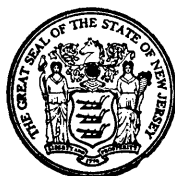


# VETO MESSAGES

OF

HON. BRENDAN BYRNE  
*Governor of New Jersey*



SUBMITTED TO THE SENATE AND THE GENERAL  
ASSEMBLY OF THE STATE OF NEW JERSEY

1974—1975

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STATE OF NEW JERSEY,            }  
EXECUTIVE DEPARTMENT,        }  
September 19, 1974.        }

ASSEMBLY BILL No. 90

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Assembly Bill No. 90, without my approval.

Assembly Bill No. 90 would supplement Chapter 14 of Title 52 of the Revised Statutes so that the Director of the Division of Budget and Accounting in the Department of the Treasury would be required to advance certain funds for the travel expenses of State employees. Under section 1.2 of the State Travel Regulations currently in effect, the Director may, in his discretion, advance 75 percent of anticipated travel expenses between \$100 and \$250, and may advance 90 percent of anticipated travel expenses in excess of \$250. Assembly Bill No. 90 would require the Director of the Division of Budget and Accounting to advance anticipated travel expenditures of less than \$100.

This bill would substantially increase the flow of documents regarding travel expenses as well as require considerable bookkeeping for each employee's advance travel account. It would thereby impair the efficiency of governmental operations. It is estimated that in order to provide, and account for, small advances for day-to-day travel, the Division of Budget and Accounting would have to add several employees for each of the major departments. The cost of this bill to the State is, therefore, unreasonable.

In addition, the Director of the Division of Budget and Accounting is currently reevaluating the present State travel regulations in all respects. As part of that reevaluation, I have directed the Director to explore the possibility of revising the regulations to permit the advance of some anticipated expenditures of less than \$100, but not the advance of the smallest sums.

I, therefore, must return Assembly Bill No. 90 without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ DONALD LIAN,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
September 30, 1974. }

ASSEMBLY BILL No. 91

*To the General Assembly:*

I herewith return Assembly Bill No. 91 without my approval, pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, for the following reasons.

This bill amends Title 36 of the Revised Statutes so as to change Veteran's Day from the fourth Monday in October to the eleventh day of November. After the United States Congress established a series of Monday federal holidays through 5 U.S.C. § 6103, the New Jersey Legislature did likewise for State holidays. Since then, some 40 states have, primarily at the urging of veterans' organizations, returned to November 11 as the Veteran's Day holiday for State purposes. I understand the emotional support behind this bill, from Veterans and Veterans' Organizations, and have read the letters of support which have flowed into the Executive offices. The Veterans often do not get the public recognition and support they deserve.

This bill is certain to result in some confusion, however. With regard to the State, employees of the Department of Defense, at the very least, would continue to observe the fourth Monday in October as their Veteran's Day holiday by virtue of the preemptive effect of 5 U.S.C. § 2105, which defines those persons subject to 5 U.S.C. § 6103. In addition, in this energy conscious era, many institutions, such as the public schools, would consume more energy in shutting down and reopening in the middle of a week than in shutting down for a three-day weekend. With regard to the private sector, the banking industry especially would be affected, because of the federal and State character of the



persons of unusual income or education. In view of the reduction of the age of majority from 21 years to 18 years, this bill is particularly inappropriate in that a defendant falling within that age group would find it virtually impossible to have one of his peers as a juror. A good number of recent judicial decisions have focused on claims by defendants relating to this very point. As a practical matter, it should be emphasized that judges currently possess considerable authority to exempt from jury duty persons, such as students during the actual school year, for whom such duty would constitute an unusual hardship. This existing flexibility is superior to the absolute exemption provided by this bill.

I am, therefore, returning Assembly Bill No. 1168 (OCR) without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ DONALD LAN,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
October 21, 1974. }

SENATE BILL No. 91

*To the Senate:*

I return Senate Bill No. 91 without my approval, pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, for the following reasons.

This bill requires the publication of a notice of acquittal of criminal charges at the request of any acquitted defendant. Such notice would be placed in any two newspapers of general circulation chosen by the acquitted defendant, and the cost of publication would be borne by the county.

The New Jersey Press Association has expressed firm opposition to this bill on public policy grounds, and I concur in the Association's reasoning. As a free press is at the heart of a strong democracy, no newspaper should be mandated to publish any material, even as an advertisement, particularly when the size and layout of that material is

also dictated. In requiring newspapers to publish material that the newspaper may not desire to publish, this bill raises the type of First Amendment issues that have been closely scrutinized by the United States Supreme Court. *See, e.g., The Miami Herald Publishing Co. v. Tornillo*, 42 U.S. L.W. 5098 (June 25, 1974).

As a practical matter, it is also questionable whether the \$37,000 cost resulting annually from this bill is an effective expenditure of funds. Any notice of acquittal would be too far removed in time from original publication of charges against an acquitted defendant, and would be too small and inconspicuously placed, to fulfill the intent of this bill. Furthermore, it forces acquitted defendants to make a difficult choice as to whether to further publicize criminal charges that may have originally escaped notice.

Accordingly, I feel I must return Senate Bill No. 91 without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ DONALD LAN,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
September 30, 1974. }

SENATE BILL No. 134

*To the Senate:*

I return Senate Bill No. 134 without my approval, pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, for the following reasons.

The Division of Tax Appeals, in *Harold Keitelman v. Borough of New Shrewsbury*, L 2871-67, L 3539-68-1, held aboveground swimming pools lacking permanent connection to the land to be personal property, whether or not disassembled. This ruling, I am advised, is being followed, and this bill is therefore unnecessary.

Distinguishing between personal property and real property is a broader problem than the classification of swimming pools, and according to the Division of Taxation,

requires early resolution. I have therefore directed the Division to assess the current state of the law in this area, and to recommend needed statutory and administrative reforms as soon as possible.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ DONALD LAN,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
September 19, 1974. }

SENATE BILL No. 754

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Senate Bill No. 754 without my approval.

Senate Bill No. 754 would amend "The New Jersey Highway Authority Act" to add motorcycles to the list of vehicles permitted on that portion of the Parkway situated more than 5 miles north of its intersection with the northern boundary of Ocean County. Supporters of the bill, including legislators and others who testified at the legislative hearings and at an open forum I held after its passage clearly believed that the bill would abrogate a regulation adopted by the Highway Authority which bars motorcycles from the road and that it would prohibit the Authority from excluding cyclists.

An examination of Senate Bill No. 754 leads me to conclude that its supporters may well be frustrated in their desire to accomplish this intended purpose. By another section of its enabling legislation, N. J. S. A. 27:12B-17(b), the Authority may exclude any traffic other than passenger motor vehicles. The mere addition of motorcycles to the list of permissible vehicles does not seem to preclude a prohibition under this section. Indeed, the Authority may well conclude that no additional action is required to preclude cyclists, thereby avoiding any question of gubernatorial veto. In these circumstances, it does not appear

desirable to adopt legislation which might not accomplish its purpose.

A review of the history of motorcycle use on the Garden State Parkway seems appropriate. On February 1, 1961 the Highway Authority prohibited motorcycles from using the road apparently on the basis of a study of the experience for the preceding seven years.

The Parkway's safety record is excellent. Some contend that this record is a result of the design of the road, while others argue it is in part attributable to the selective exclusion of certain types of motor vehicles, including motorcycles. Others argue that the exclusion of motorcycles from the Garden State Parkway has increased the hazards of other State highways and that the motorcyclists are needlessly exposed to greater risks on more dangerous alternative roads.

I believe that these questions might be usefully resolved by a reasonable trial period during which the safety experience with motorcyclists on the Parkway can be evaluated. I request that the Highway Authority develop and implement procedures which will permit motorcyclists to use the Garden State Parkway on a trial basis. In the event that a fair test period is not undertaken, the Legislature may then by an effective bill decide to mandate that it be done.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ DONALD LAN,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
September 30, 1974. }

SENATE BILL No. 962

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Senate Bill No. 962, without my approval, for the following reasons.

This bill permits a member of the Public Employees' Retirement System, within three months of the effective

date of this act, to purchase credit for his temporary service, if that service resulted in permanent employment. Existing law permits a member to make contributions covering his temporary service only during the first year of his membership in the retirement system.

The cost of purchase of credit for previous service normally requires the employee to pay  $\frac{1}{2}$  of the total cost of the purchase and the employer to pay the remaining  $\frac{1}{2}$  of the cost. However, because a member is permitted, under the present statute, to purchase credit for his temporary service only during his first year of membership, the employee cost of such a purchase is based on the member's salary and age at enrollment. If he were permitted to purchase such credit on the same basis many years after his enrollment, when he is much older and has a considerably higher salary, he would be paying substantially less than  $\frac{1}{2}$  of the total cost of such service. Therefore, for each of the thousands of employees who would become eligible anew pursuant to this bill, the cost to the individual would be minimal but the cost to the State or local employer would be considerably more than  $\frac{1}{2}$  of the cost. The cost of each year of service benefit is currently \$2,000 for the average member. The employee's proper share of the \$2,000 cost of a year of service benefit should be \$1,000, but because his share of the cost of purchase of temporary service is computed on the basis of his age at enrollment, the average employee would pay substantially less, and the employer substantially more.

The cost to the State and to local participating employers resulting from signature of this bill could be slightly over \$8,000,000. This cost would have to be amortized by an increase in the contribution paid by the State and all participating employers.

In view of the windfall which would occur as a result of my signing this bill, I see no reason to provide a second opportunity to purchase temporary service benefits at nominal cost to employees who under existing law had the opportunity during the first year of their membership in the retirement system, a year in which the individual's salary and age as a temporary employee approximated his salary and age as a permanent employee, thereby minimizing any windfall.

Accordingly, I feel I must return Senate Bill No. 962 without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ DONALD LAN,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
June 28, 1974. }

SENATE BILL No. 1150

To the Senate:

Pursuant to Article V, Section I, Paragraph 15 of the Constitution, I am appending to Senate Bill No. 1150 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.

“200. Department of the Treasury”

On Page 18: Lines 3-4 “71230. Management of Data Processing and Telecommunications . . . 742,525”  
This item is reduced to \$707,525.

On Page 19: Line 11 “Total Appropriation . . . . . \$ 9,550,406”  
This item is reduced to \$9,515,406.

On Page 19: Lines 24A-24C “For the purchase of services for intergovernmental visual communications . . . . . ( 35,000)”  
This item is deleted in its entirety.

On Page 24: Lines 6-7 “Total Appropriation, Department of the Treasury . . . . . \$ 39,821,995”  
This item is reduced to \$39,786,995.

*“300. Department of State”*

On Page 24: Line 1 “34610. Development Support .....\$ 890,352”  
This item is reduced to \$790,352.

On Page 24: Line 2 “Total Appropriation .....\$ 890,352”  
This item is reduced to \$790,352.

On Page 25: Lines 18-19 “Contracts with Opera Theatre of New Jersey ..... ( 200,000)”  
This item is reduced to \$100,000.

On Page 26: Line 21 “Total Appropriation, Department of State..\$ 2,161,390”  
This item is reduced to \$2,061,390.

*“330. Department of Agriculture”*

On Page 29: Line 3 “41130. Resource Development Services .... 470,345”  
This item is reduced to \$380,345.

On Page 29: Line 4 “Total Appropriation .....\$ 1,796,106”  
This item is reduced to \$1,706,106.

On Page 29: Lines 23A-23B “grants to Soil Conservation Districts ( 90,000)”  
This item is deleted in its entirety.

On Page 31: Lines 14-15 “Total Appropriation, Department of Agriculture .....\$ 3,977,649”  
This item is reduced to \$3,887,649.

*“400. Department of Environmental Protection”*

On Page 47: Line 1 “41310. Water Supply Management .....\$ 1,203,544”  
This item is reduced to \$1,163,544.

On Page 47: Line 13 "Total Appropriation . . . . . \$ 7,562,719"  
This item is reduced to \$7,522,719.

On Page 48: Line 36A "Survey of Jacobs Creek watershed . . . ( 40,000)"  
This item is deleted in its entirety.

On Page 52: Line 3 "49120. Program Management . . . . . 927,199"  
This item is reduced to \$902,199.

On Page 52: Line 5 "Total Appropriation . . . . . \$ 12,232,428"  
This item is reduced to \$12,207,428.

On Page 53: Lines 32A-32B "State contribution to the Cohanzick Free Public Zoo in Bridgeton . . . . . ( 25,000)"  
This item is deleted in its entirety.

On Page 54: Lines 10-11 "Total Appropriation, Department of Environmental Protection \$ 35,110,507"  
This item is reduced to \$35,045,507.

*"Department of Higher Education"*

On Page 64: Line 6 "33970. Institutional Support . . . . . 3,213,313"  
This item is reduced to \$3,163,313.

On Page 64: Line 7 "Total Appropriation . . . . . \$ 16,493,395"  
This item is reduced to \$16,443,395.

On Page 65: Line 13 "Services Other Than Personal . . . . . ( 857,972)"  
This item is reduced to \$807,972.

On Page 74: Line 75 “not to exceed \$350,000”  
The foregoing part of this item is deleted.

On Page 81: Lines 58-59 “Total Appropriation, Department of Higher Education . . . . . \$309,914,269”  
This item is reduced to \$309,864,269.

*“600. Department of Transportation”*

On Page 82: Lines 24-41 “Of the amount provided hereinabove for Traffic signals, signs, lighting, and safety improvements, a sum not to exceed \$30,000 shall be used for the installation of traffic signals in Pennsville Township in Salem County at either Rt. 49 and Pennsville Shopping Center, Rt. 49 and Churchtown Landing Road, or Rt. 49 and William Penn Avenue.

Of the amount provided hereinabove for construction, reconstruction, improvement, or rebuilding of State highways including resurfacing and major bridge repairs or rehabilitation, a sum not to exceed \$10,000 shall be used for installation of curbing on both sides of Rt. 24 between Fairmount Avenue and Hillside Avenue in Chatham and an amount not to exceed \$100,000 shall be used for safety features and the installation of a barrier curb on Rt. 46 in Mount Olive Township.”

The foregoing part of this item is deleted.

On Page 86: Lines 48-48A “, including a feasibility study on the activation of the West Shore Railroad”

The foregoing part of this item is deleted.

*“Inter-Departmental Accounts”*

On Page 124: Lines 124-139 “Of the sum hereinabove appropriated for Salary and Other Benefits, the following amounts shall be made available subject to enactment of enabling legislation; an amount not to exceed

\$680,000 for additional costs resulting from an increase in the mileage allowance for State employee automobiles used on State business at the rate of 14¢ per mile; an amount not to exceed \$320,000 for an expanded vacation schedule as provided in Assembly No. 4 or similar legislation; and an amount not to exceed \$412,000 to reduce to 24 months from the effective date of retirement the waiting period for newly retired State employees eligible to receive adjustments under the pension increase act (NJSA 43:3B), effective April 1, 1975.”  
 The foregoing part of this item is deleted.

On Page 127: Lines 20-21 “Total Appropriation, General State Operations ..... \$1,361,206,740”  
 This item is reduced to \$1,360,866,740.

“400. *Department of Environmental Protection*”

On Page 131: Line 2 “41330. Marine Lands Management ..... 2,252,576”  
 This item is reduced to \$1,969,351.

On Page 131: Line 3 “Total Appropriation ..... \$ 3,568,576”  
 This item is reduced to \$3,285,351.

On Page 132: Lines 15A-15E “To the town of Keansburg for repayment to the State for costs incurred on their behalf due to contract overruns on hurricane protection projects ..... ( 283,225)”  
 This item is deleted in its entirety.

On Page 133: Lines 24-25 “Total Appropriation, Department of Environmental Protection \$ 4,243,576”  
 This item is reduced to \$3,960,351.

*“500. Department of Education”*

- On Page 134: Lines 1-2 “32110. Programs for the Disadvantaged and Handicapped ..\$ 1,050,000”  
This item is reduced to \$1,000,000.
- On Page 134: Lines 1-2 “34310. State Museum and New Jersey School of the Arts .....\$ 522,195”  
This item is reduced to \$482,195.
- On Page 134: Line 2 “Total Appropriation .....\$ 651,297,752”  
This item is reduced to \$651,207,752.
- On Page 135: Lines 16A-B “Bergen County Museum .....( 15,000)  
Morris Museum of Arts and Sciences .....( 25,000)”  
These items are deleted in their entirety.
- On Page 136: Lines 61A-61C “Pilot project for a summer education and recreation program for handicapped children .....( 50,000)”  
This item is deleted in its entirety.
- On Page 138: Lines 34-35 “Total Appropriation, Department of Education .....\$ 832,726,688”  
This item is reduced to \$823,636,688.

*“800. Department of Community Affairs”*

- On Page 143: Line 2 “42130. Local Government Services ..... 51,883,906”  
This item is reduced to \$51,483,906.
- On Page 143: Line 3 “Total Appropriation .....\$ 55,747,206”  
This item is reduced to \$55,347,206.

On Page 144: Lines 24A-24C “for aid to depressed rural areas subject to the enactment of enabling legislation . . . . . ( 400,000)”  
This item is deleted in its entirety.

On Page 147: Lines 34-35 “Total Appropriation, Department of Community Affairs . . . . . \$ 62,515,552”  
This item is reduced to \$62,115,552.

On Page 147: Line 30 “Total Appropriation, State Aid . . . . . \$1,272,642,747”  
This item is reduced to \$1,271,869,522.

*“612. Department of Transportation”*

On Page 156: Lines 94-102 “Of the amount provided hereinabove for State highway construction, a sum not to exceed \$40,000 shall be used for an engineering study to plan improvements on the Laurelton Circle in Brick Township and a sum not to exceed \$350,000 shall be used for the construction of jughandles and the installation of traffic lights on State Highway 70 at the entrances to Leisure Village and Leisure Village East.”  
The foregoing part of this item is deleted.

On Page 157: Lines 15-20 “There may be allocated from sums previously appropriated from the State Transportation fund such amounts as may be necessary for Activation of the West Shore Railroad, contingent upon at least 80% participation by the Federal government.”  
The foregoing part of this item is deleted.

*“Miscellaneous Executive Commissions”*

On Page 160: Line 11 “Grand Total Appropriation . . . . . \$2,757,209,203”  
This item is reduced to \$2,756,095,978.

The item on page 19 would involve the State of New Jersey in the Metropolitan Regional Council's closed circuit television system established to facilitate viewing of governmental activities. Participation in the system would cost substantially more than the \$35,000 appropriated in this bill for equipment rental and maintenance. Additional funds would be needed for operating expenses, scheduling and coordination personnel, studio space and equipment storage space.

The item on page 25 is being reduced from \$200,000 because the Opera Theatre appealed to the Joint Appropriations Committee for an appropriation in excess of the request recommended by the Division of Budget and Accounting. The Council on the Arts requested \$1,599,182 for fiscal year 1975, \$200,000 for the Opera Theatre. The Division recommended \$730,000, \$100,000 for the Opera Theatre. In preparing the requests and recommendations, the Council and the Division established priorities among the subsidized fine arts organizations. The Opera Theatre's appeal to the Committee, and the consequent increase from \$100,000 to \$200,000, alters these studied plans and priorities. In the future, in addition to any subsidized fine arts organization's being limited to subsidies approved by the Council on the Arts, the Council should monitor expenditures by the subsidized organizations to ensure proper accounting and efficiency, and should report its findings annually to the Department.

The item on page 29 establishes a new grant program in the Department of Agriculture which would provide funds to soil conservation districts even though no enabling act authorizes such funds. Soil conservation districts are currently eligible for grants under a program established in the New Jersey Department of Environmental Protection pursuant to P. L. 1972, c. 49. The new program represented by this \$90,000 appropriation would interfere with effective program management and promote unnecessary competition between the Department of Environmental Protection and the Department of Agriculture.

The item on page 48 establishes a priority for a flood plain and watershed survey for the Jacobs Creek Watershed which does not conform to the Department of Environmental Protection's priorities. Such surveys are normally done by the Department, which has not requested funds for a survey of the Jacobs Creek Watershed.

The item on page 53 continues an anomaly in the State of New Jersey in that the Bridgeton Public Zoo is the only State-subsidized zoo currently operating. The Division of Parks and Forestry in the Department of Environmental Protection has never requested such an appropriation.

The item on page 65 represents an increase in the Glassboro State College budget to provide \$50,000 in lieu of taxes to the Town of Glassboro, which presently receives \$2,500 pursuant to R. S. 54:4-21. Two bills pending in the Legislature, S-1245 and A-1874, would provide State in lieu of tax payments to all municipalities, not just Glassboro, in which the State owns any land. The pending bills, which I fully support, would make this individual appropriation unnecessary.

The item on page 74 provides \$350,000 for evening legal education at Rutgers University. The Rutgers University Board of Governors has endorsed the development of evening law schools and plans to submit formal recommendations to the Board of Higher Education in the near future. It is understood that the plans cannot be implemented until fiscal 1976, the 1975-76 school year. Therefore, the directed expenditure is unnecessary in this annual appropriations bill.

The items on pages 82, 86 and 156 include directions to the Department of Transportation regarding the expenditure of certain sums of money which are subsumed in the overall appropriation to the Department. The annual appropriations bill is an inappropriate vehicle for determining departmental priorities, and effective program management dictates that the Department decide for itself which highways and projects are most in need of work. On the other hand, some of the specific projects contained in the directions to the Department, particularly "the construction of jughandles and the installation of traffic lights on State Highway 70," have my support, and the Department has assured me that these projects will proceed.

The item on page 124 includes directions as to the expenditure of some of the \$2,000,000 requested by me and appropriated at page 121 for "additional salary and fringe benefits resulting from negotiated contractual agreements with various employee negotiations." The specific directions do not match the requirements of agreements consummated through collective negotiations, or the require-

ments of enacted legislation. For example, A-4 alters the amount of vacation time accruing to some State employees, but bears a cost different from the \$320,000 included in the annual appropriations bill's direction. Since collective negotiations have allocated the \$2,000,000 differently from this bill, these directions are unnecessary and inappropriate.

The item on page 132 provides funds to the Town of Keansburg so that funds advanced by the State on behalf of Keansburg may be repaid. The State's obligation in the beach erosion and hurricane protection project begun in 1963 which is the subject of this appropriation, was at the time limited to 50% of the non-federal share of the project. The State, however, paid the entire local and state share to the federal government, the contracting authority, with the expectation of reimbursement from various units of government. All units of local government except Keansburg have reimbursed the State, but Keansburg has refused to pay its fair share. This \$283,225 therefore not only undermines agreements long in effect, but could lead the other units of local government, which have already paid their fair share, to request similar assistance from the State.

The items on page 135 relate to two small museums singled out from among 20 or more throughout the State for special assistance. There has been no serious consideration given as to whether the type of museum aid program of which these appropriations can only be regarded as a beginning is advisable, and whether the total cost of such programs can be borne. For example, the State currently provides the Newark Museum \$482,195, or about  $\frac{1}{3}$  of the full cost. Were such support to be provided all museums in the State, appropriations in future fiscal years would far exceed the \$40,000 encompassed by these two items.

