

Senator Raymond Lesniak (D) 20th District

Senator S. Thomas Gagliano (R) 12th District

Senator Lee B. Laskin (R) 6th District

Parole Act of 1979 Review Commission:

Senator William Gormley (R) 2nd District

New Jersey Commission on Science and Technology:

Senator John A. Lynch (D) 17th District

Senator John H. Ewing (R) 16th District

Council on Armed Forces and Veterans Affairs:

Senator Francis J. McManimon (D) 14th District

Senator Wayne Dumont, Jr. (R) 24th District

Mr. Ewing offered the following resolution which was read and adopted:

WHEREAS, Former Senator H. James Saxton was elected to and is now serving in the United States House of Representatives, now, therefore,

*Resolved*, That Senator Ewing be admitted as the prime sponsor of the following bill which was sponsored by former Senator Saxton:

Senate Bill No. 1794 of 1984.

The Secretary read the following communication from Senator Cowan:

JULY 22, 1985

Senator Carmen Orechio

Senate President

State House

Trenton, N. J. 08625

Dear Carmen:

I am requesting that you withdraw Senate No. 746 from the files. Senate No. 746 would prohibit a lender-mortgagee from charging points on certain fees for purposes of renegotiating and refinancing a balloon mortgage loan.

Thank you for your cooperation in this matter.

Sincerely,

/s/ THOMAS F. COWAN

On motion of Mr. Codey, Mr. Lynch was added as cosponsor of Senate No. 2869.

On motion of Mr. Stockman, Mr. Cardinale was added as cosponsor of Senate No. 2624.

The Secretary read the following memorandum:

The Office of Legislative Services has received the following material on behalf of the Senate on the date indicated:

- 7/8/85 DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION (1984 Annual Report)
- 7/8/85 DEPARTMENT OF INSURANCE (Letter of June 28, 1985 re: N. J. A. C. 11:1-5.2: Notice of Cancellation and Nonrenewal of Fire and Casualty Coverage)
- 7/9/85 DIVISION OF PENSIONS (1984 Annual Reports: (1) Public Employees' Retirement System of N. J. (2) State Police Retirement System of NJ)
- 7/10/85 STATE MOSQUITO CONTROL COMMISSION (28th Annual Report, July 1, 1983—June 30, 1984)
- 7/15/85 WATERFRONT COMMISSION OF N. Y. HARBOR (1983-84 Annual Report)
- 7/15/85 LOCAL EXPENDITURE LIMITATIONS ADVISORY COMMISSION (July, 1985 Report)
- 7/22/85 PALISADES INTERSTATE PARK COMMISSION (1984 Annual Report)

The Secretary read the following memorandum:

The Office of Legislative Services has received the following material on behalf of the Senate on the date indicated.

- 7/26/85 DEPARTMENT OF EDUCATION (1983-84 Annual Report)
- 7/26/85 STATE LAW ENFORCEMENT PLANNING AGENCY (Block Grant Fund Application)
- 8/7/85 DEPARTMENT OF ENVIRONMENTAL PROTECTION (1984 Annual Report)
- 8/12/85 PORT AUTHORITY OF N. Y. & N. J. (Board Minutes 8/8/85: Industrial Development Program, Yonkers; Elizabeth Industrial Park)
- 8/13/85 N. J. EDUCATIONAL FACILITIES AUTHORITY (1984 Annual Report)
- 8/15/85 N. J. HEALTH CARE FACILITIES FINANCING AUTHORITY (1984 Annual Report)

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 273 Aca, County and Municipal Government Committee.

Assembly No. 357, Aging Committee.

Assembly No. 1041 Aca, Revenue, Finance and Appropriations Committee.

Assembly No. 2010, Labor, Industry and Professions Committee.

Assembly No. 2089 Aca Aa, County and Municipal Government Committee.

Assembly No. 2229, Institutions, Health and Welfare Committee.

Assembly No. 2550, Labor, Industry and Professions Committee.

Assembly No. 2909, Law, Public Safety and Defense Committee.

Assembly No. 3611, Energy and Environment Committee.

Assembly No. 3631 Aa, Labor, Industry and Professions Committee.

Assembly No. 3878, Revenue, Finance and Appropriations Committee.

Assembly No. 3879, Institutions, Health and Welfare Committee.

Assembly No. 3972, without reference.

Senate No. 1464 Aca, without reference.

Senate No. 2697 Sea Aca, without reference.

Senate No. 3207 Aa, without reference

Assembly No. 3972, Senate Nos. 1464 Aca, 3207 Aa and 2697 Sea Aca were taken up, read a second time, and ordered to a third reading.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Assembly No. 3918, notwithstanding the lack of five days' notice.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bills favorably without amendment:

Assembly No. 3868 and Senate No. 3140.

The County and Municipal Government Committee reported the following bill favorably without amendment:

Assembly No. 3918 (waiver).

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2158 Sea and 2724 Sea.

Assembly No. 3918 (waiver), Senate Nos. 3140, 2724 Sea, 2158 Sea and Assembly No. 3868 were taken up, read a second time, and ordered to a third reading.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Senate Committee Substitute for Assembly Nos. 634/635 w/GR, without reference.

Assembly No. 3738 w/GR, without reference.

Senate Committee Substitute for Assembly Nos. 634/635 w/GR and Assembly No. 3738 w/GR were taken up, read a second time, and ordered to a third reading.

The President announced receipt of and directed the Secretary to read 28 letters from the Governor, nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be a Intermunicipal Judge of the Townships of East Amwell and Delaware, Jeffrey M. Martin, of Lebanon, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Jack Facenda, of Morris Plains, to succeed Ronald Matullo, for the term prescribed by law.

To be a member of the Hotel and Multiple Dwelling Health and Safety Board, Floyd Scott, of Farmingdale, to succeed Van Bruner, for the term prescribed by law.

To be a member of the Commission on Civil Rights, Matthew P. Rivers, of Newark, to succeed Lincoln Green, for the term prescribed by law.

To be a member of the Delaware River and Bay Authority, John Sparks, of Cape May, to succeed himself, for the term prescribed by law.

To be a member of the New Jersey Expressway Authority, Chris Scher, of Absecon, to succeed Donald Vass, resigned, for the term prescribed by law.

To be a member of the Rutgers Board of Trustees, Fred Ziegler, of Columbus, to succeed Alan Maitlin, for the term prescribed by law.

To be a member of the North Jersey District Water Supply Commission, Janet Gaita, of Jersey City, to succeed Thomas Gaynor, for the term prescribed by law.

To be a member of the Credit Union Advisory Council, Rita Novitt, of Princeton, for a three-year term.

To be a member of the Credit Union Advisory Council, Jerry Murphy, of Monmouth Junction, of a one-year term.

To be a member of the Credit Union Advisory Council, William George, of Old Bridge, for a four-year term.

To be a member of the Credit Union Advisory Council, Merle Brown, of Glen Rock, for a five-year term.

To be a member of the Credit Union Advisory Council, Joseph Salvest, of North Arlington, for a two-year term.

To be a member of the Health Care Facilities Financing Authority, Morton Howard, of South Orange, to succeed himself, for the term prescribed by law.

To be a member of the State Board of Human Services: Paulette Coronato, of Scotch Plains, to succeed Patricia Shillingburg, resigned, for the term prescribed by law.

To be a member of the State Board of Human Services, Rodger K. Herrigel, of Chatham, to succeed Alexander Matturri, resigned, for the term prescribed by law.

To be a member of the Economic Development Authority, Edmund Downer, of Elmer, to succeed Irmgard Lamont, resigned, for the term prescribed by law.

To be a member of the New Jersey Motion Picture and Television Development Commission, Don Kirshner, of Cedar Grove, to succeed Paul Petersen, resigned, for the term prescribed by law.

To be a member of the Public Broadcasting Authority, Eugene Heller, of Alpine, to succeed Morris Stern, for the term prescribed by law.

To be a member of the Affordable Housing Council, Ara Hovnanian, of Middletown, for the term prescribed by law.

To be a member of the Affordable Housing Council, Arthur Kondrup, of Freehold, for the term prescribed by law.

To be a member of the Affordable Housing Council, Carol Rufener, of Mountain Lakes, for the term prescribed by law.

To be a member of the Affordable Housing Council, Roderick D. MacDougall, of New Vernon, for the term prescribed by law.

To be a member of the Affordable Housing Council, Charles Griffith, of Vineland, for the term prescribed by law.

To be a member of the Affordable Housing Council, William Angus, of Moorestown, for the term prescribed by law.

To be a member of the Affordable Housing Council, Kenneth Gibson, of Newark, for the term prescribed by law.

To be a member of the Affordable Housing Council, Feather O'Connor, of Cranbury, for the term prescribed by law.

To be a member of the Affordable Housing Council, Al Cooper, of New Brunswick, for the term prescribed by law.

The above nominations were referred to the Judiciary Committee.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 3229, by Ms. Lipman, Education Committee.

Senate No. 3230, by Mr. Bassano, County and Municipal Government Committee.

Senate No. 3231, by Mr. Caufield, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3232, by Messrs. Jackman, Caufield and McManimon, Institutions, Health and Welfare Committee.

Senate No. 3233, by Messrs. Van Wagner and Pallone, Institutions, Health and Welfare Committee.

Senate No. 3234, by Mr. Gormley, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3235, by Mr. Graves, Law, Public Safety and Defense Committee.

Senate No. 3236, by Mr. Bubba, Aging Committee.

Senate No. 3237, by Mr. Bassano, Law, Public Safety and Defense Committee.

Senate No. 3238, by Messrs. Foran, Rand and Weiss, Energy and Environment Committee.

Senate No. 3239, by Mr. Foran, Natural Resources and Agriculture Committee.

Senate No. 3240, by Mr. Foran and Ms. Brown, Institutions, Health and Welfare Committee.

Senate No. 3241, by Mr. Gormley, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3242, by Mr. Gagliano, Natural Resources and Agriculture Committee.

Senate No. 3243, by Mr. DiFrancesco, Judiciary Committee.

Senate No. 3244, by Messrs. Hurley, Connors and Gormley, Energy and Environment Committee.

Senate No. 3245, by Mr. Pallone, Energy and Environment Committee.

Senate Concurrent Resolution No. 153, by Messrs. Hagedorn and Dorsey, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3246 by Messrs. Foran and Orechio, without reference.

Senate No. 3247 by Mr. Graves, Judiciary Committee.

Senate No. 3248, by Messrs. Bassano, Bubba, Haines, Cardinale, Foran and Ewing, Institutions, Health and Welfare Committee.

Senate No. 3249, by Mr. Weiss, Revenue, Finance and Appropriations Committee.

Senate No. 3250, by Messrs. Cowan, Rand, Gagliano, Bassano, O'Connor, Jackman and Weiss, Transportation and Communications Committee.

Senate Resolution No. 100, by Mr. Jackman, without reference.

Senate No. 3251, by Messrs. Cowan, O'Connor and Jackman, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3252, by Messrs. Cowan and Jackman, Aging Committee.

Senate No. 3253, by Messrs. Cowan and Jackman, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3254, by Messrs. Cowan, O'Connor and Jackman, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3255, by Messrs. Cowan, O'Connor, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate Concurrent Resolution No. 154, by Ms. Costa and Mr. O'Connor, Education Committee.

Senate No. 3256, by Ms. Costa and Mr. O'Connor, Institutions, Health and Welfare Committee.

Senate No. 3257, by Ms. Costa and Mr. O'Connor, Labor, Industry and Professions Committee.

Senate No. 3258, by Ms. Costa and Mr. O'Connor, Aging Committee.

Senate No. 3259, by Ms. Costa and Mr. O'Connor, Law, Public Safety and Defense Committee.

Senate No. 3260, by Ms. Costa and Mr. O'Connor, Aging Committee.

Senate No. 3261, by Mr. Weiss, without reference.

Senate No. 3262, by Messrs. Contillo and Ewing, Revenue, Finance and Appropriations Committee.

Senate No. 3263, by Messrs. Rand and Weiss, without reference.

Senate No. 3264, by Ms. Costa, Labor, Industry and Professions Committee.

Senate No. 3265, by Messrs. McManimon and Ewing, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3266, by Mr. Russo, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3267, by Mr. Russo, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3268, by Mr. Russo, Education Committee.

Senate No. 3269, by Ms. Lipman and Mr. Orechio, Revenue, Finance and Appropriations Committee.

Senate No. 3270, by Ms. Lipman, Mr. Caufield and Ms. Brown, Institutions, Health and Welfare Committee.

Senate Nos. 3246, 3261 and 3263 were taken up, read a second time, and ordered to a third reading.

The President announced receipt of and directed the Secretary to read two letters from the Governor withdrawing the following nominations:

To be a member of the Professional Engineers and Land Surveyors, Betram Buckler, of East Brunswick, to succeed John T. McCann, of West Orange, for the term prescribed by law, originally submitted May 13, 1985.

To be a member of the Hudson County Board of Taxation, Janice Juskey, of Jersey City, to succeed Rosalia Dalessandro, for the term prescribed by law, originally submitted January 8, 1985.

The President announced receipt of and directed the Secretary to read 15 letters from the Governor, nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be a member of the Delaware River Port Authority, John C. Gilmour, of Cherry Hill, to succeed himself, for the term prescribed by law.

To be a member of the Delaware River Port Authority, Francis L. Bodine of Moorestown, to succeed himself, for the term prescribed by law.

To be a member of the Delaware River Port Authority, Mary R. Talley, of Mickleton, to succeed herself, for the term prescribed by law.

To be a member of the State Council on the Arts, Lillian Levy, of Ventnor, to succeed herself, for the term prescribed by law.

To be a member of the State Council on the Arts, David Farris, of Bernardsville, to succeed himself, for the term prescribed by law.

To be a member of the Public Employment Relations Commission, Octavius Reid, of Trenton, to succeed Lloyd Newbaker, resigned, for the term prescribed by law.

To be a member of the Economic Development Authority, Peter A. Gold, of Cherry Hill, to succeed David Zendell, for the term prescribed by law.

To be Public Advocate, Alfred A. Sloeum, of Morris Township, to succeed Joseph Rodriguez, resigned, for the term prescribed by law.

To be a member of the Delaware River Port Authority, Haldane King, of Cherry Hill, to succeed Harry Benn, for the term prescribed by law.

To be a member of the Public Employment Relations Commission, Edward Horan, of Morristown, to succeed Jeffrey Suskin, for the term prescribed by law.

To be a member of the State Board of Higher Education, Edward Barr, of Fort Lee, to succeed himself, for the term prescribed by law.

To be a member of the Public Broadcasting Authority, Robert M. Berkowitz, of Livingston, to succeed Philip D. O'Neill, resigned, for the term prescribed by law.

To be a member of the Rutgers Board of Governors, Walter Wechsler, of Jamesburg, for the term prescribed by law.

To be a member of the Hudson County Board of Taxation, Thomas P. Higgins, of Kearny, to succeed Rosalie Dalessandro, for the term prescribed by law.

To be a member of the Urban Enterprise Zone Authority, Dr. Frank Brigio, of Bridgeton, for the term prescribed by law.

The above nominations were referred to the Judiciary Committee.

The Secretary announced the receipt of the Governor's absolute veto on the following bills, which were then filed:

Assembly Nos. 1807 (SR) av, 1983 (2nd OCR) av, 2154 (OCR) av, 2656 (2nd OCR) av, 2824 (OCR) av, 2966 av, 3434 (2nd OCR) av and 3436 (OCR) av.

The Secretary read communications from the Governor who has conditionally vetoed the following bills:

Senate Nos. 722 (2nd OCR) cv, 1146 (OCR) cv, 1206 (3rd OCR) cv, 2174 cv, 2186 (2nd OCR) cv, 2336 Aca cv, 2690 cv, 2840 (AR) cv, 3024 (OCR) cv, 3093 cv and 3094 cv.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
August 28, 1985. }

## SENATE BILL No. 722 (2nd OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I am returning Senate Bill No. 722 (2nd OCR) with my objections, for reconsideration.

The purpose of this bill is to supplement Chapter 20 of Title 2C of the New Jersey Statutes by purportedly creating the offense of "theft of library materials." Senate Bill No. 722 (2nd OCR) creates a disorderly persons offense for anyone who, without authorization, purposely takes possession, carries away, transfers or causes to be carried away or transferred any library material or purposely conceals any library material on his person with the intention of depriving the library facility of the use or benefit of the material where the value of the library material involved is less than \$200.00. Anyone who purposely conceals library materials is presumed to have done so in order to deprive the library of its use or benefit.

Although Senate Bill No. 722 (2nd OCR) provides that the theft of library materials is a disorderly persons offense, the bill establishes its own fine structure. Under N. J. S. A. 2C:43-3 a person who has been convicted of a disorderly persons offense may be sentenced to pay a fine not to exceed \$1,000.00. Senate Bill No. 722 (2nd OCR), however, provides that a first offense will be punishable by a fine of not more than \$500.00; a second offense by a fine between \$100.00 and \$500.00; and a third subsequent offense by a fine of between \$250.00 and \$1,000.00. As with other disorderly persons offenses, the disorderly person offense Senate Bill No. 722 (2nd OCR) creates would still be punishable by up to six months imprisonment. Provision is made for the detention and arrest without warrant of those suspected of violating the act. Civil and criminal immunity is given to any law enforcement or special officer or library employee who causes such an arrest or detention in accordance with the act. The bill also requires that warning notices be posted in libraries. Provision is also made for civil actions against persons who commit the offense.

The general theft law, N. J. S. A. 2C:20-1 et seq., already encompasses the crime established by this bill. Stealing library materials is already a criminal offense under our general theft statute, which proscribes the stealing of property. A special theft statute dealing with library materials specifically makes not substantive addition to our law. Indeed, the bill constitutes a piecemeal approach to Title 2C. One of the major reasons Title 2A was repealed and Title 2C was substituted was to eliminate the piecemeal nature of numerous specialized crimes created in Title 2A. Title 2C was designed to centralize and streamline the State's Criminal Code by

defining criminal conduct in a general and comprehensive fashion. This bill runs counter to that policy. In fact, N. J. S. A. 2C:20-2 specifically consolidates all theft offenses into one chapter of the Criminal Code. As I have indicated, while its subject matter is laudable, the conduct this bill attempts to proscribe is already proscribed in the general theft provisions of Title 2C.

In addition, this bill downgrades the current penalty provisions by reducing the possible maximum fine which could be imposed. Currently a judge could impose a \$1,000.00 fine on a first offense. This bill restricts a judge's discretion by limiting the amount of fine that could be imposed on a first or second offense. A judge could be faced with a person who committed his first theft of library materials offense, but who has a long record of various other theft offenses. In such a case, it is not appropriate to limit the judge's discretion in sentencing by limiting the possible maximum penalty just because this is the first time the person stole from a library. For these reasons, I recommend that the provisions creating an offense for the theft of library materials and a special fine structure for that offense be deleted from the bill.

The remaining sections of this bill merit enactment as they strengthen current law and help combat the theft of library materials. These provisions are as follows: (a) creates a presumption that a person who conceals library material intends to steal it; (b) provides that a policeman or library employee who has probable cause can detain a person suspected of library theft and the policeman or library employee shall not be held civilly or criminally liable; (c) provides that a library employee who causes the arrest of a person for theft of library material shall not be civilly or criminally liable; (d) requires the posting of a sign stating a person can be detained; (e) authorizes a library to maintain a civil action for the fair market value of library material, attorneys' fees and damages. I would have no objection to the bill if only these provisions were enacted into law. In essence, sections 1, 4, 5, 6 and 7 would remain in the bill and sections 2, 3 and 8 would be deleted.

Accordingly, I herewith return Senate Bill No. 722 (2nd OCR) for reconsideration and recommend that it be amended as follows:

*Page 1, Title, Lines 1-2:* After "material" DELETE the balance of line 1 and "chapter 20 of Title 2C of the New Jersey Statutes" on line 2

*Page 1, Section 1, Line 1:* After "to" INSERT "sections 2 through 4 of"; after "act" INSERT "as they relate to the theft of library materials"

*Page 1, Section 2, Lines 1-7:* DELETE in their entirety

*Page 2, Section 3, Lines 1-10:* DELETE in their entirety

*Page 2, Section 4, Line 1:* DELETE "4." INSERT "2."

*Page 2, Section 5, Line 1:* DELETE "5." INSERT "3."

*Page 2, Section 6, Line 1:* DELETE "6." INSERT "4."

*Page 2, Section 6, Line 7:* DELETE ““THEFT OF LIBRARY MATERIAL.”” and INSERT “A THEFT OF LIBRARY MATERIAL.”

*Page 3, Section 7, Line 1:* DELETE “7.” INSERT new subsection “5. a. As used in this section:

(1) “Library material” means any material regardless of physical form or characteristics, or any part thereof, belonging to, on loan to, or otherwise in the custody of library facility;

(2) “Library facility” means any public library, any library of an educational, historical, or charitable institution, organization or society, or any museum.”

*Page 3, Section 7, Line 1:* Before “Prior” INSERT new subsection designation “b.”

*Page 3, Section 7, Line 7:* DELETE “where” INSERT “if”

*Page 3, Section 7, Line 8:* DELETE “they” INSERT “the library”

*Page 3, Section 8, Lines 1–3:* DELETE in their entirety

*Page 3, Section 9, Line 1:* DELETE “9.” INSERT “6.”

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT,

August 28, 1985. }

SENATE BILL No. 1146 (OCR)

*To the Senate:*

Pursuant to Article V, Section I, paragraph 14 of the Constitution, I herewith return Senate Bill No. 1146 (OCR) with my recommendations for reconsideration.

This bill establishes the New Jersey Equal Access to Justice Act which would apply in instances where the State has commenced a civil suit or an administrative proceeding against a litigant and loses. In those situations the court must award litigation costs and attorney fees to the defendant if the court finds that the State's position was not substantially justified, provided special circumstances do not make an award unjust. The rate of attorney fees would be limited to \$75.00 per hour and the total award could not exceed \$10,000.00. The litigation costs and attorney fees would be paid by the State agency involved in the litigation. No award may be made to defendants with assets exceeding limits specified in the bill. The Department of Law and Public Safety is required to make an annual report to the Legislature on the results and effects of the act. The act takes effect immediately and would apply to actions pending on the effective date.

Although I stated in my conditional veto of this bill as Senate Bill No. 1523 (1983) on January 9, 1984 that I supported the purposes of this act, I find that I still cannot sign this bill in its present form. Though the Senate has amended the bill in line with my recommendations for Senate Bill No. 1523, to strictly limit the attorney fees involved, I find that I am troubled by one amendment made by the Senate that does not conform with my recommendations. This amendment makes it clear that the act applies to actions pending on the effective date of the act. It is unfair to effectively change the rules in the middle of the game in this manner. Therefore, I recommend that the bill be amended to delete this provision and to specify that the provisions of this act shall only apply to actions instituted after the effective date of the act.

Also, I am troubled by the lack of any fiscal estimate or any meaningful data as to the effectiveness of this program. Although the purpose of this act is a good one, I do not believe that this program should be made permanent until its true cost, and its benefits, can be evaluated. I recommend, therefore, that this bill be amended to make it an experimental three-year program. At the end of the three-year period the State will be able to make a more informed decision as to the act's effectiveness.

Accordingly, I herewith return Senate Bill No. 1146 (OCR) and recommend that it be amended as follows:

*Page 1, Title, lines 2-3:* After "situations" delete the balance of line 2 and "Jersey Statutes and amending N. J. S. 2A:15-60" on line 3

*Page 1, Section 1, line 1:* Delete "(New Section)"

*Page 1, Section 2, line 1:* Delete "(New Section)"

*Page 1, Section 3, line 1:* Delete "(New Section)"

*Page 2, Section 4, line 1:* Delete "(New Section)"

*Page 2, Section 5, line 1:* Delete "(New Section)"

*Page 2, Section 6, line 1:* Delete "(New Section)"

*Page 3, Section 7, line 1:* Delete "(New Section)"

*Page 3, Section 8, line 1:* Delete "(New Section)"

*Page 3, Section 9, line 1:* Delete "(New Section)"

*Page 3, Section 10, lines 1-12:* After "10." delete the balance of line 1 and lines 2 through 12 in entirety; insert "Notwithstanding the provisions of N. J. S. 2A:15-60, in an action brought by the State, or the Governor, or any person for the use of the State, the plaintiff shall recover costs as any other plaintiff; but the defendant in such an action shall not recover any costs against such plaintiff, unless the costs are recovered under this act."

*Page 3, Section 11, lines 1-2:* Delete "to any action pending on the effective date" insert "only to suits instituted after the effective

WEDNESDAY, AUGUST 28, 1985

date. This act shall expire the first day of the 36th month following enactment"

Respectfully,

/s/ THOMAS H. KEAN,

Governor.

[SEAL]

Attest:

/s/ W CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT,

August 28, 1985. }

SENATE BILL No. 1206 (3rd OCR)

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1206 (3rd OCR) with my objections and recommendations for amendment.

This bill would clarify the separation of powers between the executive and legislative branches of municipal governments operating under the mayor-council form of government authorized by the Optional Municipal Charter Law, otherwise known as the Faulkner Act.

This bill attempts to eliminate ambiguities concerning the role of the mayor and the council in mayor-council Faulkner Act municipalities, and it reflects the thinking of the Legislature following deliberations on this bill and its predecessors over the course of the last two years.

The County and Municipal Government Study Commission has pointed out, in its publication *Forms of Municipal Government in New Jersey*, that the mayor-council form of government under the Optional Municipal Charter Law is particularly important because most of the larger municipalities of the State operate under its provisions. The Study Commission has estimated that as many as one-third of New Jersey's people are governed locally under this version of the Faulkner Act. Newark, Jersey City, Paterson, Elizabeth, Trenton, Camden and Woodbridge Township, to name but seven of the almost 60 municipalities affected, operate under this form of government.

I agree with the intent of this legislation insofar as it clarifies the role of the mayor and the council in mayor-council Faulkner Act municipalities. Delineation between executive and legislative functions at the local level is compatible with the delineation that exists at the county level in those counties that have a county executive and a board of chosen freeholders under the Optional County Charter Law and, indeed, at the State level itself between the powers of the Governor and the Legislature

Major provisions of this bill include placing in the applicable statute the presumption that administrative or executive functions assigned by general law to the governing body shall be exercised by the mayor, and any legislative and investigative functions assigned by general law to the governing body shall be exercised by the council. The bill goes on to list specific legislative powers to be exercised by the council and specific executive powers to be exercised by the mayor. The bill clarifies certain appointment powers of the mayor, as well as authority to fix the amount of salary, wages or other compensation to be paid to employees of the administrative departments of the municipal government.

I believe, however, that certain technical amendments should be incorporated into the provisions of this bill. Specifically, I am opposed to defining the term "governing body" in mayor-council Faulkner Act municipalities to include both the mayor and the municipal council. I am advised that the language is not necessary because the Optional Municipal Charter Law currently contains no ambiguous use of the term "governing body." Current law adequately and clearly expresses the form of government in question, and to infer that the mayor is a member of the governing body is misleading in that he has no voting rights and, indeed, need not attend council meetings. Therefore, my suggestions include amending the legislation to continue to define the term "governing body" in a manner consistent with the intent of the Optional Municipal Charter Law.

I am suggesting technical amendments to ensure that where general law now clearly requires action by council resolution in these Faulkner Act municipalities, this legislation will not modify that procedure. I note that the bill now specifies the "Local Budget Law" (N. J. S. 40A:4-1 et seq.) as such a possible area, and my amendments cite the "Local Fiscal Affairs Law" (N. J. S. 48:5-1 et seq.), as another possible area where council action is mandated. Other similar sections of general law may also exist.

Other technical amendments make clear that the municipal council shall be able to set the salaries of council employees, subject to pertinent civil service requirements and any pertinent contractual obligations, and within the general limits of the municipal budget. Another amendment limits the right of the mayor to remove municipal officers who are neither department heads nor subordinate departmental officers or employees to other municipal executive officers. As the bill reached my desk, it did not specify that this power of removal of other municipal officers was to be confined to municipal executive officers, as should be the case.

I am also suggesting technical amendments to ensure that the municipal tax collector shall continue to be appointed by the procedure currently in force. I also wish to clarify the section of the bill that extends the right of the mayor in any municipality operating under this form of government to make appointments to boards, authorities or commissions with the advice and consent of

the council to ensure that specific terms of general law now on the books continue to operate for appointments to such entities as zoning boards of adjustments and municipal utilities authorities.

I am also suggesting that the section amending the Municipal Land Use Law concerning the appointment of certain classes of planning board members be deleted. I believe that amendments to the Municipal Land Use Law or any other similar general legislation should be considered separately and not as part of a clarifying statute related to the Optional Municipal Charter Law.

Therefore, I herewith return Senate Bill No. 1206 (3rd OCR) and recommend that it be amended as follows:

*Page 1, Section 1, Lines 7-9:* Delete "In each municipality adopting the mayor-council plan of government, the term "governing body" shall be construed to include both the mayor and the municipal council."

*Page 2, Section 2, Line 7:* Delete "which", insert "that, under this plan of government or general law,".

*Page 2, Section 2, Line 8:* Delete "governing body as a whole", insert "mayor as a condition of approval for the exercise thereof".

*Page 2, Section 2, Line 9:* After "including", insert ", but not limited to".

*Page 2, Section 2, Line 22:* After "appointment", insert ", setting of salaries".

*Page 2, Section 2, Line 23:* After "council", insert ", subject to any pertinent civil service requirements and any pertinent contractual obligations, and within the general limits of the municipal budget".

*Page 2, Section 2, Line 27:* After "(N. J. S. 40A:4-1 et seq.)", insert "and the "Local Fiscal Affairs Law" (N. J. S. 40A:5-1 et seq.)".

*Page 2, Section 2, Line 29:* Delete "governing body", insert "mayor".

*Page 4, Section 6, Line 26A:* After "required", insert "by this plan of government or".

*Page 5, Section 6, Line 30:* After "municipal", insert "executive".

*Page 6, Section 6, Line 76:* After "procedure", insert ", or appointment by resolution in which case the appointment shall be by the council".

*Page 6, Section 7, Line 3:* Delete "The governing body shall provide", insert "Provision shall be made".

*Pages 8 and 9, Section 11, Lines 1-72:* Delete in their entirety.

*Page 9, Section 12, Line 1:* Delete "12", insert "11".

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
August 28, 1985. }

## SENATE BILL NO. 2174

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2174 with my recommendations for reconsideration.

The purpose of this bill is to establish a "Surplus Revenue Fund" to which 50% of unanticipated revenues of the General State Fund would be credited. The fund so created, often termed a "rainy day fund," would be held as a reserve to meet future revenue shortfalls or emergencies. When the fund balance exceeds 5% of General Fund resources for the then current fiscal year, the excess would be available for debt retirement or capital programs.

The bill is a basically sound proposal to apply unexpected revenue to future needs and to debt reduction or avoidance. This kind of mechanism would strengthen New Jersey's financial position and mitigate the difficulties of downturns in the economy. I am recommending amendments to the bill, however, both to address technical concerns and provide a somewhat greater measure of flexibility in the management of the Fund.

I am recommending deletion of superfluous language in section 1 of the bill and substitution of the term "financial statements" for "audit" in section 2 to clarify the intention of these provisions.

I am recommending a change in the provisions governing computation of the required credit to the fund. This will allow excess General Fund revenue first to be applied to offset any shortfall in Property Tax Relief Fund revenue and will allocate 50% of the remaining General Fund excess to the rainy day fund. This will prevent an unintended exacerbation of a revenue shortfall in the Property Tax Relief Fund in the event revenue sources respond differently to economic conditions.

In regard to the maintenance of the fund, I am recommending that it be held within the General State Fund as a restricted balance and that investment earnings become part of the unrestricted portion of the General State Fund. This will facilitate administration and allow the rainy day fund to alleviate the State's short-term cash flow needs without affecting its restricted character. It is not in my judgment essential to the purpose of the bill for the rainy day fund to be credited with investment earnings.

In the context of permissible expenditures from the fund, I am recommending that the fund be generally available as a resource to avoid or limit tax increases, when it is necessary to offset shortfalls in revenue collections, to maintain adequate service levels, or to meet emergencies. This will preserve the requirement for concurrence by the Executive and the Legislature in any expenditure from the fund. It will however, permit the fund to be utilized to meet broadly

stated contingencies so as to cover circumstances which may not be predictable at present.

Other recommendations relate to the purposes for which the balance in the rainy day fund exceeding 5% of General Fund resources may be used. I am recommending that those purposes (i.e. debt reduction and capital programs) be set forth in more general terms to allow the Legislature and the Executive to apply this balance for agreed upon and desirable objectives without concern for compliance with excessively technical definitions.

Finally, I am recommending deletion of the provision for a credit to the rainy day fund in December of this year from FY 1985 revenues. The full impact of the bill should be confined to fiscal years not yet concluded. I also recommend a reduction in the initial appropriation to the fund from \$20 million to \$1 million. Particularly in light of the enactment of Assembly Bill No. 2982, which returns \$180 million to our taxpayers, the State's 1985 Fiscal Year surplus is already fully committed.

With these changes, the bill will be an improved measure to promote fiscal responsibility and serve the interests of our taxpayers in the years to come.

Accordingly, I herewith return Senate Bill No. 2174 for reconsideration and recommend that it be amended as follows:

*Page 1, Section 1, Line 1:* Insert after "created" "within the General State Fund"

*Page 1, Section 1, Line 1:* Delete "fund" insert "account"

*Page 1, Section 1, Line 1:* After "to be" insert "maintained as a restricted balance and"

*Page 1, Section 1, Line 4:* After "thereafter," delete "and in addition to any"

*Page 1, Section 1, Line 5:* Delete "sums appropriate to"

*Page 1, Section 1, Line 11:* Delete "the "Surplus Revenue Fund" "

*Page 1, Section 1, Line 12:* After "act." Insert "Moneys credited to the "Surplus Revenue Fund" may be invested in the same manner as assets of the General State Fund, and investment earnings on the "Surplus Revenue Fund" shall become part of the unrestricted balance of the General State Fund."

*Page 1, Section 1, Line 12:* Delete "Interest earned on the invest-"

*Page 1, Section 1, Lines 13 through 17:* Delete in their entirety.

*Page 1, Section 1, Line 18:* Delete "the average rate of return on State investments."

*Page 2, Section 2, Line 8:* Delete "audit" insert "financial statements"

*Page 2, Section 2, Line 15:* After "above" delete "." insert ", provided, however, that the excess so determined shall first be reduced by the amount, if any, by which revenues certified by the Governor for the Property Tax Relief Fund, upon approval of the annual appropriation act for the year immediately preceding the year in

which a credit to the "Surplus Revenue Fund" is required, exceed actual revenues credited to the Property Tax Relief Fund in that year."

*Page 2, Section 4, Lines 3 through 4:* Delete in their entirety.

*Page 2, Section 4, Line 5:* Delete "resources available for appropriation in the General Fund."

*Page 2, Section 4, Line 7:* After "Legislature" insert "or transferred to the unrestricted balance of the General Fund"

*Page 2, Section 4, Line 7:* Delete ": a. upon separate certification by the Governor"

*Page 2, Section 4, Lines 8 through 10:* Delete in their entirety.

*Page 2, Section 4, Line 11:* Delete "b."

*Page 3, Section 4, Line 12:* Delete "by" insert "upon"

*Page 3, Section 4, Line 12:* Delete "certification by" insert "recommendation of"

*Page 3, Section 4, Line 12:* Delete "under subsection a. of this sec-"

*Page 3, Section 4, Line 13:* Delete "tion,"

*Page 3, Section 4, Line 13:* After "that" insert ","

*Page 3, Section 4, Line 13:* After "Fund" insert ", to maintain adequate levels of State services or to meet a condition of emergency,"

*Page 3, Section 4, Line 18:* Delete "; or c. upon certification by the Governor"

*Page 3, Section 4, Line 19 through Line 22:* Delete lines 19 through 21 in their entirety and delete "General Fund" on line 22

*Page 3, Section 5, Line 1 through Line 14:* Delete in their entirety

*Page 3, Section 6, Line 1:* Delete "6" insert "5"

*Page 4, Section 6, Line 11:* Delete "7" insert "6"

*Page 4, Section 7, Line 1:* Delete "7" insert "6"

*Page 4, Section 7, Line 2:* Delete "6" insert "5"

*Page 4, Section 7, Line 4:* After "retirement" insert ", purchase or discharge"

*Page 4, Section 7, Line 5:* Delete "to be used to take"

*Page 4, Section 7, Line 6:* Delete in its entirety.

*Page 4, Section 7, Line 7:* Delete "for a redemption prior to maturity"

*Page 4, Section 7, Line 8:* Delete "which would"

*Page 4, Section 7, Line 9:* Delete in its entirety.

*Page 4, Section 7, Line 10:* Delete "indebtedness"

*Page 4, Section 8, Line 1 through Line 11:* Delete in their entirety

*Page 4, Section 9, Line 1:* Delete "9" insert "7"

Page 4, Section 9, Line 3: Delete "\$20,000,000.00" insert "\$1,000,000.00"

Page 4, Section 10, Line 1: Delete "10" insert "8"

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT,

August 28, 1985. }

SENATE BILL No. 2186 (2ND OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2186 (2nd OCR) with my recommendations for amendment.

Senate Bill No. 2186 (2nd OCR) would allow individuals employed with the Department of Corrections in certain Civil Service job titles to transfer from the Public Employees' Retirement System (PERS) to the Police and Firemen's Retirement System (PFRS). The Civil Service job titles are Superintendent I, II, or III, Assistant Superintendent I, II or III, and Administrator, Prison Complex. These individuals were PFRS members, before they were promoted to the job titles set forth above. At that time, they were forced to drop out of the PFRS and enroll in the PERS. An employee that transfers to the PFRS will be required to pay his and his employer's portions of the pension transfer cost.

I support the concept expressed within Senate Bill No. 2186 (2nd OCR). The individuals who will be affected by this bill deserve readmission to the PFRS. As Superintendents, Assistant Superintendents or Administrators, Prison Complex, they engage in hazardous duty. They are charged with maintaining law and order in the prison facilities. They walk the cell tiers and have daily contact with inmates. Their job titles do not isolate them from the inherent danger of working in a penal institution.

While I support the concept expressed within Senate Bill No. 2186 (2nd OCR), I must return the bill so that it can be amended to ensure that a transferring employee will pay the employer's portion of the pension transfer cost and to incorporate recent changes made in this area of the law.

Section 2 of the bill requires the transferring employee to pay the employer's portion of a purchase of service credit; not a transfer of service credit. The Division of Pensions advises that in its current form, section 2 would not obligate a transferring employee to pay the employer's portion of the pension transfer cost. I recommend that the section be amended to delete all reference to a purchase of service credit and to insert reference to a transfer of service credit. I also recommend that the language pertaining to the

employer's portion of the cost be amended to redefine and to describe the cost.

Finally, I recommend that several technical amendments be made to incorporate the changes made in this area of the law by chapters 221 and 262 of the laws of 1985.

Accordingly, I return Senate Bill No. 2186 (2nd OCR) and recommend that it be amended as follows:

*Page 2, Section 1, Line 25:* After "Vehicles," insert "and highway patrol officer, sergeant highway patrol bureau, lieutenant highway patrol bureau, captain highway patrol bureau, assistant chief highway patrol bureau, chief highway patrol bureau in the Division of State Police and"

*Page 2, Section 1, Line 28:* After "Control," insert "and inspector recruit alcoholic beverage control, inspector alcoholic beverage control, senior inspector alcoholic beverage control, principal inspector alcoholic beverage control, supervising inspector alcoholic beverage control in the Division of State Police and"

*Page 2, Section 1, Line 39:* After "Protection," insert "and marine police officer, senior marine police officer, principal marine police officer in the Division of State Police, and"

*Page 2, Section 1, Line 41:* After "enforcement," insert "and"

*Page 2, Section 1, Line 43:* After "chief" omit ","

*Page 3, Section 1, Line 64:* After "juvenile officer," insert "and"; after "supervising juvenile officer," insert "chief investigator, assistant chief investigator, senior investigator and investigator in a county welfare agency in a county of the first class if the county adopts an ordinance or resolution, as appropriate, pursuant to subsection a. of section 2 of P. L. 1985, c. 221 (C. 43:16A-62.3) and police officer capitol police, senior police officer capitol police in the Division of State Police and,"; omit "capital" insert "capitol"

*Page 6, Section 2, Lines 30-32:* Omit "any payment to the retirement system that the " on line 30 and omit line 31 in its entirety and omit "ber for the purchase of such credit" on line 32 and insert "the amount of the difference between (1) the total contribution paid by the employer of the employee to the Public Employees' Retirement System of New Jersey with respect to any service credit transferred therefrom to the Police and Firemen's Retirement System under this subsection, and (2) the contribution which the employer would have been required to pay to the Police and Firemen's Retirement System with respect to that service credit if the employee had been enrolled in the Police and Firemen's Retirement System during the entire period with respect to which he accumulated that credit".

Respectfully,

/s/ THOMAS H. KEAN,

Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
August 28, 1985. }

SENATE BILL No. 2336 Aca

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2336 Aca with my objections, for reconsideration.

This bill would regulate the operation of all-terrain vehicles in a manner identical to the present regulation of snowmobiles. An all-terrain vehicle is defined in the bill as a motor vehicle designed to travel over any terrain, possessing between three to six rubber tires and powered by a gasoline engine not exceed 400 cubic centimeters. Golf carts are specifically excluded from the definition of all-terrain vehicles.

All-terrain vehicles would not be permitted on public highways or lands unless registered with the Division of Motor Vehicles.

I would like to commend the sponsor, Senator Dumont, for introducing this bill. Registration of these vehicles will protect against theft and will have safety benefits in that the vehicles be traceable by their registration numbers.

However, the Division of Motor Vehicles has informed me that the effective date, 30 days after enactment, is much too short a time frame for the Division to properly implement the legislation. The Division must order new forms from the printer, reprogram its computers, design and produce new license plates and draft, review and promulgate any necessary implementing regulations. Because operation of these vehicles will be illegal if they cannot be registered after 30 days, I believe an extension of the implementation date to 180 days after enactment is necessary.

Therefore, I herewith return Senate Bill No. 2336 Aca and recommend that it be amended as follows:

*Page 11, Section 30, Line 1: After "the" delete "30th" and insert "180th"*

Respectfully,

/s/ THOMAS H. KEAN,

*Governor.*

[SEAL]

Attest:

/s/ W. CARY EDWARDS,

*Chief Counsel to the Governor.*

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
August 28, 1985. }

SENATE BILL NO. 2690

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2690 with my recommendations for reconsideration.

This legislation exempts services performed by certain certified shorthand reporters from coverage under the Unemployment Compensation Law and provides retroactive tax forgiveness to all freelance shorthand reporters, referring shorthand reporters and referring shorthand reporting services for any unemployment compensation or temporary disability contributions assessed prior to the effective date of this act.

Although I agree that freelance certified shorthand reporters are sufficiently independent to be excluded as employees for purposes of unemployment insurance, I am recommending the deletion of language which inadvertently restricts the applicability of this exemption along with other language which is unnecessary for the purpose of establishing the exemption.

The exemption proposed by this bill requires that, among other things, the charge to the third party for services performed by a certified shorthand reporter is billed or collected by the referring reporter or shorthand reporting service. While this system of billing and collecting fees represents the normal industry practice, there are occasions where a certified shorthand reporter may directly bill the third party for services rendered or collect the fees for these services. Because the method of billing for or collecting fees is not in and of itself indicative of the independent character of a certified shorthand reporter, I am proposing the elimination of this language. As a result, all certified shorthand reporters who meet the other criteria established in the bill will be exempt from the coverage of the Unemployment Compensation Law regardless of the method in which their services are billed for or collected.

I am also recommending the elimination of language providing that the exemption will apply regardless of whether the performance of the certified shorthand reporter services are under the control or direction of the referring reporter or shorthand reporting service and regardless of whether the reporter is customarily engaged in an independent court reporting business apart from the referring reporter or reporting service. This language is parallel to the provisions of N. J. S. 43:21-19 (i) (6), which established the standards for independent contractors for purposes of exclusion from the Unemployment Compensation Law. Because this legislation excludes the services performed by certain certified shorthand reporters from the definition of "employment" provided by N. J. S. 43:21-19 (i) (7), this language is inapplicable and unnecessary.

I am further proposing the deletion of Section 2 of the bill, which provides that any unemployment or disability insurance tax payable by freelance shorthand reporters or shorthand reporting services assessed prior to the effective date of this act shall not be collected. The legitimacy of these taxes has been established by a series of administrative decisions going back as far as 1973 and has recently been affirmed by an Appellate Division decision. Until the enactment of any exception for certified shorthand reporters, these taxes will continue to be properly due and payable. Furthermore, it represents questionable public policy to retroactively forgive properly assessed taxes, as the better practice is to have all newly enacted tax exemptions apply prospectively. In addition, any retroactive tax forgiveness would give rise to problems of fairness in regard to those certified shorthand reporters and reporting services which have already paid all required taxes.

Finally, I am recommending that this bill become effective on October 1, 1985 in order to conform to tax reporting periods.

Therefore, I herewith return Senate Bill No. 2690 and recommend that it be amended as follows:

*Page 1, Title, line 3:* Delete "and supplementing"

*Page 14, Section 1, line 558:* After "agreement" delete remainder of line.

*Page 14, Section 1, lines 559-565:* Delete in entirety.

*Page 14, Section 1, line 566:* Delete "porting service".

*Page 18, Section 2, lines 1-9:* Delete in entirety.

*Page 18, Section 3, line 1:* Delete "3." and insert "2.". Delete "immediately" and insert "on October 1, 1985".

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
August 28, 1985. }

SENATE BILL NO. 2840 (AR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2840 (AR) of 1985 with my recommendations for reconsideration.

This legislation exempts certain operators of commercial vehicles from the "unemployment compensation law," R. S. 43:21-1 et seq. The bill is intended to apply to truck drivers who own or lease their own vehicles.

While I agree that certain truck drivers who own or lease their own vehicles are independent contractors and should be exempt

from the "unemployment compensation law," I believe that this legislation is overly broad and could apply to other operators of commercial vehicles. Because this bill would apply to operators of all commercial motor vehicles, regardless of size, I am concerned that certain operators of small motor vehicles who are currently considered to be employees may be terminated or disenfranchised from the protection of unemployment and disability insurance through no choice of their own. In an attempt to restrict the applicability of this bill to larger motor vehicles, I am recommending that the exemption pertain only to motor vehicles which weigh 18,000 lbs. or more. This will serve to protect the interest of small motor vehicle operators while effectuating the legislative intent to provide an exception to independent truck drivers.

I am also proposing a clarification to the Assembly Committee amendments to this bill, which provides that "No operator shall subcontract for any purpose other than the movement of motor freight." Although this amendment was intended to restrict the applicability of the bill to the highway movement of motor freight, it can be construed to prohibit a commercial vehicle operator from subcontracting for purposes unrelated to the movement of motor freight, such as the repair or servicing of his motor vehicle. In order to avoid a situation under which motor vehicle operators may be treated differently for unemployment purposes based solely upon subcontracting for purposes unrelated to the movement of motor freight, I have recommended language which effectuates the intent of the amendment in a more lucid manner.

Finally, I have recommended that the effective date of this bill be amended in order to coincide with the beginning of the next tax period.

Therefore, I herewith return Senate Bill No. 2840 (AR) and recommend that it be amended as follows:

*Page 14, Section 1, line 554:* After "vehicles" insert "weighing 18,000 lbs. or more".

*Page 14, Section 1, line 555:* After "use" insert "and used for the highway movement of motor freight".

*Page 14, Section 1, lines 562-562A:* Delete "No operator shall subcontract for any purpose other than the movement of motor freight."

*Page 18, Section 2, line 1:* Delete "immediately" and insert "October 1, 1985".

Respectfully,

/s/ THOMAS H. KEAN,

Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
August 28, 1985. }

## SENATE BILL No. 3024 (OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 3024 (OCR) with my recommendations for reconsideration.

This legislation would require any business intending to undertake a transfer or termination of operations which would result in the termination of employment for 50 or more employees to provide notice of at least 180 days to employees, union representatives and specified governmental officials. In addition, businesses subject to this act shall be required to continue all employee health and life insurance benefits in effect as of the date of separation of employment for six months following the date of separation and to provide severance pay ranging from one to twelve weeks depending upon the length of the employee's service. According to the bill, an amount equivalent to six months health and life insurance premium for all affected employees shall be deposited with the State Treasurer within five days of the notification of transfer or termination of operations. Businesses which violate the provisions of this act shall be subject to an unemployment insurance surcharge of 25% on the sum of any contributions payable for the previous three months as well as any amount which may be in arrears. Furthermore, any business which violates the severance pay requirements of this act shall be subject to legal action by the State to enforce payment.

This legislation also creates a Commission on Business and Employment Retention within the Department of Commerce and Economic Development for the purpose of assisting businesses, local communities and employees who are affected by plant closings. The bill further establishes an Office of Business Advocacy in the Department of Commerce and Economic Development which shall include five regional offices throughout the State for the purpose of conducting surveys of all manufacturing businesses which employ 50 or more persons. Five regional Industry Retention Advisory Councils are also created for the purpose of assisting the regional offices of the Office of Business Advocacy in analyzing the data from the surveys conducted by that office. An appropriation of \$5 million is provided to the Department of Commerce and Economic Development to effectuate the provisions of this act.

It is undeniable that the effects of a plant closing can be devastating to the affected employees and communities, and I am deeply sympathetic toward workers who are displaced with little or no notice. The highest priority of my Administration has been and continues to be the creation of jobs in New Jersey. In striving for this goal, I have attempted to make New Jersey a desirable place to live and work in by creating a climate designed to attract new jobs and to retain existing ones. Because the interests of gov-

ernment, labor and business are all served by the creation and retention of jobs, the issues of plant closing and business attraction must be addressed together.

By all statistical standards, the employment situation in New Jersey has improved dramatically in recent years in terms of the creation of new jobs and the attraction of existing businesses from other states. In fact, New Jersey's business climate has been rated by a respected business survey as the best in the entire northeast region. The plight of displaced workers must be viewed in light of the need to maintain New Jersey's overall healthy economy and attractive business climate.

According to an Economic Impact Study conducted by the Department of Commerce and Economic Development, in 1984 there were 55 plant closings in New Jersey affecting 10 or more employees. The total number of employees displaced by these closings was 5,000, many of whom through the collective bargaining process received benefits equal to or in excess of those provided in this legislation. Furthermore, studies conducted by both states and national organizations have indicated that the loss of manufacturing jobs is a national trend which cannot be rectified through the type of governmental intervention proposed by this bill. New Jersey's job retention efforts, which are conducted by the Department of Commerce, have confirmed that many plant closings are attributable to product obsolescence, foreign competition, lack of profitability, or the desire to consolidate national or international operations. For this reason, the bill proposes a solution which may not in fact retain jobs in the State but could serve to deter business growth.

I am deeply concerned that the mandatory separation benefits proposed by this legislation presents an unwarranted intrusion into the collective bargaining process. The viability of the collective bargaining process depends upon the ability of labor and management to sit down and freely negotiate a contract based on the particular needs of the employees and the employer's ability to meet those needs. Bargaining agents are free to incorporate into their agreements provisions for severance pay, continuation of group health and life insurance benefits, and required notice in the event of a plant closing, and many collective bargaining agreements include such provisions which are far more generous than those proposed in this bill. Although I might be willing to consider looking into the extension of benefits to workers who are not protected by the collective bargaining process, I cannot condone an unwarranted legislative intrusion into a process which has worked well on its own. Because this is an area which can be pursued by employees through several other avenues, I do not feel that the statutory requirement of these benefits is appropriate.

I am keenly aware that the sudden loss of health or life insurance can present extreme emotional and financial distress to displaced employees and their families. I am therefore proposing the creation of a task force to study the possible continuation of health and life

insurance to all employees whose jobs are terminated, not just to those who are displaced as a result of plant closings or transfers affecting 50 or more employees. Because this is a complex issue which requires a detailed substantive and fiscal analysis, the only feasible approach at this time is the creation of a task force of experts to carefully examine this problem and present detailed recommendations at the end of their study. I am further directing that this task force, which is to be created through my proposed conditional veto to this bill, specifically look into the possibility of providing health and life insurance through the temporary disability insurance system or through the employer's insurance carrier as part of its study.

As previously indicated, this legislation proposes the creation within the Department of Commerce and Economic Development of an Office of Business Advocacy, a Commission on Business and Employment Retention, and five regional Industry Retention Advisory Councils at a cost of \$5 million. While this goal is certainly an admirable one, virtually all of the functions assigned to these bodies are currently being carried out by State agencies at a much lower cost.

For example, the Division of Economic Development in the Department of Commerce performs many of the business expansion and retention activities which this bill requires the Commission on Business and Employment Retention to undertake. The types of duties ascribed to the Office of Business Advocacy are being conducted by the New Jersey Bell/Department of Commerce Municipal Business Retention and Expansion program, a public/private effort which conducts surveys of the industry within certain municipalities and renders practical advice designed to maintain and expand business opportunities within the municipality. Other services to financially troubled businesses are provided by the New Jersey Economic Development Authority, an independent agency situated in but not of the Department of Commerce. The Job Search Assistance and Job Training Programs required by this bill are provided by the Department of Labor not only through the Division of Employment Services, but through a Response Team for Plant Service program which is geared to plant closing situations. This response team, which consists of representatives of the Division of Unemployment and Disability Insurance, the Division of Employment Services, the Job Training Partnership Act, and the AFL-CIO, schedules on site meetings with the employer and the bargaining agent to provide services including an unemployment insurance registry, job training programs, job search assistance and job placement. In performing these services, the response team works closely with the Department of Commerce as well as the affected county and municipality.

While I disagree with the creation of additional layers of bureaucracy at considerable cost as a means of addressing the plant closing problem, I firmly believe that the business retention and job re-

training programs offered by this State could be improved considerably if coordinated at a Statewide level and provided with the experience and expertise of the business and labor communities. In order to fulfill this goal, I am issuing simultaneously with this conditional veto an Executive Order creating a Business Retention and Job Retraining Commission for the purpose of surveying all programs designed for business retention and job retraining and providing assistance to distressed businesses and their employees. Because this Commission will consist of a partnership between government, organized labor and business, it can share the collective resources of these segments of the population and ensure cooperation by all parties affected by plant closings. Any individual will be able to notify the Commission of any potential plant termination or relocation and, upon receipt of this information, the Commission will be required to make all of the State's resources available to the affected business and employees. By consolidating existing resources rather than establishing new duplicative programs, this Commission should be more effective than the entities proposed by Senate Bill No. 3024.

In addition to coordinating these business retention and job training programs, I am recommending additional appropriations for the Division of Economic Development in the Department of Commerce and for the Division of Employment Services in the Department of Labor. The Division of Economic Development, which among other things performs job retention services for the Department of Commerce, can improve its effectiveness by retaining additional field representatives. This can be accomplished through a supplemental appropriation of \$200,000.

I am further recommending the statutory creation within the Division of Economic Development of an Office of Industrial Development and requiring it to report to the Governor regarding the effectiveness of its job retention programs and to make recommendations for expanding or improving existing programs. The Division of Employment Services, which provides various programs to unemployed workers in job-seeking, job-training skills, provides services to displaced employees and, depending on available resources, to all unemployment recipients. A supplemental appropriation of \$300,000 for this program would service a great number of additional clients and, more significantly, provide assistance to a large number of individuals who would not be helped by Senate Bill No. 3024.

I am also concerned that the provision of this bill requiring businesses to give notice of at least 180 days before the transfer or termination of operations will have a detrimental effect on struggling businesses. Once public notice of a termination or transfer is given, the affected business stands to lose customers, suppliers, creditors and skilled employees. If this occurs, the required notice may have the effect of hastening the demise of the business rather than providing an opportunity for the State to assist it in remaining viable.

Although I do not support the mandatory notice provisions of the bill, I believe that employees should be accorded as much consideration as possible in plant closing situations. For this reason, the New Jersey Business Retention and Job Retraining Commission which I am creating through Executive Order includes an early warning device which requires Commission action upon notification by any source of a potential plant termination or transfer situation.