The item on page 136 assists the operation of a camp for handicapped children in Passaic County. Although such camps are beneficial, serious consideration should be given as to whether the State should in general subsidize similar camps in other counties. As it stands now, this \$50,000 appropriation represents a type of expenditure the implications of which have not been completely analyzed.

The item on page 144 provides aid to rural areas despite the Legislature's failure to enact enabling legislation for this type of program. It is also important to note that



Jerome E. Okoniewski, Esquire, 211 Buck Street, Millville, New Jersey 08332, for payment in lieu of taxes for certain fish and game properties, payable from the Public Shooting and Fishing Grounds Fund, \$15,000.”

“Sandyston Township, Layton, New Jersey 07851, c/o Hixon Spangenberg, Township Clerk, Layton, New Jersey 07851, for payment in lieu of taxes for certain fish and game properties, payable from the Public Shooting and Fishing Grounds Fund, \$4,000.”

On pages 4 and 5 under 63100. State Highway Facilities: “Albert Burkham, Lot 62, Block 9, Route #35, Keyport, New Jersey 07735, c/o Schwartz and Schwartz, 65 Milltown Road, East Brunswick, New Jersey 08816, Attention Gary M. Schwartz, Esquire, for expenses incurred in connection with certain drainage and sanitary problems resulting from drainage ditch construction on a section of State Highway #35, payable from funds appropriated to the Department, \$1,000.”

On pages 5 and 6:

“61100, State Highway Facilities—Capital Construction Edwin F. and Elizabeth B. Fay, The Jet Pulverizer Company, State Highway #73, and O’Donnell Lane, P.O. Palmyra, New Jersey 08065, c/o Farr, Brandt, Haughey, Penberthy and Lewis, 4 Kings Highway East, Haddonfield, New Jersey 08033, for acquisition costs of land and a building on Interstate Route #90 and for the moving expenses of The Jet Pulverizer Company and Micro Repair Company in connection with the condemnation proceedings, payable from the Transportation Benefit Fund; provided, however, that said amount be deposited with the Clerk of the Superior Court, as required by statute, \$158,000. It having been determined that the foregoing purpose of the appropriation is within the purview of C.54:8A-58 et seq. (Transportation Benefits Tax Act) said appropriation shall be charged to the Transportation Benefit Fund established in such Act. “Royal Rack Service Company, Inc. 9545 Royal Highway, Pennsauken, New Jersey 08110, c/o Farr, Brandt, Haughey, Penberthy and Lewis, 4 Kings Highway East, Haddonfield, New Jersey 08033, for property acquisition costs in connection with condemnation proceedings during 1971 and 1972 related to construction of Interstate Highway #90, payable from the Transportation Benefit Fund, \$346,700. It having been determined that the foregoing purpose of the appropriation is within the purview of C.54:8A-58 et seq.

(Transportation Benefit Tax Act) said appropriation shall be charged to the Transportation Benefit Fund established in such Act.”

On page 7:

“73100. Court Operations

County of Morris, Court House, Morristown, New Jersey 07960, c/o Robert T. Natoli, County Treasurer, for overtime expended by the Sheriff’s Office for security in the jury selection for the Squires and Chesimard Jury, payable from funds appropriated to The Judiciary, \$7,491.”

These items are deleted in their entirety.

Senate Bill No. 1151 is a supplemental appropriations bill for the fiscal year ending June 30, 1974. The bill includes authorization for the payment of certain claims filed against the State of New Jersey. Among these claims are those which have been objected to by the Executive Departments of State Government and by the Attorney General, and in one instance, by the Administrative Office of the Courts. I have decided, for the reasons stated below, to delete entirely the following objected to claims.

In the Claim of Ellen R. O’Brien, it is alleged that the claimant loaned another individual \$1,000, which was to be secured by an interest in a motor vehicle owned by the borrower. Subsequently, the borrower obtained a duplicate certificate of title from the Division of Motor Vehicles which did not reflect the claimant’s secured interest. He then sold the vehicle and absconded from the jurisdiction.

Although a mistake was made by employees of the Division of Motor Vehicles in the issuance of a duplicate certificate of title without the claimant’s security interest being reflected thereon, N.J.S.A. 39:10-14 specifically provides that the Director of the Division of Motor Vehicles and its employees and agents shall not incur any personal liability with respect to the recordation and issuance of certificates relative to security interests in motor vehicles. The acceptance of liability by the State for every clerical error of a State employee in some way causing damage to a member of the public would open up a substantial area of potential claims against the State. Finally, during the course of the hearing before the Legislative Subcommittee on Claims, the claimant testified that after she became aware that the borrower had sold the motor vehicle on the basis of the duplicate certificate of title which failed to

mention her security interest, she attempted to negotiate with him directly without notifying the Division of Motor Vehicles. This course of action prejudiced the opportunity of the State to take any corrective action, and undercuts any equitable claim which Miss O'Brien otherwise might have had.

The Claim of Maurice River Township pursuant to N.J.S.A. 54:4-2.1 is based upon the present assessed value of the State land therein, not upon the valuation thereof at the time of acquisition. N.J.S.A. 54:4-2.1 provides, *inter alia*: “. . . said lands shall be assessed at the same value at which they were assessed at the time they were acquired by the State . . .” The lands owned by the State through the Division of Fish, Game and Shellfisheries in Maurice River Township comprise approximately 12,124.42 acres, representing periodic acquisitions of land commencing in the 1930's. Apparently, the only time that Maurice River Township submitted a claim for payment in lieu of taxes was in 1970. That bill was in the amount of \$1,406.71, based upon 50% assessed value at the rate of \$6.33 per \$100. The tax rate in Maurice River Township has decreased to \$5.49 per \$100 valuation. Not only has the tax rate fallen, but the amount of the claim in Senate Bill No. 1151 is higher than the 1970 claim. It is therefore apparent that the claim in question is based upon present assessed value in contravention of the statute.

The Claim of Sandyston Township, like that of Maurice River Township, appears to be based upon N.J.S.A. 54:4-2.1. One of the conditions set forth in that statute for the payment in lieu of taxes by the State for fish and game properties is that the aggregate area owned by the State must be at least 9% of the total area of municipality. However, the State only owns 7.8% of the land in Sandyston Township and is therefore exempt from taxation pursuant to N.J.S.A. 54:4-2.1.

In the Claim of Albert Burkham, the State constructed a drainage ditch within the State right-of-way alongside Highway 35. Unknown to the State, the claimant's septic system overflow lines ended nearby. The water table in this area is very high and had increased substantially due to increased annual rainfalls. The claimant alleges that he was required to relocate his overflow lines from his septic system because of the construction of the State's drainage ditch which was needed to prevent icing conditions

on the highway. Claimant asserts that he was required to expend thousands of dollars making repairs and that the value of property was impaired by the construction of this drainage ditch. However, claimants subsequently sold their property for much more than he had originally paid for it. There is no evidence of any negligence or actionable conduct on the part of the Department of Transportation or its employees. Furthermore, if this claim were asserted under the Tort Claims Act, it would be barred under the plan-design immunity provisions.

The Claim of Edwin F. Fay and Elizabeth B. Fay, and also the claim of Royal Rack Service Co., Inc., are claims for payment of the money required to condemn property along a right-of-way for which the Department of Transportation lacks sufficient funds to complete condemnation. These claims are technically deficient. As one example, the bill requires the entire appropriation, including relocation funds, to be deposited with the Clerk of the Superior Court; absent the bill, the Department could take title to or possession of the property by depositing only the registered fair market value in court. No such type of deposit is provided for in the Uniform Transportation Replacement Housing and Relocation Act, N.J.S.A. 27:7-72 et seq., and the bill offers no guidelines as to the withdrawal of the appropriated relocation funds. As another example, by court order dated July 2, 1973, the action to condemn the property subject to the Royal Rack Service Co., Inc., claim was dismissed. Thus, the bill appropriates \$346,700 for the acquisition of property which is no longer in condemnation.

In addition, the provisions of the Supplemental Appropriations Act are an inappropriate means for the State to determine what property to condemn for public purposes or how much to pay for it. The appropriation of \$504,700 would only scratch the surface of the Department's money problems with regard to Route 90, Section 2. On this highway project alone, the Department is in need of approximately \$2 million for right-of-way acquisitions. Furthermore, there is no reason why the property owners on this highway project should be treated better than property owners on other highway projects. In short, many millions of dollars would be required to solve problems throughout the State similar to those which the subject appropriations seek to resolve.

On the other hand, substantial equitable considerations favor the Claims of the Fays and of the Royal Rack Service



Assembly Bill No. 95 (2nd OCR) prohibits a physician or professional service corporation engaged in the practice of medicine and surgery from charging an extra fee for completing a medical claim form pursuant to health insurance policy. Violators would be subject to a fine of \$100.00 per offense. Fines would be collected pursuant to the Penalty Enforcement Act upon complaint by the Attorney General or any other person.

I am in accord with the purpose and intent of this bill. However, the State Board of Medical Examiners is the governmental entity charged with overseeing and maintaining professional discipline for physicians and surgeons engaged in the practice of medicine and surgery. It is, therefore, most appropriate that this body have jurisdiction to investigate claims, issue complaints and collect fines for violations of this billing prohibition.

Accordingly, I herewith return Assembly Bill No. 95 (2nd OCR) for reconsideration and recommend that it be amended as follows:

*Page 1, Title:* After "insurance claims" insert "and supplementing Chapter 9 of Title 45"

*Page 1, Section 1, Line 15:* Delete "Attorney General or any other person" and insert "State Board of Medical Examiners"

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
February 27, 1975. }

ASSEMBLY BILL No. 501 (3RD OCR)

*To the General Assembly:*

Pursuant to Article V, Section 1, Paragraph 14(b) of the Constitution, I return herewith Assembly Bill No. 501 (3rd OCR), with my objections, for reconsideration.

This bill is intended to oblige a mortgagee to record the cancellation of a mortgage within 45 days after it has been satisfied. Although I agree with that goal, I am convinced that a technical deficiency in the bill obstructs its accomplishment. Pursuant to this bill, the 45 day period begins to run only after the mortgagee has notified the mortgagor that he can demand that the mortgagee effect cancellation. As a result, simply by deferring that original notice, a mortgagee can circumvent the 45 day time requirement which the bill purports to impose. Thus, in order to ensure full compliance, there should be injected a ten day time requirement which would attach to that initial notice.

Accordingly, I herewith return Assembly Bill No. 501 (3rd OCR) for reconsideration and recommend that it be amended as follows:

*Page 1, Section 1, Line 4:* After "shall" insert "within ten days"

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ DONALD LAN,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
January 5, 1976. }

ASSEMBLY BILL No. 606

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 606, with my objections, for reconsideration.

Assembly Bill No. 606 amends the statutes governing physicians and surgeons, podiatrists, dentists, and veterinarians to provide that the prescribing or dispensing of a controlled dangerous substance in an indiscriminate manner, without good cause, or under circumstances in which the prescriber or dispenser knows or should have known that it would be used for illicit consumption or distribution is a ground for license suspension or revocation. Also amended is the statute governing pharmacists

to make the appropriation or distribution of a controlled dangerous substance under the above enumerated circumstances a ground for suspension or revocation of the registration certificate. The statute governing nurses is similarly amended to make appropriation of a controlled dangerous substance a ground for revocation or suspension of license.

I am in wholehearted agreement with the purpose of the bill. The availability of controlled dangerous substances must be limited to prevent abuse. The unwarranted dissemination of such substances by those entrusted with access to them is a breach of professional ethics so serious as to warrant suspension or revocation of the right to practice. However, I feel that the bill is unnecessarily convoluted. A general omnibus provision, governing all those professionals with access to controlled dangerous substances, would clearly suffice.

Accordingly, I herewith return Assembly Bill No. 606 for reconsideration and recommend that it be amended as follows:

*Pages 1-12, Sections 1-6:* Delete entirely and insert "1. It shall be a valid ground for the refusal to grant, revocation or suspension of a license to practice a health care profession, subject to regulation in this State, including the practice of pharmacy, or for the refusal to admit to an examination a candidate for licensure, that the licensee has prescribed or dispensed a controlled dangerous substance or substances, as defined by the "New Jersey Controlled Dangerous Substances Act", (P. L. 1970, c. 226) (C. 24:21-1 *et seq.*), in an indiscriminate manner, or not in good faith, or without good cause, or where the licensee reasonably knows or should have known that the substance or substances prescribed are to be used for unauthorized or illicit consumption or distribution or that a substance or substances previously prescribed or dispensed were used by the patient for unauthorized or illicit consumption or distribution."

*Page 12, Section 7, Line 1:* Delete "7" and insert "2"

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
*Executive Secretary to the Governor.*

ASSEMBLY BILL NO. 914

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 914, with my objections, for reconsideration.

This bill permits sentences of imprisonment of up to 90 days to be served during weekends, in the discretion of the sentencing municipal court. The intent of the bill is laudable in that an individual serving a sentence pursuant to this bill would no longer face the likelihood of losing a job by virtue of being incarcerated. Such an individual could pay his debt to society, without becoming a charge to the State in the form of an unemployed, and without forcing the State to bear the expense of his incarceration. Under existing law, only sentences of 30 days or less may be served during weekends.

Unfortunately, two technical aspects of the bill should be remedied to eliminate the possibility of ambiguity. Sentences are meted out in some cases in the form of "3 months" instead of the form of "90 days", and "judge" is a more appropriate term than "magistrate".

Accordingly, I herewith return Assembly Bill No. 914 for reconsideration and recommend that it be amended as follows:

*On page 1, section 1, line 5:* Delete "90" and insert "3 months".

*On page 1, section 1, line 5:* Delete "magistrate" and insert "judge".

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

ASSEMBLY BILL No. 1060 (2ND OCR)

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 1060 (2nd OCR) with my objections for reconsideration.

This bill directs the Department of Community Affairs to prepare annually a document explaining the rights and responsibilities of residential tenants and landlords. Each landlord would be required to distribute these documents to tenants and prominently post a current document. This process will inform tenants of their rights so that they are better able to protect their own interests, and it will provide helpful guidance for landlords.

This bill also authorizes the Department of Community Affairs to conduct non-binding reviews of lease provisions submitted by tenants and landlords. In addition the bill provides that a tenant would have the right on his own to terminate a lease, after 30 days notice, if the lease includes a provision of the type contained in the Department of Community Affairs legal rights document, and it subjects a landlord to a summary judicial imposition of a fine of up to \$100.00 for each violation of the provisions of the act.

Through these deterrent provisions, the bill would thrust the Department of Community Affairs into a quasi-judicial role affecting the resolution of landlord-tenants disputes. I question whether that is a proper role for the Department.

I believe the more sensible approach is to limit the role of the Department of Community Affairs to the preparation of an annual landlord-tenant informational document. To deter the use of unfair and illegal lease provisions, courts of appropriate jurisdiction should be authorized to impose penalties of up to \$100.00 for each inclusion of an illegal lease provision and to terminate a lease containing an illegal provision.

Accordingly, I herewith return Assembly Bill No. 1060 (2nd OCR) for reconsideration and recommend that it be amended as follows:

*Page 2, Section 3, line 11:* Delete “:”

*Page 2, Section 3, line 12:* Delete “(1)”

*Page 2, Section 3, line 15:* Delete “; and” and insert “. The statement shall serve as an informational document, and nothing therein shall be construed as binding on or affecting a judicial determination under section 6 of this act of what constitutes a lease provision which violates clearly established legal rights of tenants or responsibilities of landlords.”

*Page 2, Section 3, lines 16-18:* Omit in its entirety

*Page 2, Section 3, lines 20-21:* After the word “statement” omit “or listing in subsection a. of this section,”

*Page 2, Section 3, lines 24-29:* Omit in its entirety

*Page 3, Section 5, line 8:* After the word “act” insert “, contrary to the legal rights of tenants,”

*Page 3, Section 6, line 7:* After the word “provision” delete “of the type contained in the”

*Page 3, Section 6, line 8:* Omit in its entirety

*Page 3, Section 6, line 9:* Omit “section 3a of this act.” and insert “which violates clearly established legal rights of tenants or responsibilities of landlords as established by the law of this State at the time the lease is signed.”

*Page 3, Section 6, line 9:* After the word “right” insert “to petition a court of competent jurisdiction”

*Page 3, Section 6, line 9A:* After the word “provision” delete “and quit the premises”

*Page 3, Section 6, line 10:* Omit “upon 30 days notice to the landlord”

Respectfully,

[SEAL]

/s/ FRANK J. DODD,  
*President of the Senate,  
Acting Governor.*

Attest:

/s/ CHARLES C. CARELLA,  
*Executive Secretary to the Governor.*

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
April 7, 1975. }

ASSEMBLY BILL No. 1077 (OCR)

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 1077 (OCR), with my objections, for reconsideration.

This bill is intended to extend to children of New Jersey residents who were killed in action or died from other causes while a member of the Armed Forces of the United States during the Viet Nam Conflict or are officially listed as persons missing in action during that Conflict, the same educational benefits that are now afforded to children of New Jersey residents who died during or from diseases or disabilities resulting from service in the Armed Forces of the United States in World War I, World War II, and the Korean Conflict. I am in full agreement with the purpose of this bill. The families of those men and women who have given their life or remain missing as the result of serving the United States during the Viet Nam Conflict have and will continue to suffer emotional and financial hardship. Financial aid to the children of these families so they may seek and obtain an education beyond high school is one way for the State to relieve the financial hardship that they incur.

However, a technical deficiency exists in the bill which would prevent it from achieving its laudable purpose. The definition of "in time of emergency" is amended to mean and include "any time after December 21, 1960, and prior to the termination of the existence of such *national emergency* by appropriate action of the President or Congress of the United States." (Emphasis added) The Viet Nam Conflict was never proclaimed by the President or Congress as a state of national emergency and, accordingly, never terminated as a national emergency by either. Hence, the bill is defective since it mistakenly assumes and relies upon the Viet Nam Conflict having been declared a "national emergency." To successfully extend the benefits of R.S. 38:20-1, et seq., to children of persons who died or are missing in action as the result of service in the Viet Nam Conflict, a definition of that period of hostility or armed conflict which makes no reference to a national emergency must be used.

Accordingly, I herewith return Assembly Bill No. 1077 (OCR) for reconsideration and recommend that it be amended as follows:

*Page 1, Section 1, Line 23*—After “time” insert “of armed hostility or conflict with a foreign adversary”

*Page 1, Section 1, Line 24*—Delete “national emergency” and insert in lieu thereof “such armed hostility or conflict with a foreign adversary”

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ DONALD LIAN,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
December 15, 1975. }

ASSEMBLY BILL No. 1091 (OCR)

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I hereby return Assembly Bill No. 1091 (OCR), with my objections, for reconsideration.

This bill makes it illegal to manufacture, sell or keep for sale any weapon known as a “Saturday Night Special.” The bill defines such cheap weapons in terms of a melting point of less than 800° Fahrenheit.

Although it may sometimes prove difficult to determine the melting point of weapons, the intent manifested by this bill is laudatory. Cheap handguns are dangerous to their users and to law abiding citizens. They are too easily available. Sportsmen and gun enthusiasts have little use for them.

However, I must veto this bill conditionally. Section 1 of the bill is the key section, and prohibits the manufacture, sale, keeping for sale or transfer of weapons which melt at less than 800° Fahrenheit. Section 2 is unnecessary, as it prohibits possession of such weapons. N.J.S. 2A:151-41(a), already prohibits possession of “a pistol or revolver without first having obtained a permit to carry the same.” A

“Saturday Night Special” is “a pistol or revolver.” If a gun permit is issued, then possession should be legal; if a gun permit is not issued, then possession is already illegal. Either way, section 2 of the bill is unnecessary.

Accordingly, I herewith return Assembly Bill No. 1091 (OCR) for reconsideration and recommend that it be amended as follows:

*Pages 1-2, Section 2, Lines 1-25:* Delete it in its entirety.

*Page 2, Section 3, Line 1:* Delete “3” insert “2”.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
April 7, 1975. }

ASSEMBLY BILL No. 1222

*To the General Assembly:*

Pursuant to Article V, Section 1, paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 1222, with my objections, for reconsideration.

This bill, entitled the “Ski Lift Safety Act”, gives to the Commissioner of Labor and Industry the authority to regulate the design, construction, operation and maintenance of ski tows, lifts, and tramways within the State of New Jersey. Our ski industry is an important asset for the State. The increasing popularity of skiing requires that we make certain that the health and safety of our people are properly protected when engaging in this sport. Therefore, I agree with the objective of granting the Commissioner of Labor and Industry the authority to meet this responsibility.

While I support this concept, the bill itself raises technical questions in its present form. First, adequate enforcement of this law and its regulations can be assured if the Commissioner were given the authority to impose civil penalties through the administrative hearing process. Such an amendment would insure swift prosecution of violators in many cases and eliminate the need for adding a large

number of cases to the work load of county prosecutors who must concern themselves with more serious criminal offenses. Second, the bill does not contain any protection for employees who bring violations to the attention of the Commissioner and are then subject to retaliation because of their action. Most of our existing labor and public safety laws already contain such a provision and I find no valid reason for an exception in this case. Third, it is impractical to set forth in legislation specific monetary amounts which the Commissioner of Labor and Industry can charge for processing registration applications or for conducting inspections. The Commissioner should be granted the authority to impose reasonable fees. His department will then be able to raise revenues which equal the costs of regulation without having to return to the Legislature each time to increase fees. Finally, while Supreme Court rules give 45 days within which to appeal the final action of a State administrative agency, this bill provides 30 days. I see no justification for different treatment in this area.

For all of the foregoing reasons, I herewith return Assembly Bill No. 1222 for reconsideration with the recommendation that it be amended as follows:

1. *Page 4, Section 6(h), lines 38-45:* Delete from "h." to "\$100.00".
2. *Page 4, Section 7(b), lines 11-17:* Delete from "b." to "inspection".
3. *Page 6, Section 9(b), line 14:* Delete "30" and insert "45".
4. *Page 6, Section 12, line 4:* After "act" insert the following:

"13. Any operator who discharges or in any other manner discriminates against any employee because such employee has made any complaint to the Commissioner regarding a violation of this act or any rule or regulation promulgated hereunder, or because such employee has caused to be instituted or is about to cause to be instituted any proceeding under or related to this act or any rule or regulation promulgated hereunder, or because such employee has testified or is about to testify in any such proceeding, shall be guilty of a misdemeanor and shall, upon conviction therefor, be fined not less than \$50 nor more than \$200. Such operator shall be required, as a condition of such judgment of conviction, to offer reinstatement in employ-

ment to any such discharged employee and to correct any such discriminatory action, and also to pay to any such employee, in full, all wages lost as a result of such discharge or discriminatory action.

“14. In addition to any other sanctions herein or otherwise provided by law, the Commissioner, upon notice and hearing, may impose a penalty not exceeding \$500 for any violation of this act or of any rule or regulation promulgated hereunder. Unsatisfied penalties shall be recovered by and in the name of the Commissioner in a civil action by a summary proceeding under the Penalty Enforcement Law (N.J.S. 2A:58-1). Where any violation of this act or of any rule or regulation promulgated hereunder is of a continuing nature, each day during which such violation continues after the date fixed by the Commissioner in any order or notice for the correction or termination of such violation, shall constitute an additional, separate, and distinct offense.

“15. The Commissioner shall charge operators a reasonable fee for conducting inspections, processing applications, and meeting all other responsibilities under this act.”

5. Page 6, Section 13, line 1: Delete “13” and insert “16”.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ DONALD LAN,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
December 15, 1975. }

ASSEMBLY BILL No. 1288 (2ND OCR)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I hereby return Assembly Bill No. 1288 (2nd OCR), with my objections, for reconsideration.

Assembly Bill No. 1288 (2nd OCR) requires that bicycles sold or rented in this State by any person regularly engaged in the business of selling or renting bicycles must carry

specified types of safety equipment, including front, rear and pedal reflectors and either side reflectors or retro-reflective tire sidewalls. Regulatory and enforcement authority is conferred on the Director of the Division of Consumer Affairs.

I am in complete agreement with the intent of this legislation. At a time when more and more of our citizens are using bicycles for both transportation and recreation, we must provide for their safety and easy visibility. There has been recognition of this need on the federal level and the Consumer Product Safety Committee has promulgated extensive regulations governing safety equipment on bicycles intended for use by children. Assembly Bill No. 1288 (2nd OCR) specifically provides that the regulations promulgated by the Director of the Division of Consumer Affairs shall be in accord with these regulations.

However, Assembly Bill No. 1288 (2nd OCR) would also enact those sections of the federal regulations which deal with the color and mounting of front, rear, side and pedal reflectors as laws of the State of New Jersey. This does not permit the degree of flexibility which I feel is necessary to accommodate new bicycle designs and models and new, developing safety techniques. Enactment of the specific standards governing reflectors as regulations would protect the important public interest involved and enable the enforcing agency to respond quickly and efficiently to new technology.

Accordingly, I herewith return Assembly Bill No. 1288 (2nd OCR) without my approval and recommend the following changes:

*Page 2, Section 1, Lines 31-32:* Delete "the following specifications:" insert "regulations promulgated by the Director of the Division of Consumer Affairs."

*Pages 2-3, Section 1, Lines 33-69:* Delete entirely

*Page 3, Section 4, Line 4:* After "therefor" insert ", including the color and mounting thereof,"

Respectfully,

[SEAL]

/s/ FRANK J. DODD,  
*President of the Senate,  
Acting Governor.*

Attest:

/s/ CHARLES C. CARELLA,  
*Executive Secretary to the Governor.*

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 5, 1976. }

ASSEMBLY BILL No. 1343 (2ND OCR)

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I hereby return Assembly Bill No. 1343 (2nd OCR), with my objections, for reconsideration.

Assembly Bill 1343 (2nd OCR) prohibits a dentist or professional service corporation practicing dentistry from charging an extra fee for completing a dental claim form under a health insurance policy. Violators would be subject to a fine of \$100.00 per offense. Fines would be collected pursuant to the Penalty Enforcement Act upon complaint by the Attorney General or any other person.

I am in accord with the purpose and intent of this bill. However, the New Jersey State Board of Dentistry is the governmental entity charged with overseeing and maintaining professional discipline for dentists, dental clinics and professional service corporations practicing dentistry. It is, therefore, most appropriate that this body have jurisdiction to investigate claims, issue complaints and collect fines for violations of this billing prohibition.

Accordingly, I herewith return Assembly Bill No. 1343 (2nd OCR) for reconsideration and recommend that it be amended as follows:

*Page 1, Title:* After "insurance claims" insert "and supplementing Chapter 6 of Title 45"

*Page 1, Section 1, Line 15:* Delete "Attorney General or any other person" insert "New Jersey State Board of Dentistry, as plaintiff"

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

ASSEMBLY BILL No. 1365

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 1365, with my objections, for reconsideration.

Assembly Bill No. 1365 would amend the law concerning the Newark City Employees' Retirement System to increase the pension payable to those members whose salaries are in excess of the current maximum salary base of \$12,000, and are as much as \$16,000, the new salary base stipulated by the amendment. It would also provide early retirement benefits after 30 years of service at any age. This last provision is more generous than the benefits normally provided public employees. The early retirement benefits provisions for most public employees permit retirement as early as age 55, as does the present statute governing the Newark Retirement System, but after 25 years of service. The benefits would be reduced for each year that the member lacks of being age 55. A comparable benefit should be available to the members of the Newark Retirement System, but not a superior benefit.

In addition, at a time when the public is acutely aware of the cost implications of private and public pensions, it is vital that the financial condition of each retirement program be affirmed. In the case of the Newark City Employees' Retirement System, the benefit formula has been liberalized on many occasions without any true appreciation of the actual cost implications which will confront the current and future generations of taxpayers. No State agency has available to it an actuarial valuation of the system needed to determine the true cost implications of this proposal to the people of Newark, or the costs generated by previous benefit liberalizations. I suggest that an annual actuarial report be filed with the State Division of Pensions.

Accordingly, I herewith return Assembly Bill No. 1365 for reconsideration and recommend that it be amended as follows:

*Page 1, Title, Line 1:* After "amend" insert "and supplement".



optometry or psychology from charging an extra fee for completing a medical claim form pursuant to a health insurance policy. Violators would be subject to a fine of \$100.00 per offense. Fines would be collected pursuant to the Penalty Enforcement Act upon complaint by the Attorney General or any other person.

I am in accord with the purpose and intent of this bill. However, the State Board of Medical Examiners has been charged with responsibility for overseeing and maintaining the professional discipline for podiatrists, the New Jersey State Board of Optometry oversees optometrists, and the State Board of Psychological Examiners oversees psychologists. It would, therefore, seem most appropriate to confer jurisdiction on the appropriate professional board with respect to investigating claims, filing complaints and collecting fines for violations of this billing prohibition.

Accordingly, I herewith return Assembly Bill No. 1551 (2nd OCR) for reconsideration and recommend that it be amended as follows:

*Page 1, Section 1, Line 16:* Delete "Attorney General or any other person" Insert "State Board of Medical Examiners with respect to podiatrists, the New Jersey State Board of Optometry for optometrists or the State Board of Psychological Examiners for psychologists."

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
November 24, 1975. }

ASSEMBLY BILL No. 1579 (SENATE REPRINT)

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 1579, with my objections, for reconsideration.

Assembly Bill No. 1579 seeks to amend the New Jersey Conflicts of Interest Law, N.J.S.A. 13D-12 *et seq.*, to clarify an ambiguity relating to the treatment of professional service corporations. The bill properly recognizes that

these corporations should be treated as partnerships, and not as regular corporations.

At the time this bill was amended in the State Government and Federal and Interstate Relations Committee, it appeared that the bill would accomplish its purpose: to clarify the existing ambiguity in the law. Since that time, however, the Executive Commission on Ethical Standards rendered Opinion No. 31. In the Opinion, the Commission held that as an "employee" of a law firm, an associate did not and should not automatically cause the law firm to be barred from certain conduct. That Opinion recognized that the status of an employee or associate is different from that of a partner in a partnership or of a shareholder in a professional service corporation and that the bar upon the partnership or the corporation should be correspondingly different. By treating shareholders and professional employees of professional service corporations identically, Assembly Bill No. 1579 would place more stringent prohibitions on the professional service corporation than would exist on the professional partnership under the Executive Commission's Opinion No. 31.

I have proposed a major revision and extension of the Conflicts Law, A-3052, introduced by Assemblyperson Wilson. This bill makes clear that the section of existing law amended by Assembly Bill No. 1579 is in need of other more substantial amendments in order to strengthen the Conflicts Law. For this reason, among many, the Legislature should enact A-3052 during its current session.

Accordingly, I herewith return Assembly Bill No. 1579 with the following recommendations:

*Page 2, Section 2, Line 37:* After "corporation;" insert "for a Member of the Legislature"

*Page 2, Section 2, Line 39:* After "corporation" insert "; for a State officer or employee or special State officer or employee, the holder of an 'interest' in a professional service corporation means a shareholder, and any associate or professional employee of such a corporation who would have an interest if the corporation were a partnership"

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 5, 1976. }

ASSEMBLY BILL No. 2177 (2ND OCR)

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 2177 (Second OCR), with my objections, for reconsideration.

This bill would provide for the disposition of unclaimed monies and tangible personal property which come into a municipal police department by finding or recovery. All monies and personal property discovered by a private citizen and turned over to the police department shall be returned to the private citizen when unclaimed for a certain period of time. Whenever monies and personal property are found by a police officer on duty and go unclaimed for a certain period of time, said monies and the proceeds from the sale of the personal property shall be given to the municipal treasury.

I agree with the purpose of the bill. However, there is an ambiguity which must be clarified. The Senate County and Municipal Government Committee's statement to the bill indicates that whenever personal property found by an on duty police officer is sold at public auction, the proceeds therefrom must be held for claim by the owner of the personal property for six months. I do not agree with this construction of the bill. The terms of the bill (Section 1, page 1, line 16) seem to provide that the proceeds of the sale may be immediately given to the municipal treasury. Moreover, there is no valid reason to require the proceeds of the sale of such property to be held for six months for further claim. Such a requirement would distinguish the disposal time period for such property from the disposal time period for monies found by a police officer and monies and personal property found by a private citizen. This is unwarranted. Therefore, the bill should have deleted any language which might be construed to require such a distinction.

Accordingly, I herewith return Assembly Bill No. 2177 (Second OCR) for reconsideration and recommend that it be amended as follows:

*Page 1, Section 1, lines 15-16:* After "property" delete "if unclaimed by a person entitled thereto within said 6-month period."

Respectfully,

[SEAL]  
Attest:

/s/ BRENDAN BYRNE,  
Governor.

/s/ CHARLES C. CARELLA,  
*Executive Secretary to the Governor.*

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
December 15, 1975. }

ASSEMBLY BILL No. 3530

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 3530, with my objections, for reconsideration.

This bill would increase the maximum annual salary for mayors and commissioners of certain fourth class cities.

Municipal governments should be able to set the salaries of governing officials through the democratic process without legislative oversight. Elected local officials should have to answer only to their constituents for their pay, not to the Legislature.

Accordingly, I herewith return Assembly Bill No. 3530 for reconsideration and recommend that it be amended to allow all municipalities to fix the salary of mayors and commissioners. The bill should be changed as follows:

*Title:* Delete from "An Act to "(P.L. 1950, c. 319.)" and insert "An Act concerning the compensation of the commissioners and mayors of municipalities and supplementing subtitle 4 of Title 40 of the Revised Statutes".

*Page 1, Section 1, Lines 1-2:* Delete "1. Section 1 of P.L. 1950, c. 319 (C. 40:72-24.1) is amended to read as follows:".

*Page 1, Section 1, Line 3:* After "in" insert "all municipalities" and delete "cities of the".

*Page 1, Section 1, Lines 4-20:* Delete "fourth" to "\$7,000" and insert "the governing body thereof shall, by ordinance, fix the annual salary of the mayor and commissioners at any amount it determines is appropriate. The

salaries of the mayor and commissioners shall be payable in installments in the same manner as in the case of other officials of the municipality. Any ordinance passed pursuant to this act shall become operative in ten days after the publication thereof after its final passage, unless within said days a petition, signed by the electors of such municipality equal in number to at least 15% of the entire vote cast at the last preceding general election, protesting against the passage of such ordinance, be presented to the governing body, in which case such ordinance shall remain inoperative until a proposition for the ratification thereof shall be adopted at the next general or municipal election.”

*Page 1, Section 2, Line 1:* Before “2.” insert a new section as follows:

“2. R.S. 40:72-21, R.S. 40:72-22, R.S. 40:72-23, R.S. 40:72-24, R.S. 40:72-24.1, R.S. 40:72-24.1a, R.S. 40:72-24.2, R.S. 40:72-24.3, R.S. 40:72-24.4, R.S. 40:72-24.5, R.S. 40:72-24.6, R.S. 40:72-24.7, R.S. 40:72-24.8, R.S. 40:72-24.9, R.S. 40:72-24.10, R.S. 40:72-24.11, R.S. 40:72-24.12, R.S. 40:72-24.13, R.S. 40:72-24.14, R.S. 40:72-24.15, R.S. 40:72-24.16 and R.S. 40:72-25 are repealed.

*Page 1, Section 2, Line 1:* Omit “2” and insert “3”.

Respectfully,

[SEAL]

/s/ FRANK J. DODD,  
*President of the Senate,  
Acting Governor.*

Attest:

/s/ CHARLES C. CARELLA,  
*Executive Secretary to the Governor.*

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
December 15, 1975. }

ASSEMBLY BILL No. 3731

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 3731 with my objections for reconsideration.

The bill is intended to expand the State's authority to regulate the taking of sea clams within New Jersey's coastal waters. In recent weeks, there have been reports that several boats formerly dredging clams off the Virginia coast have shifted their operations to New Jersey's waters. This shift has been caused by the depletion of the sea clam beds

off Virginia through excessive dredging; decisive action must be taken by New Jersey to prevent similar destruction of our coastal sea clam industry. New Jersey's efforts to protect this vital coastal resource will benefit our coastal industry and all those who consume and enjoy sea clams.

While the Legislature's prompt action in introducing and passing this measure in a single day is commendable, the understandable haste of the legislative review has led to a potential problem which I do not believe was foreseen by the Legislature. Since the bill's passage, my office has been advised of an objection to the bill by one of the smaller companies in the sea clam industry. The company claims that the bill's blanket prohibition against dredging between the hours from 5 p.m. through 7 a.m. will jeopardize the survival of its business because of the limited number of boats available to it for dredging during the daytime hours. I do not know whether the company's claims are justified; there may be alternative sources of supply which could be utilized.

Nevertheless, I believe that it is a mistake to fix the hours of dredging through legislation. This matter requires flexibility to respond to changing data concerning the population of the clam beds. If our various regulatory efforts succeed, it may be possible to expand the hours available for dredging; conversely, if the population of the beds continues to decline despite this legislation, more restricted hours and other stringent regulatory efforts may be necessary. In any case, the problem requires continuing review and response which is more susceptible to administrative than legislative action. I accordingly recommend that the Commissioner of Environmental Protection be authorized to fix the hours of dredging through the following changes to this bill:

*Page 2, section 2, lines 6-8:* Delete "Dredging shall be permitted only between the hours of 7 a.m. through 5 p.m., prevailing time, unless changed by emergency order." Insert "Notwithstanding any other provision of law, the Commissioner may adopt regulations fixing the hours during which dredging will be permitted."

Respectfully,

[SEAL]

/s/ FRANK J. DODD,

*President of the Senate,*

*Acting Governor.*

Attest:

/s/ CHARLES C. CARELLA,

*Executive Secretary to the Governor.*

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
March 19, 1975. }

SENATE BILL No. 245

*To the Senate:*

Pursuant to Article V, Section I, paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 245, with my objections, for reconsideration.

Present law provides that possession or sale of syringes, needles, instruments or implements adapted for the use of cocaine and narcotic drugs is a disorderly persons offense. S-245 would amend this law by substituting the term "controlled dangerous substances" for "cocaine and narcotic drugs." This nomenclature substitution would make the law governing sale or possession consistent with the present drug law, N.J.S.A. 24:21-1 *et seq.*, which refers to "controlled dangerous substances." The bill also eliminates the requirement of showing that one who possesses such an instrument possesses it with intent to inject a controlled dangerous substance.

I am in general agreement with the purpose of this bill. Narcotics addiction has become a major plague in our society and must be combatted at every turn. When we made possession or sale of the tools of addiction an offense we added a significant tool to our arsenal. By substituting the phrase "controlled dangerous substances" we will widen our attack by recognizing that there are many other dangerous substances, amphetamines and methedrine for example, other than cocaine and narcotic drugs, which can be abused by injection with a hypodermic needle.

However, I question the necessity of eliminating the requirement of existing law that possession be accompanied by "intent to use such syringe, needle or instrument" for the injection of narcotic drugs. Under the criminal law of this State, nearly every criminal prosecution must show that the accused possessed some criminal knowledge, intent, or similar element of *mens rea*. By eliminating such requirement, this bill in effect imposes strict liability upon anyone found in possession of a hypodermic needle without an accompanying prescription and authorization from a physician or veterinarian. I do not consider the mere fact of possession of such an instrument, without a showing of intent to use the instrument to inject a controlled dangerous

substance, sufficient to warrant imposition of criminal liability.

In view of the above, I return Senate Bill No. 245 for your reconsideration and recommend the following change:

*Page 2, section 4, lines 10-11:* Insert "with intent to use such syringe, needle, or instrument for such purpose"

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ DONALD LAN,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
January 8, 1976. }

SENATE BILL No. 395

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 395, with my objections, for reconsideration.

Present law empowers the Commission for the Blind to inquire into the causes of blindness and to cooperate with the Department of Health and other interested boards and officials to enforce proper preventive measures. Senate Bill No. 395 amends the law to also authorize consultation with the College of Medicine and Dentistry and to authorize the commission to participate in the development of preventive measures. In addition, the bill authorizes the Commission to fund programs operated by the State Department of Health, organized health service groups, local health departments or similar agencies for the prevention of blindness on a project basis out of funds appropriated to the Commission. Programs must be acceptable to the Commission and supervised by it.

It has long been the policy of this State to assist blind persons. I wholeheartedly support this policy. However, it is well established that the State can distribute public funds only for projects of public benefit in a fair and equitable manner. The State must also be able to account for the expenditure of public funds. This responsibility becomes greater where the spending power of the State is

delegated to a political subdivision. Accordingly, the expenditure of funds must be pursuant to promulgated standards. Senate Bill No. 395 does not contain such standards. Nor does it authorize the Commission to promulgate regulations embodying standards which would govern which programs shall be funded, what criteria the Commission will use in granting program approval or how the Commission will supervise a project. It is imperative that such regulations be promulgated so that the spending power which has been delegated to the Commission can be exercised in a fair and equitable manner according to established guidelines in conformity with the State's fiscal responsibilities.

Accordingly, I herewith return Senate Bill No. 395, with my recommendations, for reconsideration.

*Page 1, line 15:* add new section as follows:

“2. a. No project shall be funded unless the project can be economically accomplished and maintained and will contribute to the orderly investigation into the causes and prevention of blindness. In making such determinations there shall be taken into consideration (1) the existence of similar projects; (2) the need for investigation into the area proposed; (3) the financial feasibility of the project; (4) the possible advancement to be made in the prevention of blindness through the project; and (5) such other factors as may be established by regulation.

b. Each project receiving funds pursuant to this Act in any fiscal year shall file a written report with the Commission within 4 months of the close of such fiscal year which shall include a financial statement covering such fiscal year, a schedule of the activities carried on with the grant funds and the amounts expended thereon, during such fiscal year.

c. The commission shall with the approval of the Commissioner of Institutions and Agencies, promulgate such regulations as shall be necessary for the administration of this act.”

*Page 1, Section 2, line 1:* Delete “2”, insert “3”.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
November 17, 1975. }

SENATE BILL No. 459 (2ND OCR)

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 459 (2nd OCR) with my objections, for reconsideration.

Senate Bill No. 459 (2nd OCR) amends the present law governing property-liability insurance companies to provide that every such insurance company must provide a complete accounting record of transactions to a policyholder when he receives payment for a loss incurred, if the policyholder so requests. The accounting must include dollar amounts for each specific item in the transaction, including attorney's fees, court costs and deductibles.

I fully support this action which shall make it possible for every citizen to know exactly what financial transactions have transpired which directly affect his interests. Each citizen is entitled to no less. However, the purpose of the bill would be furthered if accountings were required when requested where payments are made to third parties on behalf of a policyholder since the policyholder's interests are no less in this circumstance. I therefore recommend that the bill be amended to include language to require accountings under these circumstances.

In addition to the foregoing, Senate Bill No. 459 (2nd OCR) provides that any company which violates the provisions of the bill would be liable to pay the policyholder a sum of \$200 per violation. While it is appropriate that a company which fails to comply with the terms of a statute should be penalized. I feel that it is more appropriate that any fine which is levied should be paid to the State whose law has been violated.

Accordingly, I herewith return Senate Bill No. 459 (2nd OCR) with my recommendations for reconsideration and recommend that it be amended as follows:

*Page 1, Section 1, line 2:* delete "compensating" insert "making compensation to or on behalf of"

*Page 1, Section 1, line 4:* after "by" insert "or on behalf of"

*Page 1, Section 1, line 11, after "by" insert "or on behalf of"*

*Page 1, Section 2, line 2: delete "pay to the policyholder"*

*Page 1, Section 2, line 4: delete "sum" insert "penalty"*

*Page 1, Section 2, line 5: after "violation" insert "which shall be collected pursuant to the Penalty Enforcement Act, P.L. 1948, c. 253 (c. N.J.S. 2A:58-1 et seq.)"*

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
March 19, 1975. }

SENATE BILL NO. 702

*To the Senate:*

I return Senate Bill No. 702 with my objections, pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, for reconsideration.

This bill permits a motor vehicle to be parked in front of a private driveway when both the motor vehicle and driveway involved are owned by the same person, if a municipality enacts an appropriate ordinance. I agree with the purpose of this bill, which is to relieve serious night-time parking problems in urban areas.

It would be difficult, if not impossible, to enforce the bill as presently written. Ownership of motor vehicles and especially of real property is often difficult to determine, and it is unclear where the burden of proof would lie in making such a determination—upon the law enforcement officer or upon the vehicle owner. The New Jersey State League of Municipalities rightfully points out that these difficulties would encourage undesirable parking habits, thereby increasing the amount of illegal parking in private driveways that now exists. A statutory mechanism to clarify the burden of proof problem is essential to accomplishment of the bill's purpose and enforcement of its provisions.



required advertising. A more efficient and effective method of giving the public notice of renewal applications is to have the Division of Alcoholic Beverage Control publish a general notice of license renewals. When combined with a requirement that the renewal applications be received no later than May 1, this bill could provide the vehicle for a more systematic licensing process.

It should be noted that my objections contemplate an application for a new license, a transfer of a license or a seasonal license to continue to be advertised by the applicant, so that the public will continue to have knowledge and notice of the principals involved with any establishment serving alcoholic beverages.