Furthermore, studies conducted by other states with which New Jersey competes, such as Massachusetts, Connecticut and Pennsylvania, have rejected the notion of requiring businesses to provide mandatory notice before transferring or terminating operations. In place of mandatory notice, these states have encouraged their business communities to adopt voluntary codes of conduct to govern plant closing situations. Under these voluntary codes, which represent social compacts, the business community develops guidelines for business behavior in plant closing situations and strongly urges its members to comply with these provisions. I have received assurances from the major business associations in New Jersey that they would promulgate a voluntary code of conduct and aggressively encourage its members to comply with it. I have further indicated to the business community that my Office would work with them in the development of possible governmental inducements for compliance with the code or disincentives for noncompliance. By establishing a voluntary program to provide employees with as much notice as possible in business transfer or termination situations and an early warning system designed to trigger immediate State action, this proposal affords protection to workers while not alienating prospective employers from entering the State.

In evaluating this legislation, I have carefully considered the evidence proposed by its proponents and opponents and have found valid points on both sides. During my deliberative process, I publicly commented that I would sign the bill if it would save jobs and veto it if it would result in a decrease in jobs. After carefully studying and evaluating the materials presented to me, I have reached the conclusion that the measures espoused by this bill would do little to prevent the loss of manufacturing jobs but could have a profound negative effect on New Jersey's efforts to attract and retain jobs. However, because I feel that the problem of the dislocated worker is an important one which must be addressed, I am proposing these alternatives which address the needs of distressed businesses and displaced workers while preserving this State's attractiveness to the business community.

Therefore, I herewith return Senate Bill No. 3024 (OCR) and recommend that it be amended as follows:

*Page 1, Title, line 1:* After "Act" insert "establishing a Task Force on the Continuation of Health and Life Insurance Benefits for the Unemployed and".

*Page 1, Title, lines 1-2:* Delete "procedure in the event of plant closings" and insert "programs for distressed businesses and dis-

located workers". Delete "an appropriation" and insert "appropriations".

*Page 1, Section 1, line 1:* After "that:" insert "(a)".

*Page 1, Section 1, line 3:* After "municipalities;" insert "(b)".

*Page 1, Section 1, line 5:* Delete "Business Advocacy" and insert "Industrial Development". Delete "survey" and insert "serve".

*Page 1, Section 1, line 7:* Delete "coordinating".

*Page 1, Section 1, lines 8-11:* Delete in entirety and insert "(e) if efforts to retain businesses in this State fail, there is a need to develop and coordinate educational and training programs to facilitate the re-entry of displaced workers into the work force; (d) the needs of the chronically unemployed who were not dislocated as the result of business terminations or transfers are critical, and existing programs should be expanded to meet their needs; (e) the loss of health and life insurance benefits faced by dislocated workers prevents severe emotional and financial hardships, and the continuation of these benefits to the unemployed should be considered."

*Pages 1-2, Section 2, lines 1-28:* Delete in their entirety.

*Pages 2-3, Section 3, lines 1-30:* Delete in their entirety.

*Page 3, Section 4, lines 1-4:* Delete in their entirety and insert:

"2. There is created within the Division of Economic Development in the Department of Commerce and Economic Development an Office of Industrial Retention which shall, among its other functions, assist the Division of Economic Development in the following duties:"

*Page 3, Section 4, lines 20-26:* Delete in their entirety.

*Page 3, Section 4, line 27:* Delete "f." and insert "d.".

*Page 3, Section 4, line 29:* Delete "under this act".

*Page 3, Section 4, line 30:* Delete "g." and insert "e.". After "effectiveness of" Delete "the" and insert "its".

*Page 3, Section 4, line 31:* Delete "established by this act,". After "Governor" delete "and the" and insert "the establishment of new programs and the expansion of existing programs designed to assist businesses throughout the State in job retention efforts".

*Page 3, Section 4, lines 32-33:* Delete line 32 in its entirety. Delete "workings of the program" on line 33.

*Page 3, Section 4, after line 33:* Insert new sections as follows:

"3. The Division of Employment Services in the Department of Labor shall, in addition to its other duties, assist displaced workers to secure alternative employment and provide job training and retraining for displaced workers through all available State and federal job training programs.

4. There is created a Task Force on the Continuation of Health and Life Insurance Benefits for the Unemployed, hereinafter referred to as the Task Force. The Task Force shall consist of 15 members as follows: the commissioners of the Departments of

Labor, Commerce and Economic Development, Insurance and the State Treasurer, or their designees; two members of the Senate, to be appointed by the President of the Senate, not more than one of whom shall be of the same political party; two members of the General Assembly, to be appointed by the Speaker of the General Assembly, not more than one of whom shall be of the same political party; two representatives of organized labor and two representatives of business trade associations, to be appointed jointly by the Governor, the President of the Senate and the Speaker of the General Assembly; and one representative each from the insurance industry and the employee benefits field to be appointed by the Governor. The Commissioner of Labor or his designee shall serve as chairman of the Task Force. Vacancies to the Task Force shall be filled in the same manner as the original appointments.

It shall be the duty of the Task Force to:

A. Investigate the extent of the problems faced by individuals whose health and life insurance benefits are discontinued as the result of a separation from employment;

B. Explore the social desirability and practicality of providing for the continuation of insurance benefits after an employee's separation from employment;

C. Examine the feasibility of providing for the continuation of life and health insurance benefits through the temporary disability insurance program, through a compulsory insurance program to be offered by the insurance carrier of the employer, or through any other viable method;

D. Perform any other function it deems necessary in accomplishing its charge.

The Task Force is authorized to call upon any department, office, division or agency of the State to supply such data, program reports and other information, personnel or assistance as it deems necessary to discharge its responsibilities under this order. Each department, office, division or agency of the State is authorized, to the extent not inconsistent with law, to cooperate with the Task Force to furnish it with such information, personnel and assistance as necessary to accomplish the purposes of this order. The Task Force shall report its findings and recommendations, which shall include draft legislation if the Task Force finds that legislation is necessary to effectuate its recommendations, to the Governor, the President of the Senate and the Speaker of the Assembly no later than one year after the date on which it is organized. The Task Force shall expire upon the submission of its findings and recommendations."

*Pages 3-5, lines 1-73: Delete in their entirety.*

*Pages 5-6, Section 6, lines 1-19: Delete in their entirety.*

*Page 6, Section 7, lines 1-15: Delete in their entirety.*

*Pages 6-7, Section 8, lines 1-32: Delete in their entirety.*

*Pages 7-8, Section 9, lines 1-33: Delete in their entirety.*

*Page 8, Section 10, lines 1-14: Delete in their entirety.*

*Pages 8-9, Section 11, lines 1-33: Delete in their entirety.*

*Page 9, Section 12, lines 1-13: Delete in their entirety.*

*Page 9, Section 13, lines 1-3: Delete in their entirety.*

*Page 9, Section 14, line 1: Delete "14." and insert "5." Delete "commissioner" and insert "Commissioners of the Departments of Labor and Commerce and Economic Development".*

*Page 9, Section 14, line 2: Delete "he deems" and insert "as".*

*Page 9, Section 15, line 3: Delete "\$5,000,000.00" and insert "\$200,000.00". After "provisions of" insert "section 2 of".*

*Page 9, Section 15, after line 4: Insert new section as follows:*

*"6. There is appropriated from the General Fund to the Department of Labor the sum of \$300,000.00 to effectuate the provisions of section 3 of this act."*

*Page 9, Section 16, line 1: Delete "16." and insert "7.".*

Respectfully,

/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
August 28, 1985. }

SENATE BILL No. 3093

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 3093 with my recommendations for reconsideration.

This bill would authorize upon the approval of the voters, the issuance of \$150 million in State general obligation bonds, the proceeds of which would capitalize a newly established "Wastewater Treatment Trust Fund" in the New Jersey Treasury. The bond proceeds in the fund would be used for making loans and grants to local governments for financing the construction of wastewater treatment systems. The Department of Environmental Protection would be responsible for implementing this program through the promulgation of rules and regulations.

Of the \$150 million in bond proceeds authorized by this bill, up to 20% of that amount could be used by the department for making grants for those wastewater treatment systems that serve at least one municipality which satisfies State urban aid criteria. The other \$120 million in bond proceeds remaining in the fund would be used by the department to make "below market-rate" loans to local governments for other wastewater treatment systems.

All monies in the Wastewater Treatment Trust Fund would only be expended in accordance with project-specific appropriations thereof by the Legislature. All repayments of principal and interest on loans made through the program would be repaid directly to the fund for future re-appropriation by the Legislature.

This bill is a component of the four-bill package (S-3093, S-3094, A-3112 and A-457) recently passed by the Legislature instead of the New Jersey Environmental Trust which I announced in my 1985 State-of-the-State message. As I explained in my Conditional Veto message for Senate Bill No. 3094 (a component of the alternative package which establishes a similar loan program for resource recovery facilities), the Trust program will provide *more* local governments with low-interest financing for their wastewater treatment construction projects on a much *faster*, and therefore, correspondingly *cheaper* basis, than could be financed through either the public credit markets or the alternative program proposed within this bill. By enabling local governments to finance their projects through the Trust, the State will be accomplishing real and meaningful property tax and user-fee relief for our local citizenry. Without the Trust, local governments will be forced to pass their otherwise higher financing costs through to the local taxpayers.

In my Conditional Veto message for the alternative resource recovery bond act, S-3094, I recommend amendments which would conform that bill to the \$275 million "Clean New Jersey Bond Act of 1985" (S-3188 and A-4002), the proceeds of which would be used to capitalize the Trust with \$150 million for financing the construction of wastewater treatment systems, in addition to \$75 million and \$50 million, respectfully, for our State's equally important resource recovery and landfill closure needs. Consistent with my firm belief that the voters should participate in the creation of the innovative, yet fiscally-sound Trust program, my recommended revisions for S-3094 also included provisions which, in addition to asking voter approval for the State sale of bonds to capitalize the Trust, also asked the voters to approve the Trust's use of those proceeds in the exercise of its financing powers for maximizing the availability of funds for our State's critical environmental infrastructure needs. Specifically, the voters would be asked to approve an aggregate amount of revenue bonds which the Trust could secure with the bond proceeds for each of the three project types, i.e., wastewater treatment (\$5 billion), resource recovery (\$3 billion) and landfill closure (\$1 billion). It is important to recognize, however, that in addition to these "statutory bond caps," the framework of Trust program itself contains an effective "inherent bond cap" since the Trust could only issue that amount of revenue bonds which would be securable by its revenue stream, i.e., principal and interest payments on loans. Therefore, the Trust could never incur "excess debt" because its capacity to issue bonds, the proceeds of which would be used to make loans, is controlled by the loan applications it receives from local governments.

I am also recommending that this bill, S-3093, be amended to conform with the "Clean New Jersey Bond Act of 1985." Unlike my recommended amendments for S-3094, however, the amendments to this bill *do not* include provisions whereby the voters would approve aggregate bonding limitations on the financing powers of the Trust. Although I remain supportive of their inclusion, I am offering the Legislature this option in light of the Majority Party's recently expressed concerns regarding those provisions. Accordingly, I herewith return Senate Bill No. 3093 and recommend that it be amended to conform with the above-mentioned variation of the "Clean New Jersey Bond Act," as follows:

*Page 1, Title, Lines 3-9:* after "of" omit in entirety and insert: "\$275,000,000.00 for the purpose of financing the construction costs of solid waste disposal facilities and wastewater treatment systems, and the closure costs of sanitary landfill facilities; authorizing the issuance of refunding bonds; providing the ways and means to pay the interest on the bonds and refunding bonds and also to pay and discharge the principal thereof; providing for the submission of this act to the people at a general election; and providing an appropriation therefor."

*Page 1, Section 1, Lines 1-2:* Omit in entirety

*Pages 1-2, Section 2, Lines 1-35:* Omit in entirety

*Pages 2-3, Section 3, Lines 1-61:* Omit in entirety

*Page 3, Section 4, Lines 1-5:* Omit in entirety

*Pages 3-4, Section 5, Lines 1-26:* Omit in entirety

*Page 4, Section 6, Lines 1-8:* Omit in entirety

*Page 4, Section 7, Lines 1-10:* Omit in entirety

*Page 5, Section 8, Lines 1-7:* Omit in entirety

*Page 5, Section 9, Lines 1-15:* Omit in entirety

*Page 5, Section 10, Lines 1-17:* Omit in entirety

*Pages 5-6, Section 11, Lines 1-7:* Omit in entirety

*Page 6, Section 12, Lines 1-17:* Omit in entirety

*Page 6, Section 13, Lines 1-4:* Omit in entirety

*Page 6, Section 14, Lines 1-5:* Omit in entirety

*Pages 6-7, Section 15, Lines 1-25:* Omit in entirety

*Page 7, Section 16, Lines 1-8:* Omit in entirety

*Page 7, Section 17, Lines 1-10:* Omit in entirety

*Page 7, Section 18, Lines 1-8:* Omit in entirety

*Pages 7-8, Section 19, Lines 1-19:* Omit in entirety

*Pages 8-9, Section 20, Lines 1-37:* Omit in entirety

*Page 9, Section 21, Lines 1-20:* Omit in entirety

*Pages 9-10, Section 22, Lines 1-32:* Omit in entirety

*Page 11, Section 23, Lines 1-3:* Omit in entirety

*Pages 10-11, Section 24, Lines 1-11:* Omit in entirety

*Page 11, Section 25, Lines 1-9:* Omit in entirety

*Page 11, Section 26, Lines 1-3:* Omit in entirety

*Page 11, Section 26, After Line 3:* Insert new sections as follows:

"1. This act shall be known and may be cited as the 'Clean New Jersey Bond Act of 1985.'

2. The Legislature finds and determines that:

a. The health, safety, welfare, recreation, commerce and prosperity of the people of the State depend upon the conservation, development and maintenance of our natural resources and environmental infrastructure.

b. The land disposal of solid waste is wasteful of materials which have been shown to be susceptible to resource reclamation and recovery and which, when disposed on the land, pose known environmental threats to New Jersey's ground and surface water, now and for years to come.

c. The disposal of solid waste on the land makes land unusable which would otherwise be capable of development, were it not used for landfilling purposes.

d. If the State is to have a meaningful and responsible role in the development of an environmentally sound system of solid waste disposal consistent with the goals of the Statewide solid waste management plan, the State must be ready and able to lend all needed assistance through issuance of grants or loans and any technical assistance necessary for the actual development of needed resource recovery facilities and environmentally sound sanitary landfill systems.

e. In developing an environmentally sound system of solid waste disposal, it will be necessary to close existing sanitary landfill facilities which pose a significant threat to the public health, safety and welfare, and the State must also be ready and able to lend needed assistance for such closures through the issuance of loans and grants to the owners or operators of these facilities where all legally available funds required to be used for such purpose have been exhausted.

f. The rehabilitation and construction of wastewater treatment systems will help improve existing water quality throughout the State and will promote proper land use planning procedures, and priority should be given to investment in developed areas for improving existing water quality.

3. As used in this act, unless the context indicates a different meaning or intent:

a. 'Bonds' means the bonds authorized to be issued, or issued, under this act;

b. 'Closure cost' means all costs associated with the design, purchase, construction or maintenance of all measures required by the department, pursuant to law, in order to prevent, minimize or monitor pollution or health hazards resulting from sanitary land-

fill facilities subsequent to the termination of operations of any portion thereof, including, but not necessarily limited to, the costs of the placement of earthen or vegetative cover, and the installation of methane gas vents or monitors and leachate monitoring wells or collection systems at the site of any sanitary landfill facility, and such other additional expenses which are analogous to those listed in the definition of 'cost' below and not otherwise specified herein; provided, however, that costs which must be incurred prior to the commencement of acceptance of solid waste at any portion of a sanitary landfill facility, such as the initial grading and installation of liners and leachate collection systems, as well as the costs associated with the normal operations of a sanitary landfill facility, such as the placement of daily and intermediate cover and the construction of on-going environmental improvements, shall not be considered closure costs. Any activities which will be undertaken subsequent to the cessation of waste acceptance of the facility may be considered closure activities;

c. 'Commissioner' means the Commissioner of Environmental Protection;

d. 'Construct' and 'construction' means, in addition to the usual meanings thereof, acts of construction, reconstruction, rehabilitation, relocation, demolition, renewal, repair, replacement, extension, improvement and betterment;

e. 'Cost' means all and any of the expenses incurred in connection with the undertaking, development, acquisition, by purchase, lease or otherwise, and construction of all or any part of any environmental project authorized by this act and of all or any real or personal property, including any rights or interest therein, agreements and franchises necessary or useful and convenient in connection with any environmental project, including, without limiting the generality of the foregoing, any and all expenses relating to: the procurement of feasibility studies, engineering, inspection, planning, legal, financial or other professional services, including without limitation the services of a bond registrar or an authenticating agent; the issuance of bonds, or any interest or discount thereon; the administrative, organizational, operating or other expenses incident to the financing, completing and placing into service of environmental projects authorized by this act; the establishment of a reserve fund or funds for working capital, operating, maintenance or replacement expenses and for the payment or security of principal or interest on bonds, as the Director of the Division of Budget and Accounting in the Department of the Treasury may determine; and reimbursement to any fund of the State of moneys which may have been transferred or advanced therefrom to any fund created by this act, or of any moneys which may have been expended therefrom or in connection with any project authorized by this act;

f. 'Department' means the Department of Environmental Protection;

g. 'Environmental project' means any work relating to resource recovery facilities, environmentally-sound sanitary landfill systems or wastewater treatment systems;

h. 'Environmentally-sound sanitary landfill system' means a landfill which is in compliance with State laws and which shall be utilized for the following purposes:

(1) Disposing of those solid wastes which cannot be processed by a resource recovery facility or which result from the operation of a resource recovery facility,

(2) Disposal of solid waste, on an interim basis, until a resource recovery facility becomes operational, and

(3) Disposal of solid waste, on a long term basis, in those districts which demonstrate to the satisfaction of the Department of Environmental Protection that utilization of a resource recovery facility is not feasible for disposal of the solid waste generated in that district;

i. 'Government securities' means any bonds or other obligations which as to principal and interest constitute direct obligations of, or are unconditionally guaranteed by, the United States, including obligations of any federal agency to the extent those obligations are unconditionally guaranteed by the United States of America and any certificates or any other evidences of an ownership interest in those obligations of, or unconditionally guaranteed by, the United States or in specified portions of those obligations, which may consist of the principal of, or the interest on, those obligations;

j. 'Governmental unit' means any county, municipality, or any agency, instrumentality, authority or corporation thereof, including but not limited to improvement, sewerage, solid waste management, pollution control financing or utilities authorities, or any public body having local or regional jurisdiction or power, including but not limited to, solid waste management districts or any bi-state or multi-state agency or authority which includes the State;

k. 'Owner or operator' means and includes (1) every owner of record of any interest in land whereon a sanitary landfill facility is or has been located, (2) any operator of a sanitary landfill, and (3) any person or corporation which owns a majority interest in any other corporation which is the owner or operator of any sanitary landfill facility. For the purposes of this act only, the foregoing also includes any governmental unit which is the owner or operator of any sanitary landfill facility or which is required in the utilization of any facility to pay any portion of closure costs through the payment of rates or charges for the disposal of solid waste at any sanitary landfill facility;

l. 'Project revenue' means any income whatsoever attributed to loans made by the trust pursuant to this act, including repayment of principal and interest on loans, proceeds of collateral, assignments of user fees and administrative fees;

m. 'Real property' means land, within or without the State, and improvements thereof or thereon, any rights-of-way, water, riparian and other rights, and any easements, and privileges in real property, and any right or interest of any kind or description in, relating to or connected with real property;

n. 'Resource recovery facility' means the plants, structures, machinery, equipment, real and personal property acquired, constructed or operated or to be acquired, constructed or operated in whole or in part by a governmental unit or by a private entity on behalf of a governmental unit, and other personal property, and appurtenances necessary or useful and convenient for the collection, separation, removal and reuse of materials in the stream of wastes presently going to landfills, including those materials which are capable of recycling and direct delivery to manufacturers for use as raw materials as well as the conversion of waste or energy production;

o. 'Sanitary landfill facility' means a solid waste facility at which solid waste is deposited on or in the land as fill for the purpose of permanent disposal or storage for a period exceeding six months, except that it shall not include any waste facility approved for disposal of hazardous waste;

p. 'Solid waste disposal facility' means either an environmentally-sound sanitary landfill system or a resource recovery facility;

q. 'State' means the State of New Jersey;

r. 'Trust' means the New Jersey Environmental Trust created pursuant to the 'New Jersey Environmental Trust Act,' P. L. . . . , c. . . . (C. . . . ) (now pending before the Legislature as Senate Bill No. 3187 and Assembly Bill No. 4001 of 1985);

s. 'Wastewater treatment facility' means the plants, structures, real and personal property acquired, constructed or operated or to be acquired, constructed or operated in whole or in part by a governmental unit or by a private entity on behalf of a governmental unit, including pumping and ventilating stations, wastewater treatment systems, plants and works, connections, outfalls, interceptors, trunk lines, and other personal property, and appurtenances necessary or useful and convenient for the treatment, purification, disposal or recycling and recovery in a sanitary manner of any wastewater, liquid or solid wastes, night soil, or industrial wastes to preserve and protect natural water resources and facilities.

4. Bonds of the State of New Jersey are authorized to be issued in the aggregate principal amount of \$275,000,000.00 for the purpose of financing the planning, design and construction costs of solid waste disposal facilities and wastewater treatment facilities, and the closure costs of sanitary landfill facilities. In the case of each series of bonds, the issuing officials shall provide for the allocation of the proceeds of bonds, exclusive of accrued interest and net of issuance expenses, for the purposes and subject to the limitations set forth below.

a. Of the total moneys available under this act, not more than \$75,000,000.00 thereof are allocated for the purpose of making and securing loans, and any reasonable reserves therefor, to governmental units for the purpose of financing and planning, design and construction cost of solid waste disposal facilities or procurement of resource recovery services which shall be consistent with the plans of the department and of the respective solid waste management districts prepared pursuant to the 'Solid Waste Management Act,' P. L. 1970, c. 39 (C. 13:1E-1 et seq.) and with the priority system and project priority lists approved by the Legislature in accordance with the provisions of the 'New Jersey Environmental Trust Act,' P. L. . . . , c. . . . (C. . . . .) (now pending before the Legislature as Senate Bill No. 3187 and Assembly Bill No. 4001 of 1985).

b. Of the total moneys available under this act, not more than \$150,000,000.00 are allocated for the purpose of making and securing loans, and any reasonable reserves therefor, to governmental units for the purpose of financing and planning, design and construction of wastewater treatment systems or the procurement of wastewater treatment services which shall be consistent with the plans of the department and shall be in conformance with the priority system and project priority lists prepared by the department pursuant to the 'Clean Water Act' (33 U. S. C. § 1251 et al.) and approved by the Legislature in accordance with the provisions of the 'New Jersey Environmental Trust Act,' P. L. . . . , c. . . . (C. . . . .) (now pending before the Legislature as Senate Bill No. 3187 and Assembly Bill No. 4001 of 1985).

c. Of the total moneys available under this act, not more than \$50,000,000.00 are allocated for making and securing loans, including any reasonable reserves therefor, to owners or operators of sanitary landfill facilities, and in the case of governmental units for all making grants, for the purpose of financing the closure cost of these facilities which shall be in conformance with the priority system and project priority lists authorized by the Legislature in accordance with the provisions of the 'New Jersey Environmental Trust Act,' P. L. . . . , c. . . . (C. . . . .) (now pending before the Legislature as Senate Bill No. 3187 and Assembly Bill No. 4001 of 1985).

5. The bonds authorized under this act shall be serial bonds, term bonds or a combination thereof, and shall be known as 'Clean New Jersey Bonds.' These bonds shall be issued from time to time as the issuing officials herein named shall determine, and may be issued in coupon form, fully registered form or book-entry form.

6. The Governor, the State Treasurer and the Director of the Division of Budget and Accounting in the Department of the Treasury, or any two of these officials, herein referred to as 'the issuing officials,' are authorized to carry out the provisions of this act relating to the issuance of bonds, and shall determine all matters in connection therewith subject to the provisions of this act. If an

issuing official is absent from the State or incapable of acting for any reason, his powers and duties shall be exercised and performed by the person authorized by law to act in his place as a State official.

7. Bonds issued in accordance with the provisions of this act shall be a direct obligation of the State of New Jersey, and the faith and credit of the State are pledged for the payment of the interest thereon as it becomes due and for the payment of the principal at maturity. The principal of and interest on the bonds shall be exempt from taxation by the State or by any county, municipality or other taxing district of the State.

8. The bonds shall be signed in the name of the State by the Governor or by his facsimile signature, under the Great Seal of the State, which seal may be by facsimile or by way of any other form or reproduction on the bonds, and attested by the manual or facsimile signature of the Secretary of State, or an Assistant Secretary of State, and shall be countersigned by the facsimile signature of the State Treasurer and may be authenticated by an authenticating agent or bond registrar, as the issuing officials shall determine. Interest coupons, if any, attached to the bonds shall be signed by the facsimile signature of the Director of the Division of Budget and Accounting in the Department of Treasury. The bonds may be issued notwithstanding that an issuing official signing them or whose manual or facsimile signature appears thereon has ceased to hold office at a time of issuance or at the time of the delivery of the bonds to the purchaser.

9. a. The bonds shall recite that they are issued for the purposes set forth in section 4 of this act and that they are issued pursuant to this act and that this act was submitted to the people of the State at the general election held in the month of November, 1985 and that this act was approved by a majority of the legally qualified voters of the State voting thereon at the election. This recital shall be conclusive evidence of the validity of the bonds and of the authority of the State to issue them. Any bonds containing this recital shall in any suit, action or proceeding involving their validity be conclusively deemed to be fully authorized by this act and to have been issued, sold, executed and delivered in conformity herewith and with all other provisions of laws applicable hereto, and shall be incontestable for any cause.

b. The bonds shall be issued in denominations and in such form or forms, whether coupon, fully registered or book-entry, and with or without provisions for interchangeability thereof, as may be determined by the issuing officials.

10. When the bonds are issued from time to time, the bonds of each issue shall constitute a separate series to be designated by the issuing officials. Each series of bonds shall bear the rate or rates of interest as may be payable semiannually; except that the first and last interest periods may be longer or shorter, in order that intervening semiannual payments may be at convenient dates.

11. The bonds shall be issued and sold at such price or prices and under such terms, conditions and regulations, as the issuing officials may prescribe, after notice of the sale, published at least once in at least three newspapers published in New Jersey, and at least once in a publication carrying municipal bond notices and devoted primarily to financial news, published in New Jersey or in the City of New York, the first notice to appear at least five days prior to the day of bidding. The notice of sale may contain a provision to the effect that any or all bids in pursuance thereof may be rejected. In the event of rejection or of failure to receive any acceptable bid, the issuing officials, at any time within 60 days from the date of the advertised sale, may sell the bonds at a private sale at such price or prices and under such terms and conditions as the issuing officials may prescribe. The issuing officials may sell all or part of the bonds of any series to any State fund or to the federal government or any agency thereof, at a private sale, without advertisement.

12. Until permanent bonds are prepared, the issuing officials may issue temporary bonds in such form and with such privileges as to their registration and exchange for permanent bonds as may be determined by the issuing officials.

13. The proceeds from the sale of bonds shall be paid to the State Treasurer to be held by him in a separate fund, which shall be known as the 'Clean New Jersey Bond Fund.' The proceeds of this fund shall be deposited in such depositories as may be selected by the State Treasurer to the credit of the fund. Promptly after receipt of the proceeds, the State Treasurer, after setting aside in the fund the amounts determined by the State Treasurer to be sufficient to meet the payments to be made by the State Treasurer as set forth in section 16 of this act, shall pay the remaining balance of the proceeds to the trust and commissioner, respectively, for the purposes provided by the issuing officials in accordance with section 4 of this act for application in accordance with section 14 of this act as may be appropriate, and these moneys are appropriated for such purposes. Pending their application, the amounts set aside in the Clean New Jersey Bond Fund may be invested and reinvested as are the trust funds in the custody of the State Treasurer, in the manner provided by law. Net earnings received from the investment or deposit of the fund shall be paid into the General Fund.

14. Of the total of \$275,000,000.00 in proceeds from the sale of bonds which shall be paid to the trust, not more than \$75,000,000.00 thereof shall be held by it in a separate fund or account to be known as the 'Solid Waste Disposal Facilities Account,' not more than \$150,000,000.00 thereof shall be held by it in a separate fund or account to be known as the 'Wastewater Treatment Facilities Account,' and not more than \$50,000,000.00 thereof shall be held by it in a separate fund or account to be known as the 'Sanitary Land-fill Facilities Closure Account.'

a. The moneys in the 'Solid Waste Disposal Facilities Account' are specifically dedicated to, and shall be applied by the trust for, the purposes of making and securing loans, and any reasonable reserves therefor, to governmental units for financing the planning, design and construction costs of solid waste disposal facilities or procurement of resource recovery services as provided in subsection a. of section 4 of this act, as shall be determined by the trust, and all such moneys are appropriated for those purposes. No moneys shall be applied to make a loan for any solid waste disposal facility unless the expenditure therefor shall be in conformance with the project priority list and authorization of expenditures annually approved by the Legislature in accordance with the provisions of the 'New Jersey Environmental Trust Act.'

b. The moneys in the 'Wastewater Treatment Facilities Account' are specifically dedicated to, and shall be applied by the trust for, the purposes of making and securing loans, and any reasonable reserves therefor, to governmental units for financing the planning, design and construction costs of wastewater treatment facilities or procurement of wastewater treatment services as provided in subsection b. of section 4 of this act, as shall be determined by the trust, and all such moneys are appropriated for those purposes. No moneys shall be applied to make a loan for any wastewater treatment facility unless the expenditure therefor shall be in conformance with the project priority list and authorization of expenditures annually approved by the Legislature in accordance with the provisions of the 'New Jersey Environmental Trust Act.'

c. The moneys in the 'Sanitary Landfill Facilities Closure Account' are specifically dedicated to, and shall be applied by the trust for, the purposes of making and securing loans, and any reasonable reserves therefor, to owners or operators of sanitary landfill facilities, and in the case of governmental units for also making grants, for financing the closure costs of these facilities as provided in subsection c. of section 4 of this act, and all such moneys are appropriated for those purposes. No moneys shall be applied to make a loan or a grant for closure costs of any sanitary landfill facility unless the expenditure therefor shall be in conformance with the project priority list and authorization of expenditures annually approved by the Legislature in accordance with the provisions of the 'New Jersey Environmental Trust Act.'

d. Pending their application to the purposes provided in this act, moneys in the "Solid Waste Disposal Facilities Account," 'Wastewater Treatment Facilities Account' and 'Sanitary Landfill Facilities Closure Account' may be invested and reinvested as other funds in the custody of the trust. Any earnings received from such investments may be used for any lawful purpose of the trust. All project revenues shall be paid to the trust and are specifically dedicated for the lawful uses and purposes of the trust.

15. If any coupon bond, coupon or registered bond is lost, mutilated or destroyed, a new bond or coupon shall be executed and

delivered of like tenor, in substitution for the lost, mutilated or destroyed bond or coupon, upon the owner furnishing to the issuing officials such evidence satisfactory to them of the loss, mutilation or destruction of the bond or coupon; evidence of the ownership thereof; and evidence of the security, indemnity and reimbursement for expenses connected therewith, as the issuing officials may require.

16. The accrued interest received upon the sale of the bonds shall be applied to the discharge of a like amount of interest upon the bonds when due. Any expense incurred by the issuing officials for advertising, engraving, printing, clerical, authenticating, registering, legal or other services necessary to carry out the duties imposed upon them by the provisions of this act shall be paid from the proceeds of the sale of the bonds by the State Treasurer, upon the warrant of the Director of the Division of Budget and Accounting in the Department of the Treasury, in the same manner as other obligations of the State are paid.

17. Bonds of each series issued hereunder shall mature, including any sinking fund redemptions, not later than the 35th year from the date of issue of such series, and in such amounts as shall be determined by the issuing officials. The issuing officials may reserve to the State by appropriate provision in the bonds of any series the power to redeem any of the bonds prior to maturity at the price or prices and upon the terms and conditions as may be provided in the bonds.

18. The issuing officials may issue refunding bonds at any time and from time to time for the purpose of paying any of the bonds issued under this act at or prior to maturity or upon redemption, subject to the following provisions:

a. Refunding bonds may be issued at such time prior to the maturity or redemption of the bonds to be refunded thereby as the issuing officials shall determine;

b. Each series of refunding bonds may be issued in a sufficient amount to pay or to provide for the payment of the principal of the bonds to be refunded thereby, together with any redemption premium thereon, any interest accrued or to accrue on such bonds to be refunded to the date of payment of such bonds, the expenses of issuing such refunding bonds and the expenses, if any, of paying such bonds to be refunded;

c. Each series of refunding bonds shall mature, including any sinking fund redemptions, at those times not later than five years following the latest scheduled maturity date, determined without regard to any redemptions prior thereto, of any of the outstanding bonds to be refunded thereby, but in no event later than 35 years following the date of issuance of the refunding bonds, and in those amounts as the issuing officials shall determine in accordance with the provisions of this act. The issuing officials may reserve to the State by appropriate provision in the refunding bonds of any series

the power to redeem all or any of those bonds prior to maturity at prices and upon such terms and conditions as may be provided in those bonds;

d. No refunding bonds shall be issued unless the issuing officials shall first determine that the present value of the aggregate principal of and interest on such refunding bonds is less than the present value of the aggregate principal of and interest on the bonds to be refunded thereby. For the purposes of this subsection, present value shall be computed using a discount rate equal to the yield of such refunding bonds, and the yield shall be computed using an actuarial method based upon a 360-day year with semiannual compounding and upon the price or prices paid to the State by the initial purchasers of such refunding bonds;

e. Any refinancing authorized hereunder may be effected by the sale of the refunding bonds and the application of the proceeds thereof to the immediate payment of: the principal of the bonds to be refinanced thereby, together with any redemption premium thereon; any interest accrued or to accrue on the bonds to be refinanced to the date of payment of the bonds; the expenses of issuing the refunding bonds and the expenses, if any, of paying the bonds to be refinanced. If the proceeds are not required for these immediate payments, the proceeds shall be deposited, together with any other moneys legally available therefor, in trust with the State Treasurer to be held separate and apart from all other funds of the State or with one or more trustees within or without the State to be held in trust and applied solely to the payment when due of the principal of, redemption premium, if any, and interest due and to become due on the bonds to be refinanced on or prior to the redemption date or maturity date thereof, as the case may be. These proceeds or moneys may be invested in government securities, including government securities issued or held in book-entry form on the books of the Department of Treasury of the United States; provided, these government securities shall not be subject to redemption prior to their maturity other than at the option of the holder thereof. Except as otherwise provided in this subsection, neither government securities nor moneys so deposited with the State Treasurer or trustee shall be withdrawn or used for any purpose other than, and shall be held in trust for, the payment of the principal of, redemption premium, if any, and interest on the bonds to be refinanced thereby. Any cash received from the principal or interest payments on the government securities deposited with the State Treasurer or the trustee which is not required at any time for these purposes, shall be paid over to the State as received by the State Treasurer or trustee. Cash which is required for these purposes at a later date, shall, to the extent practicable and legally permissible, be reinvested in government securities maturing at times and in amounts sufficient to pay when due the principal of, redemption premium, if any and interest to become due on the bonds to be refinanced on and prior to the redemption date or

maturity date thereof, as the case may be. Interest earned from these reinvestments to the extent not required for the payment of bonds shall be paid over to the State, as received by the State Treasurer or the trustee. Notwithstanding anything to the contrary contained herein: the State Treasurer or trustee shall, if so directed by the issuing officials, apply moneys on deposit with the State Treasurer or trustee pursuant to the provisions of this subsection and redeem or sell government securities so deposited with the State Treasurer or trustee; and apply the proceeds thereof to the purchase of the bonds which were refinanced by the deposit with the State Treasurer or trustee of these moneys and government securities and immediately thereafter cancel the bonds so purchased; or apply the proceeds thereof to the purchase of different government securities. The moneys and government securities on deposit with the State Treasurer or trustee after the purchase and cancellation of these outstanding bonds or the purchase of different government securities shall be sufficient to pay when due the principal of, redemption premium, if any, and interest on all other bonds in respect of which these moneys and government securities were deposited with the State Treasurer or trustee on or prior to the redemption date or maturity date thereof, as the case may be. In the event that on any date, as a result of any purchases and cancellations of the bonds or any purchases of different government securities as provided in this subsection, the total amount of moneys and government securities remaining on deposit with the State Treasurer or trustee is in excess of the total amount which would have been required to be deposited with the State Treasurer or trustee on such date in respect of the remaining bonds for which such deposit was made in order to pay when the principal of, redemption premium, if any, and interest on the remaining bonds, the State Treasurer or trustee shall if so directed by the issuing officials, pay the amount of the excess to the State; and

f. Notwithstanding the provisions of section 11 of this act, any refunding bonds issued pursuant to this section may be sold at public or private sale at such prices and under such terms, conditions and regulations as the issuing officials may prescribe. Refunding bonds shall be entitled to all the benefits of this act and subject to all its limitations except as to maturities and sale provisions and to the extent herein otherwise expressly provided.

19. Any bond or bonds whose issuance is authorized by section 4 of this act or any series or portions thereof, shall no longer be deemed to be outstanding, shall no longer constitute a direct obligation of the State of New Jersey and the faith and credit of the State shall no longer be pledged to the payment of the principal of and interest on such bonds, and such bonds shall be secured solely by and payable solely from moneys and government securities deposited in trust with the State Treasurer or the trustee as provided herein, whenever there shall be deposited in trust with the State Treasurer or the trustee as provided herein either moneys or

government securities, including government securities issued or held in book-entry form on the books of the Department of Treasury of the United States, the principal of and interest on which when due will provide money which, together with the moneys, if any, deposited with the State Treasurer or the trustee at the same time, shall be sufficient to pay when due the principal of, redemption premium, if any, and interest due and to become due on such bonds on or prior to the redemption date or maturity date thereof, as the case may be; provided, such government securities shall not be subject to redemption prior to their maturity other than at the option of the holder thereof. The State of New Jersey covenants with the holders of any bonds for which government securities or moneys have been deposited in trust with the State Treasurer or the trustee, as provided in this section, that, except as otherwise provided in this section, neither the government securities nor moneys so deposited with the State Treasurer or the trustee shall be withdrawn or used for any purpose other than, and shall be held in trust for, the payment of the principal of, redemption premium, if any, and interest to become due on such bonds. Any cash received from the principal or interest payments on the government securities deposited with the State Treasurer or the trustee which is not required at any time for these purposes, shall be paid over to the State as received by the State Treasurer or the trustee, free and clear of any trust, lien, pledge or assignment securing such bonds. Cash which is required for these purposes at a later date, shall, to the extent practicable and legally permissible, be reinvested in government securities maturing at times and in amounts sufficient to pay when due the principal of, redemption premium, if any, and interest to become due on such bonds on and prior to such redemption date or maturity date thereof, as the case may be. Interest earned from these reinvestments shall be paid over to the State, as received by the State Treasurer or the trustee, free and clear of any trust, lien or pledge securing the bonds.

Notwithstanding anything to the contrary contained herein; the State Treasurer or the trustee shall, if so directed by the issuing officials, apply moneys on deposit with the State Treasurer or the trustee pursuant to the provisions of this section and redeem or sell government securities so deposited with the State Treasurer or the trustee and: apply the proceeds thereof to the purchase of the bonds which were defeased by the deposit with the State Treasurer or the trustee of such moneys and government securities and immediately thereafter cancel all bonds so purchased; or apply the proceeds thereof to the purchase of different government securities. The moneys and government securities on deposit with the State Treasurer or the trustee after such purchase and cancellation of such bonds or such purchase of different government securities shall be sufficient to pay when due the principal of, redemption premium, if any, and interest on all other bonds in respect of which such moneys and government securities were deposited with the State Treasurer or the trustee on or prior to the redemption date or

maturity date thereof, as the case may be. In the event that on any date, as a result of any purchases and cancellations of bonds or any purchases of different government securities as provided in this section, the total amount of moneys and government securities remaining on deposit with State Treasurer or the trustee is in excess of the total amount which would have been required to be deposited with the State Treasurer or the trustee on such date in respect of the remaining bonds for which such deposit was made in order to pay when due the principal of, redemption premium, if any, and interest on such remaining bonds, the State Treasurer or the trustee shall, if so directed by the issuing officials, pay the amount of such excess to the State free and clear of any trust, lien, pledge or assignment securing such remaining bonds.

20. Refunding bonds issued pursuant to section 18 of this act may be consolidated with bonds issued pursuant to section 4 of this act or with bonds issued pursuant to any other act for purposes of sale.

21. To provide funds to meet the interest and principal payment requirements for the bonds and refunding bonds issued under this act and outstanding, there is appropriated in the order following:

a. Revenue derived from the collection of taxes under the 'Sales and Use Tax Act,' P. L. 1966, c. 30 (C. 54:32B-1 et seq.), or so much thereof as may be required; and

b. If, at any time, funds necessary to meet the interest and principal payments on outstanding bonds or refunding bonds issued under this act, are insufficient or not available, there shall be assessed, levied and collected annually in each of the municipalities of the counties of this State, a tax on the real and personal property upon which municipal taxes are or shall be assessed, levied and collected, sufficient to meet the interest on all outstanding bonds or refunding bonds issued hereunder and on the bonds or refunding bonds proposed to be issued under this act in the calendar year in which the tax is to be raised and for the payment of bonds or refunding bonds falling due in the year following the year for which the tax is levied. The tax shall be assessed, levied and collected in the same manner and at the same time as other taxes upon real and personal property. The governing body of each municipality shall pay to the treasurer of the county in which the municipality is located, on or before December 15 in each year, the amount of tax herein directed to be assessed and levied, and the county treasurer shall pay the amount of the tax to the State Treasurer on or before December 20 in each year.

If on or before December 31 in any year, the issuing officials, by resolution, determine that there are moneys in the General Fund beyond the needs of the State, sufficient to meet the principal of bonds or refunding bonds falling due and all interest payable in the ensuing calendar year, the issuing officials shall file the resolution in the office of the State Treasurer, whereupon the State Treasurer shall transfer the moneys to a separate fund to be designated

by him, and shall pay the principal and interest out of that fund as the same shall become due and payable, and the other sources of payment of the principal and interest provided for in this section shall not then be available and the receipts for the year from the tax specified in subsections a. and b. of this section shall be considered part of the General Fund, available for general purposes.

22. Should the State Treasurer, by December 31 of any year, deem it necessary, because of the insufficiency of funds collected from the sources of revenues as hereinabove provided, to meet the interest and principal payments for the year after the ensuing year, then the State Treasurer shall certify to the Director of the Division of Budget and Accounting in the Department of the Treasury the amount necessary to be raised by taxation for those purposes, which is to be assessed, levied and collected for and in the ensuing calendar year. The director shall, on or before March 1 following, calculate the amount in dollars to be assessed, levied and collected as herein set forth in each county. This calculation shall be based upon the corrected assessed valuation of each county for the year preceding the year in which the tax is to be assessed, but the tax shall be assessed, levied and collected upon the assessed valuation of the year in which the tax is assessed and levied. The director shall certify the amount to the county board of taxation and the treasurer of each county. The county board of taxation shall include the proper amount in the current tax levy of the several taxing districts of the county in proportion to the ratables as ascertained for the current year.

23. For the purpose of complying with the provisions of the State Constitution, this act shall be submitted to the people at the general election to be held in the month of November, 1985. To inform the people of the contents of this act it shall be the duty of the Secretary of State, after this section takes effect, and at least 15 days prior to the election, to cause this act to be published in at least 10 newspapers published in the State and to notify the clerk of each county of this State of the passage of this act and the clerks respectively, in accordance with the instructions of the Secretary of State, shall cause to be printed on each of the ballots, the following:

If you approve the act entitled below, make a cross (X), plus (+), or check (✓) mark in the square apposite the word 'Yes.'

If you disapprove the act entitled below, make a cross (X), plus (+), or check (✓) mark in the square opposite the word 'No.'

If voting machines are used, a vote of 'Yes' or 'No' shall be equivalent to these markings respectively.

	Yes.	<p>CLEAN NEW JERSEY BOND ISSUE</p> <p>Should the 'Clean New Jersey Bond Act of 1985,' which authorizes the State to issue general obligation bonds in the amount of \$275,000,000.00 for the purpose of financing the construction costs of solid waste disposal facilities and wastewater treatment systems, and the closure costs of sanitary landfill facilities; authorizes the issuance of refunding bonds; provides the ways and means to pay the interest on the bonds and refunding bonds and also to pay and discharge the principal thereof; be approved?</p>
	No.	<p>INTERPRETIVE STATEMENT</p> <p>Approval of this act would authorize the sale of \$275,000,000.00 in State general obligation bonds and the deposit of the proceeds of this bond sale in a public corporation entitled the New Jersey Environmental Trust. The trust would be empowered to use the bond proceeds for making loans to local governments for financing the construction costs of solid waste disposal facilities and wastewater treatment systems, and to owners or operators of sanitary landfill facilities, loans and grants for closure costs to those facilities. By receiving financial assistance through grants and low-interest loans from the trust, local governments will be able to reduce the burden on their property tax and user fee payers because of the lower total construction costs for their resource recovery facilities, wastewater treatment systems and landfill closure projects.</p>

The fact and date of the approval or passage of this act, as the case may be, may be inserted in the appropriate place after the title in the ballot. No other requirements of law as to notice or procedure, except as herein provided, need be adhered to.

The votes cast for and against the approval of this act, by ballot or voting machine, shall be counted and the result thereof returned by the election officer, and a canvass of the election had in the same manner as is provided for by law in the case of the election of a Governor, and the approval or disapproval of this act so determined shall be declared in the same manner as the result of an election for a Governor, and if there is a majority of all votes cast for and

against it at the election in favor of the approval of this act, then all the provisions of this act not made effective theretofore shall take effect forthwith.

24. There is appropriated from the General Fund the sum of \$5,000.00 to the Department of State for expenses in connection with the publication of notice pursuant to section 23 of this act.

25. This section and sections 23 and 24 of this act shall take effect immediately; and the remainder of the act shall take effect as provided in section 23, except that the remainder of the act shall remain inoperative until the enactment into law of the 'New Jersey Environmental Trust Act,' P. L. . . . , c. . . . (C. . . . ) (now pending before the Legislature as Senate Bill No. 3187 and Assembly Bill No. 4001 of 1985)."

Respectfully,

/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
August 28, 1985. }

SENATE BILL No. 3094

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 3094 with my recommendations for reconsideration.

This bill would authorize upon the approval of the voters, the issuance of \$100 million in State general obligation bonds, the proceeds of which would capitalize a newly established "Resource Recovery and Solid Waste Disposal Facility Trust Fund." The bond proceeds in the fund would be used for making loans to local governments for financing the construction of resource recovery facilities and environmentally-sound sanitary landfill facilities. The Department of Environmental Protection would be responsible for implementing this program through the promulgation of rules and regulations.

Of the \$100 million in bond proceeds authorized by this bill, up to approximately \$33.3 million is specifically allocated for the purpose of making an interest-free loan to Essex County for financing the construction of its planned resource recovery facility. The other \$66.7 million in bond proceeds remaining in the fund would be used by the department to make zero or "below market-rate" loans to other local governments for their respective resource recovery facilities.

All moneys in the Resource Recovery and Solid Waste Disposal Facility Trust Fund would only be expended in accordance with project-specific appropriations thereof by the Legislature. All repayments of principal and interest on loans made through the program would be repaid directly to the fund for future reappropriation by the Legislature.

This bill is a component of the four-bill package (S-3094, S-3093, A-3112 and A-457) recently passed by the Legislature instead of the New Jersey Environmental Trust that I announced in my 1985 State-of-the-State message. The simple fact remains that the Trust program can provide *more* local governments with low-interest financing for their resource recovery facilities, landfill closure projects and wastewater treatment systems on a much *faster*, and therefore, correspondingly *cheaper* basis, than could be financed through either the public credit markets or the aid programs proposed within these four bills. By enabling local governments to finance their environmental projects through the Trust, the State will be accomplishing real and meaningful property tax and user-fee relief for our local citizenry. Without the Trust, local governments will be forced to pass their otherwise higher project financing costs through to the local taxpayers.

Collectively, my Conditional Veto messages for these four alternative bills recommend revisions which conform to the provisions of my New Jersey Environmental Trust program (S-3187/A-4001, S-3188/A-4002, S-3189/A-4003, S-3190/A-4004, S-3191/A-4005). Individually, each Conditional Veto message explains both the provisions of the specific alternative bill which it addresses, as well as the components of my program to which the revised bill conforms. Regarding this resource recovery bond act, S-3094, I am recommending that it be revised to conform with the provisions of the "Clean New Jersey Bond Act of 1985" (S-3188/A-4002), the proceeds of which would be used to capitalize the Trust with \$75 million for resource recovery facilities, in addition to \$150 million and \$50 million, respectively, for our State's equally important wastewater treatment and landfill closure treatment needs. I have provided for the Essex County loan proposed in this bill through my Conditional Veto of another of the alternative bills, Assembly Bill No. 3112.

In light of the critically important State needs which the Trust program effectively addresses, I am asking the Legislature to act on my Conditional Veto recommendations this summer. Any further delay by the Legislature in acting on the legislation, especially the proposed "Clean New Jersey Bond Act of 1985," would seriously jeopardize the establishment of the Trust program during this fiscal year. I cannot over-emphasize my request for quick legislative action on this issue. The bond act must be enacted before September 12, 1985 in order to be eligible for placement on the November 1985 ballot.

After hearing all rhetoric regarding the perceived strengths and weaknesses of both the Trust program and the Majority Party's alternative program, I fear that we are concentrating more on political gamesmanship and may have lost sight of the overwhelming importance of my real goal—an environmentally safe and clean New Jersey for all of our State's citizens. I sincerely remain committed to the creation of the New Jersey Environmental Trust. This commitment stems from my firm belief that the Trust would offer local governments a much-needed permanent and revolving financial assistance program for addressing their most important capital needs of this decade—the construction of modern wastewater treatment and resource recovery facilities and the environmentally-sound closure of sanitary landfills which are either at or over their operational capacities.

The crucial need for the innovative and fiscally-sound Trust program is evidenced by the following Statewide construction estimates for these environmental capital projects: \$5 billion (297 projects) for wastewater treatment systems; \$3 billion for resource recovery facilities (at least 10 projects); and \$1 billion for landfill closures (four of our remaining operational landfills have total projected closure costs exceeding \$150 million; over 300 have been shut-down, but not necessarily environmentally closed). Perhaps most importantly, I believe creation of the Trust will serve as a meaningful step towards minimizing the otherwise inevitable increases in local property taxes and user-fees which will result if local governments underwrite their increased construction costs for these projects through higher taxes and fees on their citizenry.

In light of our State's substantial environmental needs, as is summarized in the following paragraphs, I could not in good conscience sign the alternative four-bill package knowing that it does not do the job, that it cannot effectively meet the capital challenges that this decade holds for our State. I remain committed, however, to working with the Legislature on a bipartisan basis towards a quick resolution of this issue.

Despite the federal government's promise of "full-funding" in 1972 when it established the federal "Clean Water Act" (33 U. S. C. § 1251 et al.), Congress has historically "underfunded" the federal Construction Grants Program which assists local governments to finance construction of the wastewater treatment systems required by the act. For example, New Jersey's FY 85 share of the federal grant program will only partially fund (at 55% of project-costs) 10 of the 291 wastewater treatment systems which the Clean Water Act mandates that our local governments construct by January, 1988; and the proposed FY 86-90 federal grant allocations are uncertain. Also, substantially similar Clean Water Act reauthorization bills passed by both the Senate on June 13, 1985 and by the House on July 25, 1985 provide that the states must begin to use all federal grants as "loans" by 1991, and federal seed money for state loans may be discontinued altogether after 1994—but the

federal requirements for compliance with clean water standards will be continued. Therefore, without the establishment of the Trust and its attendant construction cost-reduction services, most New Jersey municipalities may within the next few years be faced with building bans as a result of their inability to finance construction of the required wastewater treatment systems. Although the result of these threatened building bans would have severe economic impacts on each respective local government, their aggregate result would far transcend local boundaries and would have a devastating effect on our presently thriving State economy through their inevitable restrictions on economic growth and corresponding reductions in State labor levels. Even if local governments are able to procure construction financing arrangements in the public credit markets, which is unlikely for those smaller municipalities responsible for 60% of our needed projects, their construction financing costs will be substantially higher (approximately 50%) than if they financed through the Trust. These increased costs will inevitably be passed through to the local citizenry via large increases in property taxes and user-fees.

The inability of local governments to establish operational solid waste management plans for their refuse disposal needs, as is required by the State "Solid Waste Management Act" (P. L. 1970, c. 39), will also have an equally devastating impact on our healthy State economy. Without the establishment of a permanent State financing program for assisting local governments to make the "environmentally inevitable" transition from landfills to the cost-efficient waste-to-energy incinerators, solid waste disposal in our State may reach a standstill. The immediacy of this need is evidenced by the fact that almost all of our solid waste goes to 11 remaining operational landfills, and most of these are all either already under court order to close or are very near the maximum capacities. Through the financing assistance of the Trust, local governments will have access to below-market rate "seed" money for the design and construction of resource recovery facilities and state-of-the-art sanitary landfill systems. With projected costs of many of the planned resource recovery facilities exceeding one hundred million dollars, financial assistance from the Trust will act as a "buffer" to the "rate shock" that will result if local governments were to be required to absorb the costs of these projects through the traditional marketplace. Without Trust financing assistance, the increased project construction financing costs would of necessity be passed through to our State's local citizenry via increased property taxes and solid waste disposal tariffs. This would occur even if the facilities were constructed through cost-saving private/public sector arrangements, whereby private enterprises construct and operate the facilities for use by local governments.

Our State also has a particularly critical need for the component of the Trust program which is designed to help local governments underwrite their increasing closure costs for sanitary landfill facilities. This is clearly evidenced by the fact that virtually all of the

"closure escrow accounts" which are maintained by landfill operators pursuant to the New Jersey "Sanitary Landfill Facility Closure and Contingency Fund Act" (P.L. 1981, c. 306) are not sufficient to fully finance closure of the facilities—because the act establishes contribution levels that are too low. As a result, those local governments which use private landfills are faced with major tariff increases awarded by the New Jersey Board of Public Utilities (BPU) for closure-related costs; and local governments which own landfills also face substantial closure costs as they terminate their facilities. Regardless of whether local governments own their landfills or use private facilities, without Trust financing assistance they will be forced to underwrite their rising closure costs through increased property taxes.

One of the most prominent examples of the State's landfill closure dilemma involves the Kinsley landfill located in Gloucester County. Those 34 New Jersey municipalities which utilize the privately owned Kinsley landfill have been burdened with a recent 229% increase in solid waste disposal tariffs—80% of which the BPU allocated for closure costs. Since the Gloucester County Superior Court has ordered Kinsley landfill closed next year, the BPU approved a tariff increase at the landfill which was sufficient to raise the approximately \$30 million needed for closure of that facility over the remaining year that it would be in operation. I strongly believe that it is inherently inequitable to require these municipalities—over a one-year period—to bear the brunt of paying for the closure of a landfill which has been in operation for over 30 years. This is particularly unfair because approximately 60% of the solid waste disposed of at Kinsley in recent years is actually apportionable to Philadelphia solid waste haulers who are no longer utilizing the landfill. Although for environmental reasons I agree with our State court decisions which prohibit the disposal of out-of-state garbage at Kinsley landfill, I regret the inequitable bi-product that Philadelphia haulers will therefore avoid contributing their proportionate share of the closure costs. Through the landfill closure component in the New Jersey Environmental Trust, the State could address the inequities of a "Kinsley" situation by providing the affected local governments with grants for their proportionate share of the closure costs (payable through increased solid waste disposal tariffs) which are apportionable to out-of-state solid waste.

Recently released financial analyses prepared by my staff clearly establish that utilization of the Trust's financing powers would maximize the use of State and federal moneys available for addressing our increasing resource recovery, landfill closure and clean water needs. Through the issuance of revenue bonds secured by reserves established from State and federal appropriations, investment income on the reserves and principal and interest payments on loans made from its bond proceeds, the Trust could assist *more* local governments finance resource recovery facilities, wastewater treat-

ment systems and landfill closure projects on a much *faster*, and correspondingly *cheaper* basis, than could be financed under the status quo (public marketplace) or through the alternative four-bill package passed by the Legislature.

I believe it is also important to recognize that notwithstanding the establishment of the Trust, local governments will inevitably finance their resource recovery facilities, landfill closure projects and wastewater treatment systems through their main revenue sources—local property taxes and user-fees. Establishment of the Trust is crucially important because it will enable local governments to finance these projects on a much less expensive basis, which will clearly provide meaningful property tax and user-fee relief (the higher the project cost, the higher the tax and fee increases). Since construction of these projects is required, the creation of the Trust I have outlined will substantially lower the property taxes and user-fee increases required to build them. The Trust is a positive vehicle designed to meet the challenge of defraying additional costs which could force property tax and user-fee increases. By offering local governments the opportunities to finance these “mandatory” projects on a less expensive basis, the Trust will ultimately benefit the local taxpayers and facility users.