Accordingly, I herewith return Senate Bill No. 808 with the following recommendations:

*Page 2, Section 1, Line 32:* After "License" insert "that is not a renewal of an annual license"

*Page 2, Section 1, Lines 42-43:* Delete "for a fourth or subsequent successive license period"

*Page 2, Section 1, after Line 43* insert a new paragraph:

"The Division of Alcoholic Beverage Control shall cause a general notice of the making of annual renewal applications and the manner in which members of the public may object to the approving of such applications to be published in a form prescribed by rules and regulations, once a week from the week of April 1 through the week of June 1 in a newspaper printed in the English language published and circulated in the counties in which the premises of applicants for renewals of annual licenses are located. Any application for the renewal of an annual license shall be made by May 1, and none shall be approved before May 1."

*Page 2, Section 2, Line 1:* Delete "immediately" and insert "on July 1, 1975"

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ DONALD LAN,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 8, 1976. }

SENATE BILL NO. 937

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 937, with my objections, for reconsideration.

This bill would raise the amount of deposit which may be required of all bidders in any public or private sale of property to be sold by a local government unit under the provisions of the Local Lands and Buildings Law. This bill increases the maximum deposit from 1% to 10% of the minimum price or value of the property to be sold.

An increase in the amount required for a deposit would serve the salutary purpose of discouraging bids not offered in good faith. Many bids not offered in earnest unnecessarily increase the administrative cost of the bidding process.

On the other hand, requiring a deposit as high as 10% may effectively preclude lower income persons from bidding and thereby limit the bidding to speculators. Generally, these sales involve tax foreclosed properties in the \$8,000 to \$15,000 range. If a house is valued at \$10,000, this bill would allow the deposit requirement to be raised from \$100 to \$1,000. I do not favor enactment of an increase in the deposit requirement which would frustrate lower income persons interested in buying a home or property for immediate occupancy or use.

An increase in the minimum deposit requirement to 5% of the minimum price or value of the property to be sold allows a proper accommodation of the interests involved. A 5% deposit requirement should discourage frivolous bids but at the same time also allow a reasonable opportunity for lower income persons to bid for property sold by local units of government.

Accordingly, I herewith return Senate Bill No. 937 for reconsideration and recommend that it be amended as follows:

*Page 4, Section 1, Line 147:* After "exceeding" delete "10" and insert "5".

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
November 17, 1975. }

SENATE BILL No. 995

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 995, with my objections, for reconsideration.

This bill would remove the reimbursement limit of \$750 per year for travel expenses of county child study supervisors. I concur with the purpose of Senate Bill No. 995. Increases in the cost of fuel, tolls and other travel expenses and significant disparities in travel expenses among the county child study supervisors in different counties make the present limitation on reimbursement both unrealistic and arbitrary.

However, Senate Bill No. 995 will impose additional costs upon the State. When fiscal constraints have required freezes or critical reductions in State school aid, the State can ill afford to assume this burden. Instead, it would be appropriate for each county to pay the travel expenses of its child study supervisor which exceed \$750.

Accordingly, I am returning Senate Bill No. 995 for reconsideration with the recommendation that it be amended as follows:

*Page 1, Section 1, Line 11:* After "treasurer." insert "Notwithstanding any other provision of the law, the State shall reimburse each county no more than \$750.00 for the expenses of the supervisor in any 1 year. All claims for



to this group the State has a special burden—a burden which I acknowledged in my Annual Message and a burden which I now urge you to assume. We must do everything possible to guarantee that those in our mental institutions do not become second class citizens, or worse, simply forgotten ones.

Enactment of this bill would be a substantial step towards assuming our burden. It would be a significant advance in the treatment of the mentally ill, but I cannot sign the bill in its present form. The law now provides that the mentally ill “shall be entitled to humane care and treatment and, to the extent that facilities, equipment and personnel are available, to medical care and other professional services in accordance with the highest accepted standards.” N.J.S.A. 30:4-24.1. This bill would delete the limiting language, “to the extent that facilities, equipment and personnel are available.” I fully support the concept behind this deletion. But there can be no doubt that it imposes substantial additional costs on the State. Our Department of Institutions and Agencies has estimated that to provide every patient who is mentally ill with care and treatment “in accordance with the highest professional standards” would necessitate an expenditure of \$7.8 million in the first year alone, and \$19.3 million in the second. This estimate is based on the construction, renovation, equipment purchase and additional staffing which would be necessary to meet the standards promulgated by the Joint Committee on Accreditation of Hospitals, which are the acknowledged “highest professional standards” in the care and treatment of the mentally ill. Indeed, these standards have been the yardstick which the legislative committee from this House has used to measure the effectiveness of several of the State institutions.

I need not tell you that in our present fiscal situation, when many programs have been cut or eliminated and many plans have been postponed, there simply are no funds to meet the fiscal demands of this bill. Nor is there an appropriation in the bill. I must therefore return it and ask that additional burdens not be imposed without providing funds sufficient to implement them.

By returning this bill without my approval I am not denying the patients in our mental institutions their civil rights. Indeed, the present law grants them “all civil and religious rights provided for under the Constitution and the laws



more positive economic climate and thereby reduce unemployment and inflationary pressures. Self examination, which is essential for any governmental body on a periodic basis, is especially appropriate during these difficult economic times. I commend you for recognizing this need.

I am, however, concerned about the \$25,000 appropriation set forth in the subject bill. We are all well aware of the extremely tight budget which is available for State Government this year. In previously appointing a Commission to Study the Capital Needs of New Jersey and an Economic Recovery Commission, I have found many outstanding public and private sector officials who recognize the economic situation of the State Government and who are therefore gladly willing to donate both their time and that of their staffs in the public interest. The same approach is appropriate for the commission created by this bill.

Accordingly, I am returning Senate Bill 1415 (2nd OCR), for reconsideration, with the recommendation that it be amended as follows:

*Page 3, section 10, line 1:* Delete "10. There is hereby appropriated for the purposes of the commission the sum of [\$50,000.00] \$25,000.00."

*Page 3, section 11, line 1:* Delete "11" and insert "10".

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
September 18, 1975. }

SENATE BILL No. 1498

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 1498, with my objections, for reconsideration.

Senate Bill No. 1498 amends the present law governing the sale and distribution of goods manufactured by the

blind. Present law provides that any person who uses a label or stamp issued or approved by the Commission for the Blind without having registered with the Commission or who indicates by any means that goods or articles were made by a blind person when in fact they were not so made is a disorderly person subject to a fine and imprisonment. Senate Bill No. 1498 would also make it a disorderly persons offense to falsely indicate, or tend to falsely indicate, by any means, that goods or articles were sold by or for the benefit of the blind. I fully support this addition as a means of strengthening the existing law regulating the sale and distribution of goods and articles made by the blind.

However, Senate Bill No. 1498 also increases from \$5.00 to \$25.00 the fee to register any public or private institution, agency, corporation or association engaged in the manufacture or distribution of goods or articles made by the blind. I cannot concur in this increase in light of present economic conditions. At a time when the cost of living is escalating and unemployment is increasing, I cannot condone any action which may discourage or make more difficult efforts at self-support, particularly when the affected group is already economically disadvantaged.

Accordingly, I herewith return Senate Bill No. 1498 for reconsideration and recommend that it be amended as follows:

*Page 2, Section 1, Line 28:* delete "\$25.00" and insert "\$5.00".

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
*Executive Secretary to the Governor.*

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
February 4, 1975. }

ASSEMBLY BILL No. 200

*To the General Assembly:*

I return Assembly Bill No. 200 without my approval, pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, for the following reasons.

This bill provides every county and municipal free public library in the State a subscription to the Legislative Index at the expense of the State. The intent of this bill is laudable, in that the public has a right to know more about the workings of its Legislature. However, the cost of this bill is \$32,000, as there are 376 libraries which would qualify and as an individual subscription costs \$85.00. In view of the Legislature's toll-free telephone number (800-792-8630), by use of which any citizen or librarian can find any of the information contained in the Legislative Index, the public can become better informed without the expenditure entailed by this bill.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ DONALD LAN,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
April 7, 1975. }

ASSEMBLY BILL No. 448 (OCR)

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Assembly Bill No. 448 (OCR), without my approval.

Assembly Bill No. 448 (OCR) would prohibit landlords of residential property from demanding or receiving additional rent for pets except to cover the cost of special facilities provided for the pet. The bill would preserve the right of a landlord to ban pets entirely from the rental premises.

I do not believe that the laws or courts of this State should be burdened with trivial prohibitions and complex distinctions such as those made in this bill. Our laws should define and protect a person's basic rights and responsibilities, not impose artificial, unimportant and confusing requirements which will laden the already overburdened judicial system with further litigation. The matter of a rental fee or other charge for pets is one that is properly a subject of discussion and contractual agreement between a landlord and tenant and not a matter which should be committed to a statute.

Moreover, the need for this legislation is not apparent. No one has brought to my attention any evidence of abuse by landlords with respect to rental charges for pets. If there are widespread abuses which can be demonstrated, legislation of this nature can be reintroduced.

I am, therefore, returning Assembly Bill No. 448 (OCR) without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ DONALD LAN,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
April 7, 1975. }

ASSEMBLY BILL No. 505 (OCR)

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Assembly Bill No. 505 (OCR) without my approval.

Assembly Bill No. 505 (OCR) establishes a seven member U.S.S. New Jersey Battleship Commission. The purpose of the commission would be to establish, operate and maintain a State memorial park in Atlantic City to honor the men who served on the battleship. The commission would be empowered to issue bonds to finance the acquisition, transportation and operation of the U.S.S. New Jersey. Assembly Bill No. 505 (OCR) provides for an initial State appropriation of \$5,000 and authorizes the city of Atlantic City to spend a sum not exceeding \$500,000 for the project.

The State of New Jersey has a special interest concerning the future of the U.S.S. New Jersey and its final home should be here. In 1901 the Legislature created a commission to consider the proper form of State testimonial gift to be presented to the first battleship "New Jersey." The Commission recommended that a silver service be presented to the ship and the sum of \$10,000 was appropriated for this purpose. Pieces from this service are now on display in the State Museum.

The second battleship New Jersey was commissioned in 1943 and was involved in World War II, the Korean and

Viet Nam conflicts. The battleship is currently being held in reserve status at Bremerton, Washington. A significant campaign has been undertaken by private citizens to encourage the federal government to return the ship to the State for the establishment of a museum and memorial honoring those who served their country in time of need. I applaud these efforts.

The Navy Department has not indicated at this time a willingness to release the battleship. It therefore does not appear to be timely to approve Assembly Bill No. 505 (OCR). A more desirable approach at this time would be the establishment of a commission which would be responsible for developing a program for obtaining and operating the battleship as a suitable museum. The commission should also develop criteria for the selection of an appropriate site for the ship.

Accordingly, I herewith return Assembly Bill No. 505 (OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,

Attest:

Governor.

/s/ DONALD LIAN,

Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
April 7, 1975. }

ASSEMBLY BILL No. 522 ACS

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Assembly Bill No. 522 ACS without my approval.

This bill provides that no employee shall be required or permitted to erect, maintain, repair, construct or install high voltage lines with a voltage differential in excess of 13,200 volts unless conductors are deenergized before work is commenced or unless work is done through methods permitted by regulation. The bill specifically prohibits the handling of these high voltage lines with gloves.

While I am deeply concerned over the safety of electrical workers and other employees who are the intended beneficiaries of this bill, I must take account of the fact that my

signature on this bill would represent a meaningless act. The United States Department of Labor has recently informed my Administration that, pursuant to the Federal Occupational Safety and Health Act of 1970, New Jersey has now been pre-empted from exercising any statutory or regulatory authority in the area of occupational safety and health. Provisions such as those set forth in the subject bill therefore are no longer enforceable by our Department of Labor and Industry.

Accordingly, I herewith return Assembly Bill No. 522 Acs without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ DONALD LAN,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
January 5, 1976. }

ASSEMBLY BILL No. 888

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Assembly Bill No. 888 without my approval, for the following reasons:

This bill authorizes the New Jersey Turnpike Authority to construct, maintain, repair, and operate an addition to the Turnpike through Hudson County from the Holland Tunnel to the Lincoln Tunnel.

The Turnpike Authority reports that the undertaking is infeasibly expensive. Construction would cost more than \$130 million and operating expenses would run more than \$15 million per year. Because of that expense, the toll charged for this relatively short distance would have to be very high and would, in all probability, discourage use. Therefore, as a matter of simple economics, I cannot now encourage the project proposed by this bill.

Accordingly, I herewith return Assembly Bill No. 888 without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 5, 1976. }

ASSEMBLY BILL NO. 1000 (2ND OCR)

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Assembly Bill No. 1000 (2ND OCR) without my approval.

This bill, the "Economic Impact Disclosure Act of 1975," would authorize the Governor, certain officers of the Legislature, and groups of Legislators to request the Office of Economic Policy to prepare economic impact statements on any legislative bill or administrative regulation concerning taxation or environmental protection.

We need balance in our environmental programs, and we need to consider economic factors in designing new tax programs. In the environmental area, I have previously recognized the need for such balance by my support of legislation, L. 1975, c. 232, requiring that the Department of Environmental Protection complete its review of vitally needed construction projects within 90 days after submission. Achieving this balance is at the heart of the democratic political process.

The primary purpose of this bill is to achieve a balance between environmental goals and some of the economic ends we wish to achieve. This purpose is worthwhile. In fact, the comparatively recent emphasis on environmental protection was an attempt to bring about a balanced consideration of programs and projects which affect the human and natural environment. It arose out of the awareness by many in the State that the single-minded pursuit of economic goals, of uninhibited growth, had degraded the quality of our air, of our water, of our landscape and of the quality of our lives.

Unfortunately, there are those who would attempt to use our critical *economic* circumstances as a justification for achieving their own narrow ends by reversing the State's proud *environmental* accomplishments in cleaning the air, the water, and in increasing the quality of the lives of all our citizens. While this bill has been significantly improved through amendment, I still believe the motivation for this

measure is based on a false link between our employment problems and the steps we have taken to improve the quality of the environment. Analysis of proposed legislative or administrative actions should not be limited to "environmental" or "tax" measures, and should not be restricted to review of "economic" impacts alone; rather, such analysis should cover a broad range of measures and provide comprehensive review of all impacts, including environmental and social effects.

This type of comprehensive analysis will cost money. The money now authorized by this bill is only a small fraction of the amount which has been estimated to be required to do the job mandated by the legislation. It is thus apparent that the bill raises false expectations that the analysis possible at this low level of funding can be an effective aid to the governmental process.

Until the State's fiscal situation improves, this type of measure is a luxury which we must do without.

When the State's resources permit, I intend to direct the State departments to provide comprehensive analysis of the impacts of proposed actions. In the interim, I believe that the existing services of the Office of Economic Policy, the Office of Fiscal Affairs and the legislative staffs should be utilized to meet the needs identified in this bill.

Accordingly, I herewith return Assembly Bill No. 1000 2ND OCR) without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
January 5, 1976. }

ASSEMBLY BILL No. 1068 (OCR)

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Assembly Bill No. 1068 OCR, without my approval.



STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
April 7, 1975. }

ASSEMBLY BILL No. 1078

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Assembly Bill No. 1078, without my approval.

The bill provides that any educational institution or training establishment which is State supported in whole or in part shall grant to veterans upon their request, a sixty day deferment of the deadline for payment of tuition and fees. The deferment shall be given if the individual signs and acknowledges a non-interest bearing promissory note. A further extension of time may be granted if, after sixty days, a veteran has not received his education and training assistance allowance from the Veterans' Administration.

The purpose of this bill is to protect veterans from the considerable and apparently traditional delay in receiving their educational benefits from the Veterans' Administration. Many veterans are unable to pay tuition and fees without such assistance. Thus, when the aid is not received in timely fashion and institutional deadlines for paying tuition and other fees pass, these veterans must drop out of school. To insure that veterans will not suffer because of the tardiness of the Veterans' Bureau, this bill would require educational institutions to extend the time for payment of tuition and fees by such veterans.

I am in agreement with the purpose of this bill. No veteran should be denied an educational opportunity because aid that he is entitled to and dependent upon is not distributed efficiently. However, I do not support legislation which would establish internal operating procedures of educational institutions as the proper approach for curing this problem. The educational institutions should be mindful of this problem and flexible enough in their administrative practices to overcome it. Indeed, they would be abdicating their responsibility to veterans if they did not establish procedures which would allow veterans to obtain an advanced education notwithstanding a delay in payment of tuition and fees. It is my opinion, therefore, that the proper means to solve this problem is for the educational institutions to adopt administrative procedures that would

assure a veteran of his educational opportunity when federal assistance to him is forthcoming but tardy. I am advised by the Chancellor of Higher Education that many of New Jersey's colleges now provide deferrals for veterans. However, to make certain that this will be done by all the institutions, the Board of Higher Education has given notice under the Administrative Procedures Act, P.L. 1968, c. 410, that it intends to adopt a regulation requiring that such deferrals be granted. This is preferable to enacting legislation on the subject.

I am, therefore, returning Assembly Bill No. 1078, without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE, Governor.  
Attest: /s/ DONALD LAN, Executive Secretary to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
April 7, 1975. }

ASSEMBLY BILL No. 1082 (OCR)

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Assembly Bill No. 1082, without my approval.

Assembly Bill No. 1082 clarifies the "New Jersey Wiretapping and Electronic Surveillance Control Act," P.L. 1968, c. 409. That statute established a "special need" category for the interception of communications involving licensed physicians, attorneys at law and practicing clergymen. However, the term "special need" was not defined, although the special need requirements were intended to be more stringent than the normally stringent requirements which had to be met in order to secure a wiretap authorization. This bill would define "special need" so as to require a showing that the physician, attorney or clergyman is, or was, engaged in criminal activity. In addition, this bill imposes upon the Administrative Director of the Courts, and upon the Attorney General, certain reporting requirements in addition to those already existing, so as to ensure

compliance with special need criteria, and so as to assess the efficacy of wiretap authorizations.

Whereas this bill has merit, it is a piecemeal approach to revision of the Wiretapping and Electronic Surveillance Control Act. The Attorney General, in a lengthy report submitted to the Legislature, detailed over five years' operation under the act, and recommended substantial modification so as to make the act more effective and so as to protect citizens and the right to privacy even better than they are currently protected. The Attorney General's recommendations, in the form of Senate Bill No. 1417 introduced by Senator Fay, is currently undergoing public hearing and close legislative scrutiny. I urge prompt re-enactment of the Wiretapping and Electronic Surveillance Control Act with the amendments suggested by the Attorney General, for another six-year period, because that act has proved an invaluable and irreplaceable tool in the continuing struggle to ferret out and prosecute successfully organized criminal activity.

It should be noted that Senate Bill No. 1417 incorporates the statutory modifications incorporated in Assembly Bill No. 1082. I eagerly await being able to sign Senate Bill No. 1417, and will approve no other legislation affecting the Wiretapping and Electronic Surveillance Control Act until that time.

Accordingly, I am returning Assembly Bill No. 1082 (OCR) without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ DONALD LAN,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
December 15, 1975. }

ASSEMBLY BILL No. 1106

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Assembly Bill No. 1106, without my approval.



which I am returning to the Legislature today without my approval.

I support the general purpose of Assembly Bills 1197, 1124 and 1130, which is to make certain that the operation of local government is available to the public at hours convenient to the majority of citizens, but I believe that the mandatory nature is too restrictive. An appropriate alternative to these bills, however, has been provided by the new Open Public Meetings Act.

The Open Public Meetings Act P.L. 1975, c. 231, which was signed into law on October 21, 1975, should assure that a substantial share of public meetings are scheduled during evening hours. It requires adequate advance notice, and agenda and minutes for public meetings in addition to broad public access to meetings. These features of P.L. 1975, c. 231 will encourage public bodies to schedule meetings at times convenient for the general public. At the same time, the Open Public Meetings Act leaves municipalities with discretion to schedule meetings during daytime hours if special circumstances necessitate convening at that time.

Accordingly, I herewith return Assembly Bill No. 1124 without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
January 5, 1976. }

ASSEMBLY BILL No. 1130

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Assembly Bill No. 1130 without my approval.

This bill would require school boards to schedule at least every other regular meeting for an evening hour. Assembly Bill No. 1197 and Assembly Bill No. 1124, which I am also returning today to the legislature for reconsideration, are companion measures to this bill and would impose similar requirements upon county boards of chosen freeholders,

municipal governing bodies, and all other county and municipal boards, commissions, agencies and authorities.

The reasons set forth in my message to the Legislature with regard to Assembly Bill No. 1124 are equally applicable to this bill. The new Open Public Meetings Law should assure the scheduling of a substantial number of public meetings during convenient evening hours while leaving municipalities with adequate flexibility for scheduling day-time meetings when necessary.

Accordingly, I herewith return Assembly Bill No. 1130 without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
January 5, 1976. }

ASSEMBLY BILL No. 1197

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Assembly Bill No. 1197 without my approval.

This bill would require county boards of chosen freeholders and all other county boards, commissions, agencies, and authorities to schedule at least every other regular meeting for an evening hour. Assembly Bill No. 1130 and Assembly Bill No. 1124, which I am also returning today to the Legislature for reconsideration, are companion measures to this bill and would impose similar requirements upon municipal governing bodies, all other municipal boards, commissions, agencies and authorities, and school boards.

The reasons set forth in my message to the Legislature with regard to Assembly Bill No. 1124 are equally applicable to this bill. The new Open Public Meetings Law should assure the scheduling of a substantial number of meetings during convenient evening hours while leaving municipalities with adequate flexibility for scheduling daytime meetings when necessary.

Accordingly, I herewith return Assembly Bill No. 1197 without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
November 24, 1975. }

ASSEMBLY BILL No. 1253 (OCR)

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Assembly Bill No. 1253 (OCR) without my approval.

The bill would supplement the Consumer Fraud Act by making it an unlawful practice to display merchandise in an assembled condition when it will be sold unassembled, unless a notice that it is to be sold unassembled is prominently displayed. While the purpose of the bill, to provide full information to the purchaser, is laudatory, I do not think that the bill is necessary. Section I of P.L. 1971, c. 247 provides that the omission or suppression of any material fact with intent that others rely upon such omission or suppression in connection with the sale of any merchandise is an unlawful practice. I believe that this provision encompasses the sale of goods in an unassembled condition when they are displayed in an assembled condition without notice of sale unassembled. There is thus no need for Assembly Bill No. 1253 (OCR).

Accordingly, I am returning Assembly Bill No. 1253 (OCR), without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
April 7, 1975. }

ASSEMBLY BILL No. 1338

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Assembly Bill No. 1338, without my approval.

Assembly Bill No. 1338 would amend N.J.S.A. 40:55-32 which provides that municipal zoning regulations must be in accordance with a comprehensive plan and designed for certain enumerated purposes. This proposed legislation provides that nothing in this statute would prevent the adoption of regulations from designating residential land use classifications limited to senior citizens or to persons 52 years of age or over and persons under that age who are members of a family where the head of the family is 52 years of age or over.

While recognizing the special housing problems which senior citizens face, I believe that Assembly Bill No. 1338 is apparently unconstitutional and technically deficient.