As an example of the Trust’s financing capabilities during its first 15 years of operation, I cite the projected funding capacity of the wastewater treatment component. Based upon one-time State contributions of \$150 million in general obligation bond proceeds and modest State General Fund appropriations during FYs 86-90, as well as use of anticipated federal funds, the Trust could finance approximately \$2.59 billion of our \$5 billion in needed wastewater treatment systems (297 projects). This funding level is achieved through the issuance of Trust loans for either 100% or 8% of all projects costs (the 8% share Trust loans would be made only to local governments that still benefit from the 55% share federal construction grants). The terms of the loans could be as follows: 5% interest rates (payable in 12 years) for 67% of all project costs; and below-market interest rates (payable in 20 years) for the remaining 33% “local share.” By financing their local share through the Trust instead of in the public credit markets, local governments would be able to reduce their total costs on that share by approximately 20%. This cost reduction on the local share, coupled with the 5% interest Trust loans (less than one-half of market-rate), will enable local governments to complete their projects at approximately 50% less total cost to the local taxpayers and facility users than if financing were only available through the traditional marketplace.

In conclusion, I believe it is also important to recognize that the drafting of the New Jersey Environmental Trust program was modeled closely after the newly established, but already demonstrably successful New Jersey Transportation Trust Fund Authority (TTFA). Also, included in the Trust are provisions drafted by the

Assembly Majority Staff which I believe soundly address those few procedural difficulties that the Legislature experienced when exercising its first year of oversight over the TTFA.

Twelve months of diligent, bipartisan efforts by the Administration and Legislature was rewarded in January, 1985 with the notice that the first TTFA bonds would be rated "Aa" by Moody's Investors Service and "AA+" by Standard & Poors Corporation—credit evaluations that are as close as possible to the State's own top-notch Triple-A credit rating. The financing capacities of the TTFA exceeded even my highest hopes, and correspondingly provided the State with an even "bigger bank for its buck" in financing the completion of our transportation network. As I stated earlier, I also look forward to working with the Legislature on a bipartisan basis to accomplish the same high goals for our environment that we last year achieved for our transportation system. Such an achievement will mean that New Jersey citizens will pay less for the crucially important resource recovery, landfill closure and clean water needs of our State. I cannot and will not add my signature to bills which will cost the property taxpayers more and which are clearly inferior to the New Jersey Environmental Trust program that is now before the Legislature.

Accordingly, I herewith return Senate Bill No. 3094 and recommend that it be amended to establish the "Clean New Jersey Bond Act of 1985," as follows:

*Page 1, Title, Lines 3-9:* after "of" omit in entirety and insert "\$275,000,000.00 for the purpose of financing the construction costs of solid waste disposal facilities and wastewater treatment systems, and the closure costs of sanitary landfill facilities; authorizing the issuance of refunding bonds; providing the ways and means to pay the interest on the bonds and refunding bonds and also to pay and discharge the principal thereof; providing for the submission of this act to the people at a general election; and providing an appropriation therefor.

*Page 1, Section 1, Lines 1-3:* Omit in entirety

*Pages 1-2, Section 2, Lines 1-26:* Omit in entirety

*Pages 2-3, Section 3, Lines 1-67:* Omit in entirety

*Page 3, Section 4, Lines 1-5:* Omit in entirety

*Page 4, Section 5, Lines 1-26:* Omit in entirety

*Page 4, Section 6, Lines 1-8:* Omit in entirety

*Pages 4-5, Section 7, Lines 1-10:* Omit in entirety

*Page 5, Section 8, Lines 1-7:* Omit in entirety

*Page 5, Section 9, Lines 1-15:* Omit in entirety

*Page 5, Section 10, Lines 1-17:* Omit in entirety

*Pages 5-6, Section 11, Lines 1-7:* Omit in entirety

*Page 6, Section 12, Lines 1-17:* Omit in entirety

*Page 6, Section 13, Lines 1-4:* Omit in entirety

*Page 6, Section 14, Lines 1-6: Omit in entirety*  
*Pages 6-7, Section 15, Lines 1-28: Omit in entirety*  
*Page 7, Section 16, Lines 1-8: Omit in entirety*  
*Page 7, Section 17, Lines 1-10: Omit in entirety*  
*Page 7, Section 18, Lines 1-8: Omit in entirety*  
*Page 8, Section 19, Lines 1-19: Omit in entirety*  
*Pages 8-9, Section 20, Lines 1-37: Omit in entirety*  
*Page 9, Section 21, Lines 1-20: Omit in entirety*  
*Pages 9-10, Section 22, Lines 1-30: Omit in entirety*  
*Page 11, Section 23, Lines 1-3: Omit in entirety*  
*Page 11, Section 24, Lines 1-12: Omit in entirety*  
*Page 11, Section 25, Lines 1-8: Omit in entirety*  
*Page 11, Section 26, Lines 1-3: Omit in entirety*

*Page 11, Section 26, after Line 3: Insert new sections as follows:*

“1. This act shall be known and may be cited as the ‘Clean New Jersey Bond Act of 1985.’

2. The Legislature finds and determines that:

a. The health, safety, welfare, recreation, commerce and prosperity of the people of the State depend upon the conservation, development and maintenance of our natural resources and environmental infrastructure.

b. The land disposal of solid waste is wasteful of materials which have been shown to be susceptible to resource reclamation and recovery and which, when disposed on the land, pose known environmental threats to New Jersey's ground and surface water, now and for years to come.

c. The disposal of solid waste on the land makes land unusable which would otherwise be capable of development, were it not used for landfilling purposes.

d. If the State is to have a meaningful and responsible role in the development of an environmentally sound system of solid waste disposal consistent with the goals of the Statewide solid waste management plan, the State must be ready and able to lend all needed assistance through issuance of grants or loans and any technical assistance necessary for the actual development of needed resource recovery facilities and environmentally sound sanitary landfill systems.

e. In developing an environmentally sound system of solid waste disposal, it will be necessary to close existing sanitary landfill facilities which pose a significant threat to the public health, safety and welfare, and the State must also be ready and able to lend needed assistance for such closures through the issuance of loans and grants to the owners or operators of these facilities where all legally available funds required to be used for such purpose have been exhausted.

f. The rehabilitation and construction of wastewater treatment systems will help improve existing water quality throughout the State and will promote proper land use planning procedures, and priority should be given to investment in developed areas for improving existing water quality.

3. As used in this act, unless the context indicates a different meaning or intent:

a. 'Bonds' means the bonds authorized to be issued, or issued, under this act;

b. 'Closure cost' means all costs associated with the design, purchase, construction or maintenance of all measures required by the department, pursuant to law, in order to prevent, minimize or monitor pollution or health hazards resulting from sanitary landfill facilities subsequent to the termination of operations of any portion thereof, including, but not necessarily limited to, the costs of the placement of earthen or vegetative cover, and the installation of methane gas vents or monitors and leachate monitoring wells or collection systems at the site of any sanitary landfill facility, and such other additional expenses which are analogous to those listed in the definition of 'cost' below and not otherwise specified herein; provided, however, that costs which must be incurred prior to the commencement of acceptance of solid waste at any portion of a sanitary landfill facility, such as the initial grading and installation of liners and leachate collection systems, as well as the costs associated with the normal operations of a sanitary landfill facility, such as the placement of daily and intermediate cover and the construction of on-going environmental improvements, shall not be considered closing costs. Any activities which will be undertaken subsequent to the cessation of waste acceptance of the facility may be considered closure activities;

c. 'Commissioner' means the Commissioner of Environmental Protection;

d. 'Construct' and 'construction' means, in addition to the usual meanings thereof, acts of construction, reconstruction, rehabilitation, relocation, demolition, renewal, repair, replacement, extension, improvement and betterment;

e. 'Cost' means all and any of the expenses incurred in connection with the undertaking, development, acquisition, by purchase, lease or otherwise, and construction of all or any part of any environmental project authorized by this act and of all or any real or personal property, including any rights or interest therein, agreements and franchises necessary, or useful and convenient in connection with any environmental project, including, without limiting the generality of the foregoing, any and all expenses relating to: the procurement of feasibility studies, engineering, inspection, planning, legal, financial or other professional services, including without limitation the services of a bond registrar or an authenticating agent; the issuance of bonds, or any interest or discount thereon;

the administrative, organizational, operating or other expenses incident to the financing, completing and placing into service of environmental projects authorized by this act; the establishment of a reserve fund or funds for working capital, operating, maintenance or replacement expenses and for the payment or security of principal or interest on bonds, as the Director of the Division of Budget and Accounting in the Department of the Treasury may determine; and reimbursement to any fund of the State of moneys which may have been transferred or advanced therefrom to any fund created by this act, or of any moneys which may have been expended therefrom or in connection with any project authorized by this act;

f. 'Department' means the Department of Environmental Protection;

g. 'Environmental project' means any work relating to resource recovery facilities, environmentally-sound sanitary landfill systems or wastewater treatment systems;

h. 'Environmentally-sound sanitary landfill system' means a landfill which is in compliance with State laws and which shall be utilized for the following purposes:

(1) Disposing of those solid wastes which cannot be processed by a resource recovery facility or which result from the operation of a resource recovery facility,

(2) Disposal of solid waste, on an interim basis, until a resource recovery facility becomes operational, and

(3) Disposal of solid waste, on a long term basis, in those districts which demonstrate to the satisfaction of the Department of Environmental Protection that utilization of a resource recovery facility is not feasible for disposal of the solid waste generated in that district;

i. 'Government securities' means any bonds or other obligations which as to principal and interest constitute direct obligations of, or are unconditionally guaranteed by, the United States, including obligations of any federal agency to the extent those obligations are unconditionally guaranteed by the United States of America and any certificates or any other evidences of an ownership interest in those obligations of, or unconditionally guaranteed by, the United States or in specified portions of those obligations, which may consist of the principal of, or the interest on, those obligations;

j. 'Governmental unit' means any county, municipality, or any agency, instrumentality, authority or corporation thereof, including but not limited to improvement, pollution control financing, sewerage solid waste management or utilities authorities, or any public body having local or regional jurisdiction or power, including but not limited to, solid waste management districts or any bi-state or multi-state agency or authority which includes the State;

k. 'Owner or operator' means and includes (1) every owner of record of any interest in land whereon a sanitary landfill facility is or has been located, (2) any operator of a sanitary landfill, and

(3) any person or corporation which owns a majority interest in any other corporation which is the owner or operator of any sanitary landfill facility. For the purposes of this act only, the foregoing also includes any governmental unit which is the owner or operator of any sanitary landfill facility or which is required in the utilization of any facility to pay any portion of closure costs through the payment of rates or charges for the disposal of solid waste at any sanitary landfill facility;

l. 'Project revenue' means any income whatsoever attributed to loans made by the trust pursuant to this act, including repayment of principal and interest on loans, proceeds of collateral, assignments of user fees and administrative fees;

m. 'Real property' means land, within or without the State, and improvements thereof or thereon, any rights-of-way, water, riparian and other rights, and any easements, and privileges in real property, and any right or interest of any kind or description in, relating to or connected with real property;

n. 'Resource recovery facility' means the plants, structures, machinery, equipment, real and personal property acquired, constructed or operated or to be acquired, constructed or operated in whole or in part by a governmental unit or by a private entity on behalf of a governmental unit and other personal property, and appurtenances necessary or useful and convenient for the collection, separation, removal and reuse of materials in the stream of wastes presently going to landfills, including those materials which are capable of recycling and direct delivery to manufacturers for use as raw materials as well as the conversion of waste for energy production;

o. 'Sanitary landfill facility' means a solid waste facility at which solid waste is deposited on or in the land as fill for the purpose of permanent disposal or storage for a period exceeding six months, except that it shall not include any waste facility approved for disposal of hazardous waste;

p. 'Solid waste disposal facility' means either an environmentally-sound sanitary landfill system or a resource recovery facility;

q. 'State' means the State of New Jersey;

r. 'Trust' means the New Jersey Environmental Trust created pursuant to the 'New Jersey Environmental Trust Act,' P. L. . . . , c. . . . (C. . . . ) (now pending before the Legislature as Senate Bill No. 3187 and Assembly Bill No. 4001 of 1985);

s. 'Wastewater treatment facility' means the plants, structures, real and personal property acquired, constructed or operated or to be acquired, constructed or operated in whole or in part by a governmental unit or by a private entity on behalf of a governmental unit, including pumping and ventilating stations, wastewater treatment systems, plants and works, connections, outfalls, interceptors, trunk lines, and other personal property, and appurtenances necessary or useful and convenient for the treatment, purification, dis-

posal or recycling and recovery in a sanitary manner of any wastewater, liquid or solid waste, sludge, night soil, or industrial wastes to preserve and protect natural water resources and facilities.

4. Bonds of the State of New Jersey are authorized to be issued in the aggregate principal amount of \$275,000,000.00 for the purpose of financing the planning, design and construction costs of solid waste disposal facilities and wastewater treatment facilities, and the closure costs of sanitary landfill facilities. In the case of each series of bonds, the issuing officials shall provide for the allocation of the proceeds of bonds, exclusive of accrued interest and net of issuance expenses, for the purposes and subject to the limitations set forth below.

a. Of the total moneys available under this act, not more than \$75,000,000.00 thereof are allocated for the purpose of making and securing loans, and any reasonable reserves therefor, to governmental units for the purpose of financing the planning, design and construction cost of solid waste disposal facilities or procurement of resource recovery services which shall be consistent with the plans of the department and of the respective solid waste management districts prepared pursuant to the 'Solid Waste Management Act,' P. L. 1970, c. 39 (C. 13:1E-1 et seq.) and with the priority system and project priority lists approved by the Legislature in accordance with the provisions of the 'New Jersey Environmental Trust Act,' P. L. . . . , c. . . . (C. . . . ) (now pending before the Legislature as Senate Bill No. 3187 and Assembly Bill No. 4001 of 1985). The aggregate principal amount of bonds, notes or other obligations, including subordinated indebtedness, of the trust, the issuance of which shall be secured by the moneys allocated in this subsection a., or moneys received from principal and interest payments from loans thereof, for the purpose of financing the design and construction costs of solid waste facilities, shall not exceed \$3,000,000,000.00. In computing the foregoing limitation there shall be excluded all the bonds, notes or other obligations, including subordinated indebtedness of the trust, which shall be issued for refunding purposes, provided that the refunding shall be determined by the trust to result in a debt service savings.

b. Of the total moneys available under this act, not more than \$150,000,000.00 are allocated for the purpose of making and securing loans, and any reasonable reserves therefor, to governmental units for the purpose of financing the planning, design and construction of wastewater treatment systems which shall be consistent with the plans of the department and shall be in conformance with the priority system and project priority lists prepared by the department pursuant to the 'Clean Water Act' (33 U. S. C. § 1251 et al.), and any amendatory or supplementary acts thereto, and approved by the Legislature in accordance with the provisions of the 'New Jersey Environmental Trust Act,' P. L. . . . , c. . . . (C. . . . ) (now pending before the Legislature as Senate Bill No. 3187 and Assembly Bill No. 4001 of 1985). The aggregate principal

amount of bonds, notes or other obligations, including subordinated indebtedness, of the trust, the issuance of which shall be secured by the moneys allocated in this subsection b., or moneys received from principal and interest payments from loans thereof, for the purpose of financing the planning, design and construction costs of wastewater treatment systems or the procurement of wastewater treatment services, shall not exceed \$5,000,000,000.00. In computing the foregoing limitation there shall be excluded all the bonds, notes or other obligations, including subordinated indebtedness of the trust, which shall be issued for refunding purposes, provided that the refunding shall be determined by the trust to result in a debt service savings.

c. Of the total moneys available under this act, not more than \$50,000,000.00 are allocated for making and securing loans, including any reasonable reserves therefor, to owners or operators of sanitary landfill facilities, and in the case of governmental units for also making grants, for the purpose of financing the closure cost of these facilities which shall be in conformance with the priority system and project priority lists authorized by the Legislature in accordance with the provisions of the 'New Jersey Environmental Trust Act,' P. L. . . . , c. . . . (C. . . . ) (now pending before the Legislature as Senate Bill No. 3187 and Assembly Bill No. 4001 of 1985). The aggregate principal amount of bonds, notes or other obligations, including subordinated indebtedness, of the trust, the issuance of which shall be secured by the moneys allocated in this subsection c., or moneys received from principal and interest payments from loans thereof, for the purpose of making loans to owners or operators of sanitary landfill facilities for financing the closure costs of these facilities, shall not exceed \$1,000,000,000.00. In computing the foregoing limitation there shall be excluded all the bonds, notes or other obligations, including subordinated indebtedness of the trust, which shall be issued for refunding purposes, provided that the refunding shall be determined by the trust to result in a debt service savings.

5. The bonds authorized under this act shall be serial bonds, term bonds or a combination thereof, and shall be known as 'Clean New Jersey Bonds.' These bonds shall be issued from time to time as the issuing officials herein named shall determine, and may be issued in coupon form, fully registered form or book-entry form.

6. The Governor, the State Treasurer and the Director of the Division of Budget and Accounting in the Department of the Treasury, or any two of these officials, herein referred to as 'the issuing officials,' are authorized to carry out the provisions of this act relating to the issuance of bonds, and shall determine all matters in connection therewith subject to the provisions of this act. If an issuing official is absent from the State or incapable of acting for any reason, his powers and duties shall be exercised and performed by the person authorized by law to act in his place as a State official.

7. Bonds issued in accordance with the provisions of this act shall be a direct obligation of the State of New Jersey, and the faith and credit of the State are pledged for the payment of the interest thereon as it becomes due and for the payment of the principal at maturity. The principal of and interest on the bonds shall be exempt from taxation by the State or by any county, municipality or other taxing district of the State.

8. The bonds shall be signed in the name of the State by the Governor or by his facsimile signature, under the Great Seal of the State, which seal may be by facsimile or by way of any other form or reproduction on the bonds, and attested by the manual or facsimile signature of the Secretary of State, or an Assistant Secretary of State, and shall be countersigned by the facsimile signature of the State Treasurer and may be authenticated by an authenticating agent or bond registrar, as the issuing officials shall determine. Interest coupons, if any, attached to the bonds shall be signed by the facsimile signature of the Director of the Division of Budget and Accounting in the Department of Treasury. The bonds may be issued notwithstanding that an issuing official signing them or whose manual or facsimile signature appears thereon has ceased to hold office at a time of issuance or at the time of the delivery of the bonds to the purchaser.

9. a. The bonds shall recite that they are issued for the purposes set forth in section 4 of this act and that they are issued pursuant to this act and that this act was submitted to the people of the State at the general election held in the month of November, 1985 and that this act was approved by a majority of the legally qualified voters of the State voting thereon at the election. This recital shall be conclusive evidence of the validity of the bonds and of the authority of the State to issue them. Any bonds containing this recital shall in any suit, action or proceeding involving their validity be conclusively deemed to be fully authorized by this act and to have been issued, sold, executed and delivered in conformity herewith and with all other provisions of laws applicable hereto, and shall be incontestable for any cause.

b. The bonds shall be issued in denominations and in such form or forms, whether coupon, fully registered or book-entry, and with or without provisions for interchangeability thereof, as may be determined by the issuing officials.

10. When the bonds are issued from time to time, the bonds of each issue shall constitute a separate series to be designated by the issuing officials. Each series of bonds shall bear the rate or rates of interest as may be payable semiannually; except that the first and last interest periods may be longer or shorter, in order that intervening semiannual payments may be at convenient dates.

11. The bonds shall be issued and sold at such price or prices and under such terms, conditions and regulations, as the issuing officials may prescribe, after notice of the sale, published at least once in at least three newspapers published in New Jersey, and at least once

in a publication carrying municipal bond notices and devoted primarily to financial news, published in New Jersey or in the City of New York, the first notice to appear at least five days prior to the day of bidding. The notice of sale may contain a provision to the effect that any or all bids in pursuance thereof may be rejected. In the event of rejection or of failure to receive any acceptable bid, the issuing officials, at any time within 60 days from the date of the advertised sale, may sell the bonds at a private sale at such price or prices and under such terms and conditions as the issuing officials may prescribe. The issuing officials may sell all or part of the bonds of any series to any State fund or to the federal government or any agency thereof, at a private sale, without advertisement.

12. Until permanent bonds are prepared, the issuing officials may issue temporary bonds in such form and with such privileges as to their registration and exchange for permanent bonds as may be determined by the issuing officials.

13. The proceeds from the sale of bonds shall be paid to the State Treasurer to be held by him in a separate fund, which shall be known as the 'Clean New Jersey Bond Fund.' The proceeds of this fund shall be deposited in such depositories as may be selected by the State Treasurer to the credit of the fund. Promptly after receipt of the proceeds, the State Treasurer, after setting aside in the fund the amounts determined by the State Treasurer to be sufficient to meet the payments to be made by the State Treasurer as set forth in section 16 of this act, shall pay the remaining balance of the proceeds to the trust and commissioner, respectively, for the purposes provided by the issuing officials in accordance with section 4 of this act for application in accordance with section 14 of this act as may be appropriate, and these moneys are appropriated for such purposes. Pending their application, the amounts set aside in the Clean New Jersey Bond Fund may be invested and reinvested as are the trust funds in the custody of the State Treasurer, in the manner provided by law. Net earnings received from the investment or deposit of the fund shall be paid into the General Fund.

14. Of the total of \$275,000,000.00 in proceeds from the sale of bonds which shall be paid to the trust, not more than \$75,000,000.00 thereof shall be held by it in a separate fund or account to be known as the 'Solid Waste Disposal Facilities Account,' not more than \$150,000,000.00 thereof shall be held by it in a separate fund or account to be known as the 'Wastewater Treatment Facilities Account,' and not more than \$50,000,000.00 thereof shall be held by it in a separate fund or account to be known as the 'Sanitary Land-fill Facilities Closure Account.'

a. The moneys in the 'Solid Waste Disposal Facilities Account' are specifically dedicated to, and shall be applied by the trust for, the purposes of making and securing loans, and any reasonable reserves therefor, to governmental units for financing the planning, design and construction costs of solid waste disposal facilities or

procurement of resource recovery services as provided in subsection a. of section 4 of this act, as shall be determined by the trust, and all such moneys are appropriated for those purposes. No moneys shall be applied to make a loan for any solid waste disposal facility unless the expenditure therefor shall be in a conformance with the project priority list and authorization of expenditures annually approved by the Legislature in accordance with the provisions of the 'New Jersey Environmental Trust Act.'

b. The moneys in the 'Wastewater Treatment Facilities Account' are specifically dedicated to, and shall be applied by the trust for, the purposes of making and securing loans, and any reasonable reserves therefor, to governmental units for financing the planning, design and construction costs of wastewater treatment facilities or procurement of wastewater treatment services as provided in subsection b. of section 4 of this act, as shall be determined by the trust, and all such moneys are appropriated for those purposes. No moneys shall be applied to make a loan for any wastewater treatment facility unless the expenditure therefor shall be in conformance with the project priority list and authorization of expenditures annually approved by the Legislature in accordance with the provisions of the 'New Jersey Environmental Trust Act.'

c. The moneys in the 'Sanitary Landfill Facilities Closure Account' are specifically dedicated to, and shall be applied by the trust for, the purposes of making and securing loans, and any reasonable reserves therefor, to owners or operators of sanitary landfill facilities, and in the case of governmental units for also making grants, for financing the closure costs of these facilities as provided in subsection c. of section 4 of this act, and all such moneys are appropriated for those purposes. No moneys shall be applied to make a loan or a grant for closure costs of any sanitary landfill facility unless the expenditure therefor shall be in conformance with the project priority list and authorization of expenditures annually approved by the Legislature in accordance with the provisions of the 'New Jersey Environmental Trust Act.'

d. Pending their application to the purposes provided in this act, moneys in the 'Solid Waste Disposal Facilities Account,' 'Wastewater Treatment Facilities Account' and 'Sanitary Landfill Facilities Closure Account' may be invested and reinvested as other funds in the custody of the trust. Any earnings received from such investments may be used for any lawful purpose of the trust. All project revenues shall be paid to the trust and are specifically dedicated for the lawful uses and purposes of the trust.

15. If any coupon bond, coupon or registered bond is lost, mutilated or destroyed, a new bond or coupon shall be executed and delivered of like tenor, in substitution for the lost, mutilated or destroyed bond or coupon, upon the owner furnishing to the issuing officials such evidence satisfactory to them of the loss, mutilation or destruction of the bond or coupon; evidence of the ownership thereof; and evidence of the security, indemnity and reimbursement for expenses connected therewith, as the issuing officials may require.

16. The accrued interest received upon the sale of the bonds shall be applied to the discharge of a like amount of interest upon the bonds when due. Any expense incurred by the issuing officials for advertising, engraving, printing, clerical, authenticating, registering, legal or other services necessary to carry out the duties imposed upon them by the provisions of this act shall be paid from the proceeds of the sale of the bonds by the State Treasurer, upon the warrant of the Director of the Division of Budget and Accounting in the Department of the Treasury, in the same manner as other obligations of the State are paid.

17. Bonds of each series issued hereunder shall mature, including any sinking fund redemptions, not later than the 35th year from the date of issue of such series, and in such amounts as shall be determined by the issuing officials. The issuing officials may reserve to the State by appropriate provision in the bonds of any series the power to redeem any of the bonds prior to maturity at the price or prices and upon the terms and conditions as may be provided in the bonds.

18. The issuing officials may issue refunding bonds at any time and from time to time for the purpose of paying any of the bonds issued under this act at or prior to maturity or upon redemption, subject to the following provisions:

a. Refunding bonds may be issued at such time prior to the maturity or redemption of the bonds to be refunded thereby as the issuing officials shall determine;

b. Each series of refunding bonds may be issued in a sufficient amount to pay or to provide for the payment of the principal of the bonds to be refunded thereby, together with any redemption premium thereon, any interest accrued or to accrue on such bonds to be refunded to the date of payment of such bonds, the expenses of issuing such refunding bonds and the expenses, if any, of paying such bonds to be refunded;

c. Each series of refunding bonds shall mature, including any sinking fund redemptions, at those times not later than five years following the latest scheduled maturity date, determined without regard to any redemptions prior thereto, of any of the outstanding bonds to be refunded thereby, but in no event later than 35 years following the date of issuance of the refunding bonds, and in those amounts as the issuing officials shall determine in accordance with the provisions of this act. The issuing officials may reserve to the State by appropriate provision in the refunding bonds of any series the power to redeem all or any of those bonds prior to maturity at prices and upon such terms and conditions as may be provided in those bonds;

d. No refunding bonds shall be issued unless the issuing officials shall first determine that the present value of the aggregate principal of and interest on such refunding bonds is less than the present value of the aggregate principal of and interest on the bonds to be refunded thereby. For the purposes of this subsection, present

value shall be computed using a discount rate equal to the yield of such refunding bonds, and the yield shall be computed using an actuarial method based upon a 360-day year with semiannual compounding and upon the price or prices paid to the State by the initial purchasers of such refunding bonds;

e. Any refinancing authorized hereunder may be effected by the sale of the refunding bonds and the application of the proceeds thereof to the immediate payment of: the principal of the bonds to be refinanced thereby, together with any redemption premium thereon; any interest accrued or to accrue on the bonds to be refinanced to the date of payment of the bonds; the expenses of issuing the refunding bonds and the expenses, if any, of paying the bonds to be refinanced. If the proceeds are not required for these immediate payments, the proceeds shall be deposited, together with any other moneys legally available therefor, in trust with the State Treasurer to be held separate and apart from all other funds of the State or with one or more trustees within or without the State to be held in trust and applied solely to the payment when due of the principal of, redemption premium, if any, and interest due and to become due on the bonds to be refinanced on or prior to the redemption date or maturity date thereof, as the case may be. These proceeds or moneys may be invested in government securities, including government securities issued or held in book-entry form on the books of the Department of Treasury of the United States; provided, these government securities shall not be subject to redemption prior to their maturity other than at the option of the holder thereof. Except as otherwise provided in this subsection, neither government securities nor moneys so deposited with the State Treasurer or trustee shall be withdrawn or used for any purpose other than, and shall be held in trust for, the payment of the principal of, redemption premium, if any, and interest on the bonds to be refinanced thereby. Any cash received from the principal or interest payments on the government securities deposited with the State Treasurer or the trustee which is not required at any time for these purposes, shall be paid over to the State as received by the State Treasurer or trustee. Cash which is required for these purposes at a later date, shall, to the extent practicable and legally permissible, be reinvested in government securities maturing at times and in amounts sufficient to pay when due the principal of, redemption premium, if any and interest to become due on the bonds to be refinanced on and prior to the redemption date or maturity date thereof, as the case may be. Interest earned from these reinvestments to the extent not required for the payment of bonds shall be paid over to the State, as received by the State Treasurer or the trustee. Notwithstanding anything to the contrary contained herein: the State Treasurer or trustee shall, if so directed by the issuing officials, apply moneys on deposit with the State Treasurer or trustee pursuant to the provisions of this subsection and redeem or sell government securities so deposited with the State Treasurer or trustee; and apply the proceeds thereof

to the purchase of the bonds which were refinanced by the deposit with the State Treasurer or trustee of these moneys and government securities and immediately thereafter cancel the bonds so purchased; or apply the proceeds thereof to the purchase of different government securities. The moneys and government securities on deposit with the State Treasurer or trustee after the purchase and cancellation of these outstanding bonds or the purchase of different government securities shall be sufficient to pay when due the principal of, redemption premium, if any, and interest on all other bonds in respect of which these moneys and government securities were deposited with the State Treasurer or trustee on or prior to the redemption date or maturity date thereof, as the case may be. In the event that on any date, as a result of any purchases and cancellations of the bonds or any purchases of different government securities as provided in this subsection, the total amount of moneys and government securities remaining on deposit with the State Treasurer or trustee is in excess of the total amount which would have been required to be deposited with the State Treasurer or trustee on such date in respect of the remaining bonds for which such deposit was made in order to pay when the principal of, redemption premium, if any, and interest on the remaining bonds, the State Treasurer or trustee shall if so directed by the issuing officials, pay the amount of the excess to the State; and

f. Notwithstanding the provisions of section 11 of this act, any refunding bonds issued pursuant to this section may be sold at public or private sale at such prices and under such terms, conditions and regulations as the issuing officials may prescribe. Refunding bonds shall be entitled to all the benefits of this act and subject to all its limitations except as to maturities and sale provisions and to the extent herein otherwise expressly provided.

19. Any bond or bonds whose issuance is authorized by section 4 of this act or any series or portions thereof, shall no longer be deemed to be outstanding, shall no longer constitute a direct obligation of the State of New Jersey and the faith and credit of the State shall no longer be pledged to the payment of the principal of and interest on such bonds, and such bonds shall be secured solely by and payable solely from moneys and government securities deposited in trust with the State Treasurer or the trustee as provided herein, whenever there shall be deposited in trust with the State Treasurer or the trustee as provided herein either moneys or government securities, including government securities issued or held in book-entry form on the books of the Department of Treasury of the United States, the principal of and interest on which when due will provide money which, together with the moneys, if any, deposited with the State Treasurer or the trustee at the same time, shall be sufficient to pay when due the principal of, redemption premium, if any, and interest due and to become due on such bonds on or prior to the redemption date or maturity date thereof, as the case may be; provided, such government securities shall not

be subject to redemption prior to their maturity other than at the option of the holder thereof. The State of New Jersey covenants with the holders of any bonds for which government securities or moneys have been deposited in trust with the State Treasurer or the trustee, as provided in this section, that, except as otherwise provided in this section, neither the government securities nor moneys so deposited with the State Treasurer or the trustee shall be withdrawn or used for any purpose other than, and shall be held in trust for, the payment of the principal of, redemption premium, if any, and interest to become due on such bonds. Any cash received from the principal or interest payments on the government securities deposited with the State Treasurer or the trustee which is not required at any time for these purposes, shall be paid over to the State as received by the State Treasurer or the trustee, free and clear of any trust, lien, pledge or assignment securing such bonds. Cash which is required for these purposes at a later date, shall, to the extent practicable and legally permissible, be reinvested in government securities maturing at times and in amounts sufficient to pay when due the principal of, redemption premium, if any, and interest to become due on such bonds on and prior to such redemption date or maturity date thereof, as the case may be. Interest earned from these reinvestments shall be paid over to the State, as received by the State Treasurer or the trustee, free and clear of any trust, lien or pledge securing the bonds.

Notwithstanding anything to the contrary contained herein: the State Treasurer or the trustee shall, if so directed by the issuing officials, apply moneys on deposit with the State Treasurer or the trustee pursuant to the provisions of this section and redeem or sell government securities so deposited with the State Treasurer or the trustee and: apply the proceeds thereof to the purchase of the bonds which were defeased by the deposit with the State Treasurer or the trustee of such moneys and government securities and immediately thereafter cancel all bonds so purchased; or apply the proceeds thereof to the purchase of different government securities. The moneys and government securities on deposit with the State Treasurer or the trustee after such purchase and cancellation of such bonds or such purchase of different government securities shall be sufficient to pay when due the principal of, redemption premium, if any, and interest on all other bonds in respect of which such moneys and government securities were deposited with the State Treasurer or the trustee on or prior to the redemption date or maturity date thereof, as the case may be. In the event that on any date, as a result of any purchases and cancellations of bonds or any purchases of different government securities as provided in this section, the total amount of moneys and government securities remaining on deposit with the State Treasurer or the trustee is in excess of the total amount which would have been required to be deposited with the State Treasurer or the trustee on such date in respect of the remaining bonds for which such deposit was made in order to pay when due the principal of, redemption premium, if

any, and interest on such remaining bonds, the State Treasurer or the trustee shall, if so directed by the issuing officials, pay the amount of such excess to the State free and clear of any trust, lien, pledge or assignment securing such remaining bonds.

20. Refunding bonds issued pursuant to section 18 of this act may be consolidated with bonds issued pursuant to section 4 of this act or with bonds issued pursuant to any other act for purposes of sale.

21. To provide funds to meet the interest and principal payment requirements for the bonds and refunding bonds issued under this act and outstanding, there is appropriated in the order following:

a. Revenue derived from the collection of taxes under the 'Sales and Use Tax Act,' P. L. 1966, c. 30 (C. 54:32B-1 et seq.), or so much thereof as may be required; and

b. If, at any time, funds necessary to meet the interest and principal payments on outstanding bonds or refunding bonds issued under this act, are insufficient or not available, there shall be assessed, levied and collected annually in each of the municipalities of the counties of this State, a tax on the real and personal property upon which municipal taxes are or shall be assessed, levied and collected, sufficient to meet the interest on all outstanding bonds or refunding bonds issued hereunder and on the bonds or refunding bonds proposed to be issued under this act in the calendar year in which the tax is to be raised and for the payment of bonds or refunding bonds falling due in the year following the year for which the tax is levied. The tax shall be assessed, levied and collected in the same manner and at the same time as other taxes upon real and personal property. The governing body of each municipality shall pay to the treasurer of the county in which the municipality is located, on or before December 15 in each year, the amount of tax herein directed to be assessed and levied, and the county treasurer shall pay the amount of the tax to the State Treasurer on or before December 20 in each year.

If on or before December 31 in any year, the issuing officials, by resolution, determine that there are moneys in the General Fund beyond the needs of the State, sufficient to meet the principal of bonds or refunding bonds falling due and all interest payable in the ensuing calendar year, the issuing officials shall file the resolution in the office of the State Treasurer, whereupon the State Treasurer shall transfer the moneys to a separate fund to be designated by him, and shall pay the principal and interest out of that fund as the same shall become due and payable, and the other sources of payment of the principal and interest provided for in this section shall not then be available and the receipts for the year from the tax specified in subsections a. and b. of this section shall be considered part of the General Fund, available for general purposes.

22. Should the State Treasurer, by December 31 of any year, deem it necessary, because of the insufficiency of funds collected from the sources of revenues as hereinabove provided, to meet the interest and principal payments for the year after the ensuing year, then

the State Treasurer shall certify to the Director of the Division of Budget and Accounting in the Department of the Treasury the amount necessary to be raised by taxation for those purposes, which is to be assessed, levied and collected for and in the ensuing calendar year. The director shall, on or before March 1 following, calculate the amount in dollars to be assessed, levied and collected as herein set forth in each county. This calculation shall be based upon the corrected assessed valuation of each county for the year preceeding the year in which the tax is to be assessed, but the tax shall be assessed, levied and collected upon the assessed valuation of the year in which the tax is assessed and levied. The director shall certify the amount to the county board of taxation and the treasurer of each county. The county board of taxation shall include the proper amount in the current tax levy of the several taxing districts of the county in proportion to the ratables as ascertained for the current year.

23. For the purpose of complying with the provisions of the State Constitution, this act shall be submitted to the people at the general election to be held in the month of November, 1985. To inform the people of the contents of this act it shall be the duty of the Secretary of State, after this section takes effect, and at least 15 days prior to the election, to cause this act to be published in at least 10 newspapers published in the State and to notify the clerk of each county of this State of the passage of this act and the clerks respectively, in accordance with the instructions of the Secretary of State, shall cause to be printed on each of the ballots, the following:

If you approve the act entitled below, make a cross (X), plus (+), or check (✓) mark in the square apposite the word 'Yes.'

If you disapprove the act entitled below, make a cross (X), plus (+), or check (✓) mark in the square opposite the word 'No.'

If voting machines are used, a vote of 'Yes' or 'No' shall be equivalent to these markings respectively.

	Yes.	<p>CLEAN NEW JERSEY BOND ISSUE</p> <p>Should the 'Clean New Jersey Bond Act of 1985,' which authorizes the State to issue general obligation bonds in the amount of \$275,000,000.00 for the purpose of financing the construction costs of solid waste disposal facilities and wastewater treatment systems, and the closure costs of sanitary landfill facilities; authorizes the issuance of refunding bonds; providing the ways and means to pay the interest on the bonds and refunding bonds and also to pay and discharge the principal thereof; be approved?</p>
	No.	<p>INTERPRETIVE STATEMENT</p> <p>Approval of this act would authorize the sale of \$275,000,000.00 in State general obligation bonds and the deposit of the proceeds of this bond sale in a public corporation entitled the New Jersey Environmental Trust. The trust would be empowered to use the bond proceeds for making loans to governmental units for financing the construction costs of solid waste disposal facilities and wastewater treatment systems, and to owners or operators of sanitary landfill facilities, loans and grants for closure costs of those facilities. This act would also enable the trust to maximize the use of the bond proceeds by authorizing it to retain and use interest income and loan repayments from the proceeds to pay debt service on revenue bonds issued by the trust, the proceeds of which will be used to further finance the State's construction needs for wastewater treatment systems, resource recovery facilities and sanitary landfill closures; provided, however, that the aggregate maximum amount of revenue bonds which the trust is authorized to secure with these bond proceeds for wastewater treatment systems is \$5,000,000,000.00, for solid waste disposal facilities is \$3,000,000,000.00 and for closure of sanitary landfill facilities is \$1,000,000,000.00.</p>

The fact and date of the approval or passage of this act, as the case may be, may be inserted in the appropriate place after the title in the ballot. No other requirements of law as to notice or procedure, except as herein provided, need be adhered to.

The votes cast for and against the approval of this act, by ballot or voting machine, shall be counted and the result thereof returned by the election officer, and a canvass of the election had in the same manner as is provided for by law in the case of the election of a Governor, and the approval or disapproval of this act so determined shall be declared in the same manner as the result of an election for a Governor, and if there is a majority of all votes cast for and against it at the election in favor of the approval of this act, then all the provisions of this act not made effective theretofore shall take effect forthwith.

24. There is appropriated from the General Fund the sum of \$5,000.00 to the Department of State for expenses in connection with the publication of notice pursuant to section 23 of this act.

25. This section and sections 23 and 24 of this act shall take effect immediately; and the remainder of the act shall take effect as provided in section 23, except that the remainder of the act shall remain inoperative until the enactment into law of the 'New Jersey Environmental Trust Act,' P. L. . . . , c. . . . (C. . . . .) (now pending before the Legislature as Senate Bill No. 3187 and Assembly Bill No. 4001 of 1985)."

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

Mr. Russo offered the following resolution which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet on Saturday at 10 a.m., and that when it then adjourn it be to meet on Monday, September 9, 1985, at 2 p.m.

On motion of Mr. Russo the Senate then adjourned.

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SATURDAY, August 31, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

TUESDAY, September 3, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, September 5, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, September 7, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, September 9, 1985.

Morning Quorum Call.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

A Memorial Service was held for Senator Garrett W. Hagedorn, 1910-1985.

The following Resolution was adopted:

# SENATE RESOLUTION

by

Senator Orechio and All Senators

WHEREAS, The Honorable Garrett W. Hagedorn, a dedicated public servant who served with distinction as a member of this House, died on Friday, August 9, 1985, at the age of 74; and,

WHEREAS, Senator Hagedorn, who had represented portions of Bergen and Passaic Counties in the 40th District since 1967, was recognized and widely esteemed by his colleagues in government as one of their most distinguished peers; and,

WHEREAS, With exemplary compassion and steadfast commitment, he had, throughout his legislative career, championed the rights of disabled and mentally handicapped citizens, seeking always to ensure for them, as for all the people of New Jersey, the highest possible quality of life; and,

WHEREAS, Before his election to the New Jersey State Senate, Garrett W. Hagedorn faithfully served his native Borough of Midland Park, Bergen County, as mayor from 1958 to 1967, as councilman from 1951 to 1957, and as a member of the planning board; and,

WHEREAS, His outstanding tenure as a State legislator was marked by his considerable contributions as a member of a number of commissions and committees, which have included the Institutions, Health and Welfare Committee, the Legislative Services Commission, the Alzheimer's Disease Study Commission and the Senate Committee on Institutions and Welfare, which he served as chairman from 1970 to 1973; and,

WHEREAS, Additionally, he provided strong and effective leadership to the Northwest Bergen County Municipalities Association, the New Jersey State League of Municipalities, the

Northwest Bergen County Sewer Authority, The Greater Paterson General Hospital and the Citizens' First National Bank; and,

WHEREAS, Garrett W. Hagedorn served the members of this House and the citizenry of this State ably and effectively as assistant minority leader in 1976 and 1977 and as minority leader in 1978 and 1979; now, therefore,

BE IT RESOLVED *by the Senate of the State of New Jersey:*

That this House hereby pays tribute to the memory of Senator Garrett W. Hagedorn, honors his outstanding record of service, leadership and demonstrated concern and compassion for others, and extends profound sympathy and sincere condolences to his family; and,

*Be It Further Resolved,* That a duly authenticated copy of this resolution, signed by the President and attested by the Secretary, be transmitted to members of his family.

Attest:

John J. McCarthy  
*Secretary of the Senate*

Carmen A. Orechio  
*President of the Senate*

The following Senators spoke on the Resolution beside Senator Gagliano and Senator Orechio: Senators Feldman, Dumont, Bubba, Russo, Weiss, Cardinale, Hirkala and Jackman; also former Senator Vreeland spoke.

The Senate moved and acted upon 18 Commemorative, Ceremonial and Memorial Resolutions.

Roll call after recess.

At 4:10 p.m. the Senate reconvened.

The Session was opened with prayer by Sister Gladys Sharkey, Our Lady of Lourdes Medical Center, Camden.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—38.

On motion of Mr. Russo the reading of the Journal of the previous session was dispensed with.

The Judiciary Committee reported the following nominations favorably:

To be a Judge of the Superior Court, Isabel P. Stark, of Hackensack, for the term prescribed by law.

To be a Judge of the Superior Court, Timothy J. Sullivan, of Hillsdale, for the term prescribed by law.

To be a member of the Casino Control Commission, E. Kenneth Burdge, of Lakewood, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Robert W. Scott, of Woodbury, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Richard L. Voliva, Jr., of Pennington, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Ward R. Young, of Morristown, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, J. Roger Persichilli, of Trenton, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Thomas E. Clancy, of Bound Brook, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, David Monyek, of Highland Park, to succeed himself, for the term prescribed by law.

To be a member of the Commission on Radiation Protection, Dr. Edward G. Moss, of Cherry Hill, to succeed Henry J. Powsner, of Princeton, for the term prescribed by law.

To be a member of the University of Medicine and Dentistry Board of Trustees, Francis X. Keeley, of Haddonfield, to succeed himself, for the term prescribed by law.

To be Brigadier General of the Line, New Jersey Army National Guard, Colonel Mark B. Mullin, of Magnolia, to succeed Col. Robert Katz, for the term prescribed by law.

To be a member of the New Jersey Transit Corporation Advisory Committee, Bertram L. Buckler, of East Brunswick, to succeed Ronald Weening, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Seymour Rubin, of Highland Park, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Roger LaMachia, of Trenton, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, John Pace, of Hackettstown, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Frances Gray, of Oxford, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Bridget Damiano, of West Paterson, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Louis Cagnola, of New Providence, for the term prescribed by law.

To be Judge of the Intermunicipal Court of Corbin City, Estell Manor City and Weymouth Township, Samuel J. Serata, of Bridgeton, for the term prescribed by law.

To be a member of the State Board of Professional Engineers and Land Surveyors, Bruce R. Blair, of Hillsborough Township, for the term prescribed by law.

To be a member of the State Commission on Cancer Research, Dr. Arnold J. Levine, of Princeton, for the term prescribed by law.

To be a member of the State Commission on Cancer Research, Lindsay L. Pratt, M.D., of Cherry Hill, to succeed himself, for the term prescribed by law.

To be a member of the Crime Prevention Advisory Council, John B. Wefing, of Montclair, for the term prescribed by law.

To be an Administrative Law Judge, Sybil R. Moses, of Hackensack, to succeed herself, for the term prescribed by law.

To be an Administrative Law Judge, Arnold Samuels, of Glen Rock, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Walter F. Sullivan, of Hopewell, to succeed himself, for the term prescribed by law.

To be a member of the Election Law Enforcement Commission, Owen V. McNanny, III, of Maplewood, to succeed himself, for the term prescribed by law.

To be a member of the Rutgers Board of Governors, Walter Wechsler, of Jamesburg, for the term prescribed by law.

To be a member of the Advisory Commission on the Status of Women, Rabbi Zlotowitz, of Fair Lawn, to succeed himself, for the term prescribed by law.

To be a member of the Radiologic Technology Board of Examiners, Wesley Van Pelt, Ph.D., of Paramus, to succeed himself, for the term prescribed by law.

To be a member of the Motion Picture and Television Development Commission, Robert E. Jacoby, Jr., of Saddle River, to succeed himself, for the term prescribed by law.

To be a member of the Hudson County Board of Taxation, Marita Borzaga, of West New York, to succeed herself, for the term prescribed by law.

To be a member of the Athletic Training Advisory Committee, Jeffery Middleton, of South Amboy, for the term prescribed by law.

To be a member of the Athletic Training Advisory Committee, Richard F. Malaerea, of Princeton Junction, for the term prescribed by law.

To be a member of the Athletic Training Advisory Committee, Joseph P. Zawadsky, of Princeton, for the term prescribed by law.

To be a member of the Athletic Training Advisory Committee, Donald Kessler, of Princeton, for the term prescribed by law.

To be a member of the Athletic Training Advisory Committee, Joseph Camillone, of Trenton, for the term prescribed by law.

To be a member of the Athletic Training Advisory Committee, Patricia Firth, of Lambertville, for the term prescribed by law.

To be a member of the New Jersey Commission on Science and Technology, Shirley Ann Jackson, of Piscataway, for the term prescribed by law.

To be a member of the New Jersey Commission on Science and Technology, Edward David, of Florham Park, for the term prescribed by law.

To be a member of the New Jersey Commission on Science and Technology, William O. Baker, of Murray Hill, for the term prescribed by law.

To be a member of the New Jersey Commission on Science and Technology, Edward Barr, of Fort Lee, for the term prescribed by law.

To be a member of the Commissioners of Pilotage, Frank A. Johannessen, of Rahway, to succeed John E. Green, resigned, for the term prescribed by law.

To be a member of the New Jersey Historical Commission, Douglas Greenberg, of Princeton, to succeed Richard McCormack, for the term prescribed by law.

To be a member of the Civil Rights Commission, Felton Lingo, Sr., of Bridgeton, for the term prescribed by law.

To be an Administrative Law Judge, Kenneth Springer, of New Providence, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Bruce Campbell, of Trenton, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Gerald T. Foley, of Florham Park, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Robert S. Miller, of Princeton, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Diana Sukovich, of Fords, to succeed herself, for the term prescribed by law.

On motion of Mr. Lynch that the Senate do declare the confirmation of the above nominees to be an emergency matter, the vote is as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

On motion of Mr. Lynch, the following nominations were taken up:

To be a member of the Casino Control Commission, E. Kenneth Burdge, of Lakewood, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Robert W. Scott, of Woodbury, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Richard L. Voliva, Jr., of Pennington, to succeed himself, for the term prescribed by law.

To be an Administrative Judge, Ward R. Young, of Morristown, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, J. Roger Persichilli, of Trenton, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Thomas E. Clancy, of Bound Brook, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, David Monyek, of Highland Park, to succeed himself, for the term prescribed by law.

To be a member of the Commission on Radiation Protection, Dr. Edward G. Moss, of Cherry Hill, to succeed Henry J. Powsner, of Princeton, for the term prescribed by law.

To be a member of The University of Medicine and Dentistry Board of Trustees, Francis X. Keeley, of Haddonfield, to succeed himself, for the term prescribed by law.

To be Brigadier General of the Line, New Jersey Army National Guard, Colonel Mark B. Mullin, of Magnolia, to succeed Col. Robert Katz, for the term prescribed by law.

To be a member of the New Jersey Transit Corporation Advisory Committee, Bertram L. Buckler, of East Brunswick, to succeed Ronald Weening, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Seymour Rubin, of Highland Park, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Roger LaMachia, of Trenton, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, John Pace, of Hackettstown, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Frances Gray, of Oxford, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Bridget Damiano, of West Paterson, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Louis Cagnola, of New Providence, for the term prescribed by law.

To be Judge of the Intermunicipal Court of Corbin City, Estell Manor City and Weymouth Township, Samuel J. Serata, of Bridgeton, for the term prescribed by law.

To be a member of the State Board of Professional Engineers and Land Surveyors, Bruce R. Blair, of Hillsborough Township, for the term prescribed by law.

To be a member of the State Commission on Cancer Research, Dr. Arnold J. Levine, of Princeton, for the term prescribed by law.

To be a member of the State Commission on Cancer Research, Lindsay L. Pratt, M.D., of Cherry Hill, to succeed himself, for the term prescribed by law.

To be a member of the Crime Prevention Advisory Council, John B. Wefing, of Montclair, for the term prescribed by law.

To be an Administrative Law Judge, Sybil R. Moses, of Hackensack, to succeed herself, for the term prescribed by law.

To be an Administrative Law Judge, Arnold Samuels, of Glen Rock, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Walter F. Sullivan, of Hopewell, to succeed himself, for the term prescribed by law.

To be a member of the Election Law Enforcement Commission, Owen V. McNanny, III, of Maplewood, to succeed himself, for the term prescribed by law.

To be a member of the Rutgers Board of Governors, Walter Wechsler, of Jamesburg, for the term prescribed by law.

To be a member of the Advisory Commission on the Status of Women, Rabbi Zlotowitz, of Fair Lawn, to succeed himself, for the term prescribed by law.

To be a member of the Radiologic Technology Board of Examiners, Wesley Van Pelt, Ph.D., of Paramus, to succeed himself, for the term prescribed by law.

To be a member of the Motion Picture and Television Development Commission, Robert E. Jacoby, Jr., of Saddle River, to succeed himself, for the term prescribed by law.

To be a member of the Hudson County Board of Taxation, Marita Borzaga, of West New York, to succeed herself, for the term prescribed by law.

To be a member of the Athletic Training Advisory Committee, Jeffery Middleton, of South Amboy, for the term prescribed by law.

To be a member of the Athletic Training Advisory Committee, Richard F. Malacrea, of Princeton Junction, for the term prescribed by law.

To be a member of the Athletic Training Advisory Committee, Joseph P. Zawadsky, of Princeton, for the term prescribed by law.

To be a member of the Athletic Training Advisory Committee, Donald Kessler, of Princeton, for the term prescribed by law.

To be a member of the Athletic Training Advisory Committee, Joseph Camillone, of Trenton, for the term prescribed by law.

To be a member of the Athletic Training Advisory Committee, Patricia Firth, of Lambertville, for the term prescribed by law.

To be a member of the New Jersey Commission on Science and Technology, Shirley Ann Jackson, of Piscataway, for the term prescribed by law.

To be a member of the New Jersey Commission on Science and Technology, Edward David, of Florham Park, for the term prescribed by law.

To be a member of the New Jersey Commission on Science and Technology, William O. Baker, of Murray Hill, for the term prescribed by law.

To be a member of the New Jersey Commission on Science and Technology, Edward Barr, of Fort Lee, for the term prescribed by law.

To be a member of the Commissioners of Pilotage, Frank A. Johannessen, of Rahway, to succeed John E. Green, resigned, for the term prescribed by law.

To be a member of the New Jersey Historical Commission, Douglas Greenberg, of Princeton, to succeed Richard McCormack, for the term prescribed by law.

To be a member of the Civil Rights Commission, Felton Lingo, Sr., of Bridgeton, for the term prescribed by law.

To be an Administrative Law Judge, Kenneth Springer, of New Providence, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Bruce Campbell, of Trenton, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Gerald T. Foley, of Florham Park, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Robert S. Miller, of Princeton, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Diana Sukovich, of Fords, to succeed herself, for the term prescribed by law.

To be a Judge of the Superior Court, Isabel P. Stark, of Hackensack, for the term prescribed by law.

To be a Judge of the Superior Court, Timothy J. Sullivan, of Hillsdale, for the term prescribed by law.

Upon the question "Will the Senate advise and consent to the above nominations?" it was decided as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

The above nominations were declared unanimously confirmed.

The Senate moved and acted upon one Ceremonial Resolution. Senate No. 1499 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—22.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Haines, Hurley, Laskin, Lynch—16.

Mr. Hirkala assumed the duties of the Chair.

Senate No. 376 was given third reading.

On motion of Mr. Gagliano that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldan, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

On motion of Mr. Codey pursuant to Rule 124, Assembly No. 1353 was substituted for Senate No. 1484 with which it is identical, and Senator Codey was added as cosponsor of Assembly No. 1353, which was adopted by voice vote.

Assembly No. 1353 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—34.

In the negative were—Brown, Bubba, Connors—3.

Senate No. 1670 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 1877 was given third reading.

On motion of Mr. Laskin that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

On motion of Mr. Cowan pursuant to Rule 124, Assembly No. 2287 was substituted for Senate No. 1984 with which it is identical, and Senator Cowan was added as cosponsor of Assembly No. 2287, which was adopted by voice vote.

Assembly No. 2287 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative was—Laskin—1.

Senate No. 2164 Aa was given third reading.

On motion of Mr. Caufield that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative —None.

Senate No. 2697 was given third reading.

On motion of Mr. Cardinale that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey,

Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 2821 Aa was given third reading.

On motion of Mr. Russo that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 2955 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

On motion of Ms. Costa pursuant to Rule 124, Assembly No. 3463 was substituted for Senate No. 2962 with which it is identical, and Senator Costa was added as cosponsor of Assembly No. 3463.

Which was adopted by voice vote.

Assembly No. 3463 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 3263 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative was—Bubba—1.

Assembly No. 736 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative was—Connors—1.

Assembly No. 1119 was given third reading.

On motion of Mr. Van Wagner that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 1637 was given third reading.

On motion of Mr. Van Wagner that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative was—Laskin—1.

Senate Committee Substitute for Assembly Nos. 1712/1432 with Governor's recommendations, was given third reading.

On motion of Mr. Garibaldi that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Assembly No. 3173 was given third reading.

On motion of Mr. Hurley that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative was—Laskin—1.

Assembly No. 3972 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 722 (2nd OCR) with Governor's recommendations, was given second reading.

On motion of Ms. Brown that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Jackman, Laskin, Lesniak, Lip-

man, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 722 (2nd OCR) w/GR was taken up, read a second time, and ordered to a third reading.

Senate No. 1146 (OCR) with Governor's recommendations, was given second reading.

On motion of Ms. Lipman that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—31.

In the negative—None.

Senate No. 1146 (OCR) w/GR was taken up, read a second time, and ordered to a third reading.

Senate No. 1206 (3rd OCR) with Governor's recommendations, was given second reading.

On motion of Mr. Lynch that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Costa, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

Senate No. 1206 (3rd OCR) w/GR was taken up, read a second time, and ordered to a third reading.

Senate No. 2186 (2nd OCR) with Governor's recommendations, was given second reading.

On motion of Mr. McManimon that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Foran, Gagliano, Garibaldi, Gormley, Graves, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—32.

In the negative—None.

Senate No. 2186 (2nd OCR) w/GR was taken up, read a second time, and ordered to a third reading.

Senate No. 2336 Aca with Governor's recommendations, was given second reading.

On motion of Mr. Dumont that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative was—Contillo—1.

Senate No. 2336 Aca w/GR was taken up, read a second time, and ordered to a third reading.

The President announced receipt of, and directed the Secretary to read seven letters from the Governor, nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be a member of the New Jersey Racing Commission, George E. Norcross, of Merchantville, for a four-year term.

To be a member of the New Jersey Racing Commission, John E. Dimon, of Roebling, for a six-year term.

To be a member of the New Jersey Racing Commission, Dr. Daniel A. Monaco, of Woodbury, for a two-year term.

To be a member of the Hotel and Multiple Dwelling Health and Safety Board, Frank Priore, of Morris Plains, to succeed Alfred Sanzari, for the term prescribed by law.

To be a member of the Economic Development Authority, Ronald Olszowy, of Passaic, to succeed Yuki Laurenti, for the term prescribed by law.

To be a member of the Delaware River Port Authority, William K. Dickey, of Collingswood, to succeed himself, for the term prescribed by law.

To be a member of the New Jersey Racing Commission, Robert C. Neff, of Fair Haven, to succeed George J. Minish, for the term prescribed by law.

The above nominations were referred to the Judiciary Committee.

Senate No. 224 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont,

Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative was—Brown—1.

The Judiciary Committee reported the following nomination favorably:

To be a member of the Banking Advisory Board, Barry Gimelstob, of Livingston, to succeed Jo Ann Kovalcik, for the term prescribed by law.

On motion of Mr. Foran pursuant to Rule 124, Assembly No. 2005 was substituted for Senate No. 1806 with which it is identical, and Senator Foran was added as cosponsor of Assembly No. 2005.

Which was adopted by voice vote.

On motion of Mr. Foran, Assembly No. 2005 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Assembly No. 2005 Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Caufield, Senate No. 2975 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Cardinale, Caufield, Codey, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibadli, Graves, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—28.

In the negative was—Laskin—1.

Senate No. 2975 Sa was taken up, read a second time, and ordered to a third reading.

Senate No. 2840 (AR) with Governor's recommendations, was given second reading.

On motion of Mr. Jackman that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont,

Feldman, Foran, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 2840 (AR) w/GR was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Jackman, Assembly Committee Substitute for Assembly Nos. 2594/2613 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—32.

In the negative—None.

Assembly Committee Substitute for Assembly Nos. 2594/2613 Sa was taken up, read a second time, and ordered to a third reading.

Senate No. 3088 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Senate No. 1001 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bubba, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dumont, Foran, Garibaldi, Graves, Hirkala, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—24.

In the negative were—

Brown, Cardinale, Connors, Dorsey, Gormley, Haines, Hurley, Laskin—8.

Senate No. 117 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 2323 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bubba, Caufield, Codey, Costa, Cowan, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—21.

In the negative were—

Bassano, Cardinale, Connors, Contillo, DiFrancesco, Dorsey, Dumont, Ewing, Gagliano, Garibaldi, Gormley, Haines, Hurley, Laskin—14.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate Nos. 2631 and 3196, notwithstanding the lack of five days' notice.

The County and Municipal Government Committee reported the following bills favorably without amendment:

Senate Nos. 3196 and 2631.

Senate Nos. 2631 and 3196 were taken up, read a second time, and ordered to a third reading.

Senate No. 3261 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative were—Bubba, Laskin—2.

On motion of Mr. Pallone, that Senate No. 3140 be placed back on second reading for the purpose of amendment, the motion was adopted by the following vote:

In the affirmative were—

Caufield, Codey, Contillo, Cowan, Feldman, Graves, Hirkala, Lesniak, Lipman, Lynch, McManimon, O'Connor, Pallone, Russo, Stockman, Van Wagner, Zane—17.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Haines, Hurley, Laskin, Orechio (President)—16.

Senate amendments to Senate No. 3140 were adopted by the following roll call vote:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Zane—20.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Haines, Hurley, Laskin—15.

Senate No. 3140 Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Caulfield, Assembly No. 2206 (2nd OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Zane—29.

In the negative was—Foran—1.

Assembly No. 2006 (2nd OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Caufield, Senate No. 1966 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lip-

man, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—34.

In the negative—None.

Assembly No. 1966 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

Mr. Graves offered the following resolution which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3196 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—36.

In the negative—None.

Mr. Cowan offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2631 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—34.

In the negative—None.

Mr. Dumont offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2336 w/GR is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio

(President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Mr. Foran offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Assembly No. 2005 Sa is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Mr. Caufield make a motion to suspend the 30 bill limitation rule. Motion adopted by voice vote.

On motion of Mr. Cowan pursuant to Rule 124, Assembly No. 2748 was substituted for Senate No. 2631 with which it is identical, and Senator Cowan was added as cosponsor of Assembly No. 2748, which was adopted by voice vote.

Assembly No. 2748 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Feldman, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—32.

In the negative was—Dorsey—1.

On motion of Mr. Graves pursuant to Rule 124, Assembly No. 3918 was substituted for Senate No. 3196 with which it is identical, and Senators Graves and Bubba were added as cosponsors of Assembly No. 3918, which was adopted by voice vote.

Assembly No. 3918 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi,

Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Senate No. 2336 with Governor's recommendations, was given third reading.

On motion of Mr. Dumont that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 548 ACS w/GR, without reference.

Assembly No. 608 Aca Aa w/GR, without reference.

Assembly No. 3081 Aca Aa, without reference.

Assembly Nos. 548 ACS w/GR, 608 Aca Aa w/GR and 3081 Aca Aa were taken up, read a second time, and ordered to a third reading.

On motion of Mr. Garibaldi pursuant to Rule 124, Assembly No. 3081 Aca Aa was substituted for Senate No. 2604 with which it is identical, and Senator Garibaldi was added as cosponsor of Assembly No. 3081.

Which was adopted by voice vote.

Assembly No. 3081 Aca Aa was given third reading.

On motion of Mr. Garibaldi that the bill pass the vote was as follows:

In the affirmative were—

Brown, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative was—Bassano—1.

Senate No. 3024 (OCR) with Governor's recommendations, was given second reading.

On motion of Mr. Jackman that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Zane—31.

In the negative were—

Bubba, Laskin—2.

Senate No. 3024 (OCR) w/GR was taken up, read a second time, and ordered to a third reading.

Mr. Orechio resumed the duties of the Chair.

Senate No. 2077 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—23.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Haines, Hurley, Laskin—16.

Assembly No. 634 with Governor's recommendations, was given third reading.

On motion of Mr. Feldman that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—32.

In the negative were—Bubba, Dalton, Laskin—3.

Assembly No. 3738 with Governor's recommendations, was given third reading.

On motion of Mr. Feldman that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gorm-

ley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative was—Ewing—1.

On motion of Mr. Cowan, Senate No. 736 (2nd OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Brown, Caufield, Codey, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—32.

In the negative were—

Bubba, Dalton—2.

Senate No. 736 (2nd OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Lesniak, Senate No. 2296 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Garibaldi, Gormley, Graves, Hirkala, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Van Wagner, Weiss, Zane—28.

In the negative—None.

Senate No. 2296 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. McManimon Senate No. 2929 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Graves, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Van Wagner, Weiss, Zane—31.

In the negative—None.

Senate No. 2929 Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Pallone Senate No. 2694 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Van Wagner, Weiss, Zane—30.

In the negative—None.

Senate No. 2694 Sa was taken up, read a second time, and ordered to a third reading.

Assembly No. 2005 Sa was given third reading.

On motion of Mr. Foran that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 3246 was given third reading.

On motion of Mr. Foran that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss—33.

In the negative were—Bubba, Laskin, Zane—3.

The Senate moved and acted upon one Ceremonial Resolution.

The Secretary read the following resolution by Messrs. Jackman and Cowan:

*Resolved*, That Senator Cowan be admitted as prime sponsor of Senate Resolution No. 100 of 1985 and that I remain on the bill as first cosponsor.

/s/ CHRISTOPHER J. JACKMAN

/s/ THOMAS F. COWAN

NOTICE by Senator Bubba

Notice is given that a motion will be introduced to relieve the Senate Energy and Environment Committee of Senate No. 116 of

1984 and to refer the bill to the Senate Law, Public Safety and Defense Committee.

NOTICE by Senator Bubba

Notice is given that a motion will be introduced to relieve the Senate Energy and Environment Committee of Senate No. 117 of 1984 and to refer the bill to the Senate Law, Public Safety and Defense Committee.

The Revenue, Finance and Appropriations Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted.

Assembly No. 2805 ACS Sea.

The Institutions, Health and Welfare Committee reported the following bill favorably without amendment

Senate Joint Resolution No. 64.

The Labor, Industry and Professions Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly Nos. 3631 (OCR) Sea, 3913 Sea, Senate Nos. 2721 Sea, 2746 Sea and 3172 Sea.

The Labor, Industry and Professions Committee reported the following bills favorably without amendment:

Assembly Nos. 1383, 2117 (OCR), and Senate No. 2641.

Assembly No. 2805 ACS Sea, Senate Joint Resolution No. 64, Assembly No. 3913 Sea, Senate No. 2746 Sea, Assembly Nos. 2117 (OCR), 1383, Senate Nos. 2721 Sea, 3172 Sea, Assembly No. 3631 (OCR), Sea and Senate No. 2641 were taken up, read a second time, and ordered to a third reading.

Mr. Russo offered the following motions which were read and adopted:

*Be It Resolved*, That pursuant to Senate Rule 88, the following bills be referred to the Revenue, Finance and Appropriations Committee:

Senate Nos. 2541, 2758, 2825, 2803 and 2878.

*Be It Resolved*, That the following bills be referred to the Revenue, Finance and Appropriations Committee:

Senate No. 2847 and Senate Concurrent Resolution No. 137.

*Be It Resolved*, That Senate No. 2116 be referred to the Senate Judiciary Committee.

*Be It Resolved*, That Senate No. 3106 be transferred from the Aging Committee to the Judiciary Committee.

*Be It Resolved*, That Senate No. 2961 be transferred from the Natural Resources Committee to the Energy and Environment Committee.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following

bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 1392 Aca w/GR, without reference.

Assembly No. 1571 Aca, Judiciary Committee.

Assembly No. 2506 Aca, County and Municipal Government Committee.

Assembly No. 2591, Education Committee.

Assembly No. 2735, Institutions, Health and Welfare Committee.

Assembly No. 2736 Aca, Institutions, Health and Welfare Committee.

Assembly No. 2940 Aca, Energy and Environment Committee.

Assembly No. 3094 Aca, County and Municipal Government Committee.

Assembly No. 3455, Law, Public Safety and Defense Committee.

Assembly No. 3977, without reference.

Assembly No. 3846, Education Committee.

Assembly No. 87 Aca, Education Committee.

Assembly No. 268 AcaAa w/GR, without reference.

Assembly No. 778 AcaSea Sa w/GR, without reference.

Assembly No. 803 AcaSea w/GR, without reference.

Assembly No. 1091, Revenue, Finance and Appropriations Committee.

Assembly No. 2327, Education Committee.

Assembly No. 2935, Labor, Industry and Professions Committee.

Assembly No. 2936, Labor, Industry and Professions Committee.

Assembly No. 2937, Labor, Industry and Professions Committee.

Assembly No. 3377 Aca, Labor, Industry and Professions Committee.

Assembly No. 3685 w/GR, without reference.

Assembly No. 2026 Aca Aa Sea w/GR, without reference.

Assembly No. 2313, Revenue, Finance and Appropriations Committee.

Assembly No. 4040, without reference.

Assembly Joint Resolution No. 56 w/GR, without reference.

Assembly No. 3164 Sea w/GR, without reference.

Assembly No. 3413 Aca, Judiciary Committee.

Assembly No. 3576, Energy and Environment Committee.

Assembly No. 4055, without reference.

Assembly No. 4100, Transportation and Communications Committee.

Assembly No. 4085, without reference.

Senate No. 1842 Aca, without reference.

Senate No. 1929 Aca, without reference.

Assembly Nos. 1392 Aca w/GR, 3977, 268 Aca Aa w/GR, 778 Aca Sea Sa w/GR, 803 Aca Sea w/GR, 3685 w/GR, 2026 Aca Aa Sea w/GR, Assembly Joint Resolution No. 56 w/GR, Assembly Nos. 3164 Sea w/GR, 4055, 4085, Senate Nos. 1842 Aca and 1929 Aca were taken up, read a second time, and ordered to a third reading.

On motion of Mr. Russo, Mr. Stockman was added as cosponsor of Senate Nos. 1877 and 1879.

On motion of Mr. Graves, Ms. Brown was added as cosponsor of Senate No. 3247.

On motion of Mr. Gagliano, Mr. Bubba was added as cosponsor of Senate No. 376.

On motion of Mr. Graves, Mr. Bubba was added as cosponsor of Senate No. 1670.

On motion of Mr. Russo, Mr. Bubba was added as cosponsor of Senate No. 2821.

On motion of Mr. O'Connor, Mr. Bubba was added as cosponsor of Senate No. 224.

The following bills were read for the first time by their titles and were referred to committee as indicated:

Senate No. 3271, by Mr. O'Connor, Labor, Industry and Professions Committee.

Senate No. 3272, by Messrs. O'Connor, DiFrancesco, Cowan, Lesniak, Van Wagner, Graves, Lynch and Cardinale, Labor, Industry and Professions Committee.

Senate No. 3273, by Mr. Gagliano, Natural Resources and Agriculture Committee.

Senate No. 3274, by Mr. Gagliano, County and Municipal Government Committee.

Senate No. 3275, by Mr. Van Wagner, Education Committee.

Senate No. 3276, by Mr. Van Wagner, Revenue, Finance and Appropriations Committee.

Senate No. 3277, by Mr. Gagliano, Education Committee.

Senate No. 3278, by Messrs. Bassano and DiFrancesco, County and Municipal Government Committee.

Senate No. 3279, by Messrs. Bubba, Bassano, DiFrancesco, Garibaldi and Connors, Revenue, Finance and Appropriations Committee.

Senate No. 3280, by Messrs. Connors, Russo, Bubba, McManimon, Foran and DiFrancesco, Energy and Environment Committee.

Senate No. 3281, by Mr. Garibaldi, Law, Public Safety and Defense Committee.

Senate No. 3282, by Mr. Garibaldi, Revenue, Finance and Appropriations Committee.

Senate No. 3283, by Mr. Contillo, Law, Public Safety and Defense Committee.

Senate No. 3284, by Mr. Ewing, Judiciary Committee.

Senate No. 3285, by Mr. Ewing, Judiciary Committee.

Senate No. 3286, by Mr. Ewing, County and Municipal Government Committee.

Senate No. 3287, by Messrs. Connors, Russo, Bubba, McManimon, Foran and DiFrancesco, Revenue, Finance and Appropriations Committee.

Senate No. 3288, by Mr. Lynch, County and Municipal Government Committee.

Senate No. 3289, by Messrs. Pallone and Van Wagner, Judiciary Committee.

Senate No. 3290, by Mr. Connors, Ms. Brown, Messrs. Garibaldi, Bubba, Haines and Cardinale, Judiciary Committee.

Senate No. 3291, by Ms. Lipman and Ms. Costa, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3292, by Ms. Lipman and Mr. Pallone, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3293, by Mr. Lynch, Judiciary Committee.

Senate No. 3294, by Mr. Bubba, Natural Resources and Agriculture Committee.

Senate No. 3295, by Mr. Contillo, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3296, by Mr. Dalton, Law, Public Safety and Defense Committee.

Senate No. 3297, by Mr. Contillo, Judiciary Committee.

Senate No. 3298, by Mr. Dalton, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3299, by Mr. Rand, Law, Public Safety and Defense Committee.

Senate No. 3300, by Mr. Lynch, Judiciary Committee.

Senate No. 3301, by Mr. Ewing, County and Municipal Government Committee.

Senate No. 3302, by Mr. Dumont, Energy and Environment Committee.

Senate No. 3303, by Mr. Ewing, Education Committee.

Senate No. 3304, by Messrs. Connors, Bubba, McManimon, Foran, Russo and DiFrancesco, Aging Committee.

Senate No. 3305, by Mr. Garibaldi, County and Municipal Government Committee.

Senate No. 3306, by Mr. Dumont, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3307, by Mr. Rand, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3308, by Messrs. Rand, Cowan, Feldman, Dalton, Caufield, Van Wagner, McManimon, O'Connor, Stockman, Ms. Costa, Messrs. Lynch and Orechio. Transportation and Communications Committee.

Senate No. 3309, by Messrs. Cardinale and O'Connor, Labor, Industry and Professions Committee.

Senate No. 3310, by Mr. Graves, Law, Public Safety and Defense Committee.

Senate No. 3311, by Mr. Lynch, Judiciary Committee.

Senate No. 3312, by Messrs. Hurley, Dorsey, Gagliano, Foran and Lynch, without reference.

Senate No. 3313, by Ms. Costa and Mr. Weiss, Aging Committee.

Senate No. 3314, by Messrs. Foran, Gagliano, Hurley, Dorsey, Haines, Ms. Brown, Messrs. Dumont, Jackman, Connors and Laskin, without reference.

Senate No. 3315, by Messrs. Cardinale, Gagliano, Dorsey, Foran, Haines, Dumont, Bassano, Connors and Laskin, without reference.

Senate No. 3316, by Mr. McManimon, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3317, by Messrs. Contillo, Cowan, Feldman, Cardinale, Foran, Bassano and Hurley, without reference.

Senate No. 3318, by Ms. Costa, Messrs. Dalton and Zane, Law, Public Safety and Defense Committee.

Senate No. 3319, by Messrs. Dorsey, Orechio, Foran, Ms. Brown, Messrs. Bubba, Bassano, Ewing, Graves, Feldman, Gagliano, Cardinale, Haines and DiFrancesco, without reference.

Senate No. 3320, by Mr. Cowan, Labor, Industry and Professions Committee.

Senate No. 3321, by Mr. Cowan, Labor, Industry and Professions Committee.

Senate No. 3322, by Messrs. Cowan and O'Connor, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3323, by Messrs. Cowan and O'Connor, County and Municipal Government Committee.

Senate No. 3324, by Messrs. Cowan and O'Connor, County and Municipal Government Committee.

Senate No. 3325, by Mr. Cowan, Labor, Industry and Professions Committee.

Senate No. 3326, by Mr. Cowan, Labor, Industry and Professions Committee.

Senate No. 3327, by Mr. Cowan, Labor, Industry and Professions Committee.

Senate No. 3328, by Ms. Costa, Messrs. O'Connor, Pallone, Dumont and Feldman, Education Committee.

Senate No. 3329, by Mr. Feldman, Education Committee.

Senate No. 3330, by Ms. Lipman and Mr. Caufield, County and Municipal Government Committee.

Senate No. 3331, by Messrs. Lesniak, Russo and Dalton, Energy and Environment Committee.

Senate No. 3332, by Messrs. Hurley, Zane and Rand, Transportation and Communications Committee.

Senate No. 3333, by Ms. Lipman, Messrs. Lynch, Stockman, Caufield, Codey, Feldman, Ms. Costa, Messrs. Rand, Cowan, O'Connor and Van Wagner, without reference.

Senate No. 3334, by Messrs. Van Wagner and Russo, without reference.

Senate No. 3335, by Messrs. Stockman, Caufield, Lynch and Ms. Lipman, Education Committee.

Senate No. 3336, by Ms. Costa, Ms. Lipman, Messrs. Rand and O'Connor, Law, Public Safety and Defense Committee.

Senate No. 3337, by Mr. Orechio, Judiciary Committee.

Senate No. 3338, by Mr. Russo, Energy and Environment Committee.

Senate No. 3339, by Mr. Cowan, Labor, Industry and Professions Committee.

Senate No. 3340, by Mr. Orechio, Labor, Industry and Professions Committee.

Senate No. 3341, by Mr. Dalton, without reference.

Senate No. 3342, by Mr. Russo, without reference.

Senate No. 3343, by Mr. Contillo, without reference.

Senate No. 3344, by Ms. Costa, without reference.

Senate No. 3345, by Ms. Costa, without reference.

Senate No. 3346, by Mr. Orechio, without reference.

Senate No. 3347, by Mr. Dalton, without reference.

Senate No. 3348, by Mr. Contillo, without reference.

Senate Resolution No. 101, by Messrs. Laskin, Dalton, Gagliano, Foran and Lynch, Energy and Environment Committee.

Senate Nos. 3312, 3314, 3315, 3317, 3319, Senate Joint Resolution No. 73, Senate Nos. 3333 and 3334 were taken up, read a second time, and ordered to a third reading.

Senate Joint Resolution No. 73, by Mr. O'Connor, Ms. Lipman, Mr. Cowan, Ms. Costa, Messrs. Caufield and Feldman, without reference.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 2972, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 3765, without reference.

Assembly No. 4094, Revenue, Finance and Appropriations Committee.

Assembly Joint Resolution No. 120, without reference.

Assembly No. 3765 and Assembly Joint Resolution No. 120 were taken up, read a second time, and ordered to a third reading.

The Energy and Environment Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 1218 SCS, Assembly Nos. 2074 Sea and 667 ACS (2nd OCR) Sea.

Senate Committee Substitute for Senate No. 1218, Assembly Nos. 2074 Sea, 667 ACS (2nd OCR) Sea, Senate Nos. 3341, 3342, 3343, 3344, 3345, 3346 and 3347 were taken up, read a second time and ordered to a third reading.

Mr. Russo offered the following resolution, which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet on Thursday, September 12, 1985, at 10:30 a.m.

On motion of Mr. Russo, the Senate then adjourned.

THURSDAY, September 12, 1985.

At 10:30 a.m. the Senate met.

The Session was opened with prayer.

National Anthem by Marta Biziwić-cowkus.

Senator McManimon Presiding.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Bubba, Cardinale, Caufield, Coodey, Connors, Contillo, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Haines, Hirkala, Jackman, Lesniak, Lynch, McManimon, Orechio (President), Pallone, Rand, Stockman, Weiss—26.

On motion of Mr. Russo the reading of the Journal of the previous session was dispensed with.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bill, which bill was read for the first time and referred by the President as indicated:

Assembly No. 1394 Aca Sa, without reference.

The Secretary read a message which was received from the General Assembly:

September 12, 1985.

*Mr. President:* I am directed by the General Assembly to inform the Senate that the General Assembly has passed a motion to recall Assembly No. 3069 from the Senate.

JOHN J. MILLER, JR.

*Clerk of the General Assembly.*

Assembly No. 1394 Aca Sa was taken up, read a second time, and ordered to a third reading.

Quorum call after 3:30 p.m. recess.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

Mr. Cowan offered the following resolution which was read and adopted:

WHEREAS, Former Senator James H. Saxton was elected to and is now serving in the United States House of Representatives, now, therefore,

*Resolved*, That Senator Cowan be admitted as the prime sponsor of Senate No. 699 which was sponsored by Senator Saxton.

/s/ THOMAS F. COWAN.

The Senate moved and acted upon eight Commemorative, Ceremonial and Memorial Resolutions.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate Concurrent Resolution No. 155, by Mr. Zane, without reference.

Senate Concurrent Resolution No. 155 was taken up, read a second time, and ordered to a third reading.

Senate Concurrent Resolution No. 155 was given third reading.

On motion of Mr. Zane that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative were—

Connors, Ewing, Foran—3.

Senate No. 3314 was given third reading.

On motion of Mr. Foran that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 3315 was given third reading.

On motion of Mr. Cardinale that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Les-

niak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—27.

In the negative—None.

Assembly No. 3631 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Caufield, Codey, Cowan, Dalton, Ewing, Feldman, Garibaldi, Graves, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss—21.

In the negative were—

Brown, Connors, Contillo, Dorsey, DiFrancesco, Dumont, Foran, Haines, Zane—9.

The President announced receipt of and directed the Secretary to read one letter from the Governor withdrawing the following nomination, originally submitted June 17, 1985:

To be a Judge of the Superior Court, Garrett E. Brown, Jr., of Westfield, for the term prescribed by law.

The President announced receipt of and directed the Secretary to read six letters from the Governor, nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be a Workers' Compensation Judge, Robert F. Butler, of Vineland, for the term prescribed by law.

To be a Judge of the Superior Court, Barbara B. Wecker, of Scotch Plains, for the term prescribed by law.

To be a member of the Division of Parks, Forestry and Recreation, Gregory A. Marshall, of Asbury, to succeed Russell W. Myers as Director, for the term prescribed by law.

To be a member of the State Board of Education, Alice A. Holzapfel, of Elizabeth, to succeed Robert J. Wolfenbarger, for the term prescribed by law.

To be a member of the Commission on Radiation Protection, Dr. Henry J. Powsner, of Princeton, to succeed Benjamin P. Sonnenblick, Ph.D., resigned, for the term prescribed by law.

To be a member of the Union County Board of Taxation, George W. Crater, of Clark, for the term prescribed by law.

The above nominations were referred to the Judiciary Committee.

Quorum call after 5:05 p.m. recess.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Jackman, Laskin, Lesniak,

Lynch, McManimon, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

Senate Joint Resolution No. 64 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Jackman, Las'rin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

Assembly No. 2046 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Assembly No. 2127 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative was—Laskin—1.

The Judiciary Committee reported the following nominations favorably:

To be a member of the Affordable Housing Council, Carol Rufener, of Mountain Lakes, for the term prescribed by law.

To be a member of the Affordable Housing Council, Roderick D. MacDougall, of New Vernon, for the term prescribed by law.

To be a member of the Affordable Housing Council, Charles Griffiths, of Vineland, for the term prescribed by law.

To be a member of the Affordable Housing Council, Feather O'Connor, of Cranbury, for the term prescribed by law.

To be a member of the Affordable Housing Council, Kenneth Gibson, of Newark, for the term prescribed by law.

To be a member of the Affordable Housing Council, Al Cooper, of New Brunswick, for the term prescribed by law.

On motion of Mr. Lynch that the Senate do declare the confirmation of the above nominees to be an emergency matter, the vote is as follows:

In the affirmative were—

Brown, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

On motion of Mr. Lynch the following nominations were taken up:

To be a member of the Affordable Housing Council, Carol Rufener, of Mountain Lakes, for the term prescribed by law.

To be a member of the Affordable Housing Council, Roderick D. MacDougall, of New Vernon, for the term prescribed by law.

To be a member of the Affordable Housing Council, Charles Griffiths, of Vineland, for the term prescribed by law.

To be a member of the Affordable Housing Council, Feather O'Connor, of Cranbury, for the term prescribed by law.

To be a member of the Affordable Housing Council, Kenneth Gibson, of Newark, for the term prescribed by law.

To be a member of the Affordable Housing Council, Al Cooper, of New Brunswick, for the term prescribed by law.

To be a member of the Banking Advisory Board, Barry Gimelstob, of Livingston, to succeed Jo Ann Kovalcik, for the term prescribed by law.

Upon the question "Will the Senate advise and consent to the above nominations?" it was decided as follows:

In the affirmative were—

Brown, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldan, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

The above nominations were declared unanimously confirmed.

Assembly No. 2512 was given third reading.

On motion of Mr. Zane that the bill pass the vote as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

Assembly No. 2716 was given third reading.

On motion of Mr. Zane that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Graves, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

Assembly No. 3730 was given third reading.

On motion of Mr. Stockman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative was—Laskin—1.

Senate No. 339 was given third reading.

On motion of Mr. Connors that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

Senate No. 722 with Governor's recommendations, was given third reading.

On motion of Mr. Laskin that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 1059 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Foran, Garibaldi, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—26.

In the negative were—

Cardinale, Connors, Dorsey, Gagliano, Haines, Laskin—6.

On motion of Mr. Zane pursuant to Rule 124, Assembly No. 2344 was substituted for Senate No. 2113 with which it is identical, and Senator Zane was added as cosponsor of Assembly No. 2344.

Which was adopted by voice vote.

Assembly No. 2344 was given third reading.

On motion of Mr. Zane that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—34.

In the negative—None.

Senate No. 2397 was given third reading.

On motion of Mr. Hirkala that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 2508 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 2929 was given third reading.

On motion of Mr. McManimon that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative was—Laskin—1.

Senate No. 3140 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Caufield, Codey, Contillo, Cowan, Dalton, Dorsey, Dumont, Feldman, Foran, Gagliano, Graves, Hirkala, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—28.

In the negative were—

Brown, Cardinale, DiFrancesco, Ewing, Haines, Hurley—6.

Senate No. 3074 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pal-

lone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

On motion of Mr. Van Wagner pursuant to Rule 124, Assembly No. 4040 was substituted for Senate No. 3334 with which it is identical, and Senator Van Wagner was added as cosponsor of Assembly No. 4040.

Which was adopted by voice vote.

Assembly No. 4040 was given third reading.

On motion of Mr. Van Wagner that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Feldman, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—32.

In the negative was—Dumont—1.

On motion of Mr. Feldman pursuant to Rule 124, Assembly No. 955 was substituted for Senate No. 2908 with which it is identical, and Senator Feldman was added as cosponsor of Assembly No. 955.

Which was adopted by voice vote.

Assembly No. 955 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Assembly No. 2117 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—33.

In the negative was—Cardinale—1.

Assembly No. 3765 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Assembly Joint Resolution No. 120 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 208 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative was—Laskin—1.

Senate No. 417 with Assembly amendments, was given third reading.

On motion of Mr. Stockman that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Feldman, Foran, Garibaldi, Graves, Hirkala, Jackman, Lesniak, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—24.

In the negative were—

Bubba, Ewing, Hurley, Laskin—4.

Mr. Bubba asked the status on Senate Nos. 116 and 117. Mr. Dalton said that his committee will conduct a hearing on them.

Senate No. 736 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Caufield, Codey, Contillo, Cowan, Hirkala, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Van Wagner,—14.

In the negative were—

Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Haines, Hurley, Laskin—12.

On motion of Mr. Cowan the bill was laid over.

Senate No. 1206 with Governor's recommendations, was given third reading.

On motion of Mr. Lynch that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—30.

In the negative was—Laskin—1.

Senate No. 2296 was given third reading.

On motion of Mr. Lesniak that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

Senate No. 2694 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Caufield, Codey, Contillo, Cowan, Dalton, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman,

Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Zane—28.

In the negative—None.

Assembly No. 2948 was given third reading.

On motion of Ms. Brown that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

On motion of Mr. Bassano, Senate No. 1362 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Contillo, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Garibaldi, Graves, Haines, Hirkala, Jackman, Lesniak, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—29.

In the negative—None.

Senate No. 1362 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Ms. Lipman, Senate Committee Substitute for Senate Nos. 2107/1229/Assembly No. 2355 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—29.

In the negative—None.

Senate Committee Substitute for Senate Nos. 2107/1229/Assembly No. 2355 (OCR) Sa was taken up, read for a second time, and ordered to a third reading.

On motion of Mr. Rand, Senate No. 132 (2nd OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—32.

In the negative—None.

Senate No. 132 (2nd OCR) Sa was taken up, read a second time, and ordered to a third reading.

Assembly No. 618 with Governor's recommendations, was given third reading.

On motion of Mr. Lesniak that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative were—Bubba, Connors, Laskin—3.

Assembly No. 1901 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Assembly No. 3488 was given third reading.

On motion of Mr. Stockman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative were—DiFrancesco, Laskin—2.

Assembly No. 3836 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 419 with Governor's recommendations, was given third reading.

On motion of Mr. Stockman that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 1503 with Assembly amendments, was given third reading.

On motion of Mr. Codey that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—36.

In the negative—None.

Senate No. 1812 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio

(President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—36.

In the negative—None.

Senate No. 1879 was given third reading.

On motion of Mr. Laskin that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—36.

In the negative—None.

Senate No. 2506 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—36.

In the negative—None.

Senate No. 2709 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2797 SCS was given third reading.

On motion of Mr. Cardinale that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin,

Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 2838 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative was—Bubba—1.

Senate No. 2840 with Governor's recommendations, was given third reading.

On motion of Mr. Russo that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Mr. Jackman made a motion to suspend the 30 bill limitation rule. Motion adopted by voice vote.

On motion of Mr. Contillo pursuant to Rule 124, Assembly No. 4085 was substituted for Senate No. 3317 with which it is identical, and Senator Contillo was added as cosponsor of Assembly No. 4085.

Which was adopted by voice vote.

Assembly No. 4085 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative was—Laskin—1.

Assembly No. 3685 with Governor's recommendations, was given third reading.

On motion of Mr. Dumont that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Caufield, Codey, Connors, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Haines, Hirakla, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—31.

In the negative were—

Contillo, Graves, Laskin, Weiss—4.

Senate No. 2586 with Governor's recommendations, was given second reading.

On motion of Mr. Contillo that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2586 w/GR was taken up, read a second time, and ordered to a third reading.

Assembly No. 3868 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Cowan, Feldman, Foran, Garibaldi, Graves, Haines, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—21.

In the negative were—

Dumont, Ewing, Gagliano, Laskin—4.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate Concurrent Resolution No. 156, by Mr. Codey, without reference.

Senate Concurrent Resolution No. 156 was taken up, read a second time, and ordered to a third reading.

Senate Concurrent Resolution No. 156 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Cowan, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—21.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Haines, Laskin—13.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate No. 3386, by Mr. Cowan, without reference.

Senate No. 3386 was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Ewing to send Senate No. 3386 to the State Government and Federal and Interstate Relations and Veterans Affairs Committee, the motion was lost by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, Dorsey, Dumont, Ewing, Foran, Gagliano, Haines, Hurley, Laskin—13.

In the negative were—

Caufield, Codey, Contillo, Cowan, Feldman, Graves, Hirkala, Jackman, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss—18.

Mr. Cowan offered the following resolution, which was read and lost by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3386 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Caufield, Codey, Contillo, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—22.

In the negative were—

Bassano, Brown, Cardinale, DiFrancesco, Dorsey, Ewing, Foran, Gagliano, Haines, Laskin—10.

On motion of Mr. McManimon, Senate No. 3161 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Hirkala, Hurley, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—29.

In the negative—None.

Senate No. 3161 Sa was taken up, read a second time and ordered to a third reading.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 3388, by Mr. Russo, without reference.

Senate No. 3389, by Mr. Russo, without reference.

Senate No. 3390, by Mr. Russo, without reference.

Senate No. 3388, 3389 and 3390 were taken up, read a second time, and ordered to a third reading.

Mr. Dalton offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3388 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Brown, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—32.

In the negative—None.

Senate No. 3388 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Mr. Russo offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal

of the Senate, that Senate No. 3389 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 3389 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Mr. Dalton offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3390 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 3390 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pal-

lone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 3347 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 3346 was given third reading.

On motion of Mr. Hirkala that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative was—Connors—1.

Senate No. 3344 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative was—Connors—1.

Senate No. 3342 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pal-

lone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 3343 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following Senate bill, which bill was read for the first time and referred by the President as indicated:

Senate No. 2096 Aca, without reference.

Senate No. 2096 Aca was taken up, read a second time, and ordered to a third reading.

Senate No. 2096 Aca was given third reading.

On motion of Mr. Dumont that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

The Revenue, Finance and Appropriations Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly No. 3878 Sea.

Assembly No. 3878 Sea was taken up, read a second time, and ordered to a third reading.

Mr. McManimon offered the following resolution, which was read and lost by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3161 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Caufield, Codey, Contillo, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—22.

In the negative were—

Dorsey, Gagliano, Hurley—3.

Mr. McManimon requested the roll be called again. The vote was as follows:

In the affirmative were—

Caufield, Codey, Connors, Contillo, Cowan, Dalton, Feldman, Garibaldi, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—24.

In the negative—None.

The emergency was declared lost.

The Revenue, Finance and Appropriations Committee reported the following bill favorably without amendment:

Assembly No. 4094.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Assembly Nos. 3878 and 4094, notwithstanding the lack of five days' notice.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate No. 3380, by Mr. Zane, without reference.

Senate No. 3380 was taken up, read a second time, and ordered to a third reading.

Mr. Zane offered the following resolution which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3380 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Bubba, Caufield, Connors, Cowan, Dalton, Di-Francesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—31.

In the negative—None.

On motion of Mr. Zane pursuant to Rule 124, Assembly No. 4094 was substituted for Senate No. 3380 with which it is identical, and Senator Zane was added as cosponsor of Assembly No. 4094.

Which was adopted by voice vote.

Assembly No. 4094 was given third reading.

On motion of Mr. Zane that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

On motion of Mr. Hurley pursuant to Rule 124, Assembly No. 4055 was substituted for Senate No. 3312 with which it is identical, and Senator Hurley was added as cosponsor of Assembly No. 4055.

Which was adopted by voice vote.

On motion of Mr. Hurley, Assembly No. 4055 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—30.

In the negative—None.

Assembly No. 4055 Sa was taken up, read a second time, and ordered to a third reading.

Mr. Hurley offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Assembly No. 4055 Sa is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Cardinale, Caufield, Codey, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Zane—31.

In the negative—None.

Assembly No. 4055 Sa was given third reading.

On motion of Mr. Hurley that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—34.

In the negative—None.

Mr. Dorsey asked the Chair for the Status of Assembly No. 3319.

The Chair replied, "That is in Committee and Mr. Dorsey needs 24 hours' notice to release it from there."

Mr. Dorsey made a motion to appeal the ruling of the Chair.

The motion was lost by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Haines, Hurley, Laskin—15.

In the negative were—

Caufield, Codey, Contillo, Cowan, Feldman, Graves, Hirkala, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—19.

Mr. Russo made a motion to place the House Under Call, which was adopted by the following vote:

In the affirmative were—

Caufield, Contillo, Cowan, Hirkala, Jackman, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss—15.

In the negative were—

Bassano, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Foran, Gagliano, Hurley, Laskin—11.

The Labor, Industry and Professions Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly No. 506 ACS Sea.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Assembly No. 3846 and Senate No. 3183, notwithstanding the lack of five days' notice.

The Energy and Environment Committee reported the following bills favorably without amendment:

Assembly No. 3846 and Senate No. 3183.

Assembly Nos. 506 ACS Sea, 3846 and Senate No. 3183 were taken up, read a second time, and ordered to a third reading.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 2485 AcaAa, Labor, Industry and Professions Committee.

Assembly No. 2486 Aca, Institutions, Health and Welfare Committee.

Assembly No. 2487 AcaAa, Labor, Industry and Professions Committee.

Assembly No. 2489 Aca, Labor, Industry and Professions Committee.

Assembly No. 2490 AcaAa, Labor, Industry and Professions Committee.

Assembly No. 2630/3547 ACS, Judiciary Committee.

Assembly No. 2964 Aca, Labor, Industry and Professions Committee.

Assembly No. 3546 Aca, Judiciary Committee.

Assembly No. 3548, Judiciary Committee.

Assembly No. 3549, Institutions, Health and Welfare Committee.

Assembly No. 3550, Law, Public Safety and Defense Committee.

Assembly No. 3551, Education Committee.

Assembly No. 3552 Aca, Law, Public Safety and Defense Committee.

Assembly No. 3604 Aa, without reference.

Assembly No. 3905 Aca, Aging Committee.

Assembly No. 3915, Aging Committee.

Assembly No. 3775 Aa, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 243 Aca, County and Municipal Government Committee.

Assembly No. 868 Aca, Energy and Environment Committee.

Assembly No. 3030 Aca, Law, Public Safety and Defense Committee.

Assembly No. 3174 Aca, without reference.

Assembly No. 3281, County and Municipal Government Committee.

Assembly No. 3397 AcaAaAa, Institutions, Health and Welfare Committee.

Assembly No. 3406, without reference.

Assembly No. 3449, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 3573 Aca, County and Municipal Government Committee.

Assembly No. 3670 Aca, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 3717 Aca, Judiciary Committee.

Assembly Concurrent Resolution No. 155, without reference.

Assembly Joint Resolution No. 113, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 2739 ScaAca, without reference.

Assembly No. 4187, without reference.

Assembly No. 4188, without reference.

Assembly Nos. 3174 Aca, 3406 Aca, Assembly Concurrent Resolution No. 155, Assembly Nos. 3604 Aa, 4187 and 4188 were taken up, read a second time, and ordered to a third reading.

Quorum call at 8:10 p.m.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dumont, Foran, Gagliano, Garibaldi, Hirkala, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss—25.

Senate No. 2308 with Assembly amendments was given third reading.

On motion of Mr. Cowan that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, Dorsey, Dumont, Foran, Gagliano, Garibaldi, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss—29.

In the negative—None.

On motion of Mr. Dalton pursuant to Rule 124, Assembly No. 4188 was substituted for Senate No. 3341 with which it is identical, and Senator Dalton was added as cosponsor of Assembly No. 4188.

Which was adopted by voice vote.

Assembly No. 4188 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, Mc-

Manimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

On motion of Mr. Russo pursuant to Rule 124, Assembly No. 4187 was substituted for Senate No. 3345 with which it is identical, and Senator Costa was added as cosponsor of Assembly No. 4187.

Which was adopted by voice vote.

On motion of Mr. Bubba, that Assembly No. 4187 be placed back on second reading for the purpose of amendment, the motion was lost by voice vote.

Assembly No. 4187 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—34.

In the negative was—Connors—1.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate No. 3382, by Mr. Feldman, without reference.

Senate No. 3382 was taken up, read a second time, and ordered to a third reading.

Mr. Feldman offered the following resolution, which was read and lost by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3382 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Caufield, Codey, Contillo, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—21.

In the negative—None.

A motion by Mr. Russo, to release House from Under Call, was adopted by voice vote.

A motion by Mr. Russo to adjourn, was adopted by voice vote at 8:30 p.m.

Quorum Call of a 2nd Senate Session on Thursday, September 12th for the sole purpose of routine desk business.

Mr. Feldman assumed the duties of the Chair.

Upon calling the roll the following members answered the call and the President declared a quorum present:

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Ewing, Foran, Hurley, Jackman, Lipman, Lynch, McManimon, O'Connor, Orzechio (President), Pallone, Rand, Russo, Van Wagner, Weiss—24.

The Secretary reported receipt of a message from the General Assembly that the General Assembly passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 2418, State Government and Federal and Interstate Relations and Veterans Affairs.

Assembly No. 3933, without reference.

Assembly No. 4192, without reference.

Assembly No. 4112, Institutions, Health and Welfare Committee.

Assembly No. 4145, without reference.

Assembly Nos. 3933, 4192 and 4145 were taken up, read a second time, and ordered to a third reading.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 3349, by Mr. Lesniak, Labor, Industry and Professions Committee.

Senate No. 3350, by Mr. Dumont, Judiciary Committee.

Senate No. 3351, by Mr. Dumont, Energy and Environment Committee.

Senate No. 3352, by Messrs. Bubba, Graves, Connors, DiFrancesco and Gagliano, Judiciary Committee.

Senate No. 3353, by Messrs. Bubba, Graves and Connors, County and Municipal Government Committee.

Senate No. 3354, by Mr. Lesniak, Energy and Environment Committee.

Senate No. 3355, by Mr. Connors, Natural Resources and Agriculture Committee.

Senate No. 3356, by Mr. Lynch, Revenue, Finance and Appropriations Committee.

Senate No. 3357, by Mr. Connors, Energy and Environment Committee.

Senate No. 3358, by Mr. Zane, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3359, by Messrs. Hurley, Gormley, Dalton and Rand, State Government and Federal and Interstate Relations and Veterans Committee.

Senate No. 3360, by Messrs. Haines and Pallone, Labor, Industry and Professions Committee.

Senate No. 3361, by Mr. Hurley, Revenue, Finance and Appropriations Committee.

Senate No. 3362, by Mr. Codey, Judiciary Committee.

Senate No. 3363, by Mr. Dorsey, Revenue, Finance and Appropriations Committee.

Senate No. 3364, by Mr. Jackman, Labor, Industry and Professions Committee.

Senate No. 3365, by Mr. Ewing, Judiciary Committee.

Senate No. 3366, by Messrs. Bassano, Feldman, McManimon and Ms. Brown, Institutions, Health and Welfare Committee.

Senate No. 3367, by Mr. Ewing, Education Committee.

Senate No. 3368, by Messrs. Graves, Bubba and Hirkala, Judiciary Committee.

Senate No. 3369, by Mr. Garibaldi, Education Committee.

Senate No. 3370, by Messrs. Rand, Cowan, McManimon, Gagliano, Hurley, Graves and Ms. Costa, Transportation and Communications Committee.

Senate No. 3371, by Mr. Rand, Judiciary Committee.

Senate No. 3372, by Messrs. Gagliano, Ewing, Bassano and Ms. Brown, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3373, by Ms. Lipman and Mr. Pallone, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3374, by Mr. Caufield and Ms. Lipman, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3375, by Messrs. Dalton and Graves, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3376, by Mr. Dalton, Institutions, Health and Welfare Committee.

Senate No. 3377, by Ms. Lipman and Mr. Caufield, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3378, by Messrs. Ewing and Dumont, Education Committee.

Senate No. 3379, by Mr. Lynch, Revenue, Finance and Appropriations Committee.

Senate No. 3380, by Mr. Zane, without reference.

Senate Resolution No. 102, by Ms. Brown, Messrs. Caufield, McManimon, DiFrancesco, Bassano, Connors, Foran, Ms. Costa, Messrs. Gagliano, Ewing, Garibaldi, Cardinale and Hurley, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3382, by Mr. Feldman, without reference.

Senate Concurrent Resolution No. 155, by Mr. Zane, without reference.

Senate No. 3381, by Mr. McManimon, without reference.

Senate No. 3383, by Messrs. Graves and Orechio, without reference.

Senate No. 3384, by Messrs. Orechio, Russo, Ms. Lipman and Mr. Stockman, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3385, by Mr. Orechio, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate Concurrent Resolution No. 156, by Mr. Codey, without reference.

Senate No. 3387, by Messrs. Orechio and Bubba, without reference.

Senate No. 3386, by Messrs. Cowan, Jackman and O'Connor, without reference.

Senate No. 3388, by Mr. Dalton, without reference.

Senate No. 3389, by Mr. Russo, without reference.

Senate No. 3390, by Mr. Dalton, without reference.

Senate No. 3391, by Messrs. O'Connor and Cowan, Judiciary Committee.

Senate No. 3392, by Messrs. DiFrancesco, Orechio and Russo, Judiciary Committee.

Senate No. 3393, by Mr. Russo, Labor, Industry and Professions Committee.

Senate No. 3394, by Ms. Lipman and Messrs. Rand, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3395, by Mr. Pallone, without reference.

Senate Nos. 3381, 3382, 3383 and 3387 were taken up, read a second time, and ordered to a third reading.

The Senate moved and acted upon one Ceremonial Resolution.

The Secretary read the following memorandum:

The Office of Legislative Services has received the following material on behalf of the Senate on the date indicated.

9/9/85 COMMISSION TO STUDY THE EMPLOYMENT & COMPENSATION OF AGRICULTURAL LABOR IN NJ (Final Report, August 1985)

9/10/85 STATE LAW ENFORCEMENT AGENCY (Juvenile Justice & Delinquency Prevention Advisory Committee Annual Report)

On motion of Mr. McManimon, Mr. Stockman was added as co-sponsor of Senate No. 3161.

On motion of Ms. Costa, Mr. Van Wagner was added as cosponsor of Senate No. 3317.

On motion of Mr. Stockman, Messrs. Cowan, Jackman and O'Connor were added as cosponsors of Senate No. 2827.

On motion of Mr. Jackman, Mr. Bubba was added as cosponsor of Senate No. 1812.

On motion of Mr. Codey, Mr. Bubba was added as cosponsor of Senate No. 1503.

On motion of Mr. Dorsey, Mr. Bubba was added as cosponsor of Senate No. 3319.

On motion of Mr. Contillo, Mr. Bubba was added as cosponsor of Senate No. 1842.

On motion of Mr. Laskin, Mr. Bubba was added as cosponsor of Senate No. 1879.

On motion of Mr. Laskin, Mr. Bubba was added as cosponsor of Senate No. 1877.

On motion of Mr. Connors, Mr. Bubba was added as cosponsor of Senate No. 330.

On motion of Mr. Foran, Mr. Cardinale was added as cosponsor of Senate No. 3314.

On motion of Mr. Gagliano, Mr. Ewing was added as cosponsor of Senate No. 2860.

On motion of Mr. Contillo, Mr. Rand was added as cosponsor of Senate No. 3317.

Mr. Russo offered the following motions which were read and adopted:

*Be It Resolved*, That the following bills be referred to the Revenue, Finance and Appropriations Committee:

Senate Nos. 2917 and 3056.

*Be It Resolved*, That pursuant to Senate Rule 88, Assembly No. 2074 be referred to the Revenue, Finance and Appropriations Committee.

*Be It Resolved*, That Senate No. 3319 be referred to the Institutions, Health and Welfare Committee.

*Be It Resolved*, That the Revenue, Finance and Appropriations Committee be relieved of Assembly No. 3069 and that the Committee is hereby directed to deliver said bill to the Secretary of the Senate who shall forthwith deliver it to the Clerk of the General Assembly.

On motion of Mr. Van Wagner, Senate No. 3156 was withdrawn from the files.

On motion of Mr. Dalton, Senate No. 3222 was withdrawn from the files.

On motion of Mr. Lesniak, Senate No. 3153 was withdrawn from the files.

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Mr. Russo offered the following resolution which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet at a time to be announced.

On motion of Mr. Russo the Senate then adjourned.

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SATURDAY, September 14, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, September 16, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, September 19, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, September 21, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, September 23, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

THURSDAY, September 26, 1985

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

SATURDAY, September 28, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, September 30, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, October 3, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, October 5, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, October 7, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, October 10, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, October 12, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, October 14, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, October 17, 1985.

The Senate met at 10 a.m .

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, October 19, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, October 21, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, October 24, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, October 26, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, October 28, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, October 31, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, November 2, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, November 4, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, November 7, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, November 9, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

TUESDAY, November 12, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, November 14, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call.

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, November 16, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, November 18, 1985.

At 10:55 a.m. the Senate met.

The Session was opened with prayer.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Caufield, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Garibaldi, Haines, Hurley, Lesniak, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—23.

On motion of Mr. Russo the reading of the Journal of the previous session was dispensed with.

The Secretary read a communication from the Governor, who has line item vetoed Senate No. 3347.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
November 12, 1985. }

SENATE BILL No. 3347

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 15 of the Constitution, I am appending to Senate Bill No. 3347 at the time of signing it, this statement of the items, or parts thereof, to which I object so that each item, or part thereof, so objected to shall not take effect.

This bill establishes within the Department of Environmental Protection a "Sanitary Landfill Closure and Rate Relief Fund," which would be capitalized with a \$30 million General Fund appropriation. Generally, all moneys within the fund would be used for grants and loans to (1) local governments for defraying those portions of increases in solid waste disposal fees which are specifically allocated by the New Jersey Board of Public Utilities (BPU) for future closure costs of operational sanitary landfill facilities, and (2) owners or operators of those facilities for financing the closure of landfills which have already reached capacity and have been closed.

Specifically, the moneys in the Sanitary Landfill Closure and Rate Relief Fund would be dedicated for "eligible" closure projects and could only be expended in accordance with project-specific appropriations thereof by the Legislature. Any acts appropriating moneys from the fund would be required to specify the particular projects to be funded and the terms and conditions of each grant or loan. The annual interest rates on all loans made from the fund could not exceed fifty-percent of the average interest rate for all municipal bonds issued during the last twenty-six weeks preceding the approval of the loans by the Department of Environmental Protection. All principal and interest payments on loans would be

repayable to the fund for future re-appropriation by the Legislature as "second generation" landfill closure loans.

The Department of Environmental Protection would be required to annually provide the Legislature with a recommended project priority list for the awarding of grants and loans from the fund for eligible landfill closure projects. The list, which would be subject to variation by the Legislature, would also include the recommended terms and conditions for all grants and loans. In order to be eligible for assistance from the fund, all landfill owners or operators would be required to submit to the department for its approval a comprehensive financial plan which details all aspects of their respective closure plans.

All eligible landfill closure projects would be given priority for funding as follows: (1) sanitary landfill facilities owned and operated by local governments, which have received out-of-state solid waste for at least six months; (2) all other landfills owned and operated by local governments, and (3) landfills owned and operated by private entities. Landfill closure projects would qualify for grants or loans in accordance with the following eligibility criteria: (1) grants would be issued to local governments for those landfill closure costs apportionable to out-of-state solid waste haulers who are no longer using the subject landfill, which the local governments are therefore responsible for paying either directly as landfill owners and operators, or indirectly as landfill users, through increased solid waste disposal tariffs; (2) below market-rate loans would be issued to local governments for all other closure costs—those apportionable to in-state solid waste; and (3) below market-rate loans would be issued to owners and operators of private landfills for the closure costs of their facilities.

The grant-loan program established in this bill for the closure of sanitary landfills is a component of the ten-bill "compromise" package recently passed by the Legislature for implementation of the New Jersey Environmental Trust program that I announced in my 1985 State-of-the-State message. As I have repeatedly stated during the past nine months, this "pioneer" Trust program will provide *more* local governments with low-interest financing for their landfill closure, resource recovery and wastewater treatment projects on a much *faster*, and therefore, correspondingly *cheaper* basis, than local governments could finance independently through the open public credit markets. By enabling local governments to finance their environmental projects through the innovative financing alternatives available through the Trust program, the state will be accomplishing real and meaningful property tax and user-fee relief for our local citizenry. Without the financing benefits of this nationally acclaimed program, local governments would have been forced to pass their otherwise higher project financing costs through to the local taxpayers. For these reasons, I congratulate the Legislature for approving a workable compromise after three years of discussion on this issue. Any further delay would

have postponed this critically important environmental program for another year, as the required state bond acts would not have been enacted in time to be approved by the voters at the November, 1985 general election.

I am also pleased that the compromise legislation passed by the Legislature is substantially similar in effect to the bills which I had originally proposed for implementation of the Trust program. Significantly, the legislation includes a "Trust" revolving loan program for wastewater treatment projects—one with a cost-saving "leverage financing" component which I have proposed since the beginning of my term as Governor. Also, through increases in the total state contribution for the wastewater treatment and resource recovery components of \$40 million and \$10 million, respectively, the funding capacity of the compromise program in these components is projected to equal that of my original proposed program. Although I believe that the compromise program should undergo certain technical adjustments in order to preserve the operational integrity of the Trust, I am confident that after further consultation with the Legislature these few remaining issues will also be resolved through amendatory legislation.

I am concerned, however, that the compromise program entails a new \$30 million General Fund appropriation for capitalization of the landfill closure component. This unanticipated cash expenditure, which would further reduce the state's projected ending balance for FY 86, contrasts with my proposed funding scenario to capitalize the landfill closure component with \$50 million in state general obligation bond proceeds. With the inclusion of minor appropriations measures pending in the Legislature which I expect to approve, the state's projected FY 86 "surplus" is already approximately 20% below the minimum "2% of budget" level recommended by the State Treasurer.

The above budgetary concerns notwithstanding, there appears to be a general consensus in the Legislature regarding the critical need for this component of the environmental trust program, which is designed to help local governments underwrite their increasing expenses for landfill closures. This need is evidenced by the fact that virtually all of the local governments which utilize private landfills are faced with major tariff increases awarded by the New Jersey Board of Public Utilities (BPU) for closure-related costs; and that local governments which own their own landfills also face substantial closure expenses as they terminate their facilities. Over three-hundred landfills have been shut-down—but not necessarily environmentally closed—during the past several years, and most of the remaining landfill space (11 operational landfills) is either already under court order to close or will be exhausted within two years. Regardless of whether local governments own their own landfills or use private facilities, without state financing assistance they will be forced to underwrite their rising closure expenses through increased property taxes.

The Department of Environmental Protection is presently in the process of developing a comprehensive "state landfill closure plan" which will more accurately identify New Jersey's future landfill closure needs. The plan, which should be completed within the next eight to ten months, will establish a projected time-schedule for necessary landfill closure projects. This "needs" schedule will also project the future funding levels for the landfill closure program which would be sufficient to address the "current" landfill closure needs of all local governments in the ensuing fiscal years. As was acknowledged by the Legislature during discussions regarding landfill closure, once this cost-impact study has been thoroughly reviewed it will be appropriate to begin considering the alternative state sources of stable funding which would be necessary to actually provide financing assistance to all local governments for their respective landfill closure expenses.