Two lower courts in this State have recently found municipal zoning ordinances which limited occupancy to persons over 52 years of age to be an unconstitutional discrimination. [*Taxpayers Assn., Weymouth Tp. v. Weymouth Tp.*, 125 N.J. Super. 376 (App. Div. 1973); *Shepard v. Woodland Tp. Comm.*, 128 N.J. Super. 379 (Ch. Div. 1974)] This issue is currently before the New Jersey Supreme Court. It would therefore appear appropriate to await a judicial determination before legislative action was undertaken.

In addition, the bill does not provide adequate safeguards to prevent fiscal zoning. This could occur where a municipality zones a large area for senior citizens, not intending to fulfill an existing need for this type of housing, but rather as a device to exclude families with school age children. If land use regulations which limit occupancy to persons of a certain age are desirable and could be constitutionally designed, it is clear that the enabling legislation will have to include a mechanism, absent from this bill, which would control abuse.



against the policy of this Administration to ensure that such deposits are predicated on judgments relating solely to the return to the State from such deposits.

Accordingly, I am returning Assembly Bill No. 1566, without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
February 4, 1975. }

ASSEMBLY BILL No. 1600

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Assembly Bill No. 1600, without my approval.

This bill mandates the Delaware River Port Authority to transfer the Chester Ferry Boat to the joint ownership of New Jersey and Pennsylvania without reimbursement from either state.

This bill is deficient for several reasons. First, since no reimbursement is provided to the present owner, the bill violates the constitutional prohibition regarding the taking of property without just compensation. Secondly, title at present does not even lie with the Delaware River Port Authority but rather with the Port Authority Ferry Corporation. Finally, the bill does not provide an appropriation which would be necessary if either state was to operate the boat in the future.

For all of the above reasons, I herewith return Assembly Bill No. 1600 without my approval. . . .

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ DONALD LAN,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
April 7, 1975. }

ASSEMBLY BILL No. 2158

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Assembly Bill No. 2158, without my approval.

This bill would extend the present exemption permitting unlicensed physicians to practice medicine and surgery in State and county institutions to those physicians employed in municipal institutions.

The exemption was originally instituted in 1963 to enable the State and county institutions to overcome a serious shortage of doctors. While necessary to remedy the crisis situation then confronting those institutions, the exemption is no longer necessary. There is no longer a shortage of trained physicians and, since the licensure requirements are designed to protect the public by ensuring a high quality of medical training and achievement, there should be no blanket exemption from those requirements. This is particularly so where the exemption itself is inequitable. Those patients in State and county or municipal institutions are no less entitled to assurances of quality care than those in private institutions. Accordingly, I shall submit to you legislation which will repeal the exemption in its entirety.

I am, therefore, returning Assembly Bill No. 2158 without my approval.

Respectfully,

/s/ BRENDAN BYRNE,  
Governor.

[SEAL]  
Attest:

/s/ DONALD LAN,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
November 24, 1975. }

ASSEMBLY BILL No. 2179

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Assembly Bill No. 2179 without my approval.

This bill would provide special pension benefits for members of the Consolidated Police and Firemen's Pension Fund who were awarded either the Congressional Medal of Honor, the Distinguished Service Cross, the Air Cross, the Navy Cross or the Silver Star and who have 35 or more years of service. Any such person would receive an annual retirement pension equal to three-quarters of his average salary. The money for this additional benefit shall be appropriated by the State.

I am opposed to this bill for several reasons. Our present pension laws provide generous benefits to the veterans of the Armed Forces of the United States. This is an appropriate acknowledgment of and repayment for their commitment and service to the country. This bill, however, would award extraordinary retirement benefits to certain veterans, those who have been decorated with specific medals. While I respect the unusual distinction with which these persons have served the country, I do not believe that it is appropriate or justifiable for the State to provide them with pension benefits which are superior to those given to other veterans, some of whom served the country for more years and earned other notable decorations, i.e. the Purple Heart, not included in this bill. Indeed, I believe it is the responsibility of the Federal government, not the State or local government, to reward distinguished service in the Armed Forces.

Further, I am compelled to veto Assembly Bill No. 2179 because it unfairly singles out the Consolidated Police and Firemen's Retirement Pension Fund. Veterans with similar records or qualifications who are members of the other State pensions systems would not receive the same benefits. There is no justification for dissimilar treatment of such veterans.

Finally, I find that I am unable to approve this bill because of the cost that imposes on the State. Although the amount of money in question is not great, the State is faced with serious financial problems and is not able to assume the additional fiscal obligations imposed by this bill. Also, the bill would have the State bear the total amount of this additional liability. This is inconsistent with the regular financing of the program where the State assumes only one-third of the cost and local governments the remaining two-thirds for individuals who are county and municipal employees. All members of the Fund are county or municipal

employees. Therefore, the State should not be bearing the entire cost of the additional benefits.

Accordingly, I herewith return Assembly Bill No. 2179 without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
January 5, 1976. }

ASSEMBLY BILL No. 2180

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Assembly Bill No. 2180, without my approval.

The objective of this bill is now the law of New Jersey. See N.J.S.A. 1:1-2.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
November 24, 1975. }

ASSEMBLY BILL No. 3057 (OCR)

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Assembly Bill No. 3057 (OCR), without my approval.

This bill would have extended the time for municipalities to adopt their budgets and for county boards of taxation to



already passed the Senate and which would limit franchise areas to those which are recommended by the Department of Environmental Protection. In this manner, environmental and economic considerations could be considered and cost effective franchise areas could be established. This is especially timely where resource recovery facilities and other advance technologies are available to dispose of large amounts of solid waste in a manner which can recycle materials, conserve and even create energy, and minimize landfilling and its related environmental problems.

Accordingly, I herewith return Assembly Bill No. 3146 (OCR) without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
November 24, 1975. }

ASSEMBLY BILL No. 3624

*To the General Assembly:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Assembly Bill No. 3624 without my approval, for the following reasons:

This bill directs that all the funds appropriated to the Department of Institutions and Agencies to operate the Diagnostic Center at Menlo Park for the fiscal year ending June 30, 1976 be used to continue the normal operation of the unit through December 31, 1975. In addition, the bill directs the Commissioner of that department to evaluate the operation of the two Menlo Park units, to report thereon to the Legislature by November 15, 1975, and to specify alternative plans should she elect to recommend discontinuance of either unit.

The practical effect of this bill would be to require the termination of all services at the Menlo Park Diagnostic Center on December 31, 1975. I originally recommended an appropriation of \$2,932,805 for the operation of the

Children's Diagnostic Program and the Sex Offender's Program at Menlo Park over the entire 1976 fiscal year. The amount ultimately appropriated was \$1,432,805. By phasing out the children's unit and continuing the adult diagnostic services and treatment at the new center scheduled for occupancy on November 1 at Rahway, the Department can live within that appropriation. On the other hand, full operation of both units at Menlo Park, as this bill requires, would exhaust that appropriation by December 31, 1975 and result in the termination of both existing units and the new adult diagnostic and treatment center.

For some time, the Department of Institutions and Agencies has had serious questions about the continuation of the inpatient children's unit at Menlo Park. In the context of the fiscal constraints under which all State agencies are currently operating, they are questions which would have required resolution during this fiscal year. Moreover, they are questions which have already been studied. In 1966 a study committee headed by Senator Stephen B. Wiley, recommended that the unit be decentralized and its services provided by community facilities. When the Children's Diagnostic program was initiated twenty-five years ago, it represented virtually the only diagnostic unit for children in New Jersey. Since that time, scores of clinics providing essentially the same service have been established throughout the State. Although there are areas in which such clinical services are not as readily available as I would like, this is a period which requires hard choices of us all. In the face of an appropriation reduced by 50%, the decision can be deferred no longer however much we might have wished for a longer period to study the question.

Moreover, the existing facilities at Menlo Park were not constructed for children. Rather, as the attached photographs indicate, it is essentially a penal institution. The confinement of children there for periods of up to 90 days can be a traumatic experience for those involved. And, in light of clinic facilities now available, it is for the most part unnecessary. To spend at the normal rate, as the bill requires, would exhaust all funds by December 31, 1975 forcing termination of all services at Menlo Park, not just those the need for which is being questioned. The wiser course is for us to phase out the program of questionable value.

















Accordingly, I am returning Assembly Bill No. 3624 without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
March 19, 1975. }

SENATE BILL NO. 168 (2ND OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Senate Bill No. 168 (2nd OCR), without my approval.

This bill provides that when a financing agency purchases or discounts a home repair contract, it shall advance or release to the home repair contractor no more than 66 $\frac{2}{3}$ % of the cash price specified in the contract until the work is actually finished and a certificate of completion is signed by the home owner and the home repair contractor. It is intended to protect a home owner against a contractor who is given 100% of the contract price before completing the work under the contract and then fails to satisfactorily complete the work. By limiting financing agencies to advancing only 66 $\frac{2}{3}$ % of the cash price, it is believed that at least one-third of the contract price can be preserved if a contractor fails to complete the work or completes the work in an unworkmanlike manner.

Although this bill is well intended, it is unnecessary. Under existing law, a home owner has adequate remedies when a home repair contractor has received full payment from a financing agency but has failed to satisfactorily complete the work. It is provided in L. 1969, c. 237 (C. 17:16C-64.1) that no home repair contract shall contain any provision relieving the holder, or other assignee, from liability for any civil remedy sounding in contract which the owner may have against the home repair contractor under the home repair contract or under any separate

instrument executed in connection with that contract. Further, L. 1969, c. 237 (C. 17:16C-64.2) provides that any note executed in connection with a home repair contract shall be subject to the terms and conditions of the home repair contract and shall not be a negotiable instrument within the meaning of the Uniform Commercial Code, N.J.S. 12A:3-101 et seq. Accordingly, the home financing agency which has purchased or discounted a home repair contract or holds a note executed in connection with that contract is not a holder in due course and is subject to all the claims and defenses that the home owner has against the home repair contractor. Thus, even when a financing agency releases 100% of the contract price before the work is satisfactorily completed, the home owner is protected. He may sue the contractor or the financing agency to compel performance or to be relieved of his obligation under the contract and recoup any money that was paid without sufficient consideration. *See General Investment Corp. v. Angellini*, 58 N.J. 396 (1971). Indeed, for this reason, to protect their own interest financing agencies generally will not advance any portion of the cash price under the contract until work has been completed and the home owner has signed a certificate of completion. Clearly, therefore, present law and business practice thereunder affords the home owner the protection that this bill is intended to provide.

Accordingly, I herewith return Senate Bill No. 168 (2nd OCR), without my approval.

Respectfully,

[SEAL]  
Attest:

/s/ BRENDAN BYRNE,  
*Governor.*

/s/ DONALD LAN,  
*Executive Secretary to the Governor.*

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
February 27, 1975. }

SENATE BILL No. 249

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Senate Bill No. 249, without my approval, for the following reasons.

This bill amends Title 39 of the Revised Statutes to permit the use of approved studded snowtires between November 1 and April 15. Existing administrative regulations promulgated by the Division of Motor Vehicles, N.J.A.C. 13:20-15.2, permit the use of such snowtires only between November 15 and April 1. This bill therefore accomplishes two ends:

- (a) it prohibits the Division of Motor Vehicles from prohibiting the use of studded snowtires; and
- (b) it extends by four weeks the period of use of studded snowtires.

I have reviewed voluminous and persuasive evidence that the marginal positive effect of studded snowtires upon driving safety in climates such as New Jersey's is far outweighed by the demonstrated negative effect of such snowtires upon pavement wear. Studded snowtires are somewhat safer than ordinary snowtires on icy pavement, but they are not safer on snowy or wet pavement, and may be less safe on dry surfaces. On the other hand, the use of studded snowtires causes serious deterioration of pavement in such a way as to decrease new pavement's normal skid resistance, and normal drying ability after precipitation.

Complicating any analysis of this bill is the fact that for the 1973-1974 winter, approximately 80 percent of the studded snowtires sold in New Jersey used "controlled protrusion" studs. These newly marketed studded snowtires contain studs that are 73 percent to 77 percent of the length of the older type of stud and consequently may reduce the amount of highway deterioration attributable to studded snowtires. Most available studies of safety and pavement wear fail to account for this newly marketed type of studded snowtire.

I have ascertained that the Division of Motor Vehicles has no plan to reduce the existing period of permitted use of studded snowtires. Vetoing this bill, as I believe I must in view of the marginal demonstrated effect of snowtires upon safety and the substantial demonstrated effect upon highway wear, permits the Division of Motor Vehicles to react to new snowtire technology and to the climate of any given winter. The existing administrative regulations could, of course, be modified as needed pursuant to the Administrative Procedure Act.

Accordingly, I feel I must return Senate Bill No. 249 without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ DONALD LAN,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
January 13, 1976. }

SENATE BILL NO. 411

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Senate Bill No. 411 without my approval.

The bill provides that municipal clerks, elected or appointed, may obtain the title of "registered municipal clerk" upon certification by the Secretary of State that certain educational qualifications have been met. The bill is intended to professionalize municipal clerks so that they can more ably and efficiently perform their duties.

The proper way to assure that municipal clerks are able, competent and professional is to require that they meet certification standards prior to taking office. A discretionary certification program which is not a precondition for appointment, election, or continued service in the office would not achieve the goal of having a qualified municipal clerk in every municipality. If the Legislature does not wish to adopt a law which would make certification a prerequisite to holding office, a non-mandatory certification program such as offered by Senate Bill No. 411 is unnecessary.

Therefore, I herewith return Senate Bill No. 411 without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
March 19, 1975. }

SENATE BILL No. 603 (2ND OCR)

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Senate Bill No. 603 (2nd OCR), without my approval.

Senate Bill No. 603 (2nd OCR) would require a local tax assessor, when preparing the tax list, to include in the description of each parcel of property, the existence of a tax title lien held by the municipality pursuant to a tax sale and to certify the amount of such liens. The amounts of property that are certified by the assessor would not be included by the county board in determining the valuation of the district for the purposes of apportioning county and county free library costs for a period not to exceed the limitation of time for foreclosure of the right of redemption pursuant to the In Rem Tax Foreclosure Act (1948), P.L. 1948, c. 96. When the taxes in default or uncollectible on the property are collected by the taxing district, a portion of the monies, as determined by the county board, would be paid by the taxing district to the county board.

The purpose of this bill is to remove from the tax list used to determine the apportionment of county costs among taxing districts the taxable value of properties for which a municipality holds a tax title lien and from which a municipality receives no tax revenue. However, the language in the bill does not clearly accomplish this goal. The tax assessor is required to certify the amount of the tax title lien against the property. The amount of a tax title lien is the amount of uncollected taxes plus interest and costs thereon. The county board is directed to exclude the "amounts of property as are certified by the assessor" from the valuation of the district for apportionment purposes. It would appear, therefore, that it is the amount that is certified by the tax assessor—the amount of the tax lien—and not the taxable value of the property that would be excluded from the apportionment process by the county board. Since the amount of the tax title lien is inevitably much less than the taxable value of the property, the bill would not implement its purpose.



This bill is intended to apply to a certain proposed land transaction which cannot be consummated unless the municipality in which the land is located is authorized to waive or modify a term which was imposed on the use of land at a sale subsequent to January 1, 1969. However, it is cast in general terms so that it will have the effect of allowing all municipalities to waive, release or modify terms imposed on all sales of municipal land between January 1, 1969 and January 1, 1973. This effect is not desirable. The appropriate method for dealing with the specific situation involved is the enactment of special legislation, not general legislation which will have undesirable ramifications.

I am, therefore, returning Senate Bill No. 960, without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ DONALD LAN,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
September 18, 1975. }

SENATE BILL No. 1351

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Senate Bill No. 1351, without my approval, for the following reasons:

Senate Bill No. 1351 would amend R.S. 54:34-1 so as to exempt from the Transfer Inheritance Tax a membership certificate or stock in a cooperative housing corporation, the ownership of which entitles such member or stockholder to occupy real estate for dwelling purposes, when held by spouses as joint tenants. The effect of this bill, in most cases, is to permit stock in a cooperative to pass from a decedent to the surviving spouse without the payment of inheritance taxes, which must presently be paid on that portion of the personal property that represents the decedent's contribution.

This bill would grant a special class of personal property, stock, when held by husband and wife as joint tenants, the

same status as presently exists for real estate such as condominiums, when held by husband and wife as tenants by the entirety. It ignores the existing legal distinction between cooperatives and condominiums. It also establishes an undesirable precedent for other legislation giving tax preferences to special classes of intangible personal property.

I note also that available fiscal data indicates the loss in revenue resulting from this bill to be as much as \$500,000 annually, not the \$125,000 indicated in the fiscal note attached to the bill.

Accordingly, I feel I must return Senate Bill No. 1351 without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
November 24, 1975. }

SENATE BILL No. 1371

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 14(a) of the Constitution, I herewith return Senate Bill No. 1371, without my approval.

Senate Bill No. 1371 would amend existing Civil Service laws by permitting employees involved in a hearing before the Civil Service Commission to be represented by an individual of their own choosing. The bill deletes the present requirement that such individuals can only be heard personally or through legal counsel.

I am concerned about the predicament of individuals who do not have the experience and background to adequately represent themselves in complex Civil Service hearings and yet cannot afford the expense and/or delay in obtaining legal counsel. But I recognize that the power to change existing practice in this area lies with the Judiciary. More specifically, Article VI, Section 2, Paragraph 3 of the New

Jersey Constitution gives the Supreme Court of New Jersey the power to regulate the practice of law.

Accordingly, I herewith return Senate Bill No. 1371, without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA,  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
March 19, 1975. }

SENATE BILL NO. 1381

*To the Senate:*

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Senate Bill No. 1381, without my approval.

This bill authorizes the Board of Public Utility Commissioners to reallocate natural or synthetic gas supplies from a distributor that has a greater supply than necessary to meet present demand from its customers to a distributor that does not have sufficient supply to meet such demand. Although I am in sympathy with the general concept that the power to reallocate natural and synthetic gas supplies during certain circumstances should rest with a State agency, I note that the power granted by this bill is far too narrow because it only involves situations where at least one distribution company has a surplus. My review of existing law reveals that the State Energy Office has expressly been granted the authority to reallocate natural and synthetic gas supplies even in situations where all distribution companies are suffering from curtailments but the problems of one are far more severe than the other. In addition, the Attorney General advises me that the Board of Public Utility Commissioners, through its broad grant of power over natural and synthetic gas distribution, also has such power. In view of the above, approval of this bill would not give rise to any new authority, but rather would serve to cast doubt upon existing authority which the State



board, bureau, commission or agency as it may require. I therefore urge each employee who may be called to volunteer his time. Likewise, I ask the Commission and its staff to volunteer their time and effort so that those who deserve so much may ultimately benefit.

Accordingly, I herewith return Senate Bill No. 3130, without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor,  
/s/ CHARLES C. CARELLA  
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
March 3, 1976. }

SENATE BILL No. 3174 (CORRECTED COPY)

To the Senate:

Pursuant to Article V, Section 1, Paragraph 15 of the Constitution, I am appending to Senate Bill No. 3174 (Corrected Copy) 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 either not take effect or shall be modified.

On page 3:

“71300. *Tax and Revenue Administration*

Tony Canale, Pleasantville, New Jersey 08232, c/o Gibson, Previti and Todd, Counsellors at Law, New Road and Shepherd Drive, Northfield, New Jersey 08225, for a refund of Motor Carriers Road Tax and Motor Fuels Tax paid, provided that the award be paid as a refund from Motor Fuels Tax revenues of fiscal year 1974-75, payable in the amount of \$2,221; provided further that an additional sum of \$1,268 be settled administratively by the Department.”

The first mentioned sum of \$2,221 is reduced to \$1,788.09.

On page 4:

“41370. *Wildlife and Fisheries Management*

Sandyston Township, Layton, New Jersey 07851, c/o Hixon Spangenberg, Township Clerk, Layton, New Jersey

07851, for payment in lieu of taxes for certain fish and game properties, payable from the Public Shooting and Fishing Grounds Fund, \$5,670.”

This item is deleted in its entirety.

On page 4:

“46110. *Parks Management*

Gilberto Senior, c/o Samuel K. Yucht, Esquire, 35 Church Street, Paterson, New Jersey 07505, for injuries and resultant consequences sustained on July 4, 1971 from an accident while visiting the Morris Canal, payable from funds appropriated to the Department, \$3,000, and balance of \$2,742, payable from the General State Fund, \$2,742.”

This item is deleted in its entirety.

On page 5:

“61100. *State Highway Facilities—  
Capital Construction*

Borough of Netcong, c/o Borough Officials and Meyerson and Kron, Esquires, 46 Main Street, Netcong 07857, for drainage expenses resulting from flooding due to construction of Route 80, payable from funds appropriated to the Department, \$29,000.”

This item is deleted in its entirety.

On page 5:

“61100. *State Highway Facilities—  
Capital Construction*

Royal Rack Service Company, Inc., 9545 Royal Highway, Pennsauken, New Jersey, c/o Farr, Brandt, Haughey, Penberthy and Lewis, Counsellors at Law, Four Kings Highway East, Haddonfield, New Jersey 08033, for property acquisition costs, payable from funds appropriated to the Department, \$346,700.”

This item is deleted in its entirety.

On page 5:

“61100. *State Highway Facilities—  
Capital Construction*

Township of Warren, c/o Mastro and Mastro, Attorneys at Law, 7 Morristown Road, Bernardsville, New Jersey 07924, for road reconstruction costs resulting from construction of Route I-78 during the period April, 1964

through June, 1964, payable from funds appropriated to the Department, \$30,000.”

This item is deleted in its entirety.

On page 7:

“73100. *Court Operations*

County of Morris, Court House, Morristown, New Jersey 07960, c/o Robert T. Natoli, County Treasurer, for overtime expended by the Sheriff’s Office for security in the jury selection for the Squires and Chesimard Jury, \$7,491.”

This item is deleted in its entirety.

On page 7, line 12:

“Total Appropriation, Claims . . . . . \$205,853”

This item is reduced to \$195,620.00.

On page 7, line 13:

“Total Supplemental Appropriation . . . . . \$205,853”

This item is reduced to \$195,620.00.

Senate Bill No. 3174 (Corrected Copy) is a supplemental appropriations bill. Authorizations for the payment of certain claims filed against the State of New Jersey are included in the bill. I have decided, for the reasons stated below, to delete entirely or reduce the following claims.

The award of \$2,221 to Mr. Tony Canale includes \$330 as interest. Statutory tax refunds are normally made without interest and therefore an award of interest in this matter would be contrary to existing practice. Accordingly, I have reduced the Canale award by \$330.

The supplemental appropriations bill process is not the best method for dealing with the Sandyston Township claim. The annual Appropriations Act “P. L. 1975, c. 128” contains sufficient authority to pay Sandyston Township in-lieu-of-tax payments calculated in accordance with N.J.S.A. 54:4-2.1. Sandyston Township should now provide the Department of Environmental Protection with the specific data necessary to support its request for in-lieu-of-tax payments under the provisions of the aforementioned law.

The Gilberto Senior matter involves a negligence claim based on injuries sustained by the claimant while a visitor at the recreational facilities at Lake Hopatcong. While this incident occurred before the Tort Claims Act became effective, I have used the act’s principles of liability as a standard against which to measure this claim. As a result, I find no evidence of negligence which could be actionable.

The record before me indicates that Senior tripped over a concrete wall, which was approximately six inches above the ground and thirty feet wide and fell to the bed of the Morris Canal. The Department of Environmental Protection had no record or notice of prior injuries of this type. Furthermore, the area where he fell was not on any path nor a part of the recreational area that is normally used by the public. Accordingly, I must conclude that the State neither knew nor should have known of any dangerous condition and therefore should not be held accountable.

The Borough of Netcong matter involves a claim that is based on proposed costs which would be incurred by the Borough in upgrading storm drains at Helen Way and between Helen Way and Route 46. The Borough contends that the Department of Transportation caused flooding in the area when constructing Route 80.

The record before me only indicates that the construction of Route 80 was one of a series of contributing factors and indeed a very insignificant factor, since the Route 80 area covers only 6-7% of the watershed. Indeed, both the drainage engineer for the Department of Transportation and the Borough's engineer agree that the flooding problem can only be corrected by beginning the upgrading of the draining facility at Lake Musconetcong and working back to Helen Way. This will be an extremely expensive project and will need far more consultation between the State, the Borough of Netcong, Morris County, a railroad, and the acquisition of right-of-way from private land owners. The Borough's claim clearly will not alleviate the situation.

Royal Rack Service Company, Inc. seeks the appropriation of funds from the Trust Fund of the Transportation Benefit Tax Act to permit the Department of Transportation to acquire its property through condemnation.

Last year the Legislature appropriated \$346,700 to be deposited into court to allow the Department of Transportation to proceed with condemnation. However, I vetoed that appropriation primarily on the grounds that ". . . the provisions of the Supplemental Appropriations Act are an inappropriate means for the State to determine what property to condemn for public purposes or how much to pay for it."

Subsequent to my veto, the Department of Transportation informed the property owner that it would still acquire the

property, that it had sufficient funds available for the acquisition, and that it would be agreeable to a reinstatement of the condemnation action which had been dismissed on motion by counsel for the claimant. The claimant now demands that the Department file a new complaint with a 1975 date of valuation as opposed to the reinstatement of the 1972 complaint.

The claimant should not be allowed to take advantage of the present situation by obtaining compensation at 1975 prices. Moreover, the claimant has an adequate remedy in the courts in that, after the old complaint has been reinstated, the claimant can move pursuant to N.J.S.A. 20:3-5 for a determination by the court as to the proper date for valuation of the property. Claimant's attempt to utilize the supplemental appropriations process to set the date of valuation runs contrary to positions previously expressed by me that these matters should be determined by the courts and therefore I must veto this claim.

The Township of Warren seeks an award to cover the cost of a road overlay which was accomplished during 1963. This road was destroyed in 1964 by heavy construction equipment used in the building of Route 78.

The Township had sought and received funds for the preparation of a smaller section of the road prior to overlay from the Department of Transportation. However, the Department was not contacted prior to the overlay by the Township of the larger portion of the road. The overlay, as it was accomplished, was completely substandard; more specifically, it was substandard in width, quality of material, safety, and in the lack of drainage. It is quite apparent that the Township made no attempt to meet minimum Department standards for such construction as required by N.J.S.A. 27:13-10 to 17. Moreover, the Township made no attempt to follow the procedure for obtaining State funds for such reconstruction projects as outlined by the aforementioned statutes. These statutes provide the only authorization for departmental participation in such projects.

The Morris County claim for \$7,491 would be paid from funds heretofore appropriated to the Judiciary for court operations. I vetoed this same claim last year and find no new justification which persuades me to alter that position. It is still my view that the expense of providing security through the Sheriff's Office in a particular county is not

an appropriate expense for the Judiciary in the first instance. The mere fact that a case is transferred from one county to another is not justification for modifying this sound principle.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
Attest: Governor.  
/s/ CHARLES C. CARELLA  
Executive Secretary to the Governor.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
June 27, 1975. }

SENATE BILL NO. 3175

I am returning herewith this statement appended to Senate Bill No. 3175 describing the items, or parts thereof, which must be revised so that each item, or part thereof, so objected to shall not take effect. Pursuant to Article VIII, Section 2, Paragraph 2 of the Constitution, I hereby certify that the anticipated total revenue and resources available to meet the appropriations indicated in this bill, with my revisions, are as shown in Senate Bill No. 3175 on Page 7, Line 35 as modified by this statement and equal \$2,441,239,089.

The Senate has been unable to fund this budget. My discussions with Assembly leaders and other legislators gives me little hope that funding will be available prior to July 1. Therefore, to comply with the constitutional mandate, I have employed Article V, Section 1, Paragraph 15 of the Constitution to line-item veto to an extent necessary to achieve a lawful appropriations act.

Though lawful, it is not adequate. I have documented publicly at length those inadequacies. They cry out as loudly today for remedy as when I first mentioned them.

Nothing would be of greater service to the people of New Jersey than for the Legislature to override the line-item vetoes I have made, and provide revenue to meet both the budget and school funding. To do this, painful decisions must be made—more pain than the Senate has yet been able to endure.

I have not given up. We cannot afford to give up. New Jersey is entitled to better.

*“ANTICIPATED RESOURCES FOR THE  
FISCAL YEAR 1975-76”*

*“SURPLUS”*

On Page 1: Line 1 “Estimated balance, July 1, 1975 . . . . . \$25,716,243”  
This item is increased to \$40,664,685.

*“MAJOR TAXES”*

On Page 1: Lines 1-2 “Sales tax . . . \$825,000,000”  
This item is increased to \$832,000,000.

On Page 1: Line 4 “Miscellaneous corporation taxes . . . . . \$202,000,000”  
This item is increased to \$214,000,000.

On Page 1: Line 7 “Motor Vehicle Fees, et cetera . . . . . \$168,000,000”  
This item is increased to \$169,000,000.

On Page 1: Line 9 “Cigarette tax . . \$169,000,000”  
This item is reduced to \$165,000,000.

On Page 1: Line 12 “Pari-mutuel tax \$39,000,000”  
This item is reduced to \$36,000,000.

On Page 1: Line 13 “Public Utility Tax . . . . . \$39,000,000”  
This item is increased to \$43,000,000.

On Page 1: Line 16A “New revenue program . . . . . (\$412,000,000)”  
This item is deleted in its entirety.

On Page 1: Line 17 “Total, Major Taxes . . . . . \$2,340,500,000”  
This item is reduced to \$1,945,500,000.

*“Miscellaneous TAXES, LINCENSES AND  
OTHER REVENUE”*

*“Department of Institutions and Agencies”*

On Page 5. Line 146 “Board of patients and other income \$88,000,000”  
This item is reduced to \$86,000,000.

On Page 5: Lines 179-180 “Total Miscellaneous Taxes, Licenses and Other Revenue ..... \$227,551,712”  
This item is reduced to \$225,551,712.

*“Interfund Transfers”*

On Page 6: Line 9 “Unsatisfied Claim and Judgment Fund ..... \$3,700,362”  
This item is reduced to \$268,929.

On Page 7: Line 18 “State Transportation Fund ..... \$4,500,000”  
This item is reduced to \$2,500,000.

On Page 7: Line 24A “Motor Vehicle Liability Security Fund . \$4,200,000”  
This item is deleted in its entirety.

On Page 7: Line 27 “State Lottery Fund ..... \$35,000,000”  
This item is increased to \$40,000,000.

On Page 7: Line 33 “Total Interfund Transfers ..... \$178,064,656”  
This item is reduced to \$173,433,223.

On Page 7: Line 34 “Total Anticipated Revenues ..... \$2,802,205,837”  
This item is reduced to \$2,400,574,404.

On Page 7: Line 35 “Total Resources \$2,827,922,080”  
This item is reduced to \$2,441,239,089.

SENATE BILL No. 3175

*To the Senate:*

Pursuant to Article V, Section 1, Paragraph 15 of the Constitution, I am appending to Senate Bill No. 3175 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.

*“Legislative Branch—Legislature”*

On Page 8: Line 1 “72110-001. Senate           \$2,056,661”  
This item is reduced to  
\$1,829,994.

On Page 8: Line 2 “Sub-Total  
Appropriation           \$2,056,661”  
This item is reduced to  
\$1,829,994.

On Page 8: Line 1 “72120-002. Gen-           \$3,253,115”  
eral Assembly             
This item is reduced to  
\$2,816,748.

On Page 8: Line 2 “Sub-Total  
Appropriation           \$3,253,115”  
This item is reduced to  
\$2,816,748.

On Page 8: Line 16 “Total Appro-           \$5,309,776”  
priation, Legislature     
This item is reduced to  
\$4,646,742.

*“Legislative Services”*

On Page 9: Line 1 “72210-003. Legis-           \$1,484,689”  
lative Services Agency     
This item is reduced to  
\$1,424,689.

On Page 9: Lines 2-3 “Total Appro-           \$1,484,689”  
priation, Legislative  
Services Agency             
This item is reduced to  
\$1,424,689.

*“Office of Fiscal Affairs”*

On Page 9: Lines 1-2 “72310-004. Administrative Office of the Executive Director .. \$301,428”  
This item is reduced to \$231,428.

On Page 9: Line 4 “72330-004. Division of Budget Review .. \$305,056”  
This item is reduced to \$240,056.

On Page 9: Line 5 “Division of Program Analysis ..... \$315,774”  
This item is reduced to \$250,774.

On Page 9: Line 6 “Total Appropriation, Office of Fiscal Affairs ..... \$2,006,409”  
This item is reduced to \$1,806,409.

*“Legislative Commissions”*

On Page 10: Lines 1-2 “72410-010. Intergovernmental Relations Commission ..... \$157,450”  
This item is deleted in its entirety.

On Page 10: Line 3 “Sub-Total Appropriation ..... \$157,450”  
This item is deleted in its entirety.

On Page 11: Lines 6-9 “Total Appropriation, Legislative Commissions ..... \$867,450”  
This item is reduced to \$710,000.

On Page 11: Line 10 “Total Appropriation, Legislative Affairs ..... \$9,668,324”  
This item is reduced to \$8,587,840.

EXECUTIVE BRANCH

*“Chief Executive’s Office”*

On Page 12: Line 1 “71110-080. Executive Management . . . . \$843,998”  
This item is reduced to \$793,998.

On Page 12: Lines 2-3 “Total Appropriation, Chief Executive’s Office . . . . . \$843,998”  
This item is reduced to \$793,998.

*“Department of Law and Public Safety”*

On Page 12: Line 1 “11110-140. Licensing and Registration . . . . . \$7,553,478”  
This item is reduced to \$7,453,478.

On Page 12: Line 2 “11120-140. Vehicle control . . . . . \$9,344,622”  
This item is reduced to \$9,034,622.

On Page 12: Line 8 “Total Appropriation . . . . . \$26,524,343”  
This item is reduced to \$26,114,343.

On Page 14: Lines 59-63 “Notwithstanding any other provision of C39:6-61 et seq., the amount of \$3,395,610 shall be transferred from the Unrestricted Reserve of the Unsatisfied Claim and Judgment Fund to the General State Fund.”  
This item is deleted in its entirety.

On Page 14: Lines 64-68 “Notwithstanding any other provision of C39:6-92 et seq. and P. L. 1974, c. 17, the amount of \$4.2 million

shall be transferred from balances remaining in the Motor Vehicle Security Fund to the General State Fund.”

This item is deleted in its entirety.

- On Page 14: Line 1 “11210-120. Patrol Activities and Crime Control ..... \$24,702,080”  
 This item is reduced to \$24,392,080.
- On Page 14: Line 2 “11220-120. Police Services and Public Order ..... \$8,584,318”  
 This item is reduced to \$8,434,318.
- On Page 14: Line 3 “11290-120. Administration and Support ..... \$1,942,068”  
 This item is reduced to \$1,922,068.
- On Page 14: Line 4 “Total Appropriation ..... \$35,228,466”  
 This item is reduced to \$34,748,466.
- On Page 15: Line 1 “11310-110. Legal Services ..... \$2,906,280”  
 This item is reduced to \$2,860,280.
- On Page 15: Line 2 “11320-105. Criminal Justice ..... \$3,062,672”  
 This item is reduced to \$2,932,672.
- On Page 15: Line 3 “11330-105. Police Training Commission ... \$434,785”  
 This item is reduced to \$384,785.
- On Page 15: Line 5 “11390-100. Department Planning and Management ..... \$324,870”  
 This item is reduced to \$304,870.

On Page 15: Line 5A “Total Appropriation . . . . .	\$7,160,271”
This item is reduced to \$6,914,271.	
On Page 16: Line 1 “11410-160. Consumer Affairs—General. This item is reduced to \$2,222,921.	\$2,252,921”
On Page 16: Line 5 “Total Appropriation . . . . .	\$5,383,539”
This item is reduced to \$5,353,539.	
On Page 19: Line 1 “Alcoholic Beverage Control . . . . .	\$1,990,368”
This item is reduced to \$1,960,368.	
On Page 19: Line 3 “Total Appropriation . . . . .	\$2,795,125”
This item is reduced to \$2,765,125.	
On Page 20: Lines 18-19 “Total Appropriation, Department of Law and Public Safety . . . . .	\$80,387,679”
This item is reduced to \$79,191,679.	
<i>“Department of the Treasury”</i>	
On Page 20: Line 1 “71210-220. Budget Planning and Control . . . . .	\$1,544,900”
This item is reduced to \$1,434,900.	
On Page 20: Line 7 “71250-211. Economic Planning and Research . . . . .	\$91,213”
This item is reduced to \$70,213.	
On Page 20: Lines 9-10 “Management of Employee Benefit Programs . . . . .	\$3,354,208”
This item is reduced to \$3,334,208.	

<p>On Page 20: Line 11 "Total Appropriation . . . . . This item is reduced to \$9,951,019.</p>	<p>\$10,102,019"</p>
<p>On Page 22: Lines 1-2 "71310-240. Tax Collection and Enforcement Services . . . . . This item is reduced to \$7,883,961.</p>	<p>\$7,983,961"</p>
<p>On Page 22: Line 3 "71320-240. Tax Audit Services . . . . . This item is reduced to \$5,347,957.</p>	<p>\$5,482,957"</p>
<p>On Page 22: Line 6 "71390-240. Administration and General Support . . . . . This item is reduced to \$4,947,545.</p>	<p>\$5,080,445"</p>
<p>On Page 22: Line 7 "Total Appropriation . . . . . This item is reduced to \$22,382,729.</p>	<p>\$22,750,629"</p>
<p>On Page 23: Lines 2-3 "78120-230. Physical Plant Operation and Maintenance . . . . . This item is reduced to \$4,076,958.</p>	<p>\$4,206,958"</p>
<p>On Page 23: Line 5 "78170-235. Construction Management Services . . . . . This item is reduced to \$2,166,076.</p>	<p>\$2,216,076"</p>
<p>On Page 23: Line 6 "Total Appropriation . . . . . This item is reduced to \$8,488,772.</p>	<p>\$8,668,772"</p>
<p>On Page 25: Line 1 "79110-210. Management Services . . . . . This item is reduced to \$736,873.</p>	<p>\$766,873"</p>

On Page 25: Line 2 “Total Appropriation . . . . .	\$766,873”
This item is reduced to \$736,873.	
On Page 26: Lines 45-46 “Total Appropriation, Department of the Treasury . . .	\$42,288,293”
This item is reduced to \$41,559,393.	
<i>“Department of State”</i>	
On Page 27: Line 1 “34610-300. Development Support . . . . .	\$807,464”
This item is reduced to \$671,464.	
On Page 27: Line 2 “Total Appropriation . . . . .	\$807,464”
This item is reduced to \$671,464.	
On Page 27: Line 1 “71610-300. Recording and Filing of Documents . . . . .	\$1,447,982”
This item is reduced to \$1,427,982.	
On Page 27: Lines 2-3 “71620-300. Codification and Publication of Administrative Procedures . . . . .	\$288,237”
This item is reduced to \$245,237.	
On Page 27: Line 4 “Total Appropriation . . . . .	\$1,736,219”
This item is reduced to \$1,673,219.	
On Page 28: Line 27 “Total Appropriation, Department of State . . . . .	\$2,543,683”
This item is reduced to \$2,344,683.	

*“Department of Civil Service”*

On Page 28: Line 3 “75520-310. Recruitment and Selection . . . . . \$1,976,852”  
This item is reduced to \$1,919,852.

On Page 28: Lines 4-5 “75530-310. Organization Management and Employee Development . . . . . \$2,292,852”  
This item is reduced to \$2,242,852.

On Page 28: Line 6 “Total Appropriation . . . . . \$5,510,626”  
This item is reduced to \$5,403,626.

On Page 28: Line 22-23 “Total Appropriation, Department of Civil Service . . . . . \$5,510,626”  
This item is reduced to \$5,403,626.

*“Department of Agriculture”*

On Page 31: Line 3 “41130-330. Resource Development Services . . . . . \$547,896”  
This item is reduced to \$346,896.

On Page 31: Line 4 “Total Appropriation . . . . . \$1,934,136”  
This item is reduced to \$1,733,136.

On Page 31: Line 1 “51310-330. Meat and Poultry Regulation . . . . . (\$325,000)”  
This item is deleted in its entirety.

On Page 31: Line 1A “51320-330. Dairy Industry Regulation . . . . . \$379,747”  
This item is reduced to \$359,747.

On Page 31: Line 3	“51340-330. Marketing Services . . . . . This item is reduced to \$331,788.	\$394,563”
On Page 31: Line 5	“Sub-Total . . . . . This item is reduced to \$2,197,888.	\$2,605,663”
On Page 31: Line 7	“Total Approp- riation . . . . . This item is reduced to \$1,217,334.	\$1,625,109”
On Page 32: Line 1	“79110-330. Management Services . . . . . This item is reduced to \$635,800.	\$665,800”
On Page 32: Lines 2-3	“Total Approp- riation . . . . . This item is reduced to \$635,800.	\$665,800”
On Page 33: Lines 13-14	“Total Approp- riation, Department of Agriculture . . . . . This item is reduced to \$3,586,270.	\$4,225,045”
<i>“Department of Defense”</i>		
On Page 33: Lines 3-4	“13120-340. Management of National Guard Installations . . . . . This item is reduced to \$3,071,421.	\$3,131,421”
On Page 33: Lines 5-6	“13130-340. Civil Defense Operations and Administration . . . . . This item is reduced to \$734,981.	\$744,981”
On Page 33: Line 7	“Total Appropria- tion . . . . . This item is reduced to \$5,226,940.	\$5,296,940”

On Page 35: Line 77 “Total Appropriation, Department of Defense .....	\$5,296,940”
This item is reduced to \$5,226,940.	
<i>“Department of Public Utilities”</i>	
On Page 35: Line 3 “14330-350. Management and General Support .....	\$2,487,176”
This item is reduced to \$1,786,176.	
On Page 35: Line 4 “Total Appropriation .....	\$4,422,838”
This item is reduced to \$3,721,838.	
On Page 36: Line 1 “34510-352. New Jersey Public Broadcasting Authority .....	\$3,405,625”
This item is reduced to \$3,200,625.	
On Page 36: Line 4 “Total Appropriation .....	\$3,776,682”
This item is reduced to \$3,571,682.	
On Page 37: Lines 42-43 “Total Appropriation, Department of Public Utilities .	\$8,199,520”
This item is reduced to \$7,293,520.	
<i>“Department of Health”</i>	
On Page 42: Line 1 “24110-360. Laboratory Services .....	\$1,154,579”
This item is reduced to \$1,034,579.	
On Page 42: Line 2 “Total Appropriation .....	\$1,154,579”
This item is reduced to \$1,034,579.	
On Page 43: Line 3 “29130-360. General Administration ....	\$1,973,070”
This item is reduced to \$1,673,070.	

On Page 43: Line 4 “Total Appropriation . . . . .	\$2,617,131”
This item is reduced to \$2,317,131.	
On Page 43: Line 7 “Total Appropriation, Department of Health . . . . .	\$18,099,908”
This item is reduced to \$17,679,908.	
<i>“Department of Labor and Industry”</i>	
On Page 44: Line 3 “52140-380. Workmen’s Compensation . . . . .	\$2,372,273”
This item is reduced to \$2,081,273.	
On Page 44: Line 6 “Total Appropriation . . . . .	\$8,704,168”
This item is reduced to \$8,413,168.	
On Page 45: Line 2 “52240-380. Vocational Rehabilitation Services . . . . .	\$17,466,392”
This item is reduced to \$17,360,392.	
On Page 45: Line 3 “Total Appropriation . . . . .	\$18,116,392”
This item is reduced to \$18,010,392.	
On Page 47: Lines 3-4 “54220-380. Protection of Workers’ Earnings and Working Conditions . . . . .	\$1,134,024”
This item is reduced to \$984,024.	
On Page 47: Line 5 “Total Appropriation . . . . .	\$1,429,117”
This item is reduced to \$1,279,117.	
On Page 48: Line 1 “59110-380. Department Management . . . . .	\$478,650”
This item is reduced to \$371,650.	