Through the operational framework established in this bill—which I am pleased is substantially similar in effect to my original proposed landfill closure component—the state could equitably distribute any state funds available in the future for assisting local governments in financing their landfill closure projects. Significantly, those provisions of this program which establish eligibility and priority criteria for evaluating loan and grant requests are identical to the comparable provisions of my original proposed program.

The Department of Environmental Protection has only begun to identify the needed landfill closure projects which local governments will in the future be required to pay for, either directly as landfill owners, or indirectly through increased tariffs as private landfill users. There are, however, certain specific instances where there are current and compelling needs. The most prominent examples of the State's "current" landfill closure dilemma involve the Parklands and L&D landfills in Burlington County, and the Kinsley landfill in Gloucester County. Those seventeen Burlington County municipalities which utilize the privately owned Parklands landfill have been burdened with a recent four-fold increase in that facility's solid waste disposal tariff—90% of which the BPU allocated for closure costs. Also, this tariff increase will impact upon the nineteen Burlington County municipalities which currently utilize the L&D landfill when that landfill closes in March 1986 and they begin utilizing Parklands. Since the Burlington County Superior Court had ordered Parklands landfill closed by January 1988, the BPU approved an "interim" tariff increase (pending final review) at Parklands which was sufficient to completely underwrite the substantial closure costs of that landfill over the remaining two years that it would be in operation. I believe that there is an inherent inequity in requiring these New Jersey municipalities—over a two-year period—to bear the brunt of paying for closure of a landfill which has been in operation for over thirty years. This is particularly unfair because approximately

50% of the solid waste disposed of at Parklands in recent years is actually apportionable to Philadelphia communities which (since only December 1984 have been prohibited from utilizing the landfill.

Prior to the BPU's final review of Kinsley landfill's rate request, the identical situation essentially existed for the forty-nine Camden, Gloucester and Salem County municipalities which utilize this privately owned landfill in Gloucester County. In response to Kinsley's request for an 800% tariff increase, the BPU had initially awarded an "interim" 229% increase—95% of which was allocated for closure costs. Upon final review, however, the BPU determined that the Kinsley owners had in fact already collected sufficient closure funds, and it awarded a final rate increase of only approximately 40%. More importantly, the BPU ordered Kinsley to make retroactive *refunds* to the affected municipalities and trash disposal companies using the facility, to reflect the reduced tariff. As a result of the BPU's careful review of the history of Kinsley's tariff structure, these New Jersey municipalities not be required to exclusively pay (twice) for closure of a landfill which has been in operation for over twenty-five years—60% of the trash at which is apportionable to Pennsylvania communities which (only recently) are no longer utilizing the facility.

In response to a steady dwindling of available landfill space across the state, New Jersey has been rigorously attempting through the courts to ban the disposal of out-of-state solid waste within our borders. For environmental reasons I fully agree with our state court decisions which prohibit the disposal of out-of-state trash at the above-mentioned three landfills—one of my highest priorities for the upcoming four years is to ensure that New Jersey preserves its capacity to provide adequate and safe trash disposal services for our state citizenry. However, I also recognize and regret the inequitable by-product that Pennsylvania residents will therefore avoid contributing their proportionate share of the closure costs for these facilities.

The Department of Environmental Protection has advised that a minimum of \$8 million is required to effectively address the current inequities at the Parklands and L&D landfills. As stated earlier, the department is currently analyzing the state's other aggregate landfill closure needs and their projected costs. Pending completion of that study, I believe that the landfill closure component of the Trust program should be capitalized for this fiscal year at a level sufficient to provide the above-mentioned thirty-six municipalities which are or will be utilizing Parklands landfill with grants and loans for their proportions of the closure costs of these landfills (payable through increased solid waste disposal tariffs) which are apportionable to Pennsylvania residents. Absent financial assistance from the state, these New Jersey municipalities would be forced to pass their increased landfill closure expenses through to the local taxpayers.

I am therefore reducing the FY 86 General Fund appropriation for the landfill closure component to \$8 million. This funding level is the absolute maximum which the state can afford during this fiscal year in order to preserve the fiscal integrity of its already reduced "mandated surplus."

Accordingly, the appropriation is reduced to \$8 million as follows: *Page 9, Section 9, Line 3*: Delete "\$30,000,000.00" and Insert "\$8,000,000.00"

Respectfully,

/s/ THOMAS H. KEAN,

*Governor.*

[SEAL]

Attest:

/s/ W CARY EDWARDS,

*Chief Counsel to the Governor.*

The President announced receipt of and directed the Secretary to read 17 letters from the Governor, nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be an Administrative Law Judge, Beatrice Tylutki, of Trenton, to succeed herself, for the term prescribed by law.

To be a Judge of the Superior Court, Irvin B. Booker, of Newark, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Daniel R. Coburn, of Mendham, to succeed himself, for the term prescribed by law.

To be a Judge of the Palisades Interstate Park Police Court, Steven J. Zaben, of Englewood Cliffs, for the term prescribed by law.

To be a Judge of the Superior Court, Ariel A. Rodriguez, of North Bergen, for the term prescribed by law.

To be a Judge of the Superior Court, Elaine L. Davis, of Jersey City, for the term prescribed by law.

To be a Judge of the Superior Court, Martin E. Kravarik, of Metuchen, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Paul B. Thompson, of Upper Montclair, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Edmond M Kirby, of Livingston, to succeed himself, for the term prescribed by law.

To be Atlantic County Prosecutor, Jeffrey S. Blitz, of Atlantic City, for the term prescribed by law.

To be Cumberland County Prosecutor, Steven S. Neder, of Millville, for the term prescribed by law.

To be an Administrative Law Judge, R. Jackson Dwyer, of Sea Girt, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Joseph Fidler, of Allentown, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Naomi LaBastille, of West Orange, to succeed herself, for the term prescribed by law.

To be an Administrative Law Judge, Daniel B. McKeown, of Trenton, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Solomon Metzger, of Roosevelt, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, James Ospenson, of West Orange, to succeed himself, for the term prescribed by law.

On motion of Mr. Hurley, Senate No. 894 was withdrawn from the files.

The Secretary read the following memorandum:

The Office of Legislative Services has received the following material on behalf of the Senate on the date indicated.

- 9-16-85 ADMINISTRATIVE OFFICE OF THE COURTS (Report of Jury Operations for 1983-84 Court Year)
- 9-19-85 CASINO CONTROL COMMISSION (Affirmative Action Compliance in the Casino Hotel Industry, 2nd Quarter—1985)
- 9-23-85 ATTORNEY GENERAL'S OFFICE (Quarterly Report of Legislative Agents, June 30, 1985)
- 10-1-85 NJ TRANSIT (1985 Annual Report, Senior Citizen & Disabled Resident Transportation Assistance Program)
- 10-2-85 COMMISSION ON ALCOHOLIC BEVERAGE LIABILITY (Final Report, 9/18/85)
- 10-4-85 DEPARTMENT OF CORRECTIONS (1. Bureau of Parole Annual Report; 2. Annual Report of Parolee Earnings)
- 10-10-85 NJ ADVISORY COUNCIL ON VOCATIONAL EDUCATION (15th Annual Evaluation Report)
- 10-10-85 DIVISION OF CRIMINAL JUSTICE (Presentment of State Grand Jury concerning Clean-up on PCB Contamination in the City of Perth Amboy)
- 10-15-85 DEPT. OF EDUCATION (Commissioner's Annual Report to the Legislature: Implementation of State Facilities Education Act of 1979)
- 10-15-85 PORT AUTHORITY OF NY & NJ (Board Minutes, 10/10/85: Industrial Park, Elizabeth—Lease Agreement with Radiation Technology)

The Secretary read the following memorandum:

The Office of Legislative Services has received the following material on behalf of the Senate on the date indicated.

- 10/18/85 DIVISION OF CRIMINAL JUSTICE (Juvenile Waivers to Adult Court: A report to the NJ Legislature, September 1985)

- 10/31/85 NEW JERSEY TRANSIT (1985 Annual Report)
- 11/4/85 NJ DEVELOPMENTAL DISABILITIES COUNCIL (Charity Racing Days Program Fiscal Expenditure Reports, 1984)
- 11/7/85 CRIMINAL DISPOSITION COMMISSION (14th Annual Report, 10/16/85)
- 11/7/85 DIVISION OF INVESTMENT (Listings of Securities: portfolios of NJ Investment Funds showing Par Values & Book Values, 6/30/85, plus Report on Holdings of Stocks & Bonds of Companies with interests in South Africa)
- 11/7/85 DELAWARE RIVER BASIN COMMISSION (1984 Annual Report)
- 11/14/85 NJ MARINE SCIENCES CONSORTIUM (1983-84 Annual Report, Sea Grant Program)
- 11/15/85 DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT (1984 Annual Report)
- 11/15/85 DIVISION OF STATE LIBRARY (Library Network Report, October 1985)

The Secretary read a memorandum from General Assembly Speaker Karcher, who has made the following commission appointment:

Commission to Investigate the Hazardous Waste Dumping Practices at Military Bases in New Jersey and to Develop Options to Protect the Public Health and Environment:

Assemblyman Thomas A. Pankok to replace  
Assemblyman Byron M. Baer.

The Secretary read a memorandum from General Assembly Speaker Karcher, who has made the following committee appointment:

Labor Committee:

Assemblywoman Angela Perun to replace  
Assemblyman Jorge Rod.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 2539 Aca, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 4161, without reference.

Assembly No. 4209, Natural Resources and Agriculture Committee.

Assembly No. 4161 was taken up, read a second time, and ordered to a third reading.

The Aging Committee reported the following bills favorably without amendment:

Assembly No. 357, Senate Nos. 3258, 3252, 3260 and Assembly No. 3506 (OCR).

The Aging Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 3304 Sea and 3313 SCS.

The Education Committee reported the following bill favorably without amendment:

Assembly No. 2583 (OCR).

The Education Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly Nos. 607 ACS Sea and 3517 (OCR) Sea.

The Education Committee reported the following bills favorably without amendment:

Assembly Nos. 3234 (OCR), 3121/3131 ACS, 83 (OCR), 278, Senate Nos. 2919 and 3065.

The Education Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 3201 Sea and 3329 Sea.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 3396, by Mr. Laskin, Labor, Industry and Professions Committee.

Senate No. 3397, by Mr. Haines, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3398, by Mr. Lesniak, Institutions, Health and Welfare Committee.

Senate No. 3399, by Mr. Lesniak, Law, Public Safety and Defense Committee.

Senate No. 3400, by Mr. Laskin, Revenue, Finance and Appropriations Committee.

Senate No. 3401, by Mr. Lesniak, Energy and Environment Committee.

Senate No. 3402, by Mr. Codey, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3403, by Mr. Garibaldi, Law, Public Safety and Defense Committee.

Senate No. 3404, by Mr. Lynch, Judiciary Committee.

Senate No. 3405, by Mr. Foran, Education Committee.

Senate No. 3406, by Mr. Cardinale, Institutions, Health and Welfare Committee.

Senate No. 3407, by Mr. Connors, Labor, Industry and Professions Committee.

Senate No. 3408, by Mr. Dumont, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3410, by Mr. Ewing, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3411, by Mr. Contillo, Energy and Environment Committee.

Senate No. 3412, by Mr. Hurley, Education Committee.

Senate No. 3413, by Mr. Caufield, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate No. 3414, by Mr. Dalton, Law, Public Safety and Defense Committee.

Senate No. 3415, by Mr. DiFrancesco, Institutions, Health and Welfare Committee.

Senate No. 3416, by Mr. Pallone, Education Committee.

Senate No. 3417, by Mr. Garibaldi, County and Municipal Government Committee.

Senate No. 3418, by Mr. Ewing, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate Concurrent Resolution No. 157, by Mr. Bassano, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Senate Resolution No. 103, by Messrs. Van Wagner, Russo, Lynch, Feldman, Orechio and Codey, without reference.

Senate Joint Resolution No. 74, by Ms. Costa, Messrs. Foran and Haines, without reference.

Senate No. 3419, by Messrs. Weiss, Van Wagner, Pallone, Orechio, Ms. Lipman, Ms. Costa, Messrs. Foran, Lynch and Stockman, without reference.

Senate No. 3420, by Mr. Caufield and Ms. Lipman, County and Municipal Government Committee.

Senate Joint Resolution No. 75, by Mr. Weiss, without reference.

Senate No. 3421, by Messrs. Russo and Connors, Judiciary Committee.

Senate No. 3422, by Mr. Cody, Institutions, Health and Welfare Committee.

Senate No. 3423, by Mr. Lesniak, Energy and Environment Committee.

Senate No. 3424, by Mr. Contillo, without reference.

Senate No. 3425, by Mr. Lynch, without reference.

Senate No. 3426, by Mr. Bassano, without reference.

Senate No. 3427, by Mr. Weiss, without reference.

Senate No. 3428, by Mr. Foran and Ms. Brown, without reference.

Senate No. 3429, by Ms. Brown, Messrs. O'Connor, McManimon and Foran, without reference.

Senate No. 3430, by Messrs. Orechio and Foran, without reference.

Senate Joint Resolution No. 76, by Mr. Caufield, without reference.

Senate No. 3431, by Messrs. Orechio and Russo, Transportation and Communications Committee.

Senate No. 3432, by Mr. Feldman, Revenue, Finance and Appropriations Committee.

Senate No. 3433, by Mr. DiFrancesco, Education Committee.

Senate No. 3434, by Mr. Van Wagner, without reference.

Senate No. 3435, by Mr. Dalton, without reference.

Senate No. 3436, by Mr. Orechio, without reference.

Senate No. 3437, by Mr. Cowan, without reference.

Senate No. 3438, by Mr. Orechio, without reference.

Senate Concurrent Resolution No. 158, by Messrs. Connors, Cowan, Jackman, Orechio and Ewing, without reference.

Senate Resolution No. 104, by Messrs. Contillo, Lesniak, Dalton and Russo, without reference.

Senate No. 3439, by Mr. Orechio, Judiciary Committee.

Senate No. 3440, by Messrs. Pallone and Van Wagner, Revenue, Finance and Appropriations Committee.

Senate No. 3441, by Messrs. Pallone and Lynch, County and Municipal Government Committee.

Senate No. 3442, by Messrs. Pallone and Van Wagner, Energy and Environment Committee.

Senate No. 3443, by Mr. Russo, Labor, Industry and Professions Committee.

Senate No. 3444, by Messrs. Pallone and Van Wagner, Revenue, Finance and Appropriations Committee.

Senate No. 3445, by Messrs. Weiss, Contillo, Dalton, Rand, Zane, Van Wagner, Orechio, Ms. Lipman, Ms. Costa, Messrs. Foran, Stockman, Feldman, Caufield and McManimon, Revenue, Finance and Appropriations Committee.

Senate Resolution No. 105, by Ms. Costa, Aging Committee.

Senate No. 3304 Sea, Assembly No. 357, Senate Nos. 3260, 3258, 3252, Assembly No. 3506, Senate Nos. 3313 SCS, 2919, 3201, 3065, 3329, Assembly Nos. 83, 278, 607 Sea, 3121, 3234, 3517 Sea and 2583 were taken up, read a second time, and ordered to a third reading.

The Secretary read communications from the Governor who has absolutely vetoed the following bills which were then filed:

Senate No. 417 (OCR), 1031, 2683, 2821 (OCR) and 3261.

STATE OF NEW JERSEY,        }  
 EXECUTIVE DEPARTMENT,       }  
 November 12, 1985.        }

## SENATE BILL No. 417 (OCR)

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 417 (OCR) without my signature.

Senate Bill No. 417 (OCR) would allow a retired public employee who is hired or rehired into a position of employment with the State of New Jersey to receive a lump sum payment for unused sick leave upon termination from the position of New Jersey State employment. This bill would apply to individuals who were members of a New Jersey State administered pension system or a pension system established under the law of any other state.

Current law allows New Jersey State employees to receive a lump sum payment for unused sick leave upon retirement from a New Jersey State administered pension system. However, an individual who is receiving a retirement allowance from a New Jersey State administered pension system or from a pension system established under the law of any other state is prohibited from re-enrolling or enrolling in a New Jersey State administered pension system if he is hired or rehired into a position of State employment. As a result, these individuals are ineligible for the lump sum payment for unused sick leave upon termination of employment due to the fact that they cannot become members of a New Jersey State administered pension system. The effect of Senate Bill No. 417 (OCR) would be to allow these individuals to receive this benefit.

Senate Bill No. 417 (OCR) is contrary to the purpose for which the lump sum payment for unused sick leave is intended. This payment is intended as an additional benefit to a retiring State employee. The payment was not intended for an individual who has chosen New Jersey State employment for a second career, is already receiving a retirement allowance as a result of membership in a New Jersey State administered pension system or pension system established under the law of another state and will not work as many years as an individual who served the State in his primary career. As such, granting a lump sum payment for unused sick leave to individuals who will be affected by Senate Bill No. 417 (OCR) is unjustified.

Accordingly, I herewith return Senate Bill No. 417 (OCR) without my signature.

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

MONDAY, NOVEMBER 18, 1985

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STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
November 12, 1985. }

## SENATE BILL NO. 1031

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1031 without my signature.

This bill removes a provision from the "Local Housing Authorities Law," P. L. 1938, c. 19 (C. 55:14A-1 et seq.), and grants tenure to persons holding the position of secretary and executive director of municipal housing authorities if that person has held the position for five continuous years from the date of appointment. It would require that any person holding this position not be removed except for good cause after a trial. This bill would have the effect of granting a lifetime position to people who have held this position for five continuous years without regard to any performance criteria. I believe that this bill is counterproductive to efforts we have made in New Jersey to make government and government officials more responsive to the general public and local community.

Virtually, no issue has been of greater concern to New Jersey's municipalities than housing. It is therefore imperative that we have the most competent and capable people in municipal housing authorities. Tenure does not insure this. Rather this bill creates bad policy which is contrary to my belief in increased flexibility under my proposed Civil Service reform.

By nature, the position of secretary and executive director of a municipal housing authority must be responsive to the needs of our local communities. It is my belief that the current system by which these positions are selected is adequate. It enables local elected officials the latitude needed to implement their housing agendas and in turn makes housing officials more sensitive to community concerns in the housing area.

While I am sure most individuals affected by this bill would be excellent candidates for permanent appointment to these housing authority positions, I cannot sanction the supplanting of our Civil Service Laws (which place these positions in the unclassified status) by granting this tenure.

Accordingly, I herewith return Senate Bill No. 1031 without my approval.

Respectfully,

/s/ THOMAS H. KEAN,

Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
November 12, 1985. }

## SENATE BILL NO. 2683

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2683 without my signature.

This bill would permit the sheriffs of each county to appoint a number of persons, not to exceed 15 percent of the total number of law enforcement personnel employed by the sheriff, to the position of sheriff's investigator. All sheriff's investigators would serve at the pleasure of the sheriff and be included in the unclassified service of Civil Service. A sheriff's investigator appointed pursuant to this bill would have the same compensation, benefits, duties, powers and police officer status as is granted to other sheriff's officers.

I support the concept of reform of the Civil Service system to permit greater flexibility within public employment. To the extent that legitimate flexibility would be permitted under this bill, I support it. I believe, however, that Civil Service reform should be examined by the Legislature comprehensively, and not on a piecemeal basis.

I take this opportunity to point out once again that the Civil Service system has not been revised or modernized in any significant way since its enactment in 1908. Four former Governors of New Jersey, as well as management consultants and specialists, have all recommended major reforms in the system. Yet as of today, the Legislature has taken no action.

Since the beginning of my Administration, I have made Civil Service reform a priority and have publicly urged legislative action in this area on many occasions. Rather than considering my proposals for reform, however, the Legislature has chosen instead to submit to me a steady stream of bills designed to carve narrow exceptions that further erode a Civil Service system already hopelessly outdated by time and circumstance.

I believe that a delay of nearly three years in implementing a program that enjoys widespread support and that is clearly in the best interest of the State and the taxpayers is inexcusable. The failure of the Legislature to enact any meaningful reform of the State's Civil Service system has denied the government and the taxpayers who support it greater efficiency and economy in government operations.

Accordingly, I herewith return Senate Bill No. 2683 without my signature.

Respectfully,

/s/ THOMAS H. KEAN,

Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
November 12, 1985. }

SENATE BILL No. 2821 (OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2821 without my signature.

The New Jersey Pollutant Discharge Elimination System (NJPDDES) program, which is administered by the Department of Environmental Protection pursuant to the Water Pollution Control Act of 1977 (the Act), requires that the Commissioner of the Department of Environmental Protection (DEP) issue permits to those seeking to discharge pollutants into our surface and ground waters. Pursuant to the Act, a NJPDDES permit specifies how often a pollutant may be discharged by the permittee, sets limits on the toxicity level of the effluent discharged and requires the permittee to periodically test its effluents and to submit the results to the DEP Commissioner (Commissioner). Before a given laboratory's test results are acceptable to the Commissioner, however, that laboratory must be certified by the DEP. Such certification, whether it be issued to a permittee's in-house laboratory or to a commercial laboratory, assures the DEP of that laboratory's competency to perform the necessary testing.

This bill is aimed at NJPDDES applicants and permittees who have violated the conditions of their NJPDDES permit or any other environmental laws. Specifically, the bill requires that any NJPDDES permit issued or renewed to these applicants or permittees after its effective date must contain a provision requiring them to have their effluents tested at a DEP certified laboratory which they do not own or manage.

Preliminarily, this bill appears to be based upon two assumptions. First, the bill assumes that there is something inherently wrong with "self-monitoring", the enforcement approach whereby permittees police themselves and advise a regulatory agency when they have violated environmental laws. Second, the bill assumes that tests performed by outside commercial laboratories are more accurate and their results more credible than those of in-house laboratories.

Self-monitoring is an integral part of environmental programs at both the federal and State levels and is the enforcement approach employed pursuant to the federal Clean Water Act and Resource Conservation and Recovery Act (RCRA) as well as the State Safe Drinking Water Act, Water Pollution Control Act and Air Pollution Control Act. I am aware of no studies or other analyses that have been conducted to date which suggest that self-monitoring is an unworkable or inherently unreliable enforcement concept. In fact, according to the DEP, the overwhelming majority of all environmental law violations are brought to the attention of that agency by the violators themselves.

A basis is similarly lacking for the bill's second assumption that a commercial laboratory's test results are more reliable than those of an in-house laboratory since commercial laboratories are less likely to engage in collusive activities with a permittee or to tamper with test results. Under the existing NJPDES Program, regardless of whether a commercial or in-house laboratory performs the testing, it is the permittee, not the laboratory director, who must certify as to the accuracy of the test results before they are submitted to the DEP. Accordingly, it is the permittee who has direct control over the laboratory test results just before they are forwarded to the DEP. This fact alone would appear to refute the bill's second assumption. In addition, however, the stiff penalties available for the falsification of test results are not levied against laboratory directors, in any instance, since only permittees have certified as to the accuracy of the results submitted. Accordingly, an outside commercial laboratory has no greater incentive against "conspiring" with a permittee than an in-house laboratory since, in either case, it is only the permittee that will ultimately be penalized upon a finding that test results were falsified.

The bill ignores the fact that the DEP can currently, by stipulation in a permit, require a permittee to use an outside commercial laboratory. The bill also fails to consider that the DEP is presently empowered by statute to revoke, suspend or modify a permittee's permit for any violation of the terms of that permit or of the Water Pollution Control Act. Under existing law, if the DEP determines that a permittee's in-house laboratory is inadequate, it can refuse to certify that laboratory. If the DEP determines that the laboratory is inadequate once certified, it can modify a permittee's NJPDES permit to require use of an outside commercial laboratory. If the permittee refuses to comply with this condition, once imposed, the DEP can revoke its permit. This bill would take away the Commissioner's discretion in all circumstances and require a NJPDES permittee to use a commercial laboratory for the testing of its effluents, after any violation of environmental laws. Pursuant to the bill, this sanction is mandatory irrespective of the violation's magnitude or severity and irrespective of whether the violation was related, in any way, to the permittee's participation in the NJPDES program.

Also, at the present time, if a NJPDES permittee, utilizing an in-house laboratory, provides the DEP with test results indicating violations of its permit, the DEP is empowered to modify that permittee's permit to require the use of an outside commercial laboratory. Of course, this would likely *not* be the approach the DEP would take in that circumstance since merely changing laboratories will not solve the underlying problem. Simply stated, an in-house laboratory's detection of a violation has no logical nexus to prohibiting further use of that laboratory. This is precisely why this bill, which would statutorily require this approach to be taken in this circumstance, provides a "penalty" unrelated to the "crime".

In addition this bill is overly broad in scope in that it mandates that a permittee lose the ability to use its in-house laboratory for NJPDES purposes upon violating *any* environmental law, rule or regulation, regardless of whether the violation is significant or not and regardless of whether the law, rule or regulation violated is in any way related to the permittee's participation in the NJPDES program.

I also note that the bill is open ended as to how long its sanction applies. By the bill's terms, a permittee loses the ability to use its in-house laboratory for NJPDES purposes *ad infinitum*. Accordingly, if, for example, a facility owned by a NJPDES permittee, which is unrelated to the facility for which the NJPDES permit was issued, emits fumes which exceed, in an insignificant way, existing air quality standards, that permittee would forever be required to use an outside commercial laboratory for the testing of its NJPDES effluents.

For all of these reasons, I have determined that this bill, as presently written, is inequitable and unreasonable and would serve as a disincentive to the reporting of all environmental law violations by NJPDES permittees. This bill proposes a "solution" before a problem has even been identified and that "solution" is inappropriate and illogical, given the statutory and regulatory scheme which governs the NJPDES program.

However, since the integrity of the "self-monitoring" enforcement approach, as employed in connection with the NJPDES program, has been called into question, I shall ask the Clean Water Council, which was created by the Water Pollution Control Assistance Act, through the DEP, to review the self-monitoring issue in a comprehensive manner and to offer recommendations as to how we might improve our enforcement approach should it be determined that such improvement is necessary in connection with the NJPDES program.

Accordingly, I herewith return Senate Bill No. 2821 without my approval.

Respectfully,

/s/ THOMAS H. KEAN,

Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
November 12, 1985. }

## SENATE BILL No. 3261

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 3261 without my signature.

This is the second bill providing for the establishment of a surplus revenue fund to reach my desk. On August 28, I returned the previous bill, Senate Bill No. 2174, to the Senate with my recommendations for reconsideration. The present bill incorporates only some of those recommendations, dealing with technical matters, and fails to address my substantive concerns with Senate Bill No. 2174. In particular, this bill continues to provide excessively restrictive conditions on appropriations from the surplus revenue fund and to require more than a nominal contribution to the fund from anticipated resources for the 1986 fiscal year.

Accordingly, I herewith return Senate Bill No. 3261 without my signature and renew my recommendations for amendments to Senate Bill No. 2174.

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,  
Governor.

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel to the Governor.

The Secretary read communications from the Governor who has conditionally vetoed the following bills:

Senate Nos. 1282 (OCR) ev and 1744 (3rd OCR) ev.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
November 12, 1985. }

## SENATE BILL No. 1282 (OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1282 (OCR) with my objections and recommendations for amendment.

This legislation requires that educational programs be provided to eligible juveniles who are temporary residents in county residential facilities. County facilities are defined as facilities for the temporary residential care of children which are operated by or under contract to a county, and include county shelters, detention centers and juvenile shelters. The cost of these educational programs is to be divided equally between the State and the counties.

I strongly applaud the intent of this legislation, which represents a long overdue attempt to provide educational programs to these children. However, I am compelled to return this bill to the Legislature in order to make its funding mechanism consistent with other educational programs offered to children in specialized facilities.

For example, I note that local school districts are required to pay the cost of educating nontraditional students, such as students with special needs who are placed in private facilities and children who are placed by the courts in State correctional facilities. These expenses are offset by State equalization aid ranging from 10% to 90% of the actual cost, depending on the property wealth of the local district. I believe that the funding for students in county facilities should be provided through this existing framework rather than through the creation of yet another component to the already complicated school aid formula. Furthermore, I am directing the State and Local Expenditure and Revenue Policy Commission created pursuant to P. L. 1984, c. 213 to consider this issue as part of its comprehensive analysis of State and local government revenue and spending patterns.

Therefore, I herewith return Senate Bill No. 1282 (OCR) and recommend that it be amended as follows:

*Page 1 and 2, Section 2, Lines 16-21:* Delete in entirety

*Page 3, Section 4, Line 4:* Delete "180" and insert "240"

*Page 3, Section 4, Line 7:* After "ratios" insert "the method of determining actual costs and district of residence;"

*Page 4, Section 7, Line 15:* Delete "net". After "commissioner" insert ", including transportation"

*Page 4, Section 7, After Line 16:* Insert new paragraphs as follows:

"As the close of the 1986-87 school year and each year thereafter, the commissioner shall determine the district of residence in accordance with the criteria contained in N. J. S. 18A:7B-12 and the actual cost per pupil at each county facility. The commissioner shall, on or before November 1, certify the cost per pupil to the district of residence. The amount certified shall be paid to the county governing body by the district residence of each child in the year following the year in which the child attended the county facility in two equal installments on September 1 and March 1 of each school year.

Any amounts necessary to be paid by the district of residence shall be added to the adjusted net current expense budget and the net current expense budget of the district of residence for purposes of determining the maximum budget permitted under N. J. S. 18A:7A-25 and State aid for the second year following the year in which the child attended the county facility."

*Page 4, Section 8, Lines 1-16:* Delete in entirety

*Page 4, Section 9, Lines 1-5:* Delete in entirety

*Page 4, Section 10, Line 1:* Delete "10." and insert "8.". Delete "State aid paid" and insert "School district payments"

*Page 5, Section 11, Line 1:* Delete "11." and insert "9."

*Page 5, Section 11, Lines 10-14:* Delete "When a child residing in a county facility is provided an" on line 10; delete lines 11-14 in entirety

*Page 5, Section 11, After Line 14:* Insert new section as follows:

"10. The State and Local Expenditure and Revenue Policy Commission established pursuant to P. L. 1984, c. 213 shall study the funding of educational programs in county facilities and include its conclusions regarding this subject in its final report."

*Page 5, Section 12, Line 1:* Delete "12." and insert "11."

*Page 5, Section 12, Lines 2-4:* After "purposes" delete "; however, State aid pursuant to" on line 2; delete line 3 in its entirety; delete "ning on July 1, 1985" on line 4; insert "and shall be implemented in the 1986-87 school year"

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

STATE OF NEW JERSEY,

EXECUTIVE DEPARTMENT,

November 12, 1985. }

SENATE BILL No. 1744 (3rd OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1744 (3rd OCR) with my recommendations for reconsideration.

Senate Bill No. 1744 (3rd OCR) would raise the advertised bidding threshold to \$7,500.00 on contracts awarded by various public agencies. Commencing January 1, 1986, the Governor, in consultation with the Department of the Treasury, would be required, no later than March 1 of each even-numbered year, to adjust the advertised bidding thresholds in direct proportion to a rise or fall in the Consumer Price Index. The Governor also would be required to notify the appropriate public agency of any adjustment by June 1 of each even-numbered year. The adjustments will take effect on July 1 of each even-numbered year.

I support the concept expressed within Senate Bill No. 1744 (3rd OCR). I am advised that the current advertised bidding thresholds do not reflect the economic condition of the marketplace and have impeded the various public agencies in the performance of their duties. Raising the advertised bidding threshold to \$7,500.00 will result in a monetary savings and will ease the administrative burden for the public agencies affected by this bill.

Despite my support for the concept expressed within Senate Bill No. 1744 (3rd OCR), I must return the bill so that technical amendments can be made to conform the bill to current law.

Section 14 of Senate Bill No. 1744 (3rd OCR) and R. S. 58:14-22, as amended by P. L. 1984, c. 220, amend the advertised bidding threshold within the law governing the Passaic Valley Sewerage District. Both bills raise the advertised bidding threshold to

\$7,500.00, but conflict on when the threshold will be adjusted in the future. R. S. 58:14-22 provides for odd-numbered year adjustments commencing in 1985, and section 14 of Senate Bill No. 1744 (3rd OCR) provides for even-numbered year adjustments commencing in 1986. I recommend that section 14 of Senate Bill No. 1744 (3rd OCR) be deleted from the bill, so that R. S. 58:14-22, as amended by P. L. 1984, c. 220, will remain unchanged.

Similarly, section 17 of Senate Bill No. 1744 (3rd OCR) and Senate Bill No. 3246, also presented to me for signature, amend the advertised bidding thresholds for purchases or agreements made and contracts awarded by the executive departments of State Government. Both bills raise the advertised bidding threshold on contracts or agreements for the purchase of goods and services to \$7,500.00. However, I favor Senate Bill No. 3246 because it also makes the following desired changes: (1) it raises the construction contract advertised bidding threshold from \$10,000.00 to \$25,000.00, (2) it makes a technical amendment to reflect the enactment of P. L. 1984, c. 34, a statute that creates the General Services Administration within the Department of the Treasury; and (3) it provides for an immediate adjustment to the advertised bidding thresholds and thereafter adjustments during odd-numbered years (section 17 of Senate Bill No. 1744 (3rd OCR) provides for future adjustments to the advertised bidding thresholds during each even-numbered year commencing in 1986). I recommend that section 17 of Senate Bill No. 1744 (3rd OCR) be deleted, since I have already signed Senate Bill No. 3246, which addresses the same issue in a more complete way.

Finally, I recommend that the remaining sections of Senate Bill No. 1744 (3rd OCR) be amended to provide for an immediate adjustment to the advertised bidding threshold and thereafter adjustments during each odd-numbered year. This amendment will enable the public agencies affected by Senate Bill No. 1744 (3rd OCR) to realize the additional financial and administrative savings that will accompany an immediate adjustment to the advertised bidding threshold. This amendment also will conform the bill to the current laws affecting other public agencies, which provide for adjustments in odd-numbered years.

Accordingly, I herewith return Senate Bill No. 1744 (3rd OCR) and recommend that it be amended as follows:

*Page 1, Title, Line 2:* Delete "and" insert ";

*Page 1, Title, Line 3:* After "law" insert "and providing for an immediate adjustment of threshold amounts"

*Page 2, Section 1, Line 5:* Delete ", after June 30, 1986,"

*Page 3, Section 1, Line 27:* Delete "Commencing January 1, 1986, the" insert "The"

*Page 3, Section 1, Lines 29-30:* Delete "even-numbered" insert "odd-numbered"

*Page 3, Section 1, Line 31:* Delete "1986" insert "1985"

*Page 3, Section 1, Line 33:* After "section" insert "or section 17 of P. L. , c. (now pending before the Legislature as this bill)"

*Page 3, Section 1, Line 37:* Delete "even-numbered" insert "odd-numbered"

*Page 3, Section 1, Line 39:* Delete "even-numbered" insert "odd-numbered"

*Page 4, Section 2, Lines 47-48:* Delete ", after June 30, 1986,"

*Page 5, Section 2, Lines 58-59:* Delete "Commencing January 1, 1986, the" insert "The"

*Page 5, Section 2, Line 61:* Delete "even-numbered" insert "odd-numbered"

*Page 5, Section 2, Line 63:* Delete "1986" insert "1985"

*Page 5, Section 2, Line 64:* After "subsection" insert "or section 17 of P. L. , c. (now pending before the Legislature as this bill)"

*Page 5, Section 2, Line 68:* Delete "even-numbered" insert "odd-numbered"

*Page 5, Section 2, Lines 69A-69B:* Delete "even-numbered" insert "odd-numbered"

*Page 8, Section 3, Lines 4-5:* Delete ", after June 30, 1986,"

*Page 8, Section 3, Line 9:* Delete "Commencing January 1, 1986, the" insert "The"

*Page 9, Section 3, Lines 11-12:* Delete "even-numbered" insert "odd-numbered"

*Page 9, Section 3, Line 13:* Delete "1986" insert "1985"

*Page 9, Section 3, Line 14:* After "subsection" insert "or section 17 of P. L. , c. (now pending before the Legislature as this bill)"

*Page 9, Section 3, Line 19:* Delete "even-numbered" insert "odd-numbered"

*Page 9, Section 3, Line 23:* Delete "even-numbered" insert "odd-numbered"

*Page 9, Section 4, Line 4:* Delete "after June 30, 1986"

*Page 9, Section 5, Lines 5-6:* Delete ", after June 30, 1986,"

*Page 9, Section 5, Line 12:* Delete "Commencing January 1, 1986, the" insert "The"

*Page 9, Section 5, Lines 14-15:* Delete "even-numbered" insert "odd-numbered"

*Page 9, Section 5, Line 16:* Delete "1986" insert "1985"

*Page 9, Section 5, Line 18:* After "section" insert "or section 17 of P. L. , c. (now pending before the Legislature as this bill)"

*Page 10, Section 5, Line 22:* Delete "even-numbered" insert "odd-numbered"

*Page 10, Section 5, Line 24:* Delete "even-numbered" insert "odd-numbered"

*Page 11, Section 6, Line 12:* Delete ", after June 30, 1986,"

*Page 11, Section 6, Line 27:* Delete "Commencing January 1, 1986, the" insert "The"

*Page 11, Section 6, Lines 29-30:* Delete "even-numbered" insert "odd-numbered"

*Page 11, Section 6, Line 31:* Delete "1986" insert "1985"

*Page 11, Section 6, Line 33:* After "subsection" insert "or section 17 of P. L. . . . , c. . . . (now pending before the Legislature as this bill)"

*Page 11, Section 6, Line 37:* Delete "even-numbered" insert "odd-numbered"

*Page 12, Section 6, Line 39:* Delete "even-numbered" insert "odd-numbered"

*Page 12, Section 7, Line 13:* Delete "after June 30, 1986"

*Page 12, Section 8, Line 7:* Delete "after June 30, 1986"

*Page 13, Section 9, Lines 10-11:* Delete "after June 30, 1986"

*Page 13, Section 10, Line 7:* Delete "after June 30, 1986"

*Page 15, Section 11, Lines 24-25:* Delete ", after June 30, 1986,"

*Page 15, Section 11, Line 37:* Delete "Commencing January 1, 1986, the" insert "The"

*Page 15, Section 11, Lines 39-40:* Delete "even-numbered" insert "odd-numbered"

*Page 15, Section 11, Line 41:* Delete "1986" insert "1985"

*Page 15, Section 11, Line 43:* After "subsection" insert "or section 17 of P. L. . . . , c. . . . (now pending before the Legislature as this bill)"

*Page 16, Section 11, Line 47:* Delete "even-numbered" insert "odd-numbered"

*Page 16, Section 11, Lines 49-50:* Delete "even-numbered" insert "odd-numbered"

*Page 16, Section 12, Line 5:* Delete ", after June 30, 1986,"

*Page 16, Section 12, Line 10:* Delete "Commencing January 1, 1986, the" insert "The"

*Page 16, Section 12, Lines 12-13:* Delete "even-numbered" insert "odd-numbered"

*Page 16, Section 12, Line 14:* Delete "1986" insert "1985"

*Page 16, Section 12, Line 16:* After "section" insert "or section 17 of P. L. . . . , c. . . . (now pending before the Legislature as this bill)"

*Page 16, Section 12, Line 20:* Delete "even-numbered" insert "odd-numbered"

*Page 16, Section 12, Line 22:* Delete "even-numbered" insert "odd-numbered"

*Page 16, Section 13, Line 5:* Delete “, after June 30, 1986,”

*Page 17, Section 13, Line 21:* Delete “Commencing January 1, 1986, the” insert “The”

*Page 17, Section 13, Lines 23-24:* Delete “even-numbered” insert “odd-numbered”

*Page 17, Section 13, Line 25:* Delete “1986” insert “1985”

*Page 17, Section 13, Line 27:* After “subsection” insert “or section 17 of P. L. . . . , c. . . . (now pending before the Legislature as this bill)”

*Page 17, Section 13, Line 31:* Delete “even-numbered” insert “odd-numbered”

*Page 17, Section 13, Line 33:* Delete “even-numbered” insert “odd-numbered”

*Pages 17-18, Section 14, Lines 1-32:* Delete in its entirety

*Page 18, Section 15, Line 1:* Delete “15.” insert “14.”

*Page 18, Section 15, Lines 8-9:* Delete “, after June 30, 1986,”

*Page 18, Section 15, Line 31:* Delete “Commencing January 1, 1986, the” insert “The”

*Page 18, Section 15, Lines 33-34:* Delete “even-numbered” insert “odd-numbered”

*Page 18, Section 15, Line 35:* Delete “1986” insert “1985”

*Page 19, Section 15, Line 37:* After “section” insert “or section 17 of P. L. . . . , c. . . . (now pending before the Legislature as this bill)”

*Page 19, Section 15, Line 41:* Delete “even-numbered” insert “odd-numbered”

*Page 19, Section 15, Line 43:* Delete “even-numbered” insert “odd-numbered”

*Page 19, Section 16, Line 1:* Delete “16.” insert “15.”

*Page 19, Section 16, Line 4:* Delete “, after June 30, 1986,”

*Page 20, Section 16, Line 40:* Delete “Commencing January 1, 1986, the” insert “The”

*Page 20, Section 16, Lines 42-43:* Delete “even-numbered” insert “odd-numbered”

*Page 20, Section 16, Line 44:* Delete “1986” insert “1985”

*Page 20, Section 16, Line 46:* After “section” insert “or section 17 of P. L. . . . , c. . . . (now pending before the Legislature as this bill)”

*Page 20, Section 16, Line 50:* Delete “even-numbered” insert “odd-numbered”

*Page 20, Section 16, Line 52:* Delete “even-numbered” insert “odd-numbered”

*Pages 20-21, Section 17, Lines 1-51:* Delete in its entirety

*Page 21, Section 18, Line 1:* Delete “18.” insert “16.”

*Page 21, Section 18, Lines 9-10:* Delete "after June 30, 1986"

*Page 22, Section 18, After Line 20:* Insert new section as follows:

"17. (New section) The Governor shall adjust immediately the threshold amounts set forth in this 1985 amendatory and supplementary act in direct proportion to the rise or fall of the Consumer Price Index for all urban consumers in the New York City and the Philadelphia areas as reported by the United States Department of Labor. The immediate adjustments shall become effective on the 30th day after the Administrator of the General Services Administration in the Department of the Treasury notifies the appropriate public entities."

*Page 23, Section 19, Line 1:* Delete "19." insert "18."

Respectfully,

[SEAL]

/s/ THOMAS H. KEAN,

Attest:

Governor.

/s/ W. CARY EDWARDS,

Chief Counsel to the Governor.

The Judiciary Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2937 Sea, 3033 Sea, 3121 Sea, Assembly Nos. 353 (OCR) Sea, 1993 (OCR) Sea, 2082 (OCR) Sea, 2098 Sea and 2745 (OCR) Sea.

The Judiciary Committee reported the following bills favorably without amendment:

Senate No. 2732, Assembly No. 2110, Senate Nos. 3035, 3193, Assembly No. 2073, Senate Nos. 3337, 3095, Assembly No. 3736, Senate No. 3107, Assembly Nos. 2048 and 972.

Senate Nos. 3033 Sea, 2937 Sea, Assembly Nos. 972, 2082 (OCR) Sea, 2048, Senate Nos. 3121 Sea, 3095, Assembly No. 3736, Senate No. 3107, Assembly Nos. 2098 Sea, 2073, Senate No. 3337, Assembly Nos. 2745 (OCR) Sea, 1993 (OCR) Sea, Senate No. 2732, Assembly No. 2110, Senate Nos. 3035, 3193 and Assembly No. 353 (OCR) Sea were taken up, read a second time, and ordered to a third reading.

Quorum call after recess—3:15 p.m.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—35.

The Secretary announced the receipt of the "Certificate of Election" for Henry P. McNamara from the Secretary of State for the position of State Senator from the 40th Legislative District.

## STATE OF NEW JERSEY

## CERTIFICATE OF ELECTION

The Board of State Canvassers hereby determines that at a Special Election held in the said State on the Fifth day of November in the year of our Lord one thousand nine hundred and eighty-five

## HENRY P. McNAMARA

was duly elected to fill a vacancy as a member of the State Senate from the Fortieth Legislative District, to represent the State of New Jersey in the Two Hundred First Legislature.

*In Testimony Whereof*, are hereunto affixed my hand and the Official Seal at Trenton this Eighteenth day of November A.D., 1985.

[SEAL]

/s/ JANE BURGIO,  
*Secretary of State.*

Mr. Gagliano gave the Oath of Office to Henry P. McNamara.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of New Jersey.

I do further solemnly swear that I will faithfully, impartially and justly perform all the duties of the office of Senator to the best of my ability and understanding; that I will carefully preserve all records, papers, writings, or property entrusted to me for safe-keeping by virtue of my office, and make such disposition of the same as may be required by law.

/s/ HENRY P. McNAMARA,  
*Senator—40th District.*

Sworn and subscribed before me  
this eighteenth day of November, A.D., 1985.

/s/ S. THOMAS GAGLIANO.

Mr. McNamara addressed the Senate.

The Judiciary Committee reported the following nominations favorably:

To be a member of the Crime Prevention Advisory Council, Duff P. Dufresne, of Chester, for the term prescribed by law.

To be a member of the Palisades Interstate Park Commission, Malcolm A. Borg, of Tenafly, to succeed himself, for the term prescribed by law.

To be a member of the Pinelands Municipal Property Tax Stabilization Commission, Robert A. Depetris, of Chatsworth, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Jack Paccenda, of Morris Plains, to succeed Ronald Matullo, for the term prescribed by law.

To be a member of the New Jersey Racing Commission, Dr. Daniel A. Monaco, of Woodbury, for a two year term.

To be a member of the Hotel and Multiple Dwelling Health and Safety Board, Floyd Scott, of Farmingdale, to succeed Van Bruner, for the term prescribed by law.

To be a member of the Delaware River and Bay Authority, John Sparks, of Cape May, to succeed himself, for the term prescribed by law.

To be a member of the Affordable Housing Council, Arthur Kondrup, of Freehold, for the term prescribed by law.

To be a member of the Affordable Housing Council, Ara Hovnanian, of Middletown, for the term prescribed by law.

To be a member of the Economic Development Authority, Edmund Downer, of Elmer, to succeed Irmgard Lamont, resigned, for the term prescribed by law.

To be a member of the State Commission on Cancer Research, Dr. Arnold E. Denton, of Moorestown, for the term prescribed by law.

To be a member of the State Parole Board, Sally G. Carroll, of Newark, to succeed herself, for the term prescribed by law.

To be a Judge of the Superior Court, Paul B. Thompson, of Upper Montclair, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Martin E. Kravarik, of Metuchen, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Irvin B. Booker, of Newark, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Daniel R. Coburn, of Mendham, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Edmond M. Kirby, of Livingston, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Barbara B. Wecker, of Scotch Plains, for the term prescribed by law.

To be a Judge of the Superior Court, Ariel A. Rodriguez, of North Bergen, for the term prescribed by law.

To be a Judge of the Superior Court, Elaine L. Davis, of Jersey City, for the term prescribed by law.

To be a member of the State Board of Education, Alice A. Holzapfel, of Elizabeth, to succeed Robert J. Wolfenbarger, for the term prescribed by law.

To be Atlantic County Prosecutor, Jeffrey S. Blitz, of Atlantic City, for the term prescribed by law.

To be Cumberland County Prosecutor, Steven S. Neder, of Millville, for the term prescribed by law.

On motion of Mr. Lynch that the Senate do declare the confirmation of the above nominees to be an emergency matter, the vote is as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—37.

In the negative—None.

Upon the question "Will the Senate advise and consent to the above nominations?" it was decided as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

The above nominations were declared unanimously confirmed.

The Judiciary Committee reported the following nomination favorably:

To be Public Advocate, State of New Jersey, Alfred A. Slocum, of Morris Township, to succeed Joseph Rodriguez, resigned, for the term prescribed by law.

Senate No. 1464 Aa was given third reading.

On motion of Mr. Stockman that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—32.

In the negative were—Bubba, Connors, Haines, Laskin—4.

Senate No. 1776 with Governor's recommendations, was given third reading.

On motion of Ms. Lipman that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative was—Laskin—1.

Senate No. 530 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Caufield, Codey, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Jackman, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—28.

In the negative were—

Brown, Cardinale, Connors, Contillo, Dumont, Gormley, Laskin, Lesniak, McNamara—9.

Senate No. 1035 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Garibaldi, Graves, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—23.

In the negative were—

Brown, Bubba, Cardinale, Connors, Dorsey, Dumont, Ewing, Foran, Gormley, Haines, Laskin, McNamara—12.

Senate No. 1929 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Senate No. 2181 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Garibaldi, Graves, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—22.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, Dumont, Ewing, Foran, Gagliano, Gormley, Haines, Hurley, Laskin, McNamara—14.

Senate No. 2189 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

The Revenue, Finance and Appropriations Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 1948 Sea.

On motion of Mr. Zane, Senate No. 1948 Sea was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Rand, Russo, Stockman, Van Wagner, Weiss, Zane—32.

In the negative were—

Bassano, Pallone—2.

Senate No. 1948 Sea Sa was taken up, read a second time, and ordered to a third reading.

Mr. Pallone offered the following resolution, which was read and lost by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 1948 SeaSa is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—22.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Haines, Hurley, McNamara—15.

The following bill was read for the first time by its title and referred to committee as indicated:

Senate Resolution No. 103, by Messrs. Van Wagner, Russo, Lynch, Weiss and Orechio, without reference.

Senate Resolution No. 103 was taken up, read a second time, and ordered to a third reading.

Senate Resolution No. 103 was given third reading.

On motion of Mr. Van Wagner that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Feldman, Foran, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

The Institutions, Health and Welfare Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 3319 Sea.

Senate No. 3319 Sea was taken up, read a second time, and ordered to a third reading.

Mr. Dorsey offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3319 Sea is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative was—Contillo—1.

On motion of Mr. Dorsey pursuant to Rule 124, Assembly No. 4112 was substituted for Senate No. 3319 Sea with which it is identical, and Senator Dorsey was added as cosponsor of Assembly No. 4112.

Which was adopted by voice vote.

Assembly No. 4112 was given third reading.

On motion of Mr. Dorsey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

On motion of Mr. Gagliano, Senate Committee Substitute for Senate Nos. 2107/1229/Assembly No. 2355 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Jackman, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate Committee Substitute for Senate Nos. 2107/1229/Assembly No. 2355 Sa was taken up, read a second time, and ordered to a third reading.

Ms. Lipman offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate Committee Substitute for Senate Nos. 2107/1229/Assembly No. 2355 Sea is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (Presi-

dent), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2107 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

The Institutions, Health and Welfare Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 3021 Sea and Assembly No. 3177 (OCR) Sea.

Senate No. 3021 Sea and Assembly No. 3177 (OCR) Sea were taken up, read a second time, and ordered to a third reading.

On motion of Mr. Russo, Senate No. 3021 Sea was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—35.

In the negative—None.

Senate No. 3021 Sea was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Russo, Assembly No. 3177 (OCR) Sea was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Hurley, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

Assembly No. 3177 (OCR) Sea Sa was taken up, read a second time, and ordered to a third reading.

Mr. Russo offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3021 Sea Sa is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

The Institutions, Health and Welfare Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly No. 4112 Sea.

Assembly No. 4112 Sea was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Russo pursuant to Rule 124, Assembly No. 3177 (OCR) Sea Sa was substituted for Senate No. 3021 Sea Sa with which it is identical, and Senator Russo was added as co-sponsor of Assembly No. 3177 (OCR) Sea Sa.

Which was adopted by voice vote.

Assembly No. 3177 (OCR) Sea Sa was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

The Revenue, Finance and Appropriations Committee reported the following bill favorably without amendment:

Senate No. 3249.

Senate No. 3249 was taken up, read a second time, and ordered to a third reading.

Mr. Weiss offered the following resolution which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3249 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 3249 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

The Revenue, Finance and Appropriations Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 2699 (OCR) Sea.

Senate No. 2699 (OCR) was taken up, read a second time, and ordered to a third reading.

Mr. Weiss offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2699 (OCR) Sea is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—37.

In the negative—None.

Senate No. 2699 (OCR) Sea was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

The Revenue, Finance and Appropriations Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 3175 Sea and Assembly No. 3584 (OCR) Sea.

Senate No. 3175 Sea and Assembly No. 3584 (OCR) Sea were taken up, read a second time, and ordered to a third reading.

Ms. Brown offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3175 Sea is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

On motion of Ms. Brown pursuant to Rule 124, Assembly No. 3584 (OCR) Sea was substituted for Senate No. 3175 Sea with which it is identical, and Senator Brown was added as cosponsor of Assembly No. 3584 (OCR) Sea.

Which was adopted by voice vote.

Assembly No. 3584 (OCR) Sea was given third reading.

On motion of Ms. Brown that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara,

O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

The President declared a five minute recess.

Quorum call after recess.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Foran, Gagliano, Garibaldi, Gormley, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss—35.

The President declared a recess.

Quorum call after recess—6:45 p.m.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

The County and Municipal Government Committee reported the following bill favorably without amendment:

Assembly No. 2506 (OCR).

Assembly No. 2506 (OCR) was taken up, read a second time, and ordered to a third reading.

Mr. Van Wagner offered the following resolution, which was read and lost by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Assembly No. 2506 (OCR) is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Graves, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—21.

In the negative were—

Cardinale, Dorsey, Gagliano, Gormley, Haines, Hurley, McNamara—7.

Senate No. 2710 (2nd OCR) with Governor's recommendations, was given second reading.

On motion of Ms. Lipman that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 2710 (2nd OCR) w/GR was taken up, read a second time, and ordered to a third reading.

Mr. Caufield offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2710 (2nd OCR) w/GR is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative were—

Cardinale, Haines—2.

Senate No. 2710 (2nd OCR) with Governor's recommendations, was given third reading.

On motion of Mr. Caufield that the Senate do concur in the Governor's amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative were—

Cardinale, Haines—2.

Senate No. 45 (OCR) with Governor's recommendations, was given second reading.

On motion of Mr. Weiss that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 45 (OCR) w/GR was taken up, read a second time, and ordered to a third reading.

Mr. Weiss offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 45 (OCR) w/GR is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 45 (OCR) with Governor's recommendations, was given third reading.

On motion of Mr. Weiss that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 2690 with Governor's recommendations, was given second reading.

On motion of Mr. Lesniak that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley,

Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2690 w/GR was taken up, read a second time, and ordered to a third reading.

Mr. Lesniak offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2690 w/GR is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Ewing, Foran, Gagliano, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 2690 with Governor's recommendations, was given third reading.

On motion of Mr. Lesniak that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

The Revenue, Finance and Appropriations Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 3166 Sea.

Senate No. 3166 Sea was taken up, read a second time, and ordered to a third reading.

Mr. Foran offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3166 Sea is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 3166 Sea was given third reading.

On motion of Mr. Foran that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Mr. Russo made a motion to suspend the 30 bill limitation rule.

Motion adopted by voice vote.

On motion of Ms. Costa, Senate No. 2990 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—35.

In the negative—None.

Senate No. 2990 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

Ms. Costa offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2990 (OCR) Sa is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (Presi-

dent), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2990 (OCR) Sa was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

The Revenue, Finance and Appropriations Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 637 (OCR) Sea and Assembly No. 623 (2nd OCR) Sea.

Senate No. 637 (OCR) Sea and Assembly No. 623 (2nd OCR) Sea were taken up, read a second time, and ordered to a third reading.

Mr. Graves offered the following resolution which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 637 (OCR) Sea is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Russo, Van Wagner, Weiss—33.

In the negative was—Stockman—1.

On motion of Mr. Graves pursuant to Rule 124, Assembly No. 623 (2nd OCR) Sea was substituted for Senate No. 637 (OCR) Sea with which it is identical, and Senator Graves was added as co-sponsor of Assembly No. 623 (2nd OCR) Sea.

Which was adopted by voice vote.

Assembly No. 623 (2nd OCR) Sea was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Russo, Van Wagner, Weiss, Zane—33.

In the negative were—

Caufield, Stockman—2.

On motion of Mr. McManimon pursuant to Rule 124, Assembly No. 3878 was substituted for Senate No. 3161 with which it is identical, and Senator McManimon was added as cosponsor of Assembly No. 3878.

Which was adopted by voice vote.

Assembly No. 3878 was given third reading.

On motion of Mr. McManimon that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

On motion of Mr. Caufield pursuant to Rule 124, Assembly No. 667 was substituted for Senate Committee Substitute for Senate No. 1218 with which it is identical, and Senator Caufield was added as cosponsor of Assembly No. 667.