<p>On Page 48: Line 3 “Total Appropriation . . . . . This item is reduced to \$673,063.</p>	<p>\$780,063”</p>
<p>On Page 49: Lines 1-2 “59210-380. Expansion and Growth of Commerce and Industry . . . . . This item is reduced to \$1,063,935.</p>	<p>\$1,163,935”</p>
<p>On Page 49: Line 3 “Total Appropriation . . . . . This item is reduced to \$1,063,935.</p>	<p>\$1,163,935”</p>
<p>On Page 49: Lines 29-30 “Total Appropriation, Department of Labor and Industry . . . . . This item is reduced to \$30,941,772.</p>	<p>\$31,695,772”</p>
<p>“<i>Department of Environmental Protection</i>”</p>	
<p>On Page 50: Lines 1-2 “41310-400. Water Supply and Flood Plain Management . . . . . This item is reduced to \$1,002,950.</p>	<p>\$1,502,950”</p>
<p>On Page 50: Line 5 “41340-400. Solid Waste Management . . . . . This item is reduced to \$333,432.</p>	<p>\$383,432”</p>
<p>On Page 50: Lines 7-8 “41360-400. Water Resources—Planning and Management . . . . . This item is reduced to \$1,327,169.</p>	<p>\$1,347,169”</p>
<p>On Page 50: Lines 13-14 “41370-400. Protection of Endangered and Non-Game Wildlife Species . . . . . This item is reduced to \$35,000.</p>	<p>\$70,000”</p>

<p>On Page 50: Line 15 "Total Appropriation . . . . . This item is reduced to \$8,326,432.</p>	<p>\$8,931,432"</p>
<p>On Page 53: Line 1 "41410-400. Air Pollution . . . . . This item is reduced to \$2,805,678.</p>	<p>\$3,018,678"</p>
<p>On Page 53: Line 4-5 "41440-400. Water Pollution Control—Operations and Enforcement . . . . . This item is reduced to \$1,482,271.</p>	<p>\$1,502,271"</p>
<p>On Page 53: Line 8 "Total Appropriation . . . . . This item is reduced to \$4,993,013.</p>	<p>\$5,226,013"</p>
<p>On Page 54: Line 1 "46110-400. Parks Management . . . . . This item is reduced to \$5,796,430.</p>	<p>\$5,926,430"</p>
<p>On Page 54: Line 2 "46120-400. Recreational Boating . . . . . This item is reduced to \$725,529.</p>	<p>\$975,529"</p>
<p>On Page 54: Line 5 "Total Appropriation . . . . . This item is reduced to \$7,667,153.</p>	<p>\$8,047,153"</p>
<p>On Page 55: Line 1 "49110-400. Department Management and Administrative Services . . . . . This item is reduced to \$2,228,360.</p>	<p>\$2,592,360"</p>
<p>On Page 55: Line 3 "49120-400. Program Management . . . . . This item is reduced to \$1,211,069.</p>	<p>\$1,317,569"</p>

On Page 55: Line 5 “Total Appropriation . . . . .	\$14,354,648”
This item is reduced to \$13,884,148.	
On Page 57: Line 1 “49310-400. Pine-lands Environmental Council . . . . .	(\$47,500)”
This item is deleted in its entirety.	
On Page 57: Line 2 “Total Appropriation . . . . .	(\$47,500)”
This item is deleted in its entirety.	
On Page 57: Lines 10-11 “Total Appropriation, Department of Environmental Protection . . . . .	\$38,026,346”
This item is reduced to \$36,290,346.	
<i>“Department of Education”</i>	
On Page 58: Line 4 “31190-500. Other Grants-in-Aid . . . . .	(\$200,000)”
This item is deleted in its entirety.	
On Page 58: Line 5 “Total Appropriation . . . . .	\$508,352”
This item is reduced to \$308,352.	
On Page 58: Line 1 “31210-500. Curriculum Services . . . . .	\$336,542”
This item is reduced to \$286,542.	
On Page 58: Line 4 “31250-500. County Superintendents’ Offices . . . . .	(\$1,538,564)”
This item is deleted in its entirety.	
On Page 59: Line 11 “Total Appropriation . . . . .	\$3,173,303”
This item is reduced to \$1,584,739.	

<p>On Page 60: Line 1 "32510-500. General Vocational Education . . . . . This item is deleted in its entirety.</p>	<p>(\$553,813)"</p>
<p>On Page 60: Line 2 "32560-500. Project COED . . . . . This item is reduced to \$1,370,058.</p>	<p>\$1,460,058"</p>
<p>On Page 60: Line 3 "Total Appropriation . . . . . This item is reduced to \$1,370,058.</p>	<p>\$2,013,871"</p>
<p>On Page 60: Lines 1-2 "34110-535. Marie H. Katzenbach School for the Deaf . . . . . This item is reduced to \$3,443,062.</p>	<p>\$3,636,202"</p>
<p>On Page 60: Line 3 "Total Appropriation . . . . . This item is reduced to \$3,443,062.</p>	<p>\$3,636,202"</p>
<p>On Page 61: Lines 1-2 "34210-520. State Library and Historical Commission . . . . . This item is reduced to \$1,709,125.</p>	<p>\$1,759,125"</p>
<p>On Page 61: Line 3 "Total Appropriation . . . . . This item is reduced to \$1,709,125.</p>	<p>\$1,759,125"</p>
<p>On Page 61: Line 1 "34310-530. State Museum . . . . . This item is reduced to \$1,049,080.</p>	<p>\$1,139,080"</p>
<p>On Page 61: Line 2 "Total Appropriation . . . . . This item is reduced to \$1,049,080.</p>	<p>\$1,139,080"</p>
<p>On Page 62: Line 1 "39110-500. Commissioner's Office . . . . . This item is reduced to \$761,560.</p>	<p>\$772,560"</p>

<p>On Page 62: Lines 2-3 “39130-500. Planning, Evaluation, Research and Program Development . . . . . This item is reduced to \$589,904.</p>	<p>\$1,387,374”</p>
<p>On Page 62: Line 4 “Total Appro- priation . . . . . This item is reduced to \$1,351,464.</p>	<p>\$2,159,934”</p>
<p>On Page 63: Line 1 “39210-500. Other General Support . . . . . This item is reduced to \$1,037,053.</p>	<p>\$1,142,053”</p>
<p>On Page 63: Line 2 “Total Appro- priation . . . . . This item is reduced to \$1,037,053.</p>	<p>\$1,142,053”</p>
<p>On Page 63: Lines 22-23 “Total Appropriation, Depart- ment of Education . . . . . This item is reduced to \$12,609,069.</p>	<p>\$16,288,056”</p>
<p>On Page 64: Lines 28-30 “Center for Occupational Education, Experimentation and Demonstration (Project (COED) . . . . . This item is reduced to \$1,370,058.</p>	<p>\$1,460,058”</p>
<p>On Page 64: Lines 34-35 “Total Appropriation from State Lottery Fund . . . . . This item is reduced to \$2,010,058.</p>	<p>\$2,100,058”</p>
<p>“<i>Department of Higher Education</i>”</p>	
<p>On Page 64: Line 1 “39110-540. Administration . . . . . This item is reduced to \$5,695,840.</p>	<p>\$12,180,840”</p>

On Page 64: Line 6 “Total Appropriation . . . . . This item is reduced to \$48,570,061.	\$55,055,061”
On Page 67: Line 1 “33110-550. Instruction . . . . . This item is reduced to \$7,643,214.	\$9,849,214”
On Page 67: Line 6 “33970-550. Institutional Support . . . . . This item is reduced to \$3,517,275.	\$4,043,275”
On Page 67: Line 7 “Total Appropriation . . . . . This item is reduced to \$15,365,339.	\$18,097,339”
On Page 68: Line 1 “33110-551. Instruction . . . . . This item is reduced to \$6,079,625.	\$7,756,625”
On Page 68: Line 6 “33970-551. Institutional Support . . . . . This item is reduced to \$3,034,829.	\$3,452,829”
On Page 68: Line 7 “Total Appropriation . . . . . This item is reduced to \$11,173,633.	\$13,268,633”
On Page 68: Line 1 “33110-552. Instruction . . . . . This item is reduced to \$7,219,522.	\$9,558,522”
On Page 68: Line 6 “33970-552. Institutional Support . . . . . This item is reduced to \$4,166,482.	\$4,746,982”
On Page 68: Line 7 “Total Appropriation . . . . . This item is reduced to \$14,490,372.	\$17,409,872”

On Page 69: Line 1 “33110-553. In- struction . . . . . This item is reduced to \$7,980,181.	\$10,211,181”
On Page 69: Line 6 “33970-553. In- stitutional Support . . . . . This item is reduced to \$4,229,125.	\$4,790,025”
On Page 69: Line 7 “Total Appro- priation . . . . . This item is reduced to \$14,723,681.	\$17,515,581”
On Page 70: Line 1 “33110-554. In- struction . . . . . This item is reduced to \$9,215,207.	\$11,815,307”
On Page 70: Line 6 “33970-554. In- stitutional Support . . . . . This item is reduced to \$4,077,338.	\$4,710,338”
On Page 70: Line 7 “Total Appro- priation . . . . . This item is reduced to \$17,349,275.	\$20,582,375”
On Page 71: Line 1 “33110-555. In- struction . . . . . This item is reduced to \$7,716,305.	\$9,812,305”
On Page 71: Line 6 “33970-555. In- stitutional Support . . . . . This item is reduced to \$3,509,415.	\$4,073,415”
On Page 71: Line 7 “Total Appro- priation . . . . . This item is reduced to \$15,734,440.	\$18,394,440”
On Page 72: Line 1 “33110-556. In- struction . . . . . This item is reduced to \$2,920,915.	\$3,701,915”

On Page 72: Line 6 “33970-556. Institutional Support . . . . . This item is reduced to \$2,254,620.	\$2,537,620”
On Page 72: Line 7 “Total Appropriation . . . . . This item is reduced to \$6,884,700.	\$7,948,700”
On Page 72: Line 1 “33110-557. Instruction . . . . . This item is reduced to \$3,016,644.	\$3,852,644”
On Page 72: Line 6 “33970-557. Institutional Support . . . . . This item is reduced to \$1,898,577.	\$2,181,577”
On Page 72: Line 7 “Total Appropriation . . . . . This item is reduced to \$6,735,038.	\$7,854,038”
On Page 75: Line 1 “33110-570. Instruction . . . . . This item is reduced to \$56,644,429.	\$57,999,429”
On Page 75: Line 8 “33970-570. Institutional Support . . . . . This item is reduced to \$28,280,239.	\$32,137,839”
On Page 75: Line 9 “Sub-Total, General Operations . . . . . This item is reduced to \$128,133,732.	\$133,346,332”
On Page 75: Line 11 “Total All Operations . . . . . This item is reduced to \$152,333,732.	\$157,546,332”
On Page 75: Line 13 “General Services income . . . . . This item is increased to \$40,072,000.	\$31,444,000”

<p>On Page 75: Line 16 “Total Income Deductions . . . . . This item is increased to \$85,812,114.</p>	<p>\$77,184,114”</p>
<p>On Page 75: Lines 17-18 “Appropriation, Exclusive of Land Grant Interest . . . . This item is reduced to \$66,515,818.</p>	<p>\$80,356,418”</p>
<p>On Page 75: Line 20 “Sub-Total Appropriation, General University . . . . . This item is reduced to \$66,521,618.</p>	<p>\$80,362,218”</p>
<p>On Page 77: Line 1 “33120-572. Research . . . . . This item is deleted in its entirety.</p>	<p>(\$4,303,220)”</p>
<p>On Page 77: Line 2 “33130-572. Extension and Public Service . . . . . This item is deleted in its entirety.</p>	<p>(\$2,134,917)”</p>
<p>On Page 77: Line 3 “33950-572. Academic Support . . . . . This item is deleted in its entirety.</p>	<p>(\$31,473)”</p>
<p>On Page 77: Line 4 “33970-572. Institutional Support . . . . . This item is deleted in its entirety.</p>	<p>(\$868,916)”</p>
<p>On Page 77: Line 5 “Sub-Total, General Operations . . . . . This item is deleted in its entirety.</p>	<p>(\$7,338,526)”</p>
<p>On Page 77: Line 6 “Federal research and extension funds expense . . . . . This item is deleted in its entirety.</p>	<p>(\$2,427,839)”</p>

On Page 77: Line 7 “Special Funds expense . . . . .	(\$2,300,000)”
This item is deleted in its entirety.	
On Page 77: Line 8 “Total All Opera- tions . . . . .	(\$12,066,365)”
This item is deleted in its entirety.	
On Page 77: Line 10 “General Ser- vices income . . . . .	(\$35,000)”
This item is deleted in its entirety.	
On Page 77: Lines 11-12 “Federal re- search and extension funds income . . . . .	(\$2,427,839)”
This item is deleted in its entirety.	
On Page 77: Line 13 “Special Funds income . . . . .	(\$2,300,000)”
This item is deleted in its entirety.	
On Page 77: Line 14 “Total Income Deductions . . . . .	(\$4,762,839)”
This item is deleted in its entirety.	
On Page 77: Lines 15-16 “Sub-Total Appropriation, Agricul- tural Experiment Station This item is deleted in its entirety.	(\$7,303,526)”
On Page 78: Lines 39-40 “Total Appropriation, Rutgers, The State University . . . . .	\$87,665,744”
This item is reduced to \$66,521,618.	
<i>“Central Administration”</i>	
On Page 78: Line 1 “33120. Organized Research . . . . .	\$541,495”
This item is reduced to \$189,751.	

On Page 78: Line 2 “33970. Institutional Support . . . . .	\$1,162,783”
This item is reduced to \$1,107,527.	
On Page 78. Line 3 “Sub-Total Appropriation, All Operations .	\$1,704,278”
This item is reduced to \$1,297,278.	
On Page 78: Lines 7-8 “Sub-Total Appropriation, Central Administration . . . . .	\$1,514,527”
This item is reduced to \$1,107,527.	
<i>“New Jersey Medical School—Newark”</i>	
On Page 78: Line 1 “33110 Instruction . . . . .	\$6,540,695”
This item is reduced to \$6,146,750.	
On Page 79: Line 9 “Sub-Total Appropriation, All Operations . . . . .	\$21,438,774”
This item is reduced to \$21,044,829.	
On Page 79: Line 11 “General Services income . . . . .	\$1,750,254”
This item is increased to \$2,152,314.	
On Page 79: Line 16 “Total Income Deductions . . . . .	\$11,825,341”
This item is increased to \$12,227,401.	
On Page 79: Lines 17-18 “Sub-Total Appropriation, New Jersey Medical School—Newark . . . . .	\$9,613,433”
This item is reduced to \$8,817,428.	
<i>“Rutgers Medical School”</i>	
On Page 79: Line 1 “33110 Instruction . . . . .	\$7,205,799”
This item is reduced to \$6,938,676.	

On Page 79: Line 8 “Sub-Total, All Operations .....	\$16,855,483”
This item is reduced to \$16,588,360.	
On Page 79: Line 10 “General Services income .....	\$923,380”
This item is increased to \$1,113,388.	
On Page 79: Line 14 “Total Income Deductions .....	\$7,335,676”
This item is increased to \$7,525,684.	
On Page 79: Lines 15-16 “Sub-Total Appropriation, Rutgers Medical School .....	\$9,519,807”
This item is reduced to \$9,062,676.	
<i>“College-wide Programs”</i>	
On Page 79: Line 1 “33110. Instruction .....	\$735,448”
This item is reduced to \$543,243.	
On Page 79: Line 4 “Sub-Total Appropriation, All Operations .....	\$2,402,492”
This item is reduced to \$2,210,287.	
On Page 80: Line 6 “General Services income .....	\$122,000”
This item is increased to \$163,643.	
On Page 80: Line 7 “Total Income Deductions .....	\$122,000”
This item is increased to \$163,643.	
On Page 80: Lines 8-9 “Sub-Total Appropriation, College-wide Programs .....	\$2,280,492”
This item is reduced to \$2,046,644.	

*“New Jersey Dental School—Newark”*

On Page 80: Line 1 “33110. Instruction .....	\$4,550,051”
This item is reduced to \$4,249,682.	
On Page 80: Line 4 “Sub-Total Appropriation, All Operations .....	\$6,506,748”
This item is reduced to \$6,206,379.	
On Page 80: Line 6 “General Services income .....	\$625,000”
This item is increased to \$775,210.	
On Page 80: Line 8 “Total Income Deductions .....	\$1,372,190”
This item is increased to \$1,522,400.	
On Page 80: Lines 9-10 “Sub-Total Appropriation, New Jersey Dental School—Newark .....	\$5,134,558”
This item is reduced to \$4,683,979.	

*“Graduate School of Bio-Medical Sciences”*

On Page 81: Line 1 “33110. Instruction .....	\$284,861”
This item is reduced to \$227,903.	
On Page 81: Line 2 “Sub-Total Appropriation, All Operations .....	\$284,861”
This item is reduced to \$227,903.	
On Page 81: Line 4 “General Services income .....	\$44,800”
This item is increased to \$56,879.	
On Page 81: Line 5 “Total Income Deductions .....	\$44,800”
This item is increased to \$56,879.	

On Page 81: Lines 6-7 “Sub-Total Appropriation, Graduate School of Bio-Medical Sciences . . . . .	\$240,061”
This item is reduced to \$171,024.	
On Page 81: Line 1 “33970. Institu- tional Support . . . . .	\$50,000”
This item is reduced to \$40,000.	
On Page 81: Lines 2-3 “Sub-Total Appropriation, South Jersey Medical Program This item is reduced to \$40,000.	\$50,000”
On Page 81: Lines 4-5 “Total Approp- riation, College of Medicine and Dentistry of New Jersey . . . . .	\$43,264,687”
This item is reduced to \$40,841,087.	
<i>“New Jersey Institute of Technology”</i>	
On Page 83: Line 1 “33110. Instruc- tion . . . . .	\$7,959,848”
This item is reduced to \$7,707,848.	
On Page 83: Line 8 “33970. Institu- tional Support . . . . .	\$4,477,681”
This item is reduced to \$3,979,681.	
On Page 83: Line 9 “Sub-Total, All Operations . . . . .	\$14,970,590”
This item is reduced to \$14,220,590.	
On Page 83: Line 11 “General Ser- vices income . . . . .	\$3,220,680”
This item is increased to \$4,025,680.	
On Page 83: Line 13 “Total Income Deductions . . . . .	\$4,295,811”
This item is increased to \$5,100,811.	

On Page 83: Lines 14-15 "Total Appropriation, New Jersey Institute of Technology . . . . . \$10,674,779"  
This item is reduced to \$9,119,779.

On Page 85: Lines 59-60 "Total Appropriation, Department of Higher Education . . . . . \$318,131,249"  
This item is reduced to \$267,909,023.

On Page 85: Lines 81-82 "Veterinary Medicine Education Program . . . . . (\$130,000)"  
This item is reduced to (\$80,000).

On Page 85: Lines 83-84 "Aid to Independent Colleges and Universities . . . . . (\$8,000,000)"  
This item is reduced to (\$4,000,000).

On Page 85: Line 85 "Schools of Professional Nursing . . . . . (\$1,860,000)"  
This item is deleted in its entirety.

On Page 85: Lines 88-89 "Total Appropriation from State Lottery Fund . . . . . (\$10,390,000)"  
This item is reduced to (\$4,480,000).

*"Department of Transportation"*

On Page 86: Line 2 "62120-600. Roadway and Bridge Improvements . . . . . \$6,851,295"  
This item is reduced to \$3,751,295.

On Page 86: Line 4 "Total Appropriation . . . . . \$10,935,628"  
This item is reduced to \$7,835,628.

<p>On Page 86: Line 1 "63110-600. Roadway and Bridge Maintenance . . . . .  This item is reduced to \$23,009,948.</p>	<p>\$23,864,076"</p>
<p>On Page 86: Line 2 "63120-600. Electric and Traffic Operations . . . . .  This item is reduced to \$8,112,457.</p>	<p>\$8,166,130"</p>
<p>On Page 87: Line 4 "63140-600. Equipment Maintenance  This item is reduced to \$6,645,650.</p>	<p>\$6,797,838"</p>
<p>On Page 87: Line 5 "Total Appropriation . . . . .  This item is reduced to \$39,969,140.</p>	<p>\$41,029,129"</p>
<p>On Page 87: Lines 16A,-16E "Of the amount provided hereinabove for roadway and bridge maintenance, a sum not to exceed \$25,000 shall be used for curb replacement on State Highway 27 in the Borough of Highland Park."  This item is deleted in its entirety.</p>	
<p>On Page 87: Line 1 "63210-600. Railroad and Bus Operations  This item is reduced to \$24,947,789.</p>	<p>\$66,236,391"</p>
<p>On Page 87: Line 3 "Total Appropriation . . . . .  This item is reduced to \$25,188,066.</p>	<p>\$66,476,668"</p>
<p>On Page 88: Lines 26-29 "Of the amount provided hereinabove for bus subsidies, a sum not to exceed \$100,000 shall be used for</p>	

Transport of New Jersey,  
 Gloucester County Com-  
 muter Services.”  
 This item is deleted in its  
 entirety.

- On Page 88: Line 1 “69110-600. De-  
 partment Administration  
 This item is reduced to  
 \$840,123. \$914,123”
  
- On Page 88: Line 3 “69130-600. Fiscal  
 Management  
 This item is reduced to  
 \$2,386,048. \$2,559,963”
  
- On Page 88: Line 4 “Total Appro-  
 priation  
 This item is reduced to  
 \$5,770,772. \$6,018,687”
  
- On Page 89: Line 2 “69320-600.  
 Research  
 This item is reduced to  
 \$1,253,438. \$1,255,438”
  
- On Page 89: Line 3 “Sub-Total  
 This item is reduced to  
 \$4,993,382. \$4,995,382”
  
- On Page 89: Line 10 “Total Appro-  
 priation  
 This item is reduced to  
 \$1,567,562. \$1,569,562”
  
- On Page 90: Lines 51, 51A, 51B “. . .  
 including \$30,000 for a  
 feasibility study on acti-  
 vation of the West Shore  
 Railroad.”  
 The foregoing part of  
 this item is deleted.
  
- On Page 90: Lines 51C-51D “Total  
 Appropriation, Depart-  
 ment of Transportation  
 This item is reduced to  
 \$106,659,166 \$152,357,672”

*“Department of Institutions and Agencies”*

- On Page 91: Line 1 “12110-731. Institutional Control and Supervision ..... \$4,486,793”  
This item is reduced to \$4,426,793.
- On Page 91: Lines 4-5 “12170-731. Education Program-Garden State School District ..... \$379,000”  
This item is reduced to \$329,000.
- On Page 91: Line 7 “Total Appropriation ..... \$8,533,438”  
This item is reduced to \$8,423,438.
- On Page 91: Line 1 “12110-732. Institutional Control and Supervision ..... \$3,048,709”  
This item is reduced to \$2,988,709.
- On Page 91: Lines 4-5 “12170-732. Education Program-Garden State School District ..... \$323,434”  
This item is reduced to \$273,434.
- On Page 91: Line 7 “Total Appropriation ..... \$6,230,760”  
This item is reduced to \$6,120,760.
- On Page 92: Line 1 “12110-733. Institutional Control and Supervision ..... \$2,029,908”  
This item is reduced to \$1,969,908.
- On Page 92: Lines 4-5 “12170-733. Education Program-Garden State School District ..... \$243,633”  
This item is reduced to \$193,633.