Which was adopted by voice vote.

Assembly No. 667 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—32.

In the negative—None.

Senate No. 3204 was given third reading.

On motion of Mr. DiFrancesco that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Foran, Gagliano, Garibaldi, Gormley, Graves, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

On motion of Mr. Cowan pursuant to Rule 124, Assembly No. 4192 was substituted for Senate No. 3386 with which it is identical, and Senator Cowan was added as cosponsor of Assembly No. 4192.

Which was adopted by voice vote.

Assembly No. 4192 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Hurley, Jackman, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Rand, Stockman, Van Wagner, Weiss—30.

In the negative was—Pallone—1.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bill favorably without amendment:

Senate Joint Resolution No. 72.

Senate Joint Resolution No. 72 was taken up, read a second time, and ordered to a third reading.

Ms. Brown offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate Joint Resolution No. 72 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate Joint Resolution No. 72 was given third reading.

On motion of Ms. Brown that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

On motion of Mr. Hurley, Senate No. 862 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Lesniak, Lipman, Lynch, McNamara, O'Connor, Orechio, Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—32.

In the negative—None.

Senate No. 862 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

Mr. Hurley offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 862 (OCR) Sa is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Huley, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 862 (OCR) Sa was given third reading.

On motion of Mr. Hurley that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

On motion of Mr. O'Connor pursuant to Rule 124, Assembly No. 4161 was substituted for Senate No. 3382 with which it is identical, and Senator Feldman was added as cosponsor of Assembly No. 4161.

Which was adopted by voice vote.

Assembly No. 4161 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative was—Bubba—1.

Senate No. 2586 with Governor's recommendations, was given third reading.

On motion of Mr. Contillo that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Foran, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—31.

In the negative was—Bassano—1.

On motion of Mr. Lesniak pursuant to Rule 124, Assembly No. 3604 was substituted for Senate No. 2721 with which it is identical, and Senator Lesniak was added as cosponsor of Assembly No. 3604.

Which was adopted by voice vote.

Assembly No. 3604 was given third reading.

On motion of Mr. Lesniak that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Caufield, Costa, Cowan, Dorsey, Graves, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—21.

In the negative were—

Cardinale, Connors, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Haines, Hurley, McNamara, Zane—12.

Senate No. 2739 Aa was given third reading.

On motion of Mr. Bassano that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 2831 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 736 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Caufield, Cowan, Jackman, McManimon, O'Connor, Orechio (President), Pallone, Van Wagner—9.

In the negative were—

Brown, Bubba, Cardinale, Connors, Dorsey, Dumont, Foran, Gagliano, Gormley, Haines, Hurley, McNamara—12.

On motion of Mr. Cowan the bill was laid over.

Senate No. 2975 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Foran, Garibaldi, Graves, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—25.

In the negative were—

Bubba, Cardinale, Dumont, Ewing, Haines, McNamara—6.

Senate No. 3387 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio, Pallone, Rand, Russo, Stockman, Weiss, Zane—33.

In the negative was—Brown—1.

Assembly No. 127 was given third reading.

On motion of Mr. Zane that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Contillo, Costa, Cowan, Dalton, Foran, Graves, Haines, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—22.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, Dorsey, Dumont, Ewing, Gagliano, Garibaldi, Gormley, Hurley, McNamara—13.

Assembly No. 778 was given third reading.

On motion of Mr. Stockman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, Ewing, Foran, Gagliano, Garibaldi, Graves, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman—24.

In the negative were—

Bubba, Connors, Dorsey, Dumont, Gormley, Haines, Hurley—7.

Assembly No. 3164 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

On motion of Mr. Rand, Senate No. 132 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

Senate No. 132 Sa was taken up, read a second time, and ordered to a third reading.

Senate No. 3395 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dumont, Gagliano, Graves, Haines, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—21.

In the negative were—

Brown, Bubba, Dorsey, Garibaldi, Gormley, Hurley, Van Wagner—7.

On motion of Mr. Lynch pursuant to Rule 124, Assembly No. 3846 was substituted for Senate No. 3183 with which it is identical, and Senator Lynch was added as cosponsor of Assembly No. 3846.

Which was adopted by voice vote.

Assembly No. 3846 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

Senate No. 223 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 223 was given third reading.

On motion of Mr. Gagliano that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 1089 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—32.

In the negative—None.

Senate No. 1146 with Governor's recommendations, was given third reading.

On motion of Ms. Lipman that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

Senate No. 2186 was given third reading.

On motion of Mr. McManimon that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

Senate No. 2421 was given third reading.

On motion of Mr. Zane that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 2618 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Assembly No. 608 was given third reading.

On motion of Mr. Laskin that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Assembly No. 3977 was given third reading.

On motion of Mr. Zane that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Assembly No. 2388 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dorsey, Dumont, Ewing, Foran, Gagliano, Garibaldi, Gormley, Graves, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate Joint Resolution No. 49 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Garibaldi, Gormley, Graves, Hurley, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss—25.

In the negative was—Zane—1.

The Labor, Industry and Professions Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2778 Sea, 2895 Sea and 3272 Sea.

The Transportation and Communications Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 3308 Sea and Assembly No. 88 (OCR) Sea.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 643 SCS, notwithstanding the lack of five days' notice.

The Law, Public Safety and Defense Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Committee Substitute for Senate No. 643.

The Transportation and Communications Committee reported the following bills favorably without amendment:

Assembly Nos. 1701 (OCR) and 3136.

The Labor, Industry and Professions Committee reported the following bill favorably without amendment:

Assembly No. 1401 (OCR).

The Energy and Environment Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 3348 Sea.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 3348 Sea, notwithstanding the lack of five days' notice.

The Revenue, Finance and Appropriations Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly Nos. 293 (OCR) Sea, 2541 ACS (SR) Sea, 2551 (OCR) Sea, Senate Nos. 1669 Sea, 2427 (OCR) Sea, 2498 Sea, 2803 Sea, 2810 SCS Sea, 2826 Sea, 3199 Sea and 3208 Sea.

The Revenue, Finance and Appropriations Committee reported the following bills favorably without amendment:

Senate Nos. 85, 239, Assembly No. 2829, Senate No. 2667, Assembly No. 1041, Senate No. 2154, Assembly No. 2628, Senate No. 2607, Assembly No. 3199, Senate No. 2878 and Assembly No. 2571.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 3330, notwithstanding the lack of five days' notice.

The County and Municipal Government Committee reported the following bill favorably without amendment:

Senate No. 3330.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 3421, notwithstanding the lack of five days' notice.

The Judiciary Committee reported the following bill favorably without amendment:

Senate No. 3421.

Senate Nos. 3348 Sea, 2154, Assembly No. 2628, Senate No. 2607, Assembly No. 3199, Senate No. 2878, Assembly Nos. 2571, 2551 (OCR) Sea, 2541 ACS Sea, Senate No. 2667, Assembly Nos. 1041, 2829, 293 (OCR) Sea, Senate Nos. 3208 Sea, 3199 Sea, 2826 Sea, 2810 SCS Sea, 2803 Sea, 2498 Sea, 85, 239, 2427 (OCR) Sea, 1669 Sea, 3330 (with waiver) and 3421 (with waiver) were taken up, read a second time, and ordered to a third reading.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 569 (OCR) Sea w/GR, without reference.

Assembly No. 647 (OCR) w/GR, without reference.

Assembly No. 775 (OCR) (SR) AcaAaSea w/GR, without reference.

Assembly No. 2246 Aca w/GR, without reference.

Assembly No. 4233, without reference.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 1824 (3rd OCR) AcaSea w/GR, without reference.

Assembly No. 1828 (4th OCR) ACS AaSea w/GR, without reference.

Assembly No. 2512 (2nd OCR) (2nd SR) Aca AaSeaSa, without reference.

Assembly No. 2589 ACS w/GR, without reference.

Assembly No. 3473 (OCR) w/GR, without reference.

Assembly Nos. 569 (OCR) Sea w/GR, 647 (OCR) w/GR, 775 (OCR) (SR) Aca Aa Sea w/GR, 2246 Aca w/GR, 4233, 1824 (3rd OCR) Aca Sea w/GR, 1828 (4th OCR) ACS Aa Sea w/GR, 2512 (2nd OCR) (2nd SR) Aca Aa Sea Sa, 2589 ACS w/GR and 3473 (OCR) w/GR were taken up, read a second time, and ordered to a third reading.

The Institutions, Health and Welfare Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 226 Sea, 2889 Sea, 3063 Sea, 3248 Sea, 3270 Sea and Assembly No. 3297 (OCR) Sea.

The Institutions, Health and Welfare Committee reported the following bills favorably without amendment:

Senate Nos. 2625 and 3160.

The Revenue, Finance and Appropriations Committee reported the following bills favorably with amendment, and on motion of the Chairman, the amendments were adopted:

Assembly Nos. 272 (OCR) (SR) Sea, 2707 ACS (SR) Sea, Senate Nos. 2540 (OCR) Sea, 2758 (OCR) Sea, 3163 Sea and 3287 Sea.

The Revenue, Finance and Appropriations Committee reported the following bill favorably without amendment:

Assembly No. 2074.

The Energy and Environment Committee reported the following bill favorably without amendment:

Senate No. 3108.

The County and Municipal Government Committee reported the following bill favorably without amendment:

Assembly No. 3281.

The Labor, Industry and Professions Committee reported the following bills favorably without amendment:

Senate Nos. 3360, 1666 (without recommendation) and Assembly No. 2964 (OCR) Sea.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 213 Sea, 2624 Sea, 2846 Sea, 2976 Sea, 3114 Sea, Senate Joint Resolution No. 60 Sea, Assembly Nos. 344 (OCR) Sea and 1332 (OCR) Sea.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bills favorably without amendment:

Assembly Concurrent Resolution No. 117, Assembly No. 3735, Senate Concurrent Resolution No. 149, Senate Resolution No. 91, Senate Nos. 2685, 614, 708, Senate Joint Resolution No. 71 and Senate No. 2317.

The Law, Public Safety and Defense Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2666 Sea, 2991 Sea and 3283 Sea.

The Law, Public Safety and Defense Committee reported the following bills favorably without amendment:

Senate Nos. 2768, 3101, 3237, 3310, Assembly Nos. 3188, 3202 (OCR), 3455, 3475, 3550, Senate No. 465 and Assembly No. 3552 (OCR).

The County and Municipal Government Committee reported the following bills favorably without amendment:

Senate Nos. 2911, 2827, Assembly Nos. 505, 3643, 1913 (OCR), Senate Nos. 3167 and 2862.

The Labor, Industry and Professions Committee reported the following bill favorably without amendment:

Senate No. 3057.

Senate Nos. 3270 Sea, 3160, 3248 Sea, Assembly No. 3297 (OCR) Sea, Senate Nos. 3063 Sea, 2889 Sea, 226 Sea, 2625, Assembly Nos. 2707 ACS (SR), Sea, 2074, 272 (OCR) (SR) Sea, Senate Nos. 3287 Sea, 3163 Sea, 2758 (OCR) Sea, 2540 (OCR) Sea, 3108, Assembly No. 3281, Senate Nos. 3360, 1666, Assembly No. 2964 (OCR), Senate Nos. 2846 Sea, 2624 Sea, 2976 Sea, 614, 708, Senate Joint Resolution No. 71, Senate Nos. 2317, 3114 Sea, Senate Concurrent Resolution No. 149, Senate Resolution No. 91, Senate Nos. 2685, 213 Sea, Senate Joint Resolution No. 60 Sea, Assembly Nos. 3735, 344 (OCR) Sea, 1332 (OCR) Sea, Assembly Concurrent Resolution No. 117 and Senate No. 3057 were taken up, read a second time, and ordered to a third reading.

Senate No. 2666 Sea, Assembly No. 3136, Senate Nos. 2768, 2991 Sea, 3101, 3237, 3283 Sea, 3310, Assembly Nos. 3188, 3202 (OCR), 3455, 3475, 3550, Senate No. 465, Assembly Nos. 3552 (OCR), 3643, 1913 (OCR), 505, Senate Nos. 2862, 3167, 2911, 2827, 3272 Sea, 2895 Sea, Assembly No. 1401 (OCR), Senate No. 3308 Sea, Assembly Nos. 88 (OCR) Sea, 1701 (OCR), Senate Nos. 643 SCS (with waiver) and 2778 Sea were taken up, read a second time, and ordered to a third reading.

Senate Resolution No. 103, Senate Joint Resolution No. 74, Senate No. 3419, Senate Joint Resolution No. 75, Senate Nos. 3424, 3425, 3427, 3428, 3430, Senate Joint Resolution No. 76, Senate Nos. 3434, 3435, 3436, 3437, 3438, Senate Concurrent Resolution No. 158, Senate Resolution No. 104 and Senate No. 3429 were taken up, read a second time, and ordered to a third reading.

The President announced receipt of and directed the Secretary to read six letters from the Governor, nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be a member of the State Athletic Control Board, Gerard Gormley, of Buena, for the term prescribed by law.

To be a member of the State Athletic Control Board, Gary Shaw, of Wayne, for the term prescribed by law.

To be a member of the State Athletic Control Board, Althea Gibson, of East Orange, for the term prescribed by law.

To be a member of the Gloucester County Board of Taxation, Jacqueline Clark, of Turnersville, to succeed herself for the term prescribed by law.

To be a member of the Hotel and Multiple Dwelling Health and Safety Board, Samuel Herzog, of East Brunswick, to succeed himself, for the term prescribed by law.

To be a member of the State Board of Higher Education, Milton Gelzer, of Toms River, to succeed himself, for the term prescribed by law.

The President announced receipt of and directed the Secretary to read one letter from the Governor, withdrawing the following nomination, originally submitted August 28, 1985:

To be a member of the New Jersey Motion Picture and Television Development Commission, Don Kirshner, of Cedar Grove, to succeed Paul Petersen, resigned, for the term prescribed by law.

On motion of Mr. Orechio, the following bills were withdrawn from the files:

Senate Nos. 2994 and 3034.

On motion of Ms. Lipman, Senate No. 3377 was withdrawn from the files.

On motion of Mr. Dumont, Senate Joint Resolution No. 63 was withdrawn from the files.

Mr. Russo offered the following motions which were read and adopted:

*Be It Resolved*, That Senate No. 2667 and Assembly No. 1041 be referred to the Natural Resources and Agriculture Committee.

*Be It Resolved*, That the following bills be referred to the Revenue, Finance and Appropriations Committee:

Senate Nos. 3252, 3272 and 3304.

*Be It Resolved*, That pursuant to Senate Rule 88, the following bills be referred to the Revenue, Finance and Appropriations Committee:

Senate Nos. 3201, 3329, Assembly Nos. 3406 and 3552.

Mr. Dorsey offered the following resolution which was read and adopted:

WHEREAS, On Friday, August 9, 1985 Senator Garrett W. Hagedorn died, thereby creating a vacancy in the State Senate; and

WHEREAS, With the untimely death of Senator Hagedorn a large number of important pieces of legislation have been left without a living prime sponsor; and

WHEREAS, Senator Dorsey has indicated that he would like to become the new prime sponsor of several of these bills; now, therefore

*Be It Resolved by the Senate of the State of New Jersey:*

That the following Senate bills, sponsored by former State Senator Garrett W. Hagedorn, are hereby transferred to the sponsorship of Senator Dorsey, and that Senator Dorsey, is hereby designated as the prime sponsor of said bills:

Senate Nos. 240, 241, 267, 276, 1492 and Senate Joint Resolution No. 4.

Mr. Garibaldi offered the following resolution which was read and adopted:

WHEREAS, On Friday, August 9, 1985 Senator Garrett W. Hagedorn died, thereby creating a vacancy in the State Senate; and

WHEREAS, With the untimely death of Senator Hagedorn a large number of important pieces of legislation have been left without a living prime sponsor; and

WHEREAS, Senator Garibaldi has indicated that he would like to become the new prime sponsor of several of these bills; now, therefore

*Be It Resolved by the Senate of the State of New Jersey:*

That the following Senate bills, sponsored by former State Senator Garrett W. Hagedorn, are hereby transferred to the sponsorship of Senator Garibaldi, and that Senator Garibaldi, is hereby designated as the prime sponsor of said bills:

Senate Nos. 2711 and 2712.

Mr. Ewing offered the following resolution which was read and adopted:

WHEREAS, On Friday, August 9, 1985 Senator Garrett W. Hagedorn died, thereby creating a vacancy in the State Senate; and

WHEREAS, With the untimely death of Senator Hagedorn a large number of important pieces of legislation have been left without a living prime sponsor; and

WHEREAS, Senator Ewing has indicated that he would like to become the new prime sponsor of several of these bills; now, therefore

*Be It Resolved by the Senate of the State of New Jersey:*

That the following Senate bills, sponsored by former State Senator Garrett W. Hagedorn, are hereby transferred to the sponsorship of Senator Ewing, and that Senator Ewing, is hereby designated as the prime sponsor of said bills:

Senate Nos. 246, 253, 262 and 1121.

Mr. McNamara offered the following resolution which was read and adopted:

WHEREAS, On Friday, August 9, 1985 Senator Garrett W. Hagedorn died, thereby creating a vacancy in the State Senate; and

WHEREAS, With the untimely death of Senator Hagedorn a large number of important pieces of legislation have been left without a living prime sponsor; and

WHEREAS, Senator McNamara has indicated that he would like to become the new prime sponsor of several of these bills; now, therefore

*Be It Resolved by the Senate of the State of New Jersey:*

That the following Senate bills, sponsored by former State Senator Garrett W. Hagedorn, are hereby transferred to the sponsorship of Senator McNamara, and that Senator McNamara, is hereby designated as the prime sponsor of said bills:

Senate Nos. 255, 259, 1371, 1889 and 2713.

Mr. Cardinale offered the following resolution which was read and adopted:

WHEREAS, On Friday, August 9, 1985 Senator Garrett W. Hagedorn died, thereby creating a vacancy in the State Senate; and

WHEREAS, With the untimely death of Senator Hagedorn a large number of important pieces of legislation have been left without a living prime sponsor; and

WHEREAS, Senator Cardinale has indicated that he would like to become the new prime sponsor of several of these bills; now, therefore

*Be It Resolved by the Senate of the State of New Jersey:*

That the following Senate bills, sponsored by former State Senator Garrett W. Hagedorn, are hereby transferred to the sponsorship of Senator Cardinale, and that Senator Cardinale, is hereby designated as the prime sponsor of said bills:

Senate Nos. 247, 250, 258 261, 265, 268, 275, 1450, 2058, 2061, 2696, 3159, 3218, Senate Joint Resolution Nos. 6, 40 and Senate Concurrent Resolution No. 12.

On motion of Mr. Zane, Mr. Rand was added as cosponsor of Senate No. 2223.

On motion of Mr. Gormley, Messrs. Van Wagner, Cowan, Lynch and Connors were added as cosponsors of Senate No. 2911.

On motion of Mr. Russo, Mr. Orechio was added as cosponsor of Senate No. 3021.

On motion of Mr. Graves, Mr. Lesniak was added as cosponsor of Senate Committee Substitute for Senate No. 643.

On motion of Mr. Zane, Mr. Stockman was added as cosponsor of Senate No. 2421.

On motion of Ms. Lipman, Mr. Stockman was added as cosponsor of Senate No. 1776.

On motion of Mr. Connors, Mr. Cardinale was added as cosponsor of Senate No. 2729.

On motion of Mr. Graves, Mr. Rand was added as cosponsor of Senate Committee Substitute for Senate No. 643.

On motion of Mr. Bassano, Mr. Hurley was added as cosponsor of Senate No. 612.

On motion of Mr. Stockman, Mr. Cowan was added as cosponsor of Senate No. 400.

On motion of Mr. Stockman, Mr. Cowan was added as cosponsor of Senate No. 1521.

On motion of Mr. Connors, Mr. Cardinale was added as cosponsor of Senate No. 2722.

On motion of Mr. Connors, Mr. Cardinale was added as cosponsor of Senate No. 2755.

On motion of Mr. Graves, Ms. Costa was added as cosponsor of Senate Committee Substitute for Senate No. 643.

On motion of Mr. Graves, Messrs. Bassano, Bubba, Jackman, Ms. Brown, Messrs. Rand and Zane were added as cosponsors of Senate No. 3308.

The Senate moved and acted upon 11 Commemorative, Ceremonial and Memorial Resolutions.

The Senate moved and acted upon 20 Commemorative, Ceremonial and Memorial Resolutions.

The Senate moved and acted upon 21 Commemorative, Ceremonial and Memorial Resolutions.

The Senate moved and acted upon 10 Commemorative, Ceremonial and Memorial Resolutions.

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The Senate moved and acted upon 10 Commemorative, Ceremonial and Memorial Resolutions.

The Senate moved and acted upon 12 Commemorative, Ceremonial and Memorial Resolutions.

Mr. Russo offered the following resolution which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet on Thursday at 10 a.m., and that when it then adjourn, it be to meet on Saturday at 10 a.m., and that when it then adjourn it be to meet on Thursday, December 5, 1985, at 10:30 a.m.

On motion of Mr. Russo the Senate then adjourned.

THURSDAY, November 21, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, November 23, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, November 25, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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WEDNESDAY, November 27, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, November 30, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, December 2, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, December 5, 1985.

At 12:30 p.m. the Senate met.

The Session was opened with prayer.

Senate President pro tem Feldman presided.

Upon calling the roll the following Senators answered the call and the President pro tem declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lipman, Lynch, McManimon, McNamara, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

On the motion of Mr. Russo the reading of the Journal of the previous session was dispensed with.

The Law, Public Safety and Defense Committee reported the following bill favorably without amendment:

Senate No. 3235.

The Judiciary Committee reported the following bills favorably without amendment:

Senate No. 1819, Assembly No. 2072 and Senate No. 1299.

The Judiciary Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 3120 Sea and Assembly No. 1304 (OCR) Sea.

Senate Nos. 3235, 1299, 3120 Sea, 1819, Assembly Nos. 2072 and 1304 (OCR) Sea were taken up, read a second time and ordered to a third reading.

The Senate moved and acted upon three Commemorative, Cere-  
monial and Memorial Resolutions.

The Education Committee reported the following bill favorably  
without amendment:

Senate No. 3433.

The Education Committee reported the following bills favorably  
with amendment, and on motion of the Chairman the amendments  
were adopted:

Senate Nos. 2239 Sea, 3367 Sea, 3619 Sea, Assembly Nos. 2324  
(2nd OCR) Sea, 3551 Sea and Assembly Committee Substitute for  
Assembly Nos. 2453/2888.

Senate Nos. 3433, 3367 Sea, 2239 Sea, Assembly Nos. 3619 Sea,  
3551 Sea, 2453/2888 ACS and 2324 (2nd OCR) Sea were taken up,  
read a second time and ordered to a third reading.

Mr. Russo offered the following motion which was read and  
adopted:

*Be It Resolved*, That pursuant to Senate Rule 88, the following  
bills be referred to the Revenue, Finance and Appropriations  
Committee:

Assembly Nos. 607, 2048, 2964, Senate No. 2895, Assembly No.  
3517, Senate Nos. 2624, 3108, 3160, 3425, Assembly No. 2003, Senate  
Nos. 2670, 3182, 3245, 3338, 3442, Assembly Nos. 868, 3830, 3226,  
Senate Nos. 288, 2808, Assembly Nos. 2086, 2453, Senate Nos. 2981,  
3441 and Assembly No. 3573.

The Judiciary Committee reported the following nominations  
favorably:

To be a member of the Public Employment Relations Commis-  
sion, Edward Horan, of Morristown, to succeed Jeffrey Suskin, for  
the term prescribed by law.

To be a member of the Commissioners of Pilotage, Richard L.  
Amster, of Florham Park, to succeed himself, for the term pre-  
scribed by law.

To be a member of the State Board of Human Services, Paulette  
Coronato, of Scotch Plains, to succeed Patricia Shillingburg, re-  
signed, for the term prescribed by law.

To be a member of the State Board of Human Services, Rodger  
K. Herrigel, of Chatham, to succeed Alexander Matturri, resigned,  
for the term prescribed by law.

To be a member of the State Council on the Arts, David Farris,  
of Bernardsville, to succeed himself, for the term prescribed by law.

To be a member of the Advisory Council on Community Affairs,  
Bertrand Kendall, of Montclair, to succeed himself, for the term  
prescribed by law.

To be a member of the Commission on Civil Rights, Matthew P.  
Rivers, of Newark, to succeed Lincoln Green, for the term pre-  
scribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Robert Trugman, of Verona, for the term prescribed by law.

To be a member of the Gloucester County Board of Taxation, Jacqueline Clark, of Turnersville, to succeed herself, for the term prescribed by law.

To be a member of the New Jersey Sports and Exposition Authority, Sid Benjamin, of Flemington, to succeed Robert E. Mulcahy, III, for the term prescribed by law.

To be a Worker's Compensation Judge, Robert F. Butler, of Vineland, for the term prescribed by law.

To be a member of the New Jersey Expressway Authority, Chris Seher, of Absecon, to succeed Donald Vass, resigned, for the term prescribed by law.

To be a member of the Division of Parks, Forestry and Recreation, Gregory A. Marshall, of Asbury, to succeed Russell W. Myers as Director, for the term prescribed by law.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 3446, by Mr. Dalton, Energy and Environment Committee.

Senate No. 3447, by Mr. Dalton, Energy and Environment Committee.

Senate No. 3448, by Mr. Dalton, Energy and Environment Committee.

Senate No. 3449, by Mr. Dalton, Energy and Environment Committee.

Senate No. 3450, by Mr. Dalton, County and Municipal Government Committee.

Senate No. 3451, by Mr. Dorsey, Institutions, Health and Welfare Committee.

Senate No. 3452, by Messrs. Bubba and Graves, Judiciary Committee.

Senate No. 3453, by Mr. Graves, Law, Public Safety and Defense Committee.

Senate No. 3454, by Messrs. Foran, Ewing, Ms. Brown and Mr. McNamara, Law, Public Safety and Defense Committee.

Senate No. 3455, by Mr. Codey, Institutions, Health and Welfare Committee.

Senate No. 3456, by Mr. Codey, Labor, Industry and Professions Committee.

Senate No. 3457, by Mr. Haines, Institutions, Health and Welfare Committee.

Senate No. 3458, by Messrs. Connors and Russo, Labor, Industry and Professions Committee.

Senate No. 3459, by Mr. Hurley, Energy and Environment Committee.

Senate No. 3460, by Mr. Dumont, County and Municipal Government Committee.

Senate No. 3461, by Mr. Zane, County and Municipal Government Committee.

Senate No. 3462, by Messrs. Van Wagner and Pallone, Revenue, Finance and Appropriations Committee.

Senate No. 3463, by Mr. Connors, Law, Public Safety and Defense Committee.

Senate No. 3464, by Mr. Codey, Institutions, Health and Welfare Committee.

Senate No. 3465, by Ms. Brown and Mr. Foran, Institutions, Health and Welfare Committee.

Senate No. 3466, by Messrs. Foran, Gagliano, Hurley, Gormley and Dorsey, Energy and Environment Committee.

Senate No. 3467, by Mr. Dalton, Law, Public Safety and Defense Committee.

Senate No. 3468, by Mr. Pallone and Ms. Costa, Aging Committee.

Senate No. 3469, by Ms. Brown, Education Committee.

Senate Joint Resolution No. 77, by Messrs. Pallone and Van Wagner, Energy and Environment Committee.

Senate Resolution No. 106, by Messrs. Haines, Ewing, Hurley and Cardinale, Revenue, Finance and Appropriations Committee.

Senate Resolution No. 107, by Mr. Cardinale, County and Municipal Government Committee.

Senate No. 3470, by Mr. Weiss, Revenue, Finance and Appropriations Committee.

Senate No. 3471, by Mr. Russo, Labor, Industry and Professions Committee.

Senate No. 3472, by Ms. Lipman, without reference.

Senate No. 3473, by Mr. Cowan, without reference.

Senate No. 3474, by Mr. Jackman, without reference.

Senate No. 3475, by Mr. Pallone, without reference.

Senate No. 3476, by Mr. Pallone, Revenue, Finance and Appropriations Committee.

Senate Nos. 3472, 3473, 3474 and 3475 were taken up, read a second time, and ordered to a third reading.

The Institutions, Health and Welfare Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 409 Sea, 3064 Sea, 3145 Sea, 3464 Sea, Senate Committee Substitute for Senate Nos. 3210/3376 Sea, Assembly Nos. 1924 (OCR) Sea and 2229 Sea.

The Institutions, Health and Welfare Committee reported the following bills favorably without amendment:

Assembly Nos. 1837, 2472, Senate No. 3366 and Assembly No. 2086.

The County and Municipal Government Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly Nos. 1662 (2nd OCR) Sea, 2068 (OCR) Sea, 3288 Sea, Assembly Committee Substitute for Assembly Joint Resolution No. 25 and Senate No. 2770 Sea.

The County and Municipal Government Committee reported the following bills favorably without amendment:

Assembly No. 243 (2nd OCR), Senate No. 2981, Assembly Nos. 2447, 724, 3075, Senate No. 2659, Assembly Nos. 2175 and 3573.

Senate Nos. 409 Sea, 3064 Sea, Senate Committee Substitute for Senate Nos. 3210/3376, Senate No. 3464 Sea, Assembly Nos. 1924 (OCR) Sea, 2086, 2229 Sea, 2472, Senate Nos. 3366, 3145 Sea, 2659, Assembly Nos. 1837, 724, 3075, 2175, 3573, 2068 (OCR) Sea, 2447, Assembly Committee Substitute for Assembly Joint Resolution No. 25, Assembly Nos. 3288 Sea, 1662 (2nd OCR) Sea, Senate No. 2770 Sea, Assembly No. 243 (2nd OCR) and Senate No. 2981 were taken up, read a second time, and ordered to a third reading.

The Transportation and Communications Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 3431 Sea and 3467 Sea.

The Natural Resources and Agriculture Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 1924 Sea, 2808 Sea and 3141 Sea.

The Natural Resources and Agriculture Committee reported the following bills favorably without amendment:

Senate Concurrent Resolution No. 151, Assembly Nos. 3652, 4209, 1041 and Senate No. 2667.

The Labor, Industry and Professions Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2717 Sea, 3130 Sea, 3349 Sea and Assembly Committee Substitute for Assembly No. 1130 (OCR) Sea.

The Labor, Industry and Professions Committee reported the following bills favorably without amendment:

Senate Nos. 2175 and 3364.

The Labor, Industry and Professions Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 2715 Sea.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2078 Sea, 2522 Sea, 2796 Sea, 2940 Sea, 3018 Sea and 3171 Sea.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bills favorably without amendment:

Assembly Nos. 79, 2164, 1942, 3775 (OCR), 3449, 1550, 3670 (OCR), 373, Senate Nos. 3397, 565, 3028, 3385 and 3291.

The Energy and Environment Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly Nos. 868 Sea, 2058 (OCR) Sea, 2387 Sea, 2577 (OCR) Sea, 3226 Sea, Assembly Joint Resolution No. 29 Sea, Senate Committee Substitute for Senate No. 602, Senate Nos. 3182 Sea, 3206 Sea, 3245 Sea, 3338 Sea and Senate Committee Substitute for Senate No. 3423.

The Energy and Environment Committee reported the following bills favorably without amendment:

Assembly Nos. 3291, 3611 and Senate No. 3442.

The Natural Resources and Agriculture Committee reported the following bill favorably without amendment:

Senate No. 288.

Senate Nos. 3467 Sea, 3431 Sea, 2667, 1924 Sea, Assembly Nos. 4209, 1041, Senate Nos. 3141 Sea, 2808 Sea, Senate Concurrent Resolution No. 151, Assembly No. 3652, Senate Nos. 2717 Sea, 3130 Sea, 3349 Sea, 3364, Assembly No. 1130 (OCR) Sea, Senate Nos. 2175, 2715 Sea, 3385, 3291, 3171 Sea, 565, 3028, 2940 Sea, 3018 Sea, 2796 Sea, 2522 Sea, 2078 Sea, Assembly Nos. 79, 2164, 1942, 3775 (OCR), 3449, 1550, 3670 (OCR), 373, Senate Nos. 3397, 288, Assembly Nos. 2387 Sea, 3226 Sea, Senate Committee Substitute for Senate No. 602, Assembly Joint Resolution No. 29 Sea, Assembly No. 3291, Senate No. 3206 Sea, Assembly No. 3611, Senate No. 3182 Sea, Assembly No. 2577 (OCR) Sea, Senate Nos. 3338 Sea, 3442, Assembly Nos. 868 Sea, 2058 (OCR) Sea, Senate No. 3245 Sea and Senate Committee Substitute for Senate No. 3423 were taken up, read a second time, and ordered to a third reading.

Mr. Russo offered the following resolution which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet on Saturday at 10 a.m., and that when it then adjourn it be to meet on Monday, December 9, 1985, at 2 p.m.

On motion of Mr. Russo the Senate then adjourned.

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SATURDAY, December 7, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, December 9, 1985.

At 11:15 a.m. the Senate met.

The Session was opened with prayer by Reverend Milo Salters, Essex County Jail Annex, Caldwell, N.J.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Caufield, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McNamara, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss—27.

On the motion of Mr. Russo the reading of the Journal of the previous session was dispensed with.

The Senate recesses until 3:25 p.m.

Quorum call at 3:25 p.m.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Assembly No. 1983, notwithstanding the lack of five days' notice.

The Judiciary Committee reported the following bills favorably without amendment:

Assembly Nos. 2903, 2804 (OCR) and 1983.

The Judiciary Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 115 Sea and Assembly No. 1571 (OCR) Sea.

Assembly Nos. 2903, 2804, 1983 (with waiver), 1571 (OCR) Sea, and Senate No. 115 Sea were taken up, read a second time, and ordered to a third reading.

Senate No. 3113 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Du-

mont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

On motion of Mr. Contillo pursuant to Rule 124, Assembly No. 4145 was substituted for Senate No. 3348 with which it is identical, and Senator Contillo was added as cosponsor of Assembly No. 4145.

Which was adopted by voice vote.

Assembly No. 4145 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Senate No. 3419 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative were—Bubba, Laskin—2.

Senate No. 2715 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 413 was given third reading.

On motion of Mr. Stockman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Cardinale, Caufield, Codey, Connors, Costa, Cowan, Dalton, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—29.

In the negative were—

Brown, Bubba, DiFrancesco, Haines, Hurley, Laskin, Zane—7.

On motion of Mr. Hirkala pursuant to Rule 124, Assembly No. 2628 was substituted for Senate No. 2154 with which it is identical, and Senator Hirkala was added as cosponsor of Assembly No. 2628.

Which was adopted by voice vote.

Assembly No. 2628 was given third reading.

On motion of Mr. Hirkala that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative were—

Bubba, Gagliano, Haines—3.

Senate No. 2519 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Feldman, Gagliano, Garibaldi, Graves, Hirkala, Hurley, Jackman, Lipman, Lynch, McManimon, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—28.

In the negative were—

Bubba, Cardinale, Dumont, Gormley, Haines, Laskin—6.

Senate No. 2583 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing,

Feldman, Gagliano, Garibaldi, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative were—

Brown, DiFrancesco, Gormley, Laskin—4.

Senate No. 2803 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative was—Laskin—1.

Senate No. 1660 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—35.

In the negative—None.

The Senate moved and acted upon three Commemorative, Cereimonial and Memorial Resolutions.

Senate No. 2827 was given third reading.

On motion of Mr. Stockman that the bill pass the vote was as follows:

In the affirmative were—

Brown, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dorsey, Feldman, Garibaldi, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—26.

In the negative were—

Bassano, Bubba, Cardinale, DiFrancesco, Dumont, Gagliano, Haines, Hurley, Laskin—9.

On motion of Mr. Russo pursuant to Rule 124, Assembly No. 2829 was substituted for Senate No. 2878 with which it is identical, and Senator Russo was added as cosponsor of Assembly No. 2829.

Which was adopted by voice vote.

Assembly No. 2829 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2948 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 2675 with Governor's recommendations, was given second reading.

On motion of Ms. Lipman that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Sotekman, Van Wagner, Zane—37.

In the negative—None.

Senate No. 2675 w/GR was taken up, read a second time, and ordered to a third reading.

Ms. Lipman offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2675 with Governor's recommendations is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 2675, with Governor's recommendations, was given third reading.

On motion of Ms. Lipman that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative was—Laskin—1.

Senate No. 3208 was given third reading.

On motion of Mr. Cody for Mr. Orechio that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—31.

In the negative were—

Cardinale, Connors, Dumont, Laskin—4.

Mr. McManimon made a motion to suspend the 30 bill limitation rule. Motion adopted by voice vote.

Assembly No. 307 was given third reading.

On motion of Mr. Ewing that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Assembly No. 505 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Pallone, Rand, Russo, Van Wagner, Weiss, Zane—34.

In the negative—None.

Assembly No. 569, with Governor's recommendations, was given third reading.

On motion of Mr. Dorsey that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Assembly No. 632 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Assembly No. 944 Aa was given third reading.

On motion of Mr. Van Wagner that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Assembly No. 1394 Aa was given third reading.

On motion of Mr. Zane that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Assembly No. 1406 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Assembly No. 1995 was given third reading.

On motion of Mr. Dorsey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 2026 with Governor's recommendations, was given third reading.

On motion of Mr. Zane that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin,

Lesniak, Lipman, Lynch, McNamara, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Assembly No. 2140 was given third reading.

On motion of Mr Zane that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No 2512 was given third reading.

On motion of Mr. Zane that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—34

In the negative—None.

Assembly No. 2571 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Assembly No 2745 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Con-

nor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 2802 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Assembly No. 2805 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Assembly No. 3775 was given third reading.

On motion of Mr. Van Wagner that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative were—Bubba, Laskin—2.

Assembly No. 4233 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Du-

mont, Feldman, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 132 was given third reading.

On motion of Mr. Zane that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—36.

In the negative—None.

Senate No. 458 was given third reading.

On motion of Mr. Dorsey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, McNamara, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 1176 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Gagliano, Garibaldi, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative was—Hirkala—1.

Senate No. 1816 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Gagliano, Garibaldi, Gormley, Graves, Haines,

Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative was—Bubba—1.

Senate No. 2317 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 2498 was given third reading.

On motion of Mr. Van Wagner that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 2758 was given third reading.

On motion of Mr. Van Wagner that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 3057 was given third reading.

On motion of Mr. Gagliano that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Dalton, DiFrancesco, Dorsey, Dumont, Ewing,

Feldman, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 3063 was given third reading.

On motion of Mr. McManimon that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 3095 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative were—

Bassano, Bubba, Ewing—3.

Senate No. 3163 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 3270 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative were—

Bubba, Laskin—2.

Senate Joint Resolution No. 60 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate Joint Resolution No. 71 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McNamara, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate Joint Resolution No. 76 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—36.

In the negative was—Laskin—1.

Senate No. 2078 was given third reading.

On motion of Mr. McManimon that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative was—Laskin—1.

Senate No. 2835 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 3297 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

On motion of Mr. Connors pursuant to Rule 124, Assembly No. 3199 was substituted for Senate No. 2607 with which it is identical, and Senator Connors was added as cosponsor of Assembly No. 3199.

Which was adopted by voice vote.

Assembly No. 3199 was given third reading.

On motion of Mr. Connors that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara,

O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

On motion of Ms. Lipman pursuant to Rule 124, Assembly No. 2974 was substituted for Senate No. 2658 with which it is identical, and Senator Lipman was added as cosponsor of Assembly No. 2974.

Which was adopted by voice vote.

Assembly No. 2974 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative was—Laskin—1.

On motion of Ms. Lipman pursuant to Rule 124, Assembly No. 2385 was substituted for Senate No. 2659 with which it is identical, and Senator Lipman was added as cosponsor of Assembly No. 2385.

Which was adopted by voice vote.

Assembly No. 2385 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative was—Laskin—1.

Senate No. 3199 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

On motion of Mr. Van Wagner, Assembly No. 2506 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative were—

DiFrancesco, Laskin—2.

Assembly No. 2506 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Graves, Senate No. 643 SCS was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Brown, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—30.

In the negative—None.

Senate No. 643 SCS Sa was taken up, read a second time, and ordered to a third reading.

The Senate moved and acted upon one Ceremonial Resolution.

On motion of Mr. Codey Senate No. 2290 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

Mr. Bubba proposed further amendments to Senate No. 2290 (OCR) Sa, which were lost by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Dorsey, Dumont, Gagliano, Garibaldi, Gormley, Haines, Hurley, Laskin, McNamara—12.

In the negative were—

Caufield, Codey, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—21.

Senate No. 2290 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Ms. Costa, Senate No. 2889 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Costa, Cowan, Dalton, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—32.

In the negative—None.

Senate No. 2889 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Codey, Assembly No. 2186 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Costa, Cowan, Dalton, Dorsey, Dumont, Feldman, Garibaldi, Gormley, Graves, Haines, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—27.

In the negative—None.

Assembly No. 2186 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Bassano, Senate No. 3366 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—34.

In the negative—None.

Senate No. 3366 Sa was taken up, read a second time, and ordered to a third reading.

Senate No. 1744, with Governor's recommendations, was given second reading.

On motion of Ms. Lipman that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Costa, Cowan, Dalton, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—33.

In the negative—None.

Senate No. 1744, with Governor's recommendations, was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Lesniak, Senate No. 3423 SCS was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Laskin, Lesniak, Lynch, McManimon, McNamara, O'Connor, Pallone, Rand, Russo, Stockman, Weiss, Zane—31.

In the negative—None.

Senate No. 3423 SCS Sa was taken up, read a second time, and ordered to a third reading.

Senate No. 3337 was given third reading.

On motion of Mr. Caufield for Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Caufield, Codey, Costa, Cowan, Dalton, Dumont, Feldman, Garibaldi, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—26.

In the negative were—

Bassano, Cardinale, Contillo, DiFrancesco, Gagliano, Gormley, Haines, Hurley, Laskin—9.

On motion of Mr. DiFrancesco, Senate No. 3145 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala,

Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—34.

In the negative—None.

Senate No. 3145 Sa was taken up, read a second time, and ordered to a third reading.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bill, which bill was read for the first time and referred by the President as indicated:

Assembly No. 3811 Aca, without reference.

Assembly No. 3811 Aca was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Weiss, A3811 Aca was amended and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Garibaldi, Gornley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—32.

In the negative—None.

Assembly No. 3811 Aca Sa was taken up, read a second time, and ordered to a third reading.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Assembly No. 4100 and Senate No. 3250, notwithstanding the lack of five days' notice.

The Judiciary Committee reported the following nomination favorably:

To be a member of the Health Care Facilities Financing Authority, Morton Howard, of South Orange, to succeed himself, for the term prescribed by law.

On motion of Mr. Lynch, the following nominations were taken up:

To be a member of the Public Employment Relations Commission, Edward Horan, of Morristown to succeed Jeffrey Suskin, for the term prescribed by law.

To be a member of the State Board of Human Services, Paulette Coronato, of Scotch Plains, to succeed Patricia Shillingburg, resigned, for the term prescribed by law.

To be a member of the State Board of Human Services, Rodger K. Herrigel, of Chatham, to succeed Alexander Matturri, resigned, for the term prescribed by law.

To be a member of the State Council on the Arts, David Farris, of Bernardsville, to succeed himself, for the term prescribed by law.

To be a member of the Advisory Council on Community Affairs, Bertrand Kendall, of Montclair, to succeed himself, for the term prescribed by law.

To be a member of the Commission on Civil Rights, Matthew P. Rivers, of Newark, to succeed Lincoln Green, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Robert Trugman, of Verona, for the term prescribed by law.

To be a member of the Gloucester County Board of Taxation, Jacqueline Clark, of Turnersville, to succeed herself for the term prescribed by law.

To be a member of the New Jersey Sports and Exposition Authority, Sid Benjamin, of Flemington, to succeed Robert E. Mulcahy, III, for the term prescribed by law.

To be a member of the New Jersey Expressway Authority, Chris Scher, of Absecon, to succeed Donald Vass, resigned, for the term prescribed by law.

To be a Workers' Compensation Judge, Robert F. Butler, of Vineland, for the term prescribed by law.

To be a member of the Division of Parks, Forestry and Recreation, Gregory A. Marshall, of Asbury, to succeed Russell W. Myers as Director, for the term prescribed by law.

Upon the question "Will the Senate advise and consent to the above nominations?" it was decided as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—36.

In the negative—None.

The above nominations were declared unanimously confirmed.

On motion of Mr. Lynch, the following nomination was taken up:

To be Public Advocate, Alfred A. Slocum, of Morris Township, to succeed Joseph Rodriguez, resigned, for the term prescribed by law.

Upon the question "Will the Senate advise and consent to the above nomination?" it was decided as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley,

Jackman, Laskin, Lesniak, Lipman, Lynch, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—33.

In the negative were—Dorsey, Dumont—2.

The above nomination was declared confirmed.

Senate No. 3436 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—34.

In the negative were—Bubba, Laskin—2.

Senate Joint Resolution No. 66 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Brown, Cardinale, Caufield, Codey, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Russo, Stockman, Weiss, Zane—30.

In the negative—None.

Assembly No. 293 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—35.

In the negative were—Haines, Laskin—2.

Assembly No. 344 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lip-

man, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—36.

In the negative—None.

Assembly No. 548 with Governor's recommendations, was given third reading.

On motion of Mr. Zane that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Feldman, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss—31.

In the negative were—Bubba, Dumont, Haines, Zane—4.

Assembly No. 865 was given third reading.

On motion of Mr. Lesniak that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, O'Connor, Orechio (President), Rand—5.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Contillo, DiFrancesco, Dorsey, Dumont, Ewing, Garibaldi, Gormley, Graves, Haines, Laskin, McManimon, McNamara, Pallone, Stockman, Zane—19.

On motion of Mr. Lesniak the bill was laid over.

Assembly No. 994 was given third reading.

On motion of Mr. Zane that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—33.

In the negative—None.

Assembly No. 1913 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak,

Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—36.

In the negative—None.

On motion of Mr. Codey pursuant to Rule 124, Assembly No. 2551 was substituted for Senate No. 3428 with which it is identical, and Senator Codey was added as cosponsor of Assembly No. 2551.

Which was adopted by voice vote.

Assembly No. 2551 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—37.

In the negative—None.

Assembly No. 2594 was given third reading.

On motion of Mr. Zane that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—33.

In the negative—None.

Assembly No. 2707 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—36.

In the negative—None.

Senate No. 1666 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bubba, Caufield, Cowan, Dorsey, Gagliano, Graves, Hirkala, Jackman, McNamara, Orechio (President), Pallone, Weiss—12.

In the negative were—

Brown, Cardinale, DiFrancesco, Dumont, Ewing, Gormley, Haines, Hurley, Laskin—9.

On motion of Mr. Graves the bill was laid over.

Senate No. 3473 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Russo, Stockman, Weiss, Zane—32.

In the negative was—Laskin—1.

On motion of Mr. Dalton, Senate No. 3435 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Brown, Cardinale, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Russo, Stockman, Weiss, Zane—31.

In the negative—None.

Senate No. 3435 Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Haines, Senate No. 3360 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Stockman, Weiss, Zane—32.

In the negative—None.

Senate No. 3360 Sa was taken up, read a second time, and ordered to a third reading.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Assembly No. 3381, notwithstanding the lack of five days' notice.

The County and Municipal Government Committee reported the following bill favorably without amendment:

Assembly No. 3381.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 3205, notwithstanding the lack of five days' notice.

The Institutions, Health and Welfare Committee reported the following bill favorably without amendment:

Senate No. 3205.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 3355, notwithstanding the lack of five days' notice.

The Natural Resources and Agriculture Committee reported the following bill favorably without amendment:

Senate No. 3355.

Senate Nos. 3355 (with waiver), 3205 (with waiver) and Assembly No. 3381 (with waiver) were taken up, read a second time, and ordered to a third reading.

Mr. Garibaldi offered the following resolution which was read and adopted:

WHEREAS, On Friday, August 9, 1985 Senator Garrett W. Hagedorn died, thereby creating a vacancy in the State Senate; and

WHEREAS, With the untimely death of Senator Hagedorn a large number of important pieces of legislation have been left without a living prime sponsor; and

WHEREAS, Senator Garibaldi has indicated that he would like to become the new prime sponsor of several of these bills; now, therefore

*Be It Resolved by the Senate of the State of New Jersey:*

That the following Senate bill, sponsored by former State Senator Garrett W. Hagedorn, is hereby transferred to the sponsorship of Senator Garibaldi, and that Senator Garibaldi, is hereby designated as the prime sponsor of said bill:

Senate No. 2912.

The President announced receipt of, and directed the Secretary to read 14 letters from the Governor nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be a member of the Commission on Capital Budgeting and Planning, B. Carol Molnar, of Westfield, to succeed Edward Foley, resigned, for the term prescribed by law.

To be a member of the Hazardous Waste Facilities Siting Commission, Maxwell Weiss, of Convent, to succeed himself, for the term prescribed by law.

To be a member of the Hazardous Waste Facilities Siting Commission, Frank Dodd, of Manasquan, to succeed himself, for the term prescribed by law.

To be a member of the Hazardous Waste Facilities Siting Commission, George Polzer, of Red Bank, to succeed himself, for the term prescribed by law.

To be a member of the Hazardous Waste Facilities Siting Commission, Dr. Roy T. Gottesman, of Glen Rock, to succeed himself, for the term prescribed by law.

To be a member of the State Board of Mediation, Raymond Durkin, of Maplewood, to succeed himself, for the term prescribed by law.

To be a member of the State Board of Mediation, Thomas Lazzio, of Paterson, to succeed himself, for the term prescribed by law.

To be a member of the State Board of Mediation, Walter Emerson, of Red Bank, to succeed himself, for the term prescribed by law.

To be a member of the State Board of Mediation, Lucille C. Foley, of Barnegat, to succeed herself, for the term prescribed by law.

To be a member of the State Board of Mediation, Dominick Romano, of Andover Township, to succeed himself, for the term prescribed by law.

To be a member of the State Advisory Board of Public Movers and Warehousemen, Gail Best, of Lake Hiawatha, to succeed Don Readlinger, resigned, for the term prescribed by law.

To be a member of the Hotel and Multiple Dwelling Health and Safety Board, Samuel Herzog, of Convent Station, to succeed himself, for the term prescribed by law.

To be a member of the New Jersey Automobile Insurance Risk Exchange Board, Clive Perrin, of Glastonbury, Connecticut, to succeed William Buckley, resigned, for the term prescribed by law.

To be a member of the Board of Public Utilities, George Barbour, of Maple Shade, to succeed himself, for the term prescribed by law.

The above nominations were referred to the Judiciary Committee.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Senate Committee Substitute for Assembly No. 1278, with Governor's recommendations, without reference.

Assembly No. 1402 Aca, Revenue, Finance and Appropriations Committee.

Assembly No. 1901 Aca, with Governor's recommendations, without reference.

Assembly No. 2071 Aca, Labor, Industry and Professions Committee.

Assembly No. 3012, Institutions, Health and Welfare Committee.

Assembly No. 3018, without reference.

Assembly No. 3088, County and Municipal Government Committee.

Assembly No. 3597, Energy and Environment Committee.

Assembly No. 3651, County and Municipal Government Committee.

Assembly No. 3841, Institutions, Health and Welfare Committee.

Assembly No. 4058, without reference.

Assembly Joint Resolution No. 123, without reference.

Senate No. 729 Sea Aca, without reference.

Senate No. 2996 Aca, without reference.

Senate No. 1679 Aca, without reference.

Senate No. 1776 Aca, with Governor's recommendations, without reference.

Assembly No. 252 Aca, Judiciary Committee.

Assembly No. 1065 Aca, Law, Public Safety and Defense Committee.

Assembly No. 3842, Institutions, Health and Welfare Committee.

Assembly No. 4014, Revenue, Finance and Appropriations Committee.

Assembly No. 4239, without reference.

Assembly No. 4253, without reference.

Assembly No. 4284, Revenue, Finance and Appropriations Committee.

Senate No. 487 Sea, Sea, Sa, Aca, without reference.

Senate Committee Substitute for Assembly No. 1278 with Governor's recommendations, Assembly Nos. 1901 Aca with Governor's recommendations, 3018, 4058, Assembly Joint Resolution No. 123, Senate Nos. 729 Sea Aca, 2996 Aca, 1679 Aca, 1776 Aca with Governor's recommendations, Assembly Nos. 4239, 4253 and Senate No. 487 Sea Sea Sa Aca were taken up, read a second time, and ordered to a third reading.

The Transportation and Communications Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly No. 4100 Sea and Senate No. 3250 Sea.

Assembly No. 4100 Sea and Senate No. 3250 Sea were taken up, read a second time, and ordered to a third reading.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 3480, by Mr. Stockman, without reference.

Senate No. 3481, by Mr. O'Connor, without reference.

Senate No. 3482, by Mr. O'Connor, without reference.

Senate No. 3483, by Mr. Caufield, Revenue, Finance and Appropriations Committee.

Senate No. 3484, by Mr. Russo, Revenue, Finance and Appropriations Committee.

Senate No. 3485, by Mr. Contillo, Revenue, Finance and Appropriations Committee.

Senate No. 3486, by Mr. Lynch, Revenue, Finance and Appropriations Committee.

Senate No. 3487, by Mr. Bubba, Revenue, Finance and Appropriations Committee.

Senate No. 3488, by Mr. Haines, Revenue, Finance and Appropriations Committee.

Senate No. 3489, by Mr. Lynch, Revenue, Finance and Appropriations Committee.

Senate No. 3490, by Mr. Dalton, Revenue, Finance and Appropriations Committee.

Senate No. 3491, by Mr. Orechio, Revenue, Finance and Appropriations Committee.

Senate No. 3492, by Mr. Dumont, without reference.

Senate No. 3493, by Mr. Orechio, without reference.

Senate No. 3494, by Mr. Jackman, Revenue, Finance and Appropriations Committee.

Senate No. 3495, by Mr. Rand, Revenue, Finance and Appropriations Committee.

Senate No. 3496, by Mr. Lynch, Revenue, Finance and Appropriations Committee.

Senate Resolution No. 108, by Mr. Weiss, without reference.

Senate No. 3497, by Mr. Pallone, without reference.

Senate Nos. 3480, 3481, 3482, 3492, 3493, 3497 and Senate Resolution No. 108 were taken up, read a second time, and ordered to a third reading.

The Senate moved and acted upon two Ceremonial Resolutions.

On motion of Ms. Lipman, Mr. Stockman was added as cosponsor of Senate No. 3270.

On motion of Mr. Codey, Mr. Contillo was added as cosponsor of Senate No. 3464.

On motion of Mr. O'Connor, Mr. Lesniak was added as cosponsor of Senate No. 2835.

On motion of Mr. Caufield, Mr. Lesniak was added as cosponsor of Senate No. 2803.

On motion of Mr. Russo, Mr. Lesniak was added as cosponsor of Senate No. 2878.

On motion of Mr. Codey, Mr. Lesniak was added as cosponsor of Senate No. 3348.

On motion of Mr. Pallone, Mr. Lesniak was added as cosponsor of Senate Joint Resolution No. 66.

On motion of Mr. Codey, Mr. Lesniak was added as cosponsor of Senate Joint Resolution No. 71.

Mr. Russo offered the following resolution which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet on Thursday, December 12, 1985, at 2 p.m.

On motion of Mr. Russo the Senate then adjourned.

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#### THURSDAY, December 12, 1985.

At 10:30 a.m. the Senate met.

The Session was opened with prayer.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—34.

On motion of Mr. Russo, the reading of the Journal of the previous session was dispensed with.

The Senate recessed until 3:45 p.m.

At 3:45 p.m. the Senate reconvened.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van-Wagner, Weiss, Zane—38.

The Senate moved and acted upon seven Commemorative, Ceremonial and Memorial Resolutions.

Senate Committee Substitute for Senate No. 602 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Dalton, DiFrancesco, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—25.

In the negative were—

Brown, Bubba, Dorsey, Dumont, Haines, Laskin—6.

Senate No. 3464 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—37.

In the negative—None.

Senate No. 3435 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van-Wagner, Weiss, Zane—38.

In the negative—None.

The Revenue, Finance and Appropriations Committee reported the following bill favorably without amendment:

Senate No. 3462.

Senate No. 3462 was taken up, read a second time, and ordered to a third reading.

Mr. Van Wagner offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3462 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

On motion of Mr. DiFrancesco, Senate No. 3145 Sea Sa was placed back on second reading for the purpose of rescinding previously passed floor amendments and the amendments were rescinded by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—35.

In the negative—None.

Mr. DiFrancesco offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3145 Sea is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—36.

In the negative—None.

On motion of Mr. DiFrancesco pursuant to Rule 124, Assembly No. 3811 Aca Sa was substituted for Senate No. 3145 Sea with which it is identical, and Senator DiFrancesco was added as co-sponsor of Assembly No. 3811.

Which was adopted by voice vote.

Assembly No. 3811 Aca Sa was given third reading.

On motion of Mr. DiFrancesco that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—35.

In the negative—None.

On motion of Mr. Hurley, Senate No. 852 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman, Weiss, Zane—35.

In the negative—None.

Senate No. 852 Sa was taken up, read a second time, and ordered to a third reading.

Mr. Hurley offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 852 Sa is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—37.

In the negative—None.

Senate No. 852 Sa was given third reading.

On motion of Mr. Hurley that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves,

Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—37.

In the negative—None.

The Revenue, Finance and Appropriations Committee reported the following bill favorably with amendments, and on motion of the Chairman the amendments were adopted:

Senate No. 3108 Sea.

Ms. Costa offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3108 Sea is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—31.

In the negative—None.

Senate No. 3108 Sea was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—37.

In the negative—None.

The Revenue, Finance and Appropriations Committee reported the following bills favorably without amendment:

Senate Nos. 3485, 2895, 3487, 3491 and Assembly No. 2964.

Assembly No. 2964, Senate Nos. 3485, 2895, 3487 and 3491 were taken up, read a second time, and ordered to a third reading.

Mr. Caufield offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3491 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Contillo, Cowan, Dalton, DiFrancesco, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—32.

In the negative—None.

Senate No. 3491 was given third reading.

On motion of Mr. Caufield for Mr. Orechio that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—36.

In the negative—None.

Mr. Contillo offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3485 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—34.

In the negative—None.

Senate No. 3485 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—37.

In the negative—None.

Mr. Russo offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2895 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—34.

In the negative—None.

On motion of Mr. Russo pursuant to Rule 124, Assembly No. 2964 was substituted for Senate No. 2895 with which it is identical, and Senator Russo was added as cosponsor of Assembly No. 2964.

Which was adopted by voice vote.

Assembly No. 2964 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—35.

In the negative—None.

Mr. Bubba offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3487 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—36.

In the negative was—Laskin—1.

Senate No. 3487 was given third reading.

On motion of Mr. Bubba that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative was—Laskin—1.

The Revenue, Finance and Appropriations Committee reported the following bills favorably without amendment:

Senate Nos. 3483, 3490 and 3484.

Senate Nos. 3483, 3490 and 3484 were taken up, read a second time, and ordered to a third reading.

Mr. Caufield offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3483 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 3483 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Mr. Russo offered the following resolution which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3484 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 3484 was given third reading.

On motion of Mr. Jackman for Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Mr. Dalton offered the following resolution which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3490 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 3490 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cewan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

The Revenue, Finance and Appropriations Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly No. 3406 (OCR) Sea.

Assembly No. 3406 (OCR) Sea was taken up, read a second time, and ordered to a third reading.

Mr. Caufield made a motion to suspend the 30 bill limitation rule. Motion adopted by voice vote.

Assembly No. 88 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were—

Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative were—

Bassano, Ewing, Haines—3.

Assembly No. 597 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative was—Lynch—1.

Assembly No. 726 was given third reading.

On motion of Mr. Dorsey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 1509 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—29.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Dorsey, Laskin, McNamara—7.

Assembly No. 1828 with Governor's recommendations, was given third reading.

On motion of Mr. Rand that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative was—Laskin—1.

Assembly No. 1824 with Governor's recommendations, was given third reading.

On motion of Mr. Rand that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Assembly No. 2175 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—35.

In the negative were—Zane, Laskin—2.

Assembly No. 2229 was given third reading.

On motion of Mr. Dorsey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 2246 with Governor's recommendations, was given third reading.

On motion of Mr. Jackman that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 2721 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative were—Contillo, Laskin—2.

Assembly No. 3506 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative were—Gormley, Lynch—2.

Assembly No. 3619 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 3643 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Assembly Joint Resolution No. 56 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—36.

In the negative—None.

Senate No. 1125 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 1744 with Governor's recommendations, was given third reading.

On motion of Ms. Lipman that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss—30.

In the negative were—

Bubba, Contillo, Dorsey, Laskin, Zane—5.

Senate No. 2625 was given third reading.

On motion of Mr. Stockman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—34.

In the negative were—

Bubba, Laskin, Zane—3.

Senate No. 2766 was given third reading.

On motion of Mr. Ewing that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman,

Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

On motion of Mr. O'Connor pursuant to Rule 124, Assembly No. 3406 was substituted for Senate No. 2826 with which it is identical, and Senator O'Connor was added as cosponsor of Assembly No. 3406.

Which was adopted by voice vote.

Assembly No. 3406 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 3421 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 3424 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 3430 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 3467 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

Senate No. 487 Aa was given third reading.

On motion of Mr. DiFrancesco that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 2448 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2996 Aa was given third reading.

On motion of Mr. Codey that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were:

Bassano, Brown, Bubba, Cardinale, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative was—Laskin—1.

Senate No. 3206 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative was—Laskin—1.

On motion of Mr. Cowan pursuant to Rule 124, Assembly No. 4239 was substituted for Senate No. 3437 with which it is identical, and Senator Cowan was added as cosponsor of Assembly No. 4239.

Which was adopted by voice vote.

Assembly No. 4239 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative were—

Laskin, Lynch—2.

Senate No. 3438 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey,

Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 3481 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were:

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 3482 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were:

Bassano, Brown, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 3493 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

On motion of Ms. Lipman pursuant to Rule 124, Assembly No. 294 was substituted for Senate No. 1313 with which it is identical, and Senator Lipman was added as cosponsor of Assembly No. 294.

Which was adopted by voice vote.

Assembly No. 294 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Ms. Brown takes the floor for personal privilege.

Senate No. 3479 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Cardinale, Caufield, Codey, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—30.

In the negative were—

Bubba, Dumont, Garibaldi, Haines, Laskin, McNamara—6.

Senate No. 1783 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Garibaldi, Gormley, Graves, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McNamara, O'Connor, Orechio (President), Pallone, Rand, Van Wagner, Weiss, Zane—33.

In the negative—None.

Senate No. 2229 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Brown, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—24.

In the negative were—

Bassano, Cardinale, DiFrancesco, Dumont, Gormley, Haines, Hurley, Laskin, McNamara, Dorsey—10.

Senate No. 2846 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 3205 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Brown, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative were—

Bassano, Bubba—2.

Senate No. 3260 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Brown, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dumont, Feldman, Garibaldi, Gormley, Graves, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—29.

In the negative were—

Bassano, Cardinale, DiFrancesco, Dorsey—4.

Senate No. 3330 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 3355 was given third reading.

On motion of Mr. Dorsey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative were—Gormley, Laskin, Lesniak, McNamara—4.

Senate Committee Substitute for Senate No. 3423 was given third reading.

On motion of Mr. Lesniak that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative were—Haines, Laskin—2.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 4153 Aca, without reference.

Assembly No. 3914 (OCR) Aca, without reference.

Assembly No. 4109 Aa, without reference.

Assembly No. 4138, without reference.

Assembly No. 3826, Law, Public Safety and Defense Committee.

Assembly No. 3959, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 4105, without reference.

Assembly No. 4175 Aca, Judiciary Committee.

Assembly No. 4237, without reference.

Assembly Nos. 4105, 3914 (OCR) Aca, 4109 Aa, 4138, 4153 Aca and 4237 were taken up, read a second time, and ordered to a third reading.

On motion of Mr. Van Wagner pursuant to Rule 124, Assembly No. 4105 was substituted for Senate No. 3462 with which it is identical, and Senator Van Wagner was added as cosponsor of Assembly No. 4105.

Which was adopted by voice vote.

Assembly No. 4105 was given third reading.

On motion of Mr. Van Wagner that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

On motion of Mr. Haines pursuant to Rule 124, Assembly No. 4109 was substituted for Senate No. 3360 with which it is identical, and Senator Haines was added as cosponsor of Assembly No. 4109.

Which was adopted by voice vote.

Assembly No. 4109 was given third reading.

On motion of Mr. Haines that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative was—McNamara—1.

Assembly No. 1447 with Governor's recommendations, was given third reading.

On motion of Mr. Cowan that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Gagliano, Garibaldi, Graves, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—31.

In the negative—None.

Assembly No. 1873 was given third reading.

On motion of Mr. Lesniak that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont,

Feldman, Gagliano, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative was—Garibaldi—1.

Assembly No. 1927 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Brown, Cardinale, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gormley, Graves, Hirkala, Jackman, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Van Wagner, Weiss, Zane—24.

In the negative were—

Bassano, Bubba, Haines, Hurley, Laskin, McNamara—6.

Assembly No. 2194 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—23.

In the negative were—

Cardinale, DiFrancesco, Dorsey, Dumont, Gagliano, Garibaldi, Gormley, Haines, Hurley, Laskin, McNamara—11.

Assembly No. 2506 was given third reading.

On motion of Mr. Van Wagner that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dumont, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—23.

In the negative were—

Bassano, Brown, Bubba, Cardinale, DiFrancesco, Dorsey, Gagliano, Garibaldi, Gormley, Haines, Hurley, Laskin, McNamara—13.

Assembly No. 2577 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman,

Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Assembly No. 2838 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss—34.

In the negative were—Laskin, Zane—2.

Assembly No. 3281 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Ewing, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—24.

In the negative were—

Bassano, Brown, Cardinale, DiFrancesco, Dorsey, Dumont, Gagliano, Garibaldi, Gormley, Haines, Hurley, Laskin, McNamara—13.

Assembly No. 3288 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Brown, Caufield, Codey, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—29.

In the negative were—

Bassano, Cardinale, Contillo, Laskin, McNamara—5.

Senate Committee Substitute for Senate No. 643 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—19.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Contillo, DiFrancesco, Dumont, Garibaldi, Gormley, Haines, Hurley, Laskin, Lesniak—13.

On motion of Mr. Graves the bill was laid over.

Senate No. 2290 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Garibaldi, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—26.

In the negative were—

Bubba, Haines, Hurley Laskin—4.

Senate No. 2889 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate Resolution No. 75 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Assembly No. 1360 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Assembly No. 803 with Governor's recommendations, was given third reading.

On motion of Mr. Cowan that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative was—Lynch—1.

Senate No. 3130 was given third reading.

On motion of Mr. Cardinale that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

On motion of Mr. Stockman pursuant to Rule 124, Assembly No. 4153 was substituted for Senate No. 3480 with which it is identical, and Senator Stockman was added as cosponsor of Assembly No. 4153.

Which was adopted by voice vote.

Assembly No. 4153 was given third reading.

On motion of Mr. Stockman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Caufield, Contillo, Costa, Cowan, DiFrancesco, Dumont, Feldman, Garibaldi, Gormley, Graves, Haines, Hirkala, Jackman, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—24.

In the negative were—

Bubba, Cardinale, Dorsey, Hurley, Laskin—5.

On motion of Mr. Jackman pursuant to Rule 124, Assembly No. 3652 was substituted for Senate No. 3364 with which it is identical, and Senator Jackman was added as cosponsor of Assembly No. 3652.

Which was adopted by voice vote.

Assembly No. 3652 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Codey, Cowan, Feldman, Hirkala, Jackman, Lipman, McManimon, O'Connor, Pallone, Van Wagner, Zane—12.

In the negative were—

Brown, Cardinale, Contillo, Costa, Dalton, DiFrancesco, Dorsey, Dumont, Gagliano, Gormley, Graves, Haines, Laskin, Lynch, McNamara, Orechio (President), Rand—17.

Assembly No. 3652 was declared lost.

On motion of Mr. Van Wagner, Senate No. 3434 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—32.

In the negative—None.

Senate No. 3434 Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. O'Connor, Senate No. 2175 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative—None.

Senate No. 2175 Sa was taken up, read a second time, and ordered to a third reading.

Mr. O'Connor offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2175 Sa is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van-Wagner, Weiss, Zane—36.

In the negative—None.

Senate No. 2175 Sa was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van-Wagner, Weiss, Zane—36.

In the negative—None.

On motion of Ms. Lipman, Senate No. 2976 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Caufield, Codey, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Feldman, Garibaldi, Gormley, Hirkala, Hurley, Jackman, Laskin, Lipman, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—26.

In the negative—None.

Senate No. 2976 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Messrs. Gormley and Van Wagner, Assembly Committee Substitute for Assembly No. 2541 (2nd SR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Assembly Committee Substitute for Assembly No. 2541 (2nd SR) Sa was taken up, read a second time, and ordered to a third reading.

Mr. Dalton offered the following motion, which was read and adopted by the following vote:

*Be It Resolved*, that the Senate reconsider the vote by which Senate No. 3467 was passed and that the bill be placed back on second reading.

In the affirmative were:

Bassano, Brown, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—32.

In the negative—None.

Senate No. 3467 was taken up, read a second time, and ordered to a third reading.

The Senate moved and acted upon one Ceremonial Resolution.

The Secretary read the following memorandum:

The Office of Legislative Services has received the following material on behalf of the Senate on the date indicated.

12-10-85 DEPARTMENT OF TRANSPORTATION (NJ Transportation Trust Fund Authority Annual Report, 1985)

12-11-85 NJ STATE COMMISSION OF INVESTIGATION (Final Report: Organized Crime in Boxing, 12/16/85)

On motion of Mr. Weiss, Senate No. 3470 of 1985 was withdrawn from the files.

The President announced receipt of and directed the Secretary to read four letters from the Governor, nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be a member of the State Board of Education, Anne S. Dillman, of Perth Amboy, to succeed herself, for the term prescribed by law.

To be a member of the New Jersey Sports and Exposition Authority, William F. Taggart, of Bedminster, to succeed himself, for the term prescribed by law.

To be a member of the Commissioners of Pilotage, Richard L. Amster, of Florham Park, to succeed himself, for the term prescribed by law.

To be a member of the New Jersey Motion Picture and Television Development Commission, Jacqueline Beusse, of Caldwell, to succeed herself, for the term prescribed by law.

The above nominations were referred to the Judiciary Committee.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 409, Labor, Industry and Professions Committee.

Assembly No. 410, Labor, Industry and Professions Committee.

Assembly No. 900, County and Municipal Government Committee.

Assembly No. 1742 ACS Aca, without reference.

Assembly No. 2288, Judiciary Committee.

Assembly No. 2658 Aca, County and Municipal Government Committee.

Assembly No. 2880 Aca, without reference.

Assembly No. 2963 AcaAa, without reference.

Assembly No. 3269, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly No. 3359 Aca, Law, Public Safety and Defense Committee.

Assembly No. 3415 Aca, without reference.

Assembly No. 3416 Aca, without reference.

Assembly No. 3493 Aca, Institutions, Health and Welfare Committee.

Assembly No. 3600 Aca, Aging Committee.

Assembly No. 3737 Aca, without reference.

Assembly No. 3946 Aca, Education Committee.

Assembly No. 3998, without reference.

Assembly No. 4076, Institutions, Health and Welfare Committee.

Assembly No. 4123, Labor, Industry and Professions Committee.

Assembly No. 4166, without reference.

Assembly No. 4219, without reference.

Assembly Joint Resolution No. 112, Energy and Environment Committee.

Assembly No. 3151 Aca, without reference.

Assembly No. 3585, Law, Public Safety and Defense Committee.

Assembly No. 4299, without reference.

Assembly No. 4035, without reference.

Assembly No. 4225, without reference.

Assembly No. 2653 ACS, County and Municipal Government Committee.

Assembly No. 4274, Energy and Environment Committee.

Assembly No. 4279, without reference.

Senate No. 2349 Aca, without reference.

Assembly No. 4289, without reference.

Assembly No. 3014/3044 ACSAca, without reference.

Assembly No. 3417 Aca, without reference.

Assembly No. 3427 AcaAca, without reference.

Assembly No. 3418 AcaAca, without reference.

Assembly No. 3428 Aca (OCR), without reference.

Assembly No. 3429 Aca (OCR), without reference.

Assembly No. 4191, Labor, Industry and Professions Committee.

Assembly No. 4294, without reference.

Assembly Nos. 2963 AcaAa, 3415 Aca, 3416 Aca, 3737 Aca, 4166, 3151 Aca, 4299, 4035, 4225, 4279, Senate No. 2349 Aca, Assembly Nos. 4289, 3014/3044 ACS Aca, 3417 Aca, 3427 AcaAca, 3418 AcaAca, 3428 Aca (OCR), 3429 Aca (OCR) and 4294 were taken up, read a second time, and ordered to a third reading.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 2418, notwithstanding the lack of five days' notice.

The Institutions, Health and Welfare Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2964 Sea, 2965 Sea, 2966 Sea, Senate Committee Substitute for Senate No. 2967, Senate Joint Resolution No. 68 Sea, Senate No. 2970 Sea, Senate Committee Substitute for Senate No. 2968.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate Nos. 2964 Sea, 2965 Sea, 2966 Sea, 2967 SCS, 2968 SCS, 2969, 2970 Sea and Senate Joint Resolution No. 68 Sea, notwithstanding the lack of five days' notice.

The Energy and Environment Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 116 Sea, 977 Sea, 2259 Sea, Senate Committee Substitute for Senate No. 2670, Assembly Nos. 2003 ACS (OCR) Sea and 2940 AcaSea.

The Energy and Environment Committee reported the following bills favorably without amendment:

Senate No. 2982, Senate Resolution No. 101, Assembly No. 1672 and Senate No. 117.

The Institutions, Health and Welfare Committee reported the following bill favorably without amendment:

Senate No. 2969.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 2800, notwithstanding the lack of five days' notice.

The State Government, Federal and Interstate Relations and Veterans Affairs Committee reported the following bill favorably without amendment:

Senate No. 2800.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Assembly No. 1065 (OCR), notwithstanding the lack of five days' notice.

The Law, Public Safety and Defense Committee reported the following bill favorably without amendment:

Assembly No. 1065 (OCR).

The Education Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Assembly No. 3181 Sca.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Senate No. 3392, notwithstanding the lack of five days' notice.

The Judiciary Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Committee Substitute for Senate No. 3392.

The Revenue, Finance and Appropriations Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 692 Sca.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Assembly Nos. 2453 ACS, 2964, Senate No. 2895, Assembly No. 3226, Senate No. 2704, Assembly Nos. 3406, 3573, Senate Nos. 2783, 2784, Assembly No. 3183, Senate Nos. 2786, 2898, 3477, 3483, 3484, 3485, 3487, 3488, 3490, 3491, Assembly No. 607, Senate Nos. 3245 and 3495, notwithstanding the lack of five days' notice and that the 15 bill limitation is exceeded.

The Revenue, Finance and Appropriations Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Nos. 2704 Sea, 2707 Sea, 2783 Sea, 2784 (OCR) Sea, 2786 Sea, 2898 Sea, 3079 Sea, 3182 (OCR) Sea, 3201 Sea, 3432 Sea and Assembly No. 3183 (OCR) Sea.

The Revenue, Finance and Appropriations Committee reported the following bills favorably without amendment:

Senate No. 3495, Assembly No. 868, Senate Nos. 3442, 1836, Assembly Nos. 3226, 3573, Senate Nos. 3269, 3245, 3488, 3400, Assembly Nos. 2453 ACS, 1561 and Senate No. 2418.

Senate Nos. 2418 (with waiver), 2964 Sea (with waiver), 2965 Sea (with waiver), 2966 Sea (with waiver), 2967 SCS (with waiver), 2968 SCS (with waiver), 2969, 2970 Sea (with waiver), Senate Joint Resolution No. 68 Sea (with waiver), Senate Nos. 116 Sea, 977 Sea, 117, 2259 Sea, Senate Committee Substitute for Senate No. 2670, Senate No. 2982, Senate Resolution No. 101, Assembly Nos. 1672 Sea, 2940 Aca Sea, Senate No. 2800 (with waiver), Assembly Nos. 1065 (OCR) (with waiver), 3181 Sea, Senate Nos. 3292 Sea (with waiver), 692 Sea, 3488, 3400, Assembly Committee Substitute for Assembly No. 2453, Assembly No. 1561, Senate Nos. 2786 Sea, 2898 Sea, 3201 Sea, 3079 Sea, 2707 Sea, 3245, 2704 Sea, 3269, 3182 (OCR) Sea, Assembly Nos. 3573, 2003 ACS (OCR) Sea, Senate No. 3432 Sea, Assembly No. 868, Senate Nos. 3442, 1836, Assembly Nos. 3226, 3183 (OCR) Sea, Senate Nos. 2784 (OCR) Sea, 2783 Sea and 3495 were taken up, read a second time, and ordered to a third reading.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bill, which bill was read for the first time and referred by the President as indicated:

Assembly No. 4084, without reference.

Assembly No. 4084 was taken up, read a second time, and ordered to a third reading.

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 3498, by Mr. Caufield, without reference.

Senate No. 3499, by Mr. Pallone, without reference.

Senate No. 3500, by Messrs. O'Connor, Cowan and Jackman, without reference.

Senate No. 3501, by Mr. McManimon, without reference.

Senate No. 3502, by Messrs. Dalton and Rand, without reference.

Senate No. 3503, by Mr. Lesniak, without reference.

Senate No. 3504, by Mr. Rand, without reference.

Senate No. 3505, by Mr. Stockman, without reference.

Senate No. 3506, by Mr. Orechio, without reference.

Senate No. 3507, by Mr. Orechio, without reference.

Senate No. 3508, by Ms. Lipman, without reference.

Senate Nos. 3498, 3499, 3500, 3501, 3502, 3503, 3504, 3505, 3506, 3507 and 3508 were taken up, read a second time, and ordered to a third reading.

On motion of Mr. Lynch, Mr. Stockman was added as cosponsor of Senate No. 602.

On motion of Mr. Caufield, Mr. McManimon was added as cosponsor of Senate No. 3483.

Mr. Russo offered the following resolution which was read and adopted:

*Resolved*, That when the Senate adjourns, it be to meet on Saturday at 10 a.m., and that when it then adjourn it be to meet on Monday, January 13, 1986, at 2 p.m.

On motion of Mr. Russo the Senate then adjourned.

SATURDAY, December 14, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY December 16, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, December 19, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, December 21, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, December 23, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, December 26, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, December 28, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, December 30, 1985.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, January 2, 1986.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, January 4, 1986.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, January 6, 1986.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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THURSDAY, January 9, 1986.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

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SATURDAY, January 11, 1986.

The Senate met at 10 a.m.

In the absence of the President, Mr. Russo took the Chair as President *pro tempore*.

Under the direction of the President *pro tempore*, the Secretary called the Senate, when the following Senator appeared and answered the call:

Mr. Russo—1.

As there was no quorum present, the Senate then adjourned.

MONDAY, January 13, 1986.

At 10:30 a.m. the Senate met.

The Session was opened with prayer.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Gormley, Graves, Haines, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, Orechio (President), Pallone, Rand, Russo, Stockman—31.

On the motion of Mr. Russo the reading of the Journal of the previous session was dispensed with.

The Secretary read communications from the Governor, who has conditionally vetoed the following bills:

Senate Nos. 1929 (AR) cv, 2175 (OCR) cv, 1390 (OCR) cv and 2876 cv.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 13, 1986. }

SENATE BILL No. 1929 (AR)

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1929 (AR) with my objections and recommendations for amendment.

This legislation delineates the liability of employers who fail to remit unemployment compensation contributions and exempts from the provisions of the Unemployment Compensation Law travel agents or their salesmen who are compensated solely on a commission basis. The bill also provides that criminal complaints brought under the Unemployment Compensation Law are to be heard in Superior Court or municipal court rather than in the court of competent jurisdiction.

Criminal complaints are the final and most drastic remedy which the State pursues against employers who have shown flagrant disregard of the filing and payment provisions of the Unemployment Compensation Law. Under current law, any employer or officer or agent of an employing unit who fails to remit required contributions or who files or causes to be filed any false or fraudulent report shall be subject upon conviction to a fine of up to \$1,000 or 90 days imprisonment, or both. This bill specifies that only those officers who have the responsibility for filing required reports or remitting contributions can be held criminally liable for violations of the statute.

This proposed provision would make it more difficult for the State to pursue criminal prosecutions while not affording any additional protection to defendants. Because the State must prove intent to evade the payment of taxes before a criminal prosecution can be obtained, it is unlikely that any individual not responsible for the filing or payment of taxes would be found guilty in a court of law. This would also place upon the State the burden of establishing the individual business duties and responsibilities of each defendant. Furthermore, this provision could lead to situations in which certain responsible individuals could evade criminal prosecution on narrow, technical grounds. For example, the president of a corporation could escape criminal prosecution because the corporate treasurer or even an outside accountant was responsible for the filing of tax return for payment of taxes. In order to ensure that responsible officers or agents of employing units cannot evade criminal prosecution under these circumstances, I am recommending that this language be amended to apply to officers or agents "directly or indirectly" responsible for the filing and payment of taxes.

This legislation would also exempt from unemployment and disability insurance coverage travel agents or their salesmen who are compensated wholly on a commission basis. The unemployment and disability insurance laws in New Jersey are designed to provide certain benefits to those who depend on others for their livelihood. In keeping with this policy, these laws are construed very broadly and any exceptions to them must be convincingly justified and narrowly drawn. In recent years, the trend on the State and federal level has been to provide more expansive coverage rather than to carve additional exemptions.

This bill, according to its proponents, was designed to exclude from unemployment insurance coverage certain outside sales representatives who do not work full-time for travel agencies but who arrange tours under the auspices of an agency and receive a percentage of the agency's commission. While these individuals operate independently to a certain extent, they cannot make arrangements with airlines or hotels unless they are affiliated with an agency. The major problems with this proposal are that it exempts individuals who are totally dependent upon travel agencies for their ability to operate and exempts employees regardless of any existing employer/employee relationship. While outside sales representatives possess certain attributes of independent contractors, they can arrange tours only as representatives of travel agencies and as such are not independently engaged in their own business. In addition, by exempting all services performed by travel agents or their salesmen who are compensated wholly on a commission basis, this bill would exempt numerous individuals who are directly employed by travel agencies. Some travel agencies pay all of their salesmen wholly on a commission basis and these individuals, although employees in every sense of the word, could be disenfranchised from unemployment and disability insurance coverage as a

result of this bill. In addition, the enactment of this law could induce a number of travel agents to begin compensating their salaried salesmen on a commission basis, plus denying unemployment and disability insurance coverage to the affected salesmen.

In conclusion, this proposal does not meet the standards of compelling justification or narrow delineation which are essential for a statutory exemption from the Unemployment and Disability Insurance Law.

Therefore, I herewith return Senate Bill No. 1929 (AR) and recommend that it be amended as follows:

*Page 1, Title, Line 2:* Delete "and R. S. 43:21-19"

*Page 3, Section 1, Line 99:* After "is" insert "directly or indirectly"

*Page 17, Section 2, Lines 555-556:* Delete in entirety

Respectfully,

/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 13, 1986. }

SENATE BILL No. 2175 (OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2175 (OCR) with my recommendations for reconsideration.

Senate Bill No. 2175 (OCR) amends the statute setting the reserve levels for life insurance policies. The bill deletes the requirement in current law that in calculating reserves for life insurance policies the interest used shall not be higher than the interest rate used for determining monforfeiture benefits provided for those policies. The Department of Insurance has noted that this change in the law would allow domestic life insurance companies to compete more effectively with certain foreign companies but would not adversely affect the protection of policyholders.

The proposed change in the law would make the calculation of reserve levels in this State more consistent with the way reserve levels and surplus are calculated pursuant to federal tax law. The result would allow New Jersey domestic life insurance companies more flexibility in their tax planning. The Commissioner of Insurance will still annually evaluate the reserve levels of each insurance company to ensure adequate levels to protect policyholders.

The bill was amended by the Senate to place a one-year sunset provision with the intent of permitting life insurers to obtain tax benefits for 1986 while permitting further study of its effect.

The unintentional result of the sunset amendment, however, was to deny any tax benefits to insurance companies for 1986. A one-year trial period will not allow the insurance companies to perform any meaningful tax planning because any reduction in reserves could not be used to facilitate substantial tax savings if the reserves are required to be immediately increased the following year.

I propose to amend the bill to provide for a sunset provision which will restore the requirement that the interest rate used for reserves on certain insurance policies and contracts shall not be higher than the interest rate for nonforfeiture benefits as of January 1, 1987. However, the amendment I am recommending will allow insurers to continue to use, after 1986, reserves standards adopted in 1986. This amendment will provide domestic insurance companies the benefits intended under the original legislation, but still allow for a reassessment of the statutory change at the end of 1986.

Accordingly, I herewith return Senate Bill No. 2175 (OCR) and recommend that it be amended as follows:

*Page 13, Section 1, Line 496:* After “]” delete “, except that on or after January 1, 1987, the rate or rates of interest used for policies and contracts, other than annuity and pure endowment contracts, shall not be higher than the corresponding rate or rates of interest used in calculating any nonforfeiture benefits provided for therein” and insert “, except that for the purpose of valuing an insurer’s reserve liabilities as of any date on or after January 1, 1987, the rate or rates of interest used for policies and contracts, other than annuity and pure endowment contracts, shall not be higher than the corresponding rate or rates of interest used in calculating any nonforfeiture benefits provided for therein. Notwithstanding the foregoing exception, any reserves for policies and contracts, other than annuity and pure endowment contracts, issued prior to January 1, 1987 which, for the purpose of valuing an insurer’s liabilities as of December 31, 1986, are based on a standard using a rate or rates of interest higher than the corresponding rate or rates of interest used in calculating nonforfeiture benefits, may continue to be based on that standard in valuing the insurer’s liabilities thereafter”

Respectfully,

/s/ THOMAS H. KEAN,

Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel.

MONDAY, JANUARY 13, 1986

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STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 13, 1986. }

SENATE BILL No. 1390 (OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1390 (OCR) with my recommendations for reconsideration.

This bill would allow current or former members of the National Guard to affix a National Guard Minuteman emblem to their automobile license plates. A former member of the Guard would have to have been honorably separated from the National Guard as certified by the Adjutant General in the Department of Defense. The Director of the Division of Motor Vehicles and the Adjutant General would promulgate rules and regulations governing the design and affixation of the National Guard Minuteman emblems.

I appreciate all of the fine work done by the National Guard and would like to commend the men and women who give of their time and effort in helping to protect New Jersey during emergencies and serving as a trained corps of military personnel in the event of warfare.

However, I believe that the attachment of special emblems to license plates should be limited to those persons who currently serve in the capacity indicated by the affixed emblem. Therefore, it is my recommendation that only current members of the National Guard be allowed to attach these Minuteman emblems to their license plates.

Therefore, I herewith return Senate Bill No. 1390 (OCR) and recommend that it be amended as follows:

*Page 1, Section 1, Line 14:* Delete "holders of" insert "any person who is an active member of the New Jersey National Guard with"

Respectfully,  
/s/ THOMAS H. KEAN,  
Governor.

[SEAL]  
Attest:  
/s/ W. CARY EDWARDS,  
Chief Counsel.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 13, 1986. }

SENATE BILL No. 2876

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2876 with my recommendations for reconsideration.

This bill would amend the New Jersey "Environmental Rights Act" (Act) to delete that act's \$5,000.00 monetary "ceiling" on the amount a court may award the prevailing party for counsel and expert witness fees. Briefly, the Act authorizes private citizens to file civil suits to end or prevent activities which are polluting, impairing or destroying the environment. The 1974 enactment of this Act, which is commonly known as the "citizen's right to sue" law, provided the public with a much-needed avenue of relief for sanctioning those environmentally threatening activities which do not actually constitute violations of State laws or regulations, or local ordinances.

I support the intent of this bill in that the present \$5,000.00 ceiling, which was established in 1981, is unrealistically low when compared to reasonable litigation fees that are currently being charged by counsel and expert witness. Further, the present ceiling arguably creates a disincentive to citizens exercising their important rights under the Act, regardless of the potential strong merits of their concerns.

My conceptual support notwithstanding, however, I am concerned that the total "elimination" of any ceiling on counsel and expert witness fees may potentially "open the floodgates" and result in the filing of unwarranted, but nonetheless extremely costly, lawsuits for alleged environmentally hazardous activities. Rather, I believe that the good faith intentions of this bill would be more prudently, yet as effectively, accomplished through the establishment of a new ceiling which is consistent with the average, reasonable litigation fees which are currently being charged by counsel and expert witnesses. Accordingly, after consultation with the Department of Environmental Protection and the Attorney General's Office, I recommend that a new ceiling should be established at \$10,000.00. The establishment of this more realistic ceiling will hopefully encourage the citizenry's good faith exercise of the rights provided for in the act, while not also establishing an unnecessary precedent which might abrogate the intent of the "citizen's right to sue" law.

Accordingly, I herewith return Senate Bill No. 2876 for reconsideration and recommend that it be amended as follows:

*Page 1, Section 1, Line 5:* after "fees" INSERT ", but not exceeding a total of \$10,000.00"

Respectfully,  
/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ AMY R. PIRO,  
Deputy Chief Counsel.

The Secretary read communications from the Governor, who has absolutely vetoed the following bills, which were then filed:

Senate Nos. 144 av, 487 av, 791 av, 887 av, 1217 av, 1361 av, 1843 av, 2322 av, 2771 av, 3314 av and 3355 av.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 13, 1986. }

SENATE BILL No. 144 (2ND OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 144 (2nd OCR) without my signature.

Under its existing enabling act, the South Jersey Port Corporation (SJPC) is required to enter into annual agreements for payments in-lieu-of property taxes (PILOTs), with the municipalities and county in which it is located. Its enabling act further provides that when necessary the State shall subsidize the SJPC "Property Tax Reserve Fund," subject to appropriation by the Legislature, to the extent that the SJPC has insufficient revenues to satisfy its PILOT obligations.

Historically, the SJPC's annual revenues have been insufficient to cover its PILOT obligations. Accordingly, the State has traditionally honored its "moral pledge" by appropriating to the SJPC in each State budget those moneys sufficient to enable the SJPC to satisfy its annual PILOT obligations.

This bill would repeal the SPJC's current PILOT program and would require the State to directly pay the SJPC's "in-lieu-of" property taxes through State agreements with the affected local governments. The bill establishes a future minimum PILOT payment of \$900,000, but provides that the Joint Appropriations Committee shall have power to approve or reject the proposed appropriation in each ensuing State budget, notwithstanding the above-cited minimum level. Since S-144 also entails an effective date that is retroactive to January 1, 1984, I presume that the \$900,000 appropriation included in the bill was originally intended to cover the SJPC's PILOT obligations for Fiscal Year 1985.

Initially, I am concerned that at this time there appear to be no policy considerations that warrant revising the SJPC's traditional PILOT program, especially since it has been successfully administered for the last 16 years with the cooperation of SJPC, State and affected local officials. Further, I am concerned that the bill in its present form contains certain technical deficiencies. For example, the bill's effective date and attached appropriation may have been

appropriate if it had been enacted two years ago, but they are presently inconsistent with the actual chain of events since February 1984. Further, from a pure fiscal standpoint I am also concerned that this bill contains an untimely \$900,000 appropriation, given the current prebudget time period and related fiscal constraints.

Accordingly, I herewith return Senate Bill No. 144 (2nd OCR) without my signature.

Respectfully,  
/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 13, 1986. }

SENATE BILL No. 487 (4TH OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 487 (4th OCR) without my signature.

This bill establishes an ongoing program of financial assistance for families of children with catastrophic illnesses and appropriates \$5 million from the General Fund. A catastrophic illness is defined as any illness or condition that medical expenses thereof are not covered by any other State or federal assistance program or any insurance contract and exceeds 30% of the gross income of a family whose gross income is \$100,000 or less per year or 40% of the gross income of a family whose gross income is over \$100,000 per year. The bill also creates a nine member Catastrophic Illness in Children's Relief Commission located in, but not of, the Department of Health.

While this legislation is noteworthy and well intended, in light of my concerns cited below, I must regrettably return this bill without my signature.

My opposition to this bill as written is due to the many existing programs dealing with this very issue and with the uncertain fiscal ramifications of creating a new ongoing program of this magnitude.

According to recent statistics, there are approximately 2,265,000 children under nineteen years of age in New Jersey. It is estimated

that between 10 to 15% of the childhood population suffer from a chronic illness of which 10 to 20% are inflicted with a severe chronic illness. It is therefore estimated that this act has a target population of approximately 4,247 children. It is estimated that 25% of this population would meet the requirements of this act (i.e. family out-of-pocket medical costs in excess of 30% of the family's gross income) which puts the figure at 1,062 children with a severe chronic illness who would be eligible for coverage under this act. The Department of Health has estimated the first year costs of this bill to be \$9,159,000.00 of which \$8,496,000.00 would be used to reimburse the health care providers with the remaining \$663,000.00 targeted for administrative expenses. If these estimates are correct, a \$5 million appropriation in Fiscal Year 1987 would clearly be inadequate. The State ended the 1985 Fiscal Year on June 30, 1985 with surplus revenue of \$812 million based upon final figures provided by the Office of Management and Budget. This surplus was the result of unanticipated revenue generated in a two-year period of exceptional economic growth and has been almost entirely applied as a budgetary resource in the 1986 Fiscal Year. It has been a major factor in permitting us to fund \$458 million of capital projects without issuing long-term debt, to provide over \$400 million in increased assistance to local governments to hold down property taxes and to cut taxes on businesses and individuals by more than \$400 million.

With our 1985 Fiscal Year surplus committed in this fashion, our projected reserve for the 1986 Fiscal Year is only barely adequate to protect against a possible shortfall in revenue collections and to meet the most urgent needs not anticipated and provided for at the outset of the current fiscal year. Any proposed spending measures should be considered in the appropriation process for the next fiscal year in the context of overall State spending so that recognized priorities can be established within the set limits of resources available for that year.

Furthermore, as indicated in the bill's statement, the purpose of this legislation is to provide a safety net for those children who are financially ineligible for publicly-sponsored medical assistance. However, depending on the costs involved, a child having a catastrophic illness may be eligible under one of the already existing medical assistance programs such as the recently enacted Medically Needy program or the Model Waiver Programs currently provided by the State in conjunction with the federal government which considers only the child's income for the purpose of establishing eligibility. New Jersey has been very successful with the first of three Model Waiver Programs. These programs provide home and community-based services to children who would not be Medicaid eligible without the waiver, either because the services are not covered by Medicaid under the State plan or they are financially ineligible for services under Medicaid while residing in the community. Thus,

under the waiver, an individual can retain Medicaid coverage while residing at home with his/her family. Because parental income is not considered in determining eligibility for these programs, virtually all children meeting nursing home eligibility criteria would be eligible to participate in the waiver programs.

In addition, the Department of Health, through the Special Child Health Services Program, has successfully serviced a portion of the catastrophic health needs of children. This program provides services on a sliding fee scale to families without insurance and the financial services to carry the cost as well as the insured families whose children have a catastrophic illness. The Special Child Health Services Program is funded through a combination of State appropriations and moneys from the Federal Maternal and Child Health Block Grant. This program is presently being funded through the State budget in an amount of \$1.8 million. While I acknowledge that present program capacity is not sufficient to address all eligible children, I suggest that any further legislative effort should be coordinated with these programs and contain realistic funding provisions.

While I respect the sponsor's zeal and conviction in obtaining passage of this bill, I believe that a program such as this with its significant accompanying fiscal considerations should be reexamined during budget deliberations and prioritized accordingly.

Accordingly, I herewith return Senate Bill No. 487 (4th OCR) without my signature.

Respectfully,  
/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 13, 1986. }

SENATE BILL No. 791 (4TH OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 791 (4th OCR) without my signature.

This bill would create a State Board of Travel Counsellors in the Division of Consumer Affairs in the Department of Law and Public

Safety. Last session, I vetoed Senate Bill No. 250 which was nearly identical to the bill currently before me. In vetoing Senate Bill No. 250, I noted that the Division of Consumer Affairs receives very few complaints concerning travel agents, and customers of travel services are protected by the Consumer Fraud Act.

There has recently been a proliferation of licensing proposals for various professional groups pending in the Legislature. The Legislature has recently considered bills establishing boards for dietitians, nutritionists, respiratory therapists, hypnotechnicians, occupational therapists, burglar and fire alarm installers, air temperature control contractors, social workers and professional counsellors. The number of licensing proposals mandates the creation of a permanent mechanism to review these bills. Whatever the relative merits of the proposal to license sellers of travel, and the abundance of other licensing proposals pending in the Legislature, I am reluctant to enact any more legislation creating licensing authorities until a permanent resolution to the question of professional licensure is set in place.

In vetoing this measure, I am not saying that sellers of travel should not be licensed or registered in some manner by the State. This decision would best be left to a review commission including experts in the area of the regulation of professions.

This Administration has supported and continues to support Assembly Bill No. 2554 and Senate Bill No. 2282, introduced by Assemblyman Doria and Senator Ewing, respectively. These bills create a Professional Occupational Licensing Review Commission. I have throughout the last year urged passage of this legislation because it would allow each licensing proposal to be evaluated by a panel of unbiased experts pursuant to set criteria. The establishment of this panel would be an invaluable aid in considering licensing proposals, such as the one before me today. If legislation establishing a permanent Commission cannot be passed by the Legislature this session, I urge the Legislature to consider the proposal early in its new session.

Accordingly, I return Senate Bill No. 791 (4th OCR) without my signature.

Respectfully,  
/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 13, 1986. }

## SENATE BILL NO. 887 (2ND OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 887 (2nd OCR) without my signature.

This bill establishes a Human Services Police Force within the Department of Human Services and repeals the existing statute governing special police officers for institutions.

The Commissioner of Human Services is authorized to appoint as many police officers as necessary and to establish qualifications for appointment as a Human Services Police Officer which are similar to those required for a municipal police officer. Within 30 days of the effective date of this act, every Department of Human Services' employee holding permanent Civil Service status in a title, the functions of which encompass the performance of law enforcement duties, may apply for appointment to the corresponding Human Services Police Officer title and shall be so appointed. Permanent Civil Service status as a Human Services Police Officer shall be granted when the employee meets the training qualifications or receives a waiver. If the application is made and the applicant fails to meet the training qualifications for the corresponding Human Services Police Officer title within one year from the date of appointment, the employee shall return to his permanent Civil Service title as if no application had been made.

The powers and authorities of Human Services Police Officers are limited to "while on duty" within the limits of the institution and facilities and any contiguous streets or highways. The officers are permitted to carry firearms or other weapons only under authorization of the Commissioner of Human Services and only while on duty. All persons permitted to carry firearms are required to undergo basic firearms training and annual requalification. Finally, the bill directs the Commissioner to appoint a Chief of Police and other superior officers necessary to administer the police force.

While this legislation is well intended, I must regrettably return this bill without my signature.

My opposition to this bill as written is due to the fact that actions already taken by the Department of Human Services make this legislative action superfluous. As has already been indicated, the purpose of this bill is to allow the Department to reassign all police officers from various institutional employment units to the central office employment unit. According to the Office of Management and

Budget, the Department has already accomplished this objective by submitting personnel action request forms making the necessary reassignments. In fact, the Department of Human Services has transferred funds, normally expended at the institutions for police functions, into the central office employment unit account. It appears that creating revisions in job specifications through the Civil Service process would accomplish the same end as has been accomplished by personnel reassignments.

An additional area of concern is that this bill authorizes the Commissioner of Human Services to appoint, at his discretion, as many police officers as is deemed necessary thereby creating uncertain budgetary implications.

The State ended the 1985 Fiscal Year on June 30, 1985 with surplus revenue of \$812 million based upon final figures provided by the Office of Management and Budget. This surplus was the result of unanticipated revenue generated in a two-year period of exceptional economic growth and has been almost entirely applied as a budgetary resource in the 1986 Fiscal Year. It has been a major factor in permitting us to fund \$458 million of capital projects without issuing long-term debt, to provide over \$400 million in increased assistance to local governments to hold down property taxes and to cut taxes on businesses and individuals by more than \$400 million.

With our 1985 Fiscal Year surplus committed in this fashion, our projected reserve for the 1986 Fiscal Year is only barely adequate to protect against a possible shortfall in revenue collections and to meet the most urgent needs not anticipated and provided for at the outset of the current fiscal year. Any proposed legislation with fiscal implications should be considered in the appropriation process for the next fiscal year in the context of overall State spending so that recognized priorities can be established within the set limits of resources available for that year.

While I respect the sponsor's zeal and conviction in obtaining passage of this well-intended bill, I believe that the purpose behind this legislation has already been accomplished by the Department of Human Services and enactment of this bill would result in another piece of unnecessary legislation.

Since the inception of my Administration, I have made Civil Service reform a priority and have publicly urged legislative action in this area on many occasions. While the Legislature has not considered my proposals for reform, it has submitted to me a steady stream of bills designed to further erode a Civil Service system already outdated by time and circumstances.

If the Legislature presents me with a viable Civil Service reform bill, I will be more willing to consider the types of changes proposed in this legislation.

Accordingly, I am returning Senate Bill No. 887 (2nd OCR) without my signature.

Respectfully,

/s/ THOMAS H. KEAN,  
*Governor.*

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
*Chief Counsel.*

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 13, 1986. }

SENATE BILL No. 1217 (OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1217 (OCR) without my signature.

This bill increases the income limitations for senior citizens, age 70 or older, qualifying for protection under the "Senior Citizen and Disabled Protected Tenancy Act." The current statute offers significant protection to all senior citizens, age 62 or over, by permitting them to remain in their apartments in the event that their building is converted into a condominium provided they satisfy certain income and other statutory requirements.

Specifically, in order to qualify for the protections under existing law, the senior citizen must meet the following eligibility requirements: the senior citizen must be 62, or soon to be 62, or be disabled; he must have lived in his apartment for two years; and he must have a household income of less than three times the county per capita personal income. This bill would maintain these same requirements for senior citizens except that the income limitations for senior citizens age 70 or older would be increased to six times the county per capita personal income.

When a building is converted into condominiums, tenants are faced with the often undesirable choice of buying their units or moving elsewhere, usually at considerable expense. Senior citizens with limited resources should not have to choose between eroding their life savings to buy an apartment they have been renting for the past several years or finding a new and often more expensive place to live. Rather, I believe a person who becomes a senior citizen should know that New Jersey recognizes the valuable contribution he has made to his community and has formulated laws to protect him during his golden years. Accordingly, the current statute is designed to afford senior citizens of limited means some relief from condominium conversions.

This bill, however, goes far beyond protecting senior citizens of limited means. In reviewing the current maximum eligible income levels, I note that several counties have existing levels that exceed \$40,000. Under this bill, the maximum eligible income level of counties would exceed, in several cases, the \$100,000 level. In light of this, I find it difficult to rationalize as sound public policy the doubling of the maximum eligible income levels and extending the broad benefits of the act to people with such high incomes. In addition, I find it difficult to justify the concept implicit in the bill that seniors age 70 or over are more disadvantaged than those 62 through 69 so as to warrant the elevated income level. This could be construed by some as age discrimination.

I commend the sponsor for his well intentioned introduction of this legislation. However, I restate my belief that increasing the current maximum eligible income level to six times the county per capita income is not a prudent course of action at this time. In addition, I am very wary of the possible challenge of this law as a form of age discrimination.

Accordingly, I herewith return Senate Bill No. 1217 (OCR) without my approval.

Respectfully,

/s/ THOMAS H. KEAN,

Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 13, 1986. }

SENATE BILL No. 1361 (2ND OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1361 (2nd OCR) without my signature.

Senate Bill No. 1361 supplements and amends New Jersey's Conflicts of Interest Law. I am a strong proponent of a Conflicts of Interest Law that effectively regulates the conduct of those in whom the public trust is reposed. However, a Conflicts of Interest Law must be closely tailored to prevent abuse. It should not inhibit the ability of the State to attract qualified and competent individuals to its service. Nor should a Conflicts of Interest Law regulate thousands of innocent consumer transactions, at the expense of the creation of another unwieldy bureaucracy. This bill is over broad in its application and fails to bring the members of the Legislature within the strongest prohibitions of the Conflicts of Interest Law.

Most significantly, this bill prohibits State officers or employees or special State officers or employees, who vote or otherwise participate in the selection of a vendor for a State agency from executing or entering into any private contract or agreement with that vendor for the two years subsequent to the termination of their office.

This prohibition would effect State officers and employees as well as special State officers and employees in two significant situations that would redound to the detriment of the State of New Jersey. For example, an employee of the Division of Purchase and Property, even up until two years following the termination of his State employment, who had participated in the selection of a particular State vendor, would be required to obtain an exemption from the Executive Commission on Ethical Standards before he could purchase as a consumer product, such as a television from that vendor. A great number of innocent consumer transactions would be subject to a cumbersome bureaucratic process. Furthermore, many qualified individuals would be deterred from State employment because upon termination of their employment with the State, they would be prevented from entering into any contractual relationship with any entity with whom the individual had transacted State business for the two years subsequent to the termination of their employment with the State.

The bill also specifically includes, within the prohibitions of the Conflicts of Interest Law, New Jersey representatives on the governing bodies of Interstate Agencies, Commissions or Authorities.

This bill would impose a blanket prohibition on the payment or acceptance of gifts in situations where no possible potential for improper influence exists and will cover individuals whose relationship with vendors exists apart from the Vendor-State transaction. State officers or employees are also required to bring to the attention of the Executive Commission on Ethical Standards or the Joint Legislative Committee on Ethical Standards any offer or receipt of a fee or gift. Current law prohibits every State officer or employee from accepting a gift which is intended to influence him in the performance of his duties. In addition, State employees involved with State purchasing are currently prohibited from accepting gifts from vendors. Accordingly, a more closely drafted standard should be developed which prohibits the evil to be avoided.

State officers or employees are also required to bring to the attention of the Executive Commission on Ethical Standards or the Joint Legislative Committee on Ethical Standards for their review any offer or receipt of a fee or gift. This provision would lead to an unnecessary expansion of a bureaucracy and I believe should be deleted.

The Conflicts of Interest Law is also amended by prohibiting a member of the Legislature, State officer or employee, from knowingly undertaking or executing any contract of the value of \$25 or more with any corporation in which the State officer or employee

controls more than 1% of the stock. Current law provides a 10% limit.

This bill permits a serious expansion of the rights of legislators to represent parties before State agencies where the State is an adverse party. Under current law, legislators, State officers and employees and special State officers and employees are prohibited from appearing before any State agency on behalf of a county, municipality or other local government unit if the State is an adverse party in that proceeding. An amendment in this bill removes that prohibition. This change could permit serious conflicts, particularly in the case of legislators. In general, I believe it is an inherent conflict for a legislator to represent any party before a State agency, whether or not the State is a party.

A broad prohibition on post employment representation with regard to a matter in which the individual was substantially or directly involved is expanded to include consulting. I have no quarrel with this provision and would welcome any subsequent amendment to that effect.

Both the Executive Commission on Ethical Standards and a Joint Legislative Committee on Ethical Standards are given the additional jurisdiction to initiate, receive, hear and review complaints regarding violations by vendors. A vendor found guilty by the Commission or Committee may be sanctioned by being suspended from doing business with the State for a period not in excess of one year, or if the conduct of the vendor constituted a willful and continuous pattern of behavior, he may be barred from doing business with the State for five years. I am advised that vendors are better regulated at the contract and proposal stage. The Commission and Joint Committee would have to get involved in the specialized area of State purchasing procedures otherwise within the jurisdiction of the Department of the Treasury, Division of Purchase and Property.

Although I strongly support an equitable and efficient Conflicts of Interest of Law, I am concerned that this bill may be over broad in its application. Among other things, it creates, what is in effect, a two-year post employment sanction on State officers and employees and special State officers and employees. Many able and competent individuals may not enter State service because of the onerous restrictions imposed by this bill which in many instances will prohibit harmless transactions. Accordingly, more tightly drafted legislation is needed.

I am also disturbed that the Legislature has presented me with legislation that would impose onerous restrictions on the Executive Branch, while significantly loosening the restrictions affecting legislators appearing before State agencies. There is no policy justification for the bill's implicit assumption that the legislative branch need not be regulated as closely as the Executive Branch.

Simply put, this bill brings within the prohibitions of the Conflicts of Interest Law a wide range of innocent transactions and will

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inhibit the State of New Jersey from attracting the most qualified individuals to its service.

For these reasons, I return Senate Bill No. 1361 (2nd OCR) without my signature.

Respectfully,

/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ AMY R. PIRO,  
Deputy Chief Counsel.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 13, 1986. }

SENATE BILL No. 1843

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 1843 without my signature.

This bill would direct the New Jersey Board of Architects to publish and distribute once every two years a list of all architects licensed to practice in New Jersey. The list would be mailed to each licensed architect, to each county and municipal clerk and to all State agencies where plans and specifications for construction are reviewed, approved or filed.

The Board of Architects has informed me that they already publish a "Roster of Architects" which is sent to the above groups and is available to other groups for a fee of \$8. The Board has proposed regulations to formalize this procedure. The proposed regulations were published in the New Jersey Register on December 2, 1985 (17 N. J. R. 2851) as N. J. A. C. 13:27-2.7 and 13:27-5.8.

Formalization of the procedure to publish the "Roster of Architects" by regulation is preferable to doing it by statute because if a need arises for future modification of the procedure, it will not require legislation. Furthermore, the fee provision for the Roster is contained in a current regulation, N. J. A. C. 13:27-3.13. For consistency, other provisions concerning the Roster should be in the regulations, not the statute. Since the regulations render this bill unnecessary, I feel compelled to veto this bill.

Accordingly, I herewith return Senate Bill No. 1843 without my signature.

Respectfully,

/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 13, 1986. }

## SENATE BILL NO. 2322

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2322 without my signature.

This bill appropriates \$12 million to the Department of Transportation for State aid to counties for county highways and transportation projects. Of this amount, \$2 million is to be allocated, at the discretion of the Commissioner of Transportation, to counties for public highways under their jurisdiction and for emergency transportation projects. The additional \$10 million is to be allocated for county highways pursuant to a distribution formula based upon population and mileage of county roads in each county. This formula mirrors that which is used in the Transportation Trust Fund.

I am cognizant that many roads and highways throughout our State are in need of repair, reconstruction and resurfacing. I recommend the establishment of the "New Jersey Transportation Trust Fund Authority" to address these very concerns. As a direct result of the Trust Fund, State capital appropriations to transportation ballooned from \$46.7 million in Fiscal Year 1984 to \$249 million in Fiscal Year 1985. The budget for Fiscal Year 1986 which I approved on June 28, 1985 provides for a further expansion of State capital appropriations to \$323.5 million.

In the areas of local aid, the Fiscal Year 1984 appropriation of \$8 million was increased by 675% to \$54 million in Fiscal Year 1985, with approximately \$35 million of that sum dedicated specifically to county roads. Despite this enormous increase, the Legislature continues to present me with supplemental appropriation bills which, calling for an increase in the budget of the Transportation Trust Fund, serve to funnel more and more of our precious budget surplus into the solution of transportation problems, possibly at the expense of other programs of equal importance to the State.

The State ended the 1985 Fiscal Year on June 30, 1985 with surplus revenue of \$812 million based upon final figures provided by the Office of Management and Budget. This surplus was the result of unanticipated revenue generated in a two-year period of exceptional economic growth and has been almost entirely applied as a budgetary resource in the 1986 Fiscal Year. It has been a major factor in permitting us to fund \$458 million of capital projects without issuing long-term debt, to provide over \$400 million in increased assistance to local governments to hold down property taxes and to cut taxes on businesses and individuals by more than \$400 million.

With our 1985 Fiscal Year surplus committed in this fashion, our projected reserve for the 1986 Fiscal Year is only barely adequate

to protect against a possible shortfall in revenue collections and to meet the most urgent needs not anticipated and provided for at the outset of the current fiscal year. Other proposed spending measures should be considered in the appropriation process for the next fiscal year in the context of overall State spending so that recognized priorities can be established within the set limits of resources available for that year.

While I recognize that county roads are an integral part of New Jersey's transportation network, I restate my belief that, given the State's limited resources, the needs of the counties are being adequately addressed through the Transportation Trust Fund at this time.

Accordingly, I herewith return Senate Bill No. 2322 without my approval.

Respectfully,  
/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 13, 1986. }

SENATE BILL No. 2771 (OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 2771 (OCR) without my signature.

This bill would permit any former Governor and any former member of the Legislature who was elected at least twice to the Legislature to display the Great Seal of the State of New Jersey on his or her motor vehicle license plates. Current law governing the use of the Great Seal authorizes various State and federal officials to display the seal on their motor vehicle license plates, including the Governor, the head of any principal department of State, the members of the Legislature, Justices of the Supreme Court, Judges of the Superior Court, the Secretary of the Senate, the Clerk of the General Assembly, and members of Congress of the United States. This bill provides a means by which former Governors and certain former Legislators are permitted to retain the Seal.

Although I wholeheartedly support the concept of honoring former Governors and legislators who have served for an extended period of time, I am concerned that enactment of this bill will present a situation wherein the Great Seal of the State of New

Jersey is used in an *unofficial* capacity, contrary to the spirit and intent of Article X of the New Jersey Constitution which provides that the Seal of the State shall be kept by the Governor, or person administering the Office of the Governor, and used by him *officially*. In addition, I believe that permitting former Governors and legislators to retain the State Seal subsequent to termination of their public service unfairly prohibits the use of the State Seal on motor vehicle license plates as it pertains to former Justices of the Supreme Court, Judges of the Superior Court, Secretaries of the Senate, Clerks of the General Assembly, and members of Congress of the United States. Therefore, I believe that the statute governing the use of the Great Seal on motor vehicle license plates should remain unchanged.

I will, however, work with the Legislature in order to formulate the means by which the State of New Jersey can honor former Governors, legislators and other State and federal officials who have labored ardently for the State of New Jersey and its citizens.

Accordingly, I herewith return Senate Bill No. 2771 (OCR) without my approval.

Respectfully,  
/s/ THOMAS H. KEAN,  
Governor.

[SEAL]  
Attest:  
/s/ W. CARY EDWARDS,  
Chief Counsel.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 13, 1986. }

SENATE BILL No. 3314

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 3314 without my signature.

This bill would establish a "Garrett W. Hagedorn Scholarship Fund" for worthy students pursuing the degree of Master in Social Work. The bill provides for an appropriation of \$95,000 to the Department of Higher Education to establish the fund.

Senator Hagedorn was first elected to the Senate in 1967 and was subsequently reelected for five terms. During his 18 year career as a State Senator, he served as Assistant Minority Leader in 1976 and 1977 and as Minority Leader in 1978 and 1979. He was a distinguished member of the Institutions, Health and Welfare Committee where he served as Chairman from 1970 to 1973. He is

credited with sponsoring legislation designed to reorganize the old Department of Institutions and Agencies, whose facilities were eventually divided and assigned to the Departments of Human Services and Corrections.

Senator Garrett Hagedorn was a leader in protecting the rights of the elderly and sick. To honor the Senator, one of his colleagues introduced a bill, which I recently signed into law, changing the name of the Glen Gardner Geriatrics Center to the Garrett W. Hagedorn Geriatrics Center.

The Senator sponsored several major pieces of legislation including, among others, increased funding to community mental health centers which provide low or no-cost care to thousands who otherwise would face institutionalization; the bed hold bill which provides protection for nursing home patients who require brief hospitalization; a \$60 million human services bond issue which was approved by voters last November to fund life safety improvements and other renovations at State institutions; and \$12.8 million to the overburdened State Division of Youth and Family Services to hire 354 new caseworkers enabling the Division to effectively deal with the growing problem of child abuse.

Much of Garrett Hagedorn's work was designed to help the mentally handicapped and, as such, I recognize, as does the Legislature by presenting me with this bill, that the Senator should be honored. I regret, however, that I cannot sign this bill as it appears before me as it would set a precedent of establishing commemorative memorial scholarships for any number of valued public servants in State Government. Moreover, it would represent an unprecedented use of taxpayer dollars.

Garrett Hagedorn was a shining example of what all public officials should aspire to be. As he strived to make better the world of those who were not so fortunate as he, he demonstrated to his brethren in the Senate and the General Assembly that commitment and hard work can result in the betterment of society.

Although we are proud to have known and worked with Garrett Hagedorn, I must return this bill to the Legislature today with the recommendation that they reexamine the issue of honoring their colleague in a manner that does not set the dangerous precedent implicit in this bill.

Accordingly, I herewith return Senate Bill No. 3314 without my approval.

Respectfully,

/s/ THOMAS H. KEAN,  
Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel.

MONDAY, JANUARY 13, 1986

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STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 13, 1986. }

SENATE BILL NO. 3355

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Senate Bill No. 3355 without my signature.

Pursuant to existing law governing the Department of Environmental Protection's (DEP) Green Acres Program, where a local government unit has accepted a Green Acres Grant for the development or acquisition of recreation or conservation land, it may not dispose of or divert to other uses any such land it owned at the time it received the grant, unless it first obtains the approval of the DEP Commissioner and the State House Commission.

This bill would amend that prohibition such that it would apply only where a Green Acres grant is received for the *acquisition* of land. Specifically, the bill would allow a local governmental unit to dispose of or divert recreation or conservation land it owned at the time it received a Green Acres *development grant*, so long as the land to be disposed of or diverted was not the subject of the development grant.

I am concerned that this bill would undermine the important public policy behind dedication of lands under the Green Acres Program, which is to ensure that Green Acres funds are used to increase our existing public recreation and conservation lands, and not to merely replace them with no net increase in the total open space acreage of a municipality or county. Inherent in the creation of the Green Acres Program was the establishment of a base acreage of parklands to which Green Acres acquisitions and developments are to be added. This bill would, in effect, open the floodgates for all municipalities and counties to dispose of or change the uses of public recreation and conservation lands without regard to maintaining or expanding our State's precious open spaces. The bill is inappropriate and would be counterproductive in effect as it would facilitate the situation wherein the State would pay for park improvements in one section of a municipality or county while that same municipality or county is selling off recreation land elsewhere.

Finally, I believe this bill is unnecessary because relief for a local government unit which needs a change in land use is already set forth in the Green Acres law which provides local governments with a hearing review process before the DEP Commissioner and the State House Commission.

Accordingly, I herewith return Senate Bill No. 3355 without my approval.

Respectfully,

/s/ THOMAS H. KEAN,

Governor.

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
Chief Counsel.

The Secretary read a communication from the Governor, who has line item vetoed Senate No. 2376 (OCR):

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 13, 1986. }

SENATE BILL No. 2376 (OCR)

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 15 of the Constitution, I am appending to Senate Bill No. 2376 at the time of signing it, this statement of the items or parts thereof to which I object to that each item, or part thereof, so objected to shall not take effect.

This bill would appropriate \$70 million from the "Water Supply Fund" established pursuant to the "Water Supply Bond Act of 1981," to the Department of Environmental Protection for the purpose of making a loan to the North Jersey District Water Supply Commission to finance a portion of its share of the Monksville Reservoir-Wanaque South water supply project.

Construction of this water supply system is clearly one of the highest water resource priorities in the State, as is evidenced by the fact that it is highly recommended in the latest update to the "New Jersey Statewide Water Supply Master Plan." As is outlined in the plan, operation of the Monksville system is integral to assuring adequate water supply in the heavily populated Northeastern portion of the State, and all relevant agencies of government unanimously support the immediate use of State water supply bond funds to assist in financing its construction.

The inclusion of this water supply project in the water supply plan is also important from a legal standpoint, since the water supply bond act clearly provides that only those projects included in the plan are legally eligible for funding with water supply bond proceeds. Based upon this provision in the bond act, however, I am concerned that \$20 million of the \$70 million appropriation is intended for expenditure on a related "water treatment" project which is *not included* in the Statewide Water Supply Master Plan. Therefore, financing the water treatment project with water supply bond proceeds would clearly be an unauthorized use of those proceeds under the water supply bond act.

I am therefore reducing the appropriation of water supply bond proceeds in this bill to \$50 million. This funding level is consistent with the Department of Environmental Protection's recommendations for State financing of this important water supply project.

Accordingly, the appropriation is reduced to \$50 million as follows:

*Page 1, Section 1, line 4:* Delete "\$70,000,000.00" and Insert "\$50,000,000.00"

Respectfully,

/s/ THOMAS H. KEAN,  
*Governor.*

[SEAL]

Attest:

/s/ W. CARY EDWARDS,  
*Chief Counsel.*

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly Joint Resolution No. 117, without reference.

Assembly No. 204, without reference.

Assembly No. 957 Aca, without reference.

Assembly No. 1108 Aca, without reference.

Assembly No. 1218 Aca, without reference.

Assembly No. 1780, Aca, without reference.

Assembly No. 3182, without reference.

Assembly No. 3270, Aca, without reference.

Assembly No. 3331 Aca, without reference.

Assembly No. 3539 Aca, without reference.

Assembly No. 3543 Aca, without reference.

Assembly No. 3603 Aca, without reference.

Assembly No. 3936, without reference.

Assembly No. 4064, without reference.

Assembly No. 4098, without reference.

Assembly No. 4227, without reference.

Assembly No. 4183, without reference.

Assembly No. 4249, without reference.

Assembly No. 4319, without reference.

Assembly No. 4327, without reference.

Assembly No. 4334, without reference.

Senate No. 2954 ScaAca, without reference.

Senate No. 1037 Aca, without reference.

Senate No. 2592 Aca, without reference.

Senate No. 3330 Aa, without reference.

Assembly Joint Resolution No. 117, Assembly Nos. 204, 957 Aca, 1108 Aca, 1218 Aca, 1780 Aca, 3182, 3270 Aca, 3331 Aca, 3539 Aca,

3543 Aca, 3603 Aca, 3936, 4064, 4098, 4227, 4183, 4249, 4319, 4327, 4334, Senate Nos. 2954 Sea Aca, 1037 Aca, 2592 Aca and 3330 Aa were taken up, read a second time, and ordered to a third reading.

Mr. Orechio, Senate President, announced the following commission appointments:

Christopher Columbus Quincentennial Observance Commission  
Remegio Pane, 69 Lincoln Avenue, Highland  
Joseph Vicarisi, 27 Hollmehill Lane, Roseland

Parole Act of 1979 Review Commission  
Senator Raymond Lesniak (D) 20th District  
Senator Christopher J. Jackman (D) 33rd District  
Senator William Gormley (R) 2nd District  
Senator Henry P. McNamara (R) 40th District, replacing  
Senator Garrett Hagedorn, deceased

The Senate moved and acted upon 13 Commemorative, Ceremonial and Memorial Resolutions.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 114 ACSAaAa, without reference.  
Assembly No. 2693 ACS, without reference.  
Assembly No. 3342 Aca, without reference.  
Assembly No. 4218, without reference.  
Assembly No. 4323, without reference.  
Assembly No. 4208, without reference.  
Assembly No. 4329, without reference.  
Assembly No. 4337, without reference.  
Assembly No. 4351, without reference.  
Assembly Joint Resolution No. 121, without reference.  
Senate No. 2066 Aca, without reference.  
Senate No. 2313 SeaAaAa, without reference.  
Assembly No. 4090 AcaAa, without reference.  
Assembly No. 4290, without reference.  
Assembly No. 1184 Aca, without reference.

Mr. Orechio, Senate President, announced the following commission appointments:

New Jersey Commission on Legal and Ethical Problems in Delivery of Health Care

Elmer Mathews, 130 Boulderwood Drive, Bernardsville  
Noreen Haveron, 111 Hawthorne Avenue, Nutley  
William Strasser, 24 Foxhill, Upper Saddle River

The following bills were read for the first time by their titles and referred to committee as indicated:

Senate No. 3509, by Mr. Jackman, Law, Public Safety and Defense Committee.

Senate No. 3510, by Mr. Dorsey, Judiciary Committee.

Senate No. 3511, by Mr. Dorsey, Energy and Environment Committee.

Senate No. 3512, by Mr. Lynch, Natural Resources and Agriculture Committee.

Senate No. 3513, by Mr. Orechio, State Government and Federal and Interstate Relations and Veterans Affairs Committee.

Assembly Nos. 114 ACS Aa Aa, 2693 ACS, 3342 Aca, 4218, 4323, 4208, 4329, 4337, 4351, Assembly Joint Resolution No. 121, Senate Nos. 2066 Aca, 2313 Sca Aa Aa, Assembly Nos. 4090 Aca Aa, 4290 and 1184 Aca were taken up, read a second time, and ordered to a third reading.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 3868 w/GR, without reference.

Assembly No. 1637 AcaSca w/GR, without reference.

Assembly No. 3846 w/GR, without reference.

Senate No. 2347 ScaAa, without reference.

Senate No. 2190 ScaSaAca, without reference.

Assembly Nos. 3868 w/GR, 1637 AcaSca w/GR, 3846 w/GR, Senate No. 2347 ScaAa and 2190 ScaSaAca were taken up, read a second time, and ordered to a third reading.

The County and Municipal Government Committee reported the following bill favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate No. 3301 Sca.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Assembly No. 2089 (OCR), Senate Nos. 3122, 3301 Sca, and Assembly No. 3013, notwithstanding the lack of five days' notice.

The President announced:

Pursuant to Rule 82, authorization is hereby granted to schedule Assembly No. 3959, notwithstanding the lack of five days' notice.

The County and Municipal Government Committee reported the following bills favorably without amendment:

Senate No. 3122, Assembly Nos. 2089 and 3013.

The State Government and Federal and Interstate Relations and Veterans Affairs Committee reported the following bill favorably without amendment:

Assembly No. 3959.

Assembly Nos. 3013, 2089, Senate Nos. 3122, 3301 Sea and Assembly No. 3959 were taken up, read a second time, and ordered to a third reading.

The Senate moved and acted upon one Ceremonial Resolution.

Quorum call at 4:40 p.m.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

The President announced receipt of and directed the Secretary to read four letters from the Governor, nominating for appointment, with the advice and consent of the Senate, to the offices indicated, the following:

To be a Judge of the Superior Court, Arthur L. Troast, of Mahwah, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, John S. Kuhlthau, of North Brunswick, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Alvin Y. Milberg, of Rumson, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, David B. Follender, of Teaneck, to succeed himself, for the term prescribed by law.

The above nominations were referred to the Judiciary Committee.

The Senate moved and acted upon one Ceremonial Resolution.

Senate No. 2778 was given third reading.

On motion of Mr. Dorsey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—37.

In the negative—None.

On motion of Ms. Lipman pursuant to Rule 124, Assembly No. 3448 was substituted for Senate No. 3053 with which it is identical, and Senator Lipman was added as cosponsor of Assembly No. 3448.

Which was adopted by voice vote.

Assembly No. 3448 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—35.

In the negative—None.

The Judiciary Committee reported the following nominations favorably:

To be a Judge of the Superior Court, Arthur L. Troast of Mahwah, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Alvin Y. Milberg of Rumson, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, John S. Kuhlthau of North Brunswick, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, David B. Follender of Teaneck, to succeed himself, for the term prescribed by law.

To be a member of the New Jersey Highway Authority, Julian K. Robinson of Jersey City, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, August Thomas of Willingboro, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Daniel B. McKeown of Trenton, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Beatrice Tylutki of Trenton, to succeed herself, for the term prescribed by law.

To be an Administrative Law Judge, James Ospenson of West Orange, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Naomi LaBastille of West Orange, to succeed herself, for the term prescribed by law.

To be a member of the State Board of Mediation, Lucille C. Foley of Barnegat, to succeed herself, for the term prescribed by law.

To be a member of the State Board of Mediation, Raymond Durkin of Maplewood, to succeed himself, for the term prescribed by law.

To be a member of the State Board of Mediation, Dominick Romano of Andover Township, to succeed himself, for the term prescribed by law.

To be a member of the Credit Union Advisory Council, William George of Old Bridge, for a four year term.

To be a member of the Credit Union Advisory Council, Rita Novitt of Princeton, for a three year term.

To be a member of the Credit Union Advisory Council, Jerry Murphy of Monmouth Junction, for a one year term.

To be a member of the Economic Development Authority, Ronald Olszowy of Passaic, to succeed Yuki Laurenti, for the term prescribed by law.

To be a member of the Commission on Radiation Protection, Dr. Henry J. Powsner of Princeton, to succeed Benjamin P. Sonnenblick, Ph.D., resigned, for the term prescribed by law.

To be a member of the Union County Board of Taxation, George W. Crater of Clark, for the term prescribed by law.

To be Judge of the Palisades Interstate Park Police Court, Steven J. Zaben of Englewood Cliffs, for the term prescribed by law.

To be a member of the New Jersey Automobile Insurance Risk Exchange Board, Clive Perrin of Glastonbury, Connecticut, to succeed William Buckley, resigned, for the term prescribed by law.

To be a member of the Board of Physical Therapists, Royce Buczek of Wall Township, to succeed himself, for the term prescribed by law.

To be a member of the Christopher Columbus Quincentennial Observance Commission, Dr. Frank J. Esposito of Wayside, for the term prescribed by law.

To be a member of the State Advisory Board of Public Movers and Warehousemen, Edwin F. Banfield of Middletown Township, to succeed himself, for the term prescribed by law.

To be a member of the Affordable Housing Council, William Angus of Moorestown, for the term prescribed by law.

To be a member of the Water Supply Authority, Margaret B. Haskin of Piscataway, to succeed herself, for the term prescribed by law.

To be a member of the Commission on Capital Budgeting and Planning, B. Carol Molnar of Westfield, to succeed Edward Foley, resigned, for the term prescribed by law.

To be a member of the State Board of Education, Anne S. Dillman of Perth Amboy, to succeed herself, for the term prescribed by law.

To be a member of the New Jersey Sports and Exposition Authority, William F. Taggart of Bedminster, to succeed himself, for the term prescribed by law.

To be a member of the New Jersey Racing Commission, John E. Dimon of Roebling, for a six-year term.

To be a member of the Board of Public Utilities, George Barbour of Maple Shade, to succeed himself, for the term prescribed by law.

To be a member of the State Board of Higher Education, Milton Gelzer of Toms River, to succeed himself, for the term prescribed by law.

To be a member of the Rutgers Board of Trustees, Fred Ziegler of Columbus, to succeed Alan Maitlin, for the term prescribed by law.

To be a member of the Crime Prevention Advisory Council, Brian Ahl of Franklin Lakes, for the term prescribed by law.

To be a member of the State Advisory Board of Public Movers and Warehousemen, Louis J. Francis of Glen Rock, to succeed himself, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Laura Grant of Newark, for the term prescribed by law.

To be a member of the State Athletic Control Board, Althea Gibson of East Orange, for the term prescribed by law.

To be a member of the State Athletic Control Board, Gerard Gormley of Buena, for the term prescribed by law.

To be a member of the Professional Planners, Daniel J. DiBenedetto of West Orange, to succeed Albert Pearlman, for the term prescribed by law.

To be a member of the Board of Examiners of Electrical Contractors, Thomas D'Ambola of Nutley, to succeed himself, for the term prescribed by law.

To be a member of the State Commission on Cancer Research, Frederick B. Cohen of South Orange, to succeed himself, for the term prescribed by law.

To be a member of the New Jersey Transit Corporation, Martin Brody of Short Hills, to succeed himself, for the term prescribed by law.

To be a member of the New Jersey Motion Picture and Television Development Commission, Jacqueline Beusse of Caldwell, to succeed herself, for the term prescribed by law.

To be a member of the Public Broadcasting Authority, Robert M. Berkowitz of Livingston, to succeed Philip D. O'Neill, resigned, for the term prescribed by law.

To be a member of the Hazardous Waste Facilities Siting Commission, George Polzer of Red Bank, to succeed himself, for the term prescribed by law.

To be a member of the Public Employment Relations Commission, Octavius Reid of Mt. Laurel, to succeed LLOYD Newbaker, resigned, for the term prescribed by law.

To be a member of the Public Employment Relations Commission, Peter Smith of Glen Gardner, to succeed Carol Graves, for the term prescribed by law.

To be a member of the State Council on the Arts, Clement A. Price of East Orange, to succeed himself, for the term prescribed by law.

To be a member of the University of Medicine and Dentistry Board of Trustees, Herbert Holmes, M.D. of Maplewood, to succeed himself, for the term prescribed by law.

On motion of Mr. Lynch that the Senate do declare the confirmation of the above nominees to be an emergency matter, the vote is as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—38.

In the negative—None.

On motion of Mr. Lynch, the following nominations were taken up:

To be a member of the Commissioners of Pilotage, Richard L. Amster, of Florham Park, to succeed himself, for the term prescribed by law.

To be a member of the State Council on the Arts, Clement A. Price, of East Orange, to succeed himself, for the term prescribed by law.

To be a member of the University of Medicine and Dentistry Board of Trustees, Herbert Holmes, M.D., of Maplewood, to succeed himself, for the term prescribed by law.

To be a member of the Board of Cosmetology and Hairstyling, Laura Grant, of Newark, for the term prescribed by law.

To be a member of the State Athletic Control Board, Althea Gibson, of East Orange, for the term prescribed by law.

To be a member of the Professional Planners, Daniel J. DiBenedetto, of West Orange, to succeed Albert Pearlman, for the term prescribed by law.

To be a member of the Board of Examiners of Electrical Contractors, Thomas D'Ambola, of Nutley, to succeed himself, for the term prescribed by law.

To be a member of the State Commission on Cancer Research, Frederick B. Cohen, of South Orange, to succeed himself, for the term prescribed by law.

To be a member of the New Jersey Transit Corporation, Martin Brody, of Short Hills, to succeed himself, for the term prescribed by law.

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To be a member of the Public Broadcasting Authority, Robert M. Berkowitz, of Livingston, to succeed Philip D. O'Neill, resigned, for the term prescribed by law.

To be a member of the Hazardous Waste Facilities Siting Commission, George Polzer, of Red Bank, to succeed himself, for the term prescribed by law.

To be a member of the Public Employment Relations Commission, Octavius Reid, of Mt. Laurel, to succeed Lloyd Newbaker, resigned, for the term prescribed by law.

To be a member of the New Jersey Highway Authority, Julian K. Robinson, of Jersey City, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, August Thomas, of Willingboro, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Daniel B. McKeown, of Trenton, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Beatrice Tylutki, of Trenton, to succeed herself, for the term prescribed by law.

To be an Administrative Law Judge, James Ospenson, of West Orange, to succeed himself, for the term prescribed by law.

To be an Administrative Law Judge, Naomi LaBastille, of West Orange, to succeed herself, for the term prescribed by law.

To be a member of the State Board of Mediation, Lucille C. Foley, of Barnegat, to succeed herself, for the term prescribed by law.

To be a member of the State Board of Mediation, Raymond Durkin, of Maplewood, to succeed himself, for the term prescribed by law.

To be a member of the State Board of Mediation, Dominick Romano, of Andover Township, to succeed himself, for the term prescribed by law.

To be a member of the Credit Union Advisory Council, William George, of Old Bridge, for a four-year term.

To be a member of the Credit Union Advisory Council, Rita Novitt, of Princeton, for a three-year term.

To be a member of the Credit Union Advisory Council, Jerry Murphy, of Monmouth Junction, for a one-year term.

To be a member of the Economic Development Authority, Ronald Olszowy, of Passaic, to succeed Yuki Laurenti, for the term prescribed by law.

To be a member of the Commission on Radiation Protection, Dr. Henry J. Powsner, of Princeton, to succeed Benjamin P. Sonnenblick, Ph.D., resigned, for the term prescribed by law.

To be a member of the Union County Board of Taxation, George W. Crater, of Clark, for the term prescribed by law.

To be Judge of the Palisades Interstate Park Police Court, Steven J. Zaben, of Englewood Cliffs, for the term prescribed by law.

To be a member of the New Jersey Automobile Insurance Risk Exchange Board, Clive Perrin, of Glastonbury, Connecticut, to succeed William Buckley, resigned, for the term prescribed by law.

To be a member of the Board of Physical Therapists, Royce Buezek, of Wall Township, to succeed himself, for the term prescribed by law.

To be a member of the Christopher Columbus Quincentennial Observance Commission, Dr. Frank J. Esposito, of Wayside, for the term prescribed by law.

To be a member of the State Advisory Board of Public Movers and Warehousemen, Edwin F. Banfield, of Middletown Township, to succeed himself, for the term prescribed by law.

To be a member of the Affordable Housing Council, William Angus, of Moorestown, for the term prescribed by law.

To be a member of the Water Supply Authority, Margaret B. Haskin, of Piscataway, to succeed herself, for the term prescribed by law.

To be a member of the Commission on Capital Budgeting and Planning, B. Carol Molnar, of Westfield, to succeed Edward Foley, resigned, for the term prescribed by law.

To be a member of the State Board of Education, Anne S. Dillman, of Perth Amboy, to succeed herself, for the term prescribed by law.

To be a member of the New Jersey Sports and Exposition Authority, William F. Taggart, of Bedminster, to succeed himself, for the term prescribed by law.

To be a member of the New Jersey Racing Commission, John E. Dimon, of Roebling, for the six-year term.

To be a member of the Board of Public Utilities, George Barbour, of Maple Shade, to succeed himself, for the term prescribed by law.

To be a member of the State Board of Higher Education, Milton Gelzer, of Toms River, to succeed himself, for the term prescribed by law.

To be a member of the Rutgers Board of Trustees, Fred Ziegler, of Columbus, to succeed Alan Maitlin, for the term prescribed by law.

To be a member of the Public Employment Relations Committee, Peter Smith, of Glen Gardner, to succeed Carol Graves, for the term prescribed by law.

To be a member of the State Athletic Control Board, Gerard Gormley, of Buena, for the term prescribed by law.

To be a member of the State Advisory Board of Public Movers and Warehousemen, Louis J. Francis, of Glen Rock, to succeed himself, for the term prescribed by law.

To be a member of the Crime Prevention Advisory Council, Brian Ahl, of Franklin Lakes, for the term prescribed by law.

To be a Judge of the Superior Court, David B. Follender, of Teaneck, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Alvin Y. Milberg, of Rumson, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, John S. Kuhlthau, of North Brunswick, to succeed himself, for the term prescribed by law.

To be a Judge of the Superior Court, Arthur L. Troast, of Mahwah, to succeed himself, for the term prescribed by law.

Upon the question "Will the Senate advise and consent to the above nominations?" it was decided as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—38.

In the negative—None.

The above nominations were declared unanimously confirmed.

Senate No. 3182 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 3269 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Van Wagner, Weiss, Zane—31.

In the negative were—Bassano, Haines, Laskin—3.

On motion of Mr. Pallone pursuant to Rule 124, Assembly No. 868 was substituted for Senate No. 3442 with which it is identical, and Senator Pallone was added as cosponsor of Assembly No. 868.

Which was adopted by voice vote.

Assembly No. 868 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Senate No. 2259 was given third reading.

On motion of Mr. Stockman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Assembly No. 2193 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Feldman, Gagliano, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—30.

In the negative was—Dumont—1.

On motion of Mr. Gormley, Senate No. 2418 (OCR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 2418 (OCR) Sa was taken up, read a second time, and ordered to a third reading.

On motion of Mr. Gormley, Assembly Committee Substitute for Assembly No. 2541 (3rd SR) was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Assembly Committee Substitute for Assembly No. 2541 (3rd SR) Sa was taken up, read a second time, and ordered to a third reading.

Mr. Gormley offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2418 (OCR) Sa is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

On motion of Mr. Gormley pursuant to Rule 124, Assembly Committee Substitute for Assembly No. 2541 (3rd SR) Sa was substituted for Senate No. 2418 (OCR) Sa with which it is identical, and Senator Gormley was added as cosponsor of Assembly Committee Substitute for Assembly No. 2541 (3rd SR) Sa.

Which was adopted by voice vote.

Assembly Committee Substitute for Assembly No. 2541 (3rd SR) Sa was given third reading.

On motion of Mr. Gormley that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dor-

sey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly Committee Substitute for Assembly No. 2453 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Costa, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Garibaldi, Graves, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—31.

In the negative were—

Bubba, Dorsey, Gagliano, Gormley, Hurley, McNamara—6.

Assembly No. 3136 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—21.

In the negative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Gagliano, Garibaldi, Gormley, Haines, Hurley, Laskin, McNamara—16.

Mr. Hirkala assumed the duties of the Chair.

Assembly No. 3291 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Feldman, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—31.

In the negative were—

Dumont, Gagliano, Haines—3.

Assembly No. 3735 was given third reading.

On motion of Mr. Garibaldi that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss—34.

In the negative was—Zane—1.

Assembly No. 4058 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative were—

Cardinale, McNamara—2.

Assembly No. 4289 was given third reading.

On motion of Mr. Weiss that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—21.

In the negative were—

Bassano, Brown, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Garibaldi, Gormley, Haines, Hurley, Laskin, Lynch, McNamara—15.

Senate No. 1540 Aa was given third reading.

On motion of Ms. Lipman that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

On motion of Mr. O'Connor pursuant to Rule 124, Assembly No. 1184 was substituted for Senate No. 226 with which it is identical, and Senator O'Connor was added as cosponsor of Assembly No. 1184.

Which was adopted by voice vote.

Assembly No. 1184 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Gagliano, Garibaldi, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orecchio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—35.

In the negative were—Gormley, Laskin—2.

On motion of Mr. O'Connor pursuant to Rule 124, Assembly No. 4098 was substituted for Senate No. 3079 with which it is identical, and Senator O'Connor was added as cosponsor of Assembly No. 4098.

Which was adopted by voice vote.

Assembly No. 4098 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orecchio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

On motion of Mr. Contillo pursuant to Rule 124, Assembly No. 3736 was substituted for Senate No. 3107 with which it is identical, and Senator Contillo was added as cosponsor of Assembly No. 3736.

Which was adopted by voice vote.

Assembly No. 3736 was given third reading.

On motion of Mr. Contillo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley,

Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

On motion of Mr. Jackman pursuant to Rule 124, Assembly No. 3913 was substituted for Senate No. 3127 with which it is identical, and Senator Jackman was added as cosponsor of Assembly No. 3913.

Which was adopted by voice vote.

Assembly No. 3913 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Caufield, Codey, Connors, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Laskin, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Rand, Russo, Van Wagner, Weiss—28.

In the negative were—

Bubba, Cardinale, Dalton, Gagliano, Haines, Pallone, Zane—7.

On motion of Mr. Caufield pursuant to Rule 124, Assembly No. 4323 was substituted for Senate No. 3498 with which it is identical, and Senator Caufield was added as cosponsor of Assembly No. 4323.

Which was adopted by voice vote.

Assembly No. 4323 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Costa, Cowan, Feldman, Gormley, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Rand, Russo, Stockman, Van Wagner, Weiss, Zane—21.

In the negative were—

Bassano, Brown, Cardinale, Connors, Contillo, Dorsey, Dumont, Gagliano, Garibaldi, Haines, Hurley, Laskin, McNamara, Pallone—14.

Mr. Russo offered the following motion which was read and adopted:

*Be It Resolved*, That pursuant to Senate Rule 88, Senate No. 2670 be referred to the Revenue, Finance and Appropriations Committee.

On motion of Mr. Lesniak pursuant to Rule 124, Assembly No. 4329 was substituted for Senate No. 3201 with which it is identical, and Senator Lesniak was added as cosponsor of Assembly No. 4329.

Which was adopted by voice vote.

Assembly No. 4329 was given third reading.

On motion of Mr. Lesniak that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Ewing, Feldman, Gagliano, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—29.

In the negative were—

Brown, Bubba, Cardinale, Connors, Dumont, Garibaldi, Haines, Laskin, McNamara—9.

On motion of Mr. Lesniak pursuant to Rule 124, Assembly No. 2890 was substituted for Senate No. 3349 with which it is identical, and Senator Lesniak was added as cosponsor of Assembly No. 2880.

Which was adopted by voice vote.

Assembly No. 2880 was given third reading.

On motion of Mr. Lesniak that the bill pass the vote was as follows:

In the affirmative were:

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—37.

In the negative—None.

On motion of Mr. Cowan pursuant to Rule 124, Assembly No. 4100 was substituted for Senate No. 3250 with which it is identical, and Senator Cowan was added as cosponsor of Assembly No. 4100.

Which was adopted by voice vote.

Assembly No. 4100 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were:

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Graves,

Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative was—Gormley—1.

On motion of Mr. McManimon pursuant to Rule 124, Assembly No. 4237 was substituted for Senate No. 3501 with which it is identical, and Senator McManimon was added as cosponsor of Assembly No. 4237.

Which was adopted by voice vote.

Assembly No. 4237 was given third reading.

On motion of Mr. McManimon that the bill pass the vote was as follows:

In the affirmative were:

Cardinale, Caufield, Codey, Costa, Cowan, Dalton, DiFrancesco, Feldman, Garibaldi, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss, Zane—24.

In the negative were—

Bassano, Brown, Contillo, Dorsey, Dumont, Gagliano, Haines, Laskin, Gormley, McNamara—10.

The Senate moved and acted upon one Ceremonial Resolution.

The Revenue, Finance and Appropriations Committee reported the following bills favorably with amendment, and on motion of the Chairman the amendments were adopted:

Senate Committee Substitute for Senate No. 2670 Sea and Assembly Committee Substitute for Assembly No. 2003 AcaSeaSea.

Senate Committee Substitute for Senate No. 2670 Sea and Assembly Committee Substitute for Assembly No. 2003 AcaSeaSea were taken up, read a second time, and ordered to a third reading.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 101 Aca, without reference.

Assembly No. 4280, without reference.

Assembly No. 4356, without reference.

Assembly No. 4313, without reference.

Assembly Joint Resolution No. 95 Aca, without reference.

Senate No. 1487 Aa, without reference.

Assembly Nos. 101 Aca, 4280, 4356, 4313, Assembly Joint Resolution No. 95 Aca and Senate No. 1487 Aa were taken up, read a second time, and ordered to a third reading.

Mr. Orechio resumed the duties of the Chair.

Mr. Orechio declared a recess.

Senate to reconvene in Special Session.

Quorum call after recess—6:30 p.m.

Quorum call for Special Session.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

Senate No. 2175 with Governor's recommendations, was given second reading.

On motion of Mr. O'Connor that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2175 w/GR was taken up, read a second time, and ordered to a third reading.

Senate No. 2876 with Governor's recommendations, was given second reading.

On motion of Mr. Russo that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2876 w/GR was taken up, read a second time, and ordered to a third reading.

Senate No. 1390 with Governor's recommendations, was given second reading.

On motion of Mr. Dumont that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 1390 w/GR was taken up, read a second time, and ordered to a third reading.

Senate No. 1929 with Governor's recommendations, was given second reading.

On motion of Mr. Russo that the Senate do adopt the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 1929 w/GR was taken up, read a second time, and ordered to a third reading.

Senate No. 2175 with Governor's recommendations, was given third reading.

On motion of Mr. O'Connor that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2876 with Governor's recommendations, was given third reading.

On motion of Mr. Russo that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 1390 with Governor's recommendations, was given third reading.

On motion of Mr. Dumont that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 1929 with Governor's recommendations, was given third reading.

On motion of Mr. Russo that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Recess at 6:50 p.m. of Special Session and the Senate continued in regular session.

On motion of Mr. Garibaldi, that Senate No. 3503 be placed back on second reading for the purpose of amendment, the motion was lost by the following vote:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Ewing, Gagliano, Garibaldi, Gormley, Haines, Hurley, Laskin, McNamara—16.

In the negative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—22.

Senate No. 3503 was given third reading.

On motion of Mr. Lesniak that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Gagliano, Garibaldi, Gormley, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, Orechio (President), Pallone, Russo—26.

In the negative—None.

Mr. Hirkala assumed the duties of the Chair.

Senate No. 3506 was given third reading.

On motion of Mr. Orechio that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Zane—36.

In the negative—None.

Senate No. 3507 was given third reading.

On motion of Mr. Orechio that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Mr. Hurley offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate Committee Substitute for Senate No. 2670 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative was—McNamara—1.

Mr. Orechio resumed the duties of the Chair.

On motion of Mr. Hurley pursuant to Rule 124, Assembly No. 2003 was substituted for Senate No. 2670 with which it is identical, and Senator Hurley was added as cosponsor of Assembly No. 2003.

Which was adopted by voice vote.

Assembly No. 2003 was given third reading.

On motion of Mr. Hurley that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Codey, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative were—

Bubba, Laskin—2.

On motion of Mr. Caufield, Senate No. 2800 was placed back on second reading for the purpose of amendment and the amendments were adopted by the following vote:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 2800 Sa was taken up, read a second time, and ordered to a third reading.

Mr. Caufield offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 2800 Sa is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2800 Sa was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Senate No. 3160 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

On motion of Mr. Van Wagner pursuant to Rule 124, Assembly No. 4334 was substituted for Senate No. 3434 with which it is identical, and Senator Van Wagner was added as cosponsor of Assembly No. 4334.

Which was adopted by voice vote.

Assembly No. 4334 was given third reading.

On motion of Mr. Van Wagner that the bill pass the vote was as follows:

In the affirmative were—

Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

On motion of Mr. Russo to place the House Under Call, the vote was as follows:

In the affirmative were—

Brown, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dumont, Feldman, Garibaldi, Gormley, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss—26.

In the negative were—

Bassano, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Ewing, Gagliano, Haines, Hurley, Laskin, McNamara, Zane—13.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 3141, without reference.

Senate No. 3330 Aa, without reference.

Assembly No. 3141 and Senate No. 3330 Aa were taken up, read a second time, and ordered to a third reading.

Motion by Mr. Russo to suspend the 30 bill limitation rule. Motion adopted by voice vote.

Senate No. 1764 Aa was given third reading.

On motion of Mr. Russo that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 2349 Aa was given third reading.

On motion of Mr. Zane that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Senate No. 3502 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Cowan, Dalton, Feldman, Graves, Hirkala, Jackman, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—22.

In the negative were—

Bassano, Bubba, Connors, DiFrancesco, Dumont, Gagliano, Garibaldi, Gormley, Hurley, Laskin, McNamara—11.

Mr. Hirkala assumed the duties of the Chair.

Senate No. 2074 was given third reading.

On motion of Mr. Caufield that the bill pass the vote was as follows:

In the affirmative were—

Brown, Cardinale, Caufield, Codey, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Zane—30.

In the negative was—Laskin—1.

Assembly No. 3737 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Assembly No. 3998 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Quorum call at 9:50 p.m.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

Senate No. 1037 Aa was given third reading.

On motion of Mr. Feldman that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Senate No. 2313 Aa was given third reading.

On motion of Mr. Stockman that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative was—Laskin—1.

On motion of Mr. Lynch pursuant to Rule 124, Assembly No. 3539 was substituted for Senate No. 2770 with which it is identical, and Senator Lynch was added as cosponsor of Assembly No. 3539.

Which was adopted by voice vote.

Assembly No. 3539 was given third reading.

On motion of Mr. Lynch that the bill pass the vote was as follows:

In the affirmative were—

Brown, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—33.

In the negative were—

Bassano, Bubba, Garibaldi, Gormley, Laskin—5.

On motion of Mr. Dalton pursuant to Rule 124, Assembly No. 4225 was substituted for Senate No. 3467 with which it is identical, and Senator Dalton was added as cosponsor of Assembly No. 4225.

Which was adopted by voice vote.

Assembly No. 4225 was given third reading.

On motion of Mr. Dalton that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Ms. Lipman offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Senate No. 3514 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

On motion of Ms. Lipman pursuant to Rule 124, Assembly No. 4351 was substituted for Senate No. 3514 with which it is identical, and Senator Lipman was added as cosponsor of Assembly No. 4351.

Which was adopted by voice vote.

Assembly No. 4351 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative was—Laskin—1.

Mr. Codey offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Assembly No. 3013 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

Assembly No. 3013 was given third reading.

On motion of Mr. Codey that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative was—Laskin—1.

On motion of Mr. Jackman pursuant to Rule 124, Assembly No. 4290 was substituted for Senate No. 3474 with which it is identical, and Senator Jackman was added as cosponsor of Assembly No. 4290.

Which was adopted by voice vote.

Assembly No. 4290 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Caufield, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gormley, Graves, Haines, Hirkala, Jackman, Lesniak, Lipman, O'Connor, Orechio (President), Pallone, Rand, Van Wagner, Weiss, Zane—25.

In the negative were—Codey, Connors, Laskin—3.

Mr. O'Connor offered the following resolution, which was read and adopted by the following vote:

Assembly No. 4290 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Assembly No. 4313 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Assembly No. 4313 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Mr. Ewing offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Assembly No. 4090 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 4090 was given third reading.

On motion of Mr. Ewing that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—33.

In the negative were—

Bassano, Laskin—2.

On motion of Mr. Feldman pursuant to Rule 124, Assembly No. 4279 was substituted for Senate No. 3432 with which it is identical, and Senator Feldman was added as cosponsor of Assembly No. 4279.

Which was adopted by voice vote.

Assembly No. 4279 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dumont, Feldman, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss—22.

In the negative were—

Bassano, Brown, Bubba, Connors, DiFrancesco, Ewing, Gagliano, Garibaldi, Gormley, Haines, Laskin—11.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 2046 Aa w/GR, without reference.

Assembly No. 3149, without reference.

Assembly No. 3281 w/GR, without reference.

Assembly No. 4346, without reference.

Assembly Nos. 2046 Aa w/GR, 3149, 3281 w/GR and 4346 were taken up, read a second time, and ordered to a third reading.

Mr. Graves offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Assembly No. 3281 w/GR is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Assembly No. 3281 with Governor's recommendations, was given third reading.

On motion of Mr. Graves that the Senate do concur in the Governor's recommendations, the vote was as follows.

In the affirmative were—

Bassano, Brown, Caufield, Codey, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—32.

In the negative was—Laskin—1.

Senate No. 1487 Aa was given third reading.

On motion of Mr. Dorsey that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala,

Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Weiss, Zane—34.

In the negative—None.

Senate No. 3330 Aa was given third reading.

On motion of Ms. Lipman that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative was—Bassano—1.

Assembly No. 1701 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Mr. Orechio, Senate President, announced the following commission appointments:

Commission to Evaluate the Implementation and Effects of the New Jersey Automobile Insurance Reform Act.

Senator Catherine A. Costa (D) 7th District

David Raven, Esq., 80 Main Street, West Orange

On motion of Mr. Garibaldi to lift the House from Under Call, the motion was lost by the following vote:

In the affirmative were:

Bassano, Bubba, Cardinale, Connors, DiFrancesco, Dorsey, Dumont, Gagliano, Garibaldi, Gormley, Haines, Hurley, Laskin, McNamara, Zane—15.

In the negative were—

Caufield, Contillo, Cowan, Dalton, Feldman, Graves, Hirkala, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss—18.

Quorum call after recess—11:15 p.m.

Upon calling the roll the following Senators answered the call and the President declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Haines, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

Assembly No. 268 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative was—Bassano—1.

Assembly No. 647 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Assembly No. 866 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 3188 was given third reading.

On motion of Ms. Lipman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Assembly No. 3202 was given third reading.

On motion of Mr. McManimon that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Assembly No. 3233 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 3573 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman,

Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van-Wagner, Weiss, Zane—37.

In the negative—None.

Assembly No. 4084 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van-Wagner, Weiss, Zane—36.

In the negative—None.

Assembly No. 4209 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

On motion of Mr. Cowan pursuant to Rule 124, Assembly No. 3182 was substituted for Senate No. 2783 with which it is identical, and Senator Cowan was added as cosponsor of Assembly No. 3182.

Which was adopted by voice vote.

Assembly No. 3182 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

On motion of Mr. Bubba pursuant to Rule 124, Assembly No. 1983 was substituted for Senate No. 2381 with which it is identical, and Senator Bubba was added as cosponsor of Assembly No. 1983.

Which was adopted by voice vote.

Assembly No. 1983 was given third reading.

On motion of Mr. Bubba that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

On motion of Ms. Brown, pursuant to Rule 124, Assembly No. 3226 was substituted for Senate No. 2704 with which it is identical, and Senator Brown was added as cosponsor of Assembly No. 3226.

Which was adopted by voice vote.

Assembly No. 3226 was given third reading.

On motion of Ms. Brown pursuant to Rule 124, Assembly No. 3226

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orecchio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

On motion of Mr. Cowan pursuant to Rule 124, Assembly No. 3670 was substituted for Senate No. 3018 with which it is identical, and Senator Cowan was added as cosponsor of Assembly No. 3670.

Which was adopted by voice vote.

Assembly No. 3670 was given third reading.

On motion of Mr. Cowan that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orecchio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

On motion of Mr. Bassano pursuant to Rule 124, Assembly No. 4219 was substituted for Senate No. 3426 with which it is identical, and Senator Bassano was added as cosponsor of Assembly No. 4219.

Which was adopted by voice vote.

Assembly No. 4219 was given third reading.

On motion of Mr. Bassano that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Mr. Hirkala assumed the duties of the Chair.

On motion of Mr. DiFrancesco pursuant to Rule 124, Assembly No. 114 was substituted for Senate No. 3392 with which it is identical, and Senator DiFrancesco was added as cosponsor of Assembly No. 114.

Which was adopted by voice vote.

Assembly No 114 was given third reading.

On motion of Mr. DiFrancesco that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

On motion of Mr. Pallone pursuant to Rule 124, Assembly No. 4327 was substituted for Senate No. 3499 with which it is identical, and Senator Pallone was added as cosponsor of Assembly No. 4327.

Which was adopted by voice vote.

Assembly No. 4327 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dumont,

Ewing, Feldman, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

Assembly Joint Resolution No. 49 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Assembly No. 2963 was given third reading.

On motion of Ms. Costa that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Assembly No. 3121 was given third reading.

On motion of Mr. Garibaldi that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

On motion of Mr. Rand pursuant to Rule 124, Assembly No. 4337 was substituted for Senate No. 3495 with which it is identical, and Senator Rand was added as cosponsor of Assembly No. 4337.

Which was adopted by voice vote.

Assembly No. 4337 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative were—Bubba, Laskin—2.

Mr. Jackman offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved* by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Assembly No. 3342 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

Assembly No. 3342 was given third reading.

On motion of Mr. Jackman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

On motion of Mr. Rand pursuant to Rule 124, Assembly No. 4319 was substituted for Senate No. 3504 with which it is identical, and Senator Rand was added as cosponsor of Assembly No. 4319.

Which was adopted by voice vote.

Assembly No. 4319 was given third reading.

On motion of Mr. Rand that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Dalton, DiFrancesco, Dorsey, Dumont,

Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—37.

In the negative—None.

On motion of Mr. Cowan, Senate Joint Resolution No. 74 was taken up and adopted by voice vote.

Mr. Graves offered the following resolution, which was read and adopted by the following vote:

*Be It Resolved*, by the Senate by the vote of three-fourths of all of its members, signified by yeas and nays entered on the Journal of the Senate, that Assembly No. 4346 is an emergency measure and may proceed forthwith from second to third reading.

In the affirmative were—

Bassano, Brown, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative were—

Bubba, Cardinale, Laskin—3.

Assembly No. 3436 was given third reading.

On motion of Mr. Graves that the bill pass the vote was as follows:

In the affirmative were—

Brown, DiFrancesco, Ewing, Feldman, Gormley, Graves, Hirkala, Hurley, Lesniak, Lipman, McNamara, O'Connor, Orechio (President), Russo—14.

In the negative were—

Bubba, Cardinale, Connors, Dumont, Garibaldi, Haines, Laskin, McManimon—8.

On motion of Mr. Graves the bill was laid over.

Senate No. 2954 Aa was given third reading.

On motion of Mr. Bassano that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

Assembly No. 3018 was given third reading.

On motion of Mr. O'Connor that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Contillo, Cesta, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative was—Laskin—1.

On motion of Mr. Dumont pursuant to Rule 124, Assembly No. 4356 was substituted for Senate No. 3492 with which it is identical, and Senator Dumont was added as cosponsor of Assembly No. 4356.

Which was adopted by voice vote.

Assembly No. 4356 was given third reading.

On motion of Mr. Dumont that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

In the negative—None.

The President *pro tem* declared a recess at 11:58 p.m.

Senate to reconvene in Special Session again.

Quorum call for Special Session.

Upon calling the roll the following Senators answered the call and the President *pro tem* declared a quorum present:

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—39.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following bills, which bills were read for the first time and referred by the President as indicated:

Assembly No. 632 Aca w/GR, without reference.

Assembly No. 667 Aa Sea w/GR, without reference.

Assembly No. 2385 Aca w/GR, without reference.

Assembly No. 2974 Sea w/GR, without reference.

Assembly No. 3199 Aca w/GR, without reference.

Assembly No. 3584 Aca Sea w/GR, without reference.

Assembly No. 4109 w/GR, without reference.

These bills were passed during a Special Session.

Assembly Nos. 632 Aca w/GR, 667 Aa Sea w/GR, 2385 Aca w/GR, 2974 Sea w/GR, 3199 Aca w/GR and 3584 Aca Sea w/GR were taken up, read a second time, and ordered to a third reading.

Assembly No. 632 Aca with Governor's recommendations, was given third reading.

On motion of Mr. O'Connor that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 667 Aa Sea with Governor's recommendations, was given third reading.

On motion of Mr. Codey that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Caufield, Codey, Contillo, Costa, Cowan, Dalton, Feldman, Hirkala, Jackman, Lesniak, Lipman, Lynch, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner—19.

In the negative were—

Cardinale, Connors, Dumont, Dorsey, Ewing, Garibaldi, Gormley, Haines, Hurley, McNamara, Zane—11.

On motion of Mr. Codey the bill was laid over.

Assembly No. 2385 Aca with Governor's recommendations, was given third reading.

On motion of Ms. Lipman that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley,

Graves, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 2974 Sea with Governor's recommendations, was given third reading.

On motion of Ms. Lipman that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Graves, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 3199 Aca with Governor's recommendations, was given third reading.

On motion of Mr. Russo that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 3584 Aca Sea with Governor's recommendations, was given third reading.

On motion of Ms. Brown that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 4109 with Governor's recommendations, was given third reading.

On motion of Mr. Haines that the Senate do concur in the Governor's recommendations, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Stockman, Van Wagner, Weiss, Zane—36.

In the negative—None.

President *pro tem* Hirkala adjourned the Special Session and the Senate continued in regular session.

On motion of Mr. Pallone pursuant to Rule 124, Assembly No. 3415 was substituted for Senate No. 2964 with which it is identical, and Senator Pallone was added as cosponsor of Assembly No. 3415.

Which was adopted by voice vote.

Assembly No. 3415 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Hirkala, Jackman, Laskin, Lesniak, Lipman, Lynch, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

On motion of Mr. Pallone pursuant to Rule 124, Assembly No. 3416 was substituted for Senate No. 2965 with which it is identical, and Senator Pallone was added as cosponsor of Assembly No. 3416.

Which was adopted by voice vote.

Assembly No. 3416 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

On motion of Mr. Pallone pursuant to Rule 124, Assembly No. 3417 was substituted for Senate No. 2966 with which it is identical, and Senator Pallone was added as cosponsor of Assembly No. 3417.

Which was adopted by voice vote.

Assembly No. 3417 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

On motion of Mr. Pallone pursuant to Rule 124, Assembly No. 3418 was substituted for Senate No. 2967 with which it is identical, and Senator Pallone was added as cosponsor of Assembly No. 3418.

Which was adopted by voice vote.

Assembly No. 3418 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

On motion of Mr. Pallone pursuant to Rule 124, Assembly No. 3427 was substituted for Senate No. 2968 with which it is identical, and Senator Pallone was added as cosponsor of Assembly No. 3427.

Which was adopted by voice vote.

Assembly No. 3427 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Cardinale, Caufield, Codey, Contillo, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—32.

In the negative—None.

On motion of Mr. Pallone pursuant to Rule 124, Assembly No. 3428 was substituted for Senate No. 2969 with which it is identical, and Senator Pallone was added as cosponsor of Assembly No. 3428.

Which was adopted by voice vote.

Assembly No. 3428 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—35.

In the negative—None.

On motion of Mr. Pallone pursuant to Rule 124, Assembly No. 3429 was substituted for Senate No. 2970 with which it is identical, and Senator Pallone was added as cosponsor of Assembly No. 3429.

Which was adopted by voice vote.

Assembly No. 3429 was given third reading.

On motion of Mr. Pallone that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dumont, Ewing, Feldman, Garibaldi, Gormley, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Senate No. 729 Aa was given third reading.

On motion of Ms. Brown that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Codey, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Garibaldi, Gormley, Haines, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, Lynch, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—38.

In the negative—None.

Assembly No. 4294 was given third reading.

On motion of Mr. Feldman that the bill pass the vote was as follows:

In the affirmative were—

Bassano, Brown, Cardinale, Contillo, Cowan, DiFrancesco, Dorsey, Dumont, Ewing, Feldman, Gagliano, Gormley, Haines, Hirkala, Hurley, Jackman, Lipman, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Van Wagner, Weiss—25.

In the negative were—

Dalton, Laskin, Stockman—3.

The Secretary reported receipt of a message from the General Assembly that the General Assembly has passed the following Senate bill, which bill was read for the first time and referred by the President as indicated:

Senate No. 2350 Sea Aca, without reference.

Senate No. 2350 Sea Aca was taken up, read a second time, and ordered to a third reading.

Senate No. 2350 Sea Aca was given third reading.

On motion of Mr. O'Connor that the Senate do concur in the Assembly amendments, the vote was as follows:

In the affirmative were—

Bassano, Brown, Bubba, Cardinale, Caufield, Connors, Contillo, Costa, Cowan, Dalton, DiFrancesco, Dorsey, Dumont, Feldman, Gagliano, Garibaldi, Gormley, Hirkala, Hurley, Jackman, Laskin, Lesniak, Lipman, McManimon, McNamara, O'Connor, Orechio (President), Pallone, Rand, Russo, Stockman, Van Wagner, Weiss, Zane—34.

In the negative—None.

Assembly No. 3959 was given third reading.

On motion of Mr. Russo that the bill pass the vote was as follows:

In the affirmative were—

Contillo, Costa, DiFrancesco, Ewing, Lipman, McManimon, O'Connor, Orechio (President), Rand, Russo—10.

In the negative were—

Brown, Dumont, Gormley, Hurley, Laskin—5.

On motion of Mr. Russo the bill was laid over.

On motion of Mr. Dorsey, Mr. Bubba was added as cosponsor of Senate No. 2778.

On motion of Mr. Cowan, Mr. Bubba was added as cosponsor of the following bills:

Senate Nos. 2783, 2784, 2786 and 3018.

On motion of Mr. Lesniak, Mr. Bubba was added as cosponsor of Senate No. 3349.

On motion of Mr. O'Connor, Mr. Bubba was added as cosponsor of Senate No. 226.

On motion of Ms. Brown, Mr. Bubba was added as cosponsor of Senate No. 2704.

On motion of Ms. Lipman, Mr. Bubba was added as cosponsor of Senate No. 3053.

On motion of Ms. Costa, Mr. Stockman was added as cosponsor of Senate Joint Resolution No. 74.

On motion of Mr. Codey, Mr. Stockman was added as cosponsor of Senate No. 2820.

On motion of Ms. Lipman, Mr. Gormley was added as cosponsor of Senate No. 3514.

On motion of Mr. O'Connor, Mr. Cowan was added as cosponsor of Senate No. 226.

On motion of Mr. Orechio, Mr. Bubba was added as cosponsor of Senate No. 2996.

On motion of Mr. Caufield, Mr. Bubba was added as cosponsor of Senate No. 3483.

On motion of Mr. Russo, Mr. Bubba was added as cosponsor of Senate No. 3484.

On motion of Mr. DiFrancesco, Mr. Lesniak was added as cosponsor of Senate No. 487.

On motion of Mr. Codey, Mr. Lesniak was added as cosponsor of Senate No. 3206.

On motion of Mr. Lynch, Mr. Lesniak was added as cosponsor of the following bills:

Senate Nos. 602 and 2448.

On motion of Ms. Costa, Mr. Lesniak was added as cosponsor of Senate No. 3260.

On motion of Mr. Graves, Mr. Lesniak was added as cosponsor of Senate No. 1575.

On motion of Mr. Graves, Mr. Bubba was added as cosponsor of Senate No. 1575.

On motion of Mr. Weiss, Mr. Ewing was added as cosponsor of Senate Joint Resolution No. 75.

On motion of Mr. Ewing, Mr. O'Connor was added as cosponsor of Senate No. 346.

On motion of Mr. Russo, Messrs. Van Wagner and Pallone were added as cosponsors of Senate No. 3471.

On motion of Mr. Orechio, Messrs. Contillo and Jackman were added as cosponsors of Senate No. 3471.

Mr. Orechio, Senate President, announced the following commission appointment:

Commission to Study Benefits to be Provided to Professional Boxers: (C. 83, 1985)

Senator Carmen A. Orechio (D) Essex County

Mr. Russo made a motion to lift the House from Under Call, which motion was adopted by voice vote.

Mr. Russo made a motion to adjourn *Sine Die*. Motion adopted by voice vote.

The Senate then adjourned *Sine Die*.

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