On Page 92: Line 7 “Total Appropriation . . . . . This item is reduced to \$4,576,675.	\$4,686,675”
On Page 93: Line 1 “12110-734. Institutional Control and Supervision . . . . . This item is reduced to \$2,000,364.	\$2,050,364”
On Page 93: Lines 4-5 “12170-734. Education Program-Garden State School District This item is reduced to \$166,868.	\$216,868”
On Page 93: Line 7 “Total Appropriation . . . . . This item is reduced to \$4,664,795.	\$4,764,795”
On Page 94: Line 1 “12110-735. Institutional Control and Supervision . . . . . This item is reduced to \$2,385,742.	\$2,435,742”
On Page 94: Lines 4-5 “12170-735. Education Program-Garden State School District This item is reduced to \$346,352.	\$396,352.”
On Page 94: Line 7 “Total Appropriation . . . . . This item is reduced to \$5,540,707.	\$5,640,707”
On Page 94: Line 1 “12110-737. Institutional Control and Supervision . . . . . This item is reduced to \$1,280,595.	\$1,330,595”
On Page 94: Lines 4-5 “12170-737. Education Program-Garden State School District This item is reduced to \$112,315.	\$162,315”

On Page 94: Line 7 "Total Appropriation .....	\$3,170,715"
This item is reduced to \$3,070,715.	
On Page 95: Line 1 "12110-738. Institutional Control and Supervision .....	\$1,787,848"
This item is reduced to \$1,737,848.	
On Page 95: Lines 4-5 "12170-738. Education Program-Garden State School District .....	\$211,593"
This item is reduced to \$161,593.	
On Page 95: Line 7 "Total Appropriation .....	\$4,146,009"
This item is reduced to \$4,046,009.	
On Page 95: Line 1 "12110-739. Institutional Control and Supervision .....	\$682,394"
This item is reduced to \$652,394.	
On Page 95: Lines 4-5 "12170-739. Education Program-Garden State School District .....	\$161,864"
This item is reduced to \$111,864.	
On Page 95: Line 7 "Total Appropriation .....	\$1,828,223"
This item is reduced to \$1,748,223.	
On Page 96: Line 1 "12110-740. Institutional Control and Supervision .....	\$1,279,474"
This item is reduced to \$1,249,474.	
On Page 96: Lines 4-5 "12170-740. Education Program-Garden State School District .....	\$428,216"
This item is reduced to \$378,216.	

On Page 96: Line 7 "Total Appropriation . . . . .	\$3,512,363"
This item is reduced to \$3,432,363.	
On Page 97: Line 1 "12310-730. Parole . . . . .	\$3,767,605"
This item is reduced to \$3,637,605.	
On Page 97: Line 2 "12320-730. Community Programs . . . . .	\$639,025"
This item is reduced to \$464,025.	
On Page 97: Line 3 "Total Appropriation . . . . .	\$4,406,630"
This item is reduced to \$4,101,630.	
On Page 98: Line 3 "12920-730. Training and Staff Development . . . . .	\$388,697"
This item is reduced to \$263,697.	
On Page 98: Line 4 "12930-730. Administration . . . . .	\$1,776,900"
This item is reduced to \$1,516,900.	
On Page 98: Line 5 "Total Appropriation . . . . .	\$2,436,639"
This item is reduced to \$2,051,639.	
On Page 98: Line 1 "22490-794. Administration and Support . . . . .	\$1,700,000"
This item is reduced to \$1,450,000.	
On Page 98: Line 2 "Total Appropriation . . . . .	\$1,700,000"
This item is reduced to \$1,450,000.	
On Page 101: Line 1 "25110-767. Resident Care and Habilitation . . . . .	\$3,326,465"
This item is reduced to \$2,526,465.	

On Page 101: Lines 3-4 “25190-767. Institutional Administration and Support Services This item is reduced to \$2,476,620.	\$2,776,620”
On Page 101: Line 5 “Total Appropriation This item is reduced to \$7,043,157.	\$8,143,157”
On Page 102: Line 1 “25110-768. Resident Care and Habilitation This item is reduced to \$1,950,470.	\$2,040,470”
On Page 102: Line 6 “Total Appropriation This item is reduced to \$3,927,435.	\$4,017,435”
On Page 102: Line 4 “25290-760. Management and General Support This item is reduced to \$1,835,451.	\$3,235,451”
On Page 102: Line 5 “Total Appropriation This item is reduced to \$12,789,837.	\$14,189,837”
On Page 103: Line 2 “26120-777. Inpatient Care and Health Services This item is reduced to \$15,540,840.	\$16,000,840”
On Page 103: Line 3 “26190-777. Administration and Support This item is reduced to \$6,348,453.	\$6,408,453”
On Page 103: Line 4 “Total Appropriation This item is reduced to \$22,115,344.	\$22,635,344”

<p>On Page 104: Line 2 “26120-781.  Inpatient Care and  Health Services . . . . .  This item is reduced to  \$9,181,924.</p>	<p>\$9,781,924”</p>
<p>On Page 104: Line 3 “26190-781. Ad-  ministration and Support  This item is reduced to  \$4,841,765.</p>	<p>\$4,961,765”</p>
<p>On Page 104: Line 4 “Total Appro-  priation . . . . .  This item is reduced to  \$14,543,049.</p>	<p>\$15,263,049”</p>
<p>On Page 106: Line 1 “26120-790.  Inpatient Care and  Health Services . . . . .  This item is reduced to  \$287,451.</p>	<p>\$787,451”</p>
<p>On Page 106: Line 2 “26190-790. Ad-  ministration and Support  This item is reduced to  \$54,311.</p>	<p>\$304,311”</p>
<p>On Page 106: Line 3 “Total Appro-  priation . . . . .  This item is reduced to  \$341,762.</p>	<p>\$1,091,762”</p>
<p>On Page 106: Line 1 “26110-792.  Outpatient and Communi-  ty Services . . . . .  This item is reduced to  \$76,523.</p>	<p>\$176,523”</p>
<p>On Page 106: Line 2 “26120-792.  Inpatient Care and  Health Services . . . . .  This item is reduced to  \$413,606.</p>	<p>\$1,213,606”</p>
<p>On Page 106: Line 3 “26130-792. Spe-  cial Diagnostic Services .  This item is reduced to  \$274,807.</p>	<p>\$1,074,807”</p>

On Page 106: Line 4 “26190-792. Administration and Support This item is reduced to \$167,869.	\$467,869”
On Page 106: Line 5 “Total Appropriation ..... This item is reduced to \$932,805.	\$2,932,805”
On Page 107: Line 5 “26910-770. Community Services ... This item is reduced to \$4,180,898.	\$4,455,898”
On Page 107: Line 3 “Total Appropriation ..... This item is reduced to \$6,481,541.	\$6,756,541”
On Page 108: Line 2 “52420-716. Instruction and Community Programs ..... This item is reduced to \$1,435,537.	\$1,465,537”
On Page 108: Line 4 “Total Appropriation ..... This item is reduced to \$5,148,430.	\$5,178,430”
On Page 108: Line 3 “52530-715. Income Maintenance .... This item is reduced to \$1,983,408.	\$2,153,408”
On Page 108: Line 5 “Total Appropriation ..... This item is reduced to \$5,602,441.	\$5,772,441”
On Page 109: Line 3 “52630-717. Social Services ..... This item is reduced to \$12,873,320.	\$15,452,320”
On Page 109: Line 4 “52640-717. Resource Development .. This item is reduced to \$1,267,229.	\$1,460,229”

On Page 109: Line 6 “Total Appropriation .....	\$24,987,650”
This item is reduced to \$22,215,650.	
On Page 111: Line 1 “52720-710. Domiciliary and Treatment Services .....	\$1,604,071”
This item is reduced to \$1,489,071.	
On Page 111: Line 3 “Total Appropriation .....	\$2,442,362”
This item is reduced to \$2,327,362.	
On Page 111: Line 1 “52720-711. Domiciliary and Treatment Services .....	\$2,052,161”
This item is reduced to \$1,927,161.	
On Page 111: Line 3 “Total Appropriation .....	\$2,929,624”
This item is reduced to \$2,804,624.	
On Page 112: Line 1 “53110-714. Long-Term Care .....	\$2,157,311”
This item is reduced to \$2,077,311.	
On Page 112: Line 6 “Total Appropriation .....	\$227,698,716”
This item is reduced to \$227,618,716.	
On Page 113: Lines 1-2 “79130-700. Education Program-Garden State School District .....	\$646,374”
This item is reduced to \$596,374.	
On Page 113: Line 4 “79190-700. Department Management .....	\$4,142,024”
This item is reduced to \$3,814,024.	
On Page 113: Line 5 “Total Appropriation .....	\$11,290,911”
This item is reduced to \$10,912,911.	

On Page 115: Lines 66-67 “Total Appropriation, Department of Institutions and Agencies . . . . .	\$492,857,139”
This item is reduced to \$480,502,139.	
On Page 116: Lines 120-121 “Memorial Home for Disabled Soldiers, Menlo Park . . . . .	(\$2,442,362)”
This item is reduced to (\$2,367,362).	
On Page 116: Lines 122-123 “Memorial Home for Disabled Soldiers, Vineland . . . . .	(\$2,929,624)”
This item is reduced to (\$2,854,624).	
On Page 116: Lines 126-129 “To Provide Educational Services to Patients, Inmates and residents through the Garden State School District . . . . .	(\$2,579,569)”
This item is reduced to (\$2,079,569).	
On Page 116: Lines 130-131 “Total Appropriation from the State Lottery Fund . . . . .	(\$25,046,022)”
This item is reduced to (\$24,396,022).	
<i>“Department of Community Affairs”</i>	
On Page 117: Line 2 “42130-800. Local Government Services . . . . .	\$1,080,142”
This item is reduced to \$880,142.	
On Page 117: Line 4 “Total Appropriation . . . . .	\$5,308,532”
This item is reduced to \$5,108,532.	
On Page 119: Line 1 “52310-800. Human Resources . . . . .	\$1,394,163”
This item is reduced to \$1,294,163.	

- On Page 119: Line 3 "Total Appropriation . . . . . \$1,671,529"  
This item is reduced to \$1,571,529.
- On Page 119: Line 1 "79190-800. Department Management \$681,935"  
This item is reduced to \$611,935.
- On Page 119: Line 2 "Total Appropriation . . . . . \$681,935"  
This item is reduced to \$611,935.
- On Page 120: Lines 17-18 "Total Appropriation, Department of Community Affairs . . . . . \$7,661,996"  
This item is reduced to \$7,291,996.
- "Department of Public Advocate"*
- On Page 121: Lines 26-29 "No officer or employee, unless he is receiving his entire salary from the sums provided herein above for Inmate Advocacy, shall undertake any duties of the program."  
This item is deleted in its entirety.
- On Page 121: Lines 30-33 "No funds may be transferred into the Inmate Advocacy account without the approval of the Subcommittee on transfers of the Joint Appropriations Committee."  
This item is deleted in its entirety.

*“MISCELLANEOUS EXECUTIVE COMMISSIONS”*

*“New Jersey American Revolution Bicentennial  
Celebration Commission”*

On Page 122: Line 2 “Expenses of  
Commission . . . . . \$390,000”  
This item is reduced to  
\$340,000.

On Page 122: Line 3 “Total Appro-  
priation . . . . . \$450,000”  
This item is reduced to  
\$400,000.

*“Palisades Interstate Park Commission”*

On Page 123: Line 1 “46110. Parks  
Management . . . . . \$828,452”  
This item is reduced to  
\$808,452.

On Page 123: Line 2 “46180. Patrol  
Activities and Crime  
Control . . . . . \$502,841”  
This item is reduced to  
\$492,841.

On Page 123: Line 3 “Total Appro-  
priation . . . . . \$1,331,293”  
This item is reduced to  
\$1,301,293.

On Page 124: Lines 16-17 “Total Ap-  
propriation, Mis-  
cellaneous Executive  
Commissions . . . . . \$3,145,158”  
This item is reduced to  
\$3,065,158.

*“INTER-DEPARTMENTAL ACCOUNTS”*

*“Property Rentals—Buildings and Grounds”*

On Page 124: Line 1 “Services Other  
Than Personal . . . . . \$27,955,179”  
This item is reduced to  
\$27,455,179.

On Page 124: Line 4 "Total Appropriation . . . . . \$18,437,321"  
This item is reduced to \$17,937,321.

*"Salary and Other Benefits"*

On Page 129: Lines 6A-6C "To the Director of the Division of Budget and Accounting for allotment to the various agencies for normal merit salary increments . . . . . (\$12,113,287)"  
This item is deleted in its entirety.

On Page 129: Line 7 "Total Appropriation . . . . . \$14,113,287"  
This item is reduced to \$2,000,000.

On Page 130: Lines 42G-42H ". . . and for normal merit salary increments."  
The foregoing portion of this item is deleted.

On Page 130: Lines 43-47 ". . . provided, however, that the first normal merit salary increment anniversary date shall be effective at the beginning of the bi-weekly pay period nearest to July 1, 1975.  
The foregoing portion of this item is deleted.

On Page 132: Lines 16-17 "Total Appropriation, Inter-Departmental Accounts . . . \$180,140,566"  
This item is reduced to \$167,527,279.

*“The Judiciary”*

On Page 132: Line 2 “73210-970. Superior Court . . . . . This item is reduced to \$8,321,919.	\$8,411,919”
On Page 132: Line 3 “Total Approp- riation . . . . . This item is reduced to \$9,260,803.	\$9,350,803”
On Page 133: Line 1 “73210-970. “Offi- cial Court Reporters . . . This item is reduced to \$3,140,981.	\$3,290,981”
On Page 133: Line 2 “73290-970. Gen- eral Support . . . . . This item is reduced to \$1,303,480.	\$1,353,480”
On Page 133: Line 3 “Total Approp- riation . . . . . This item is reduced to \$4,444,461.	\$4,644,461”
On Page 133: Line 17 “Total Approp- riation, The Judiciary . This item is reduced to \$14,879,328.	\$15,169,328”
On Page 133: Lines 18-19 “Total Appropriation, General State Operations . . . . . This item is reduced to \$1,316,469,996.	\$1,449,664,161”

*“Department of the Treasury”*

On Page 135: Lines 1-2 “77110-240. Inheritance Tax Collec- tions (County Share) . . . This item is deleted in its entirety.	(\$3,500,000)”
On Page 135: Line 4 “Total Approp- riation . . . . . This item is reduced to \$8,086,331.	\$11,586,331”

- On Page 135: Lines 10-12 “There are hereby appropriated such additional sums as may be required for Inheritance Tax collections (County Share) (RS 54:33-10).”  
This item is deleted in its entirety.
- On Page 136: Lines 1-2 “77230-240. Reimbursements - Senior Citizens’ Tax Deductions \$14,000,000”  
This item is reduced to \$7,000,000.
- On Page 136: Line 6 “Total Appropriation ..... \$18,892,752”  
This item is reduced to \$11,892,752.
- On Page 136: Lines 16-19 “There are hereby appropriated such additional sums as may be required for State reimbursement to municipalities for one-half of the Senior Citizens’ Tax Deduction.”  
This item is deleted in its entirety.
- On Page 136: Lines 20-21 “Total Appropriation, Department of the Treasury ... \$30,479,083”  
This item is reduced to \$19,979,083.
- “*Department of Health*”
- On Page 136: Line 1 “23210—360. Local Health Services ... (\$4,329,456)”  
This item is deleted in its entirety.
- On Page 136: Line 2 “Total Appropriation ..... (\$4,329,456)”  
This item is deleted in its entirety.

- On Page 136: Lines 11-13 “The unexpended balance as of June 30, 1975 in this account, not to exceed \$250,000, is hereby appropriated.”  
This item is deleted in its entirety.
- On Page 137: Lines 14-16 “The capitation is hereby set at \$2.00 for the calendar year 1976 for the purpose prescribed (C26:2F-1 et seq.)”  
This item is deleted in its entirety.
- On Page 137: Line 17 “Total Appropriation, Department of Health ..... (\$4,329,456)”  
This item is deleted in its entirety.
- “Department of Environmental Protection”*
- On Page 137: Line 1 “41330-400. Marine Lands Management ..... \$1,563,013”  
This item is reduced to \$279,788.
- On Page 137: Line 2 “Total Appropriation ..... \$1,563,013”  
This item is reduced to \$279,788.
- On Page 138: Lines 1-2 “49110-400. Department of Management and Administrative Services ..... (\$625,000)”  
This item is deleted in its entirety.
- On Page 138: Line 3 “Total Appropriation ..... (\$625,000)”  
This item is deleted in its entirety.

On Page 138: Lines 22-23 "The unexpended balance as of June 30, 1975 in this account is hereby appropriated."  
This item is deleted in its entirety.

On Page 138: Lines 24-27 "The amounts hereinabove recommended for Mosquito control purposes shall not be contracted for or expended without the approval of the Commissioner, Department of Environmental Protection."  
This item is deleted in its entirety.

On Page 138: Lines 28-29 "Total Appropriation, Department of Environmental Protection .....  
This item is reduced to \$279,788. \$2,188,013"

*"Department of Education"*

On Page 139: Lines 1-2 "31110-500. State School Incentive Equalization Aid .....  
This item is reduced to \$320,408,284 by withholding the amount of minimum support aid that would be distributed to school districts which have an equalized valuation per weighted pupil above \$38,000—the current guaranteed level under the incentive equalization formula—and the save harmless current expense aid for all qualify- \$459,108,284"

ing school districts. I intend to direct the Commissioner of Education to distribute the remaining appropriation in a constitutional manner consistent with the Supreme Court's opinion in *Robinson v. Cahill*.

On Page 139: Line 3	“31120-500. Special Education .....	\$64,111,188”
	This item is reduced to \$51,930,070.	
On Page 139: Line 5	“31140-500. School Facility Program .....	\$44,253,516”
	This item is reduced to \$34,708,516.	
On Page 139: Line 6	“31150-500. Pupil Transportation .....	\$46,020,729”
	This item is reduced to \$37,276,792.	
On Page 139: Line 7	“31160-500. Aid for Non-public Education	\$3,750,000”
	This item is reduced to \$3,037,500.	
On Page 139: Line 8	“31170-500. Adult and Continuing Education .....	\$3,684,427”
	This item is reduced to \$2,984,384.	
On Page 139: Line 9	“31190-500. Other Grants-in-Aid .....	\$4,661,131”
	This item is reduced to \$3,775,518.	
On Page 139: Line 10	“Sub-total Appropriation .....	\$821,977,615”
	This item is reduced to \$650,509,404.	
On Page 140: Line 67A	“The provisions of the “State School Aid Law” (N.J.S.	

18A:58-1 et seq.) notwithstanding, each district shall be apportioned for incentive equalization aid, minimum support aid, save harmless current expense aid and county vocational school aid the amount which they received for the school year 1974-75." This item is deleted in its entirety.

- On Page 141: Lines 1-2 "32110-500. Programs for the disadvantaged and handicapped ..... (\$1,000,000)"  
This item is deleted in its entirety.
- On Page 141: Line 3 "Sub-total Appropriation ..... (\$1,000,000)"  
This item is deleted in its entirety.
- On Page 142: Line 1 "32510-500. General Vocational Education ..... \$7,740,624"  
This item is reduced to \$1,360,649.
- On Page 142: Lines 2-3 "32520-500. Aid for Part-time County Vocational Schools ..... (\$1,705,950)"  
This item is deleted in its entirety.
- On Page 142: Line 4 "Sub-total Appropriation ..... \$9,446,574"  
This item is reduced to \$1,360,649.
- On Page 142: Lines 1-2 "34210-520. State Library and Historic Commission ..... \$7,921,061"  
This item is reduced to \$7,574,444.

On Page 142: Line 3 “Sub-total Appropriation . . . . .	\$7,921,061”
This item is reduced to \$7,574,444.	
On Page 143: Lines 5-6 “Total Approp- riation, Department of Education . . . . .	\$850,557,467”
This item is reduced to \$669,656,714.	
On Page 143: Line 25 “Adult Education . . . . .	(\$1,071,000)”
This item is reduced to (\$370,957).	
On Page 143: Lines 28-29 “Total App- ropriation from State Lottery Fund . . . . .	(\$2,560,540)”
This item is reduced to (\$1,860,497).	
<i>“Department of Higher Education”</i>	
On Page 144: Line 1 “39210-540. Support Services . . . . .	\$37,279,642”
This item is reduced to \$28,479,642.	
On Page 144: Line 2 “Total Appropriation . . . . .	\$37,279,642”
This item is reduced to \$28,479,642.	
On Page 144: Line 2 “Total Appropriation, Depart- ment of Higher Educa- tion . . . . .	\$37,279,642”
This item is reduced to \$28,479,642.	
<i>“Department of Transportation”</i>	
On Page 145: Line 1 “61250-600. Grade Crossing Projects . . . . .	(\$2,000,000)”
This item is deleted in its entirety.	
On Page 145: Line 2 “Total Appropriation . . . . .	(\$2,000,000)”
This item is deleted in its entirety.	

On Page 145: Lines 9-13 “An amount of \$2,000,000 for the public share of the cost of eliminating grade crossings (C48:12-49.1 et seq.) is hereby provided from sums previously appropriated from the State Transportation Fund.” This item is deleted in its entirety.

On Page 145: Line 3 “61580-620. State Aid Road System Projects ..... \$8,065,000” This item is reduced to \$8,000,000.

On Page 145: Line 5 “Sub-Total Appropriation ..... \$22,188,064” This item is reduced to \$22,123,064.

On Page 145: Line 8 “Total Appropriation ..... \$10,220,745” This item is reduced to \$10,155,745.

On Page 146: Lines 33-34 “Total Appropriation, Department of Transportation This item is reduced to \$10,155,745. \$12,220,745”

“*Department of Institutions and Agencies*”

On Page 147: Line 1 “26910-770. Community Services . \$26,300,000” This item is reduced to \$25,650,000.

On Page 147: Line 2 “Total Appropriation ..... \$26,300,000” This item is reduced to \$25,650,000.

On Page 147: Line 1 “52530-715. Income Maintenance ... \$218,873,000” This item is reduced to \$216,473,000.

On Page 147: Line 2 “Total  
Appropriation ..... \$218,873,000”  
This item is reduced to  
\$216,473,000.

On Page 148: Line 1 “52620-717.  
Residential Services ..... \$20,091,699”  
This item is reduced to  
\$18,091,699.

On Page 148: Line 2 “Total  
Appropriation ..... \$20,091,699”  
This item is reduced to  
\$18,091,699.

On Page 149: Lines 5-6 “Total Appro-  
priation, Department of  
Institutions and Agencies \$265,264,699”  
This item is reduced to  
\$260,214,699.

“*Department of Community Affairs*”

On Page 149: Line 2 “42130-800. Local  
Government Services ... \$50,891,906”  
This item is reduced to  
\$37,353,906.

On Page 149: Line 3 “Total Appro-  
priation ..... \$52,220,206”  
This item is reduced to  
\$38,682,206.

On Pages 149-150: Lines 23-22 “Not-  
withstanding the limita-  
tion on Urban renewal  
assistance not to exceed  
50% of local share, any  
funds advanced under the  
provisions of C52 :27D-50,  
which may subsequently  
be treated as a grant as  
therein provided, shall be  
disregarded in calculat-  
ing the State 50% contri-  
bution toward the local  
share; provided, however,  
that the expenditure  
thereof shall be subject to

transfers approved as prescribed in section 3 of this act.”

This item is deleted in its entirety.

On Page 150: Lines 39-46 “The amount provided hereinabove in the For planning local effectiveness a c c o u n t shall be used to assist counties and municipalities in planning the orderly growth and development of their jurisdictions; provided, however, that the State share shall not exceed 50% of the total project cost and the maximum annual grant shall not exceed \$15,000.”

This item is deleted in its entirety.

On Page 150: Lines 47-52 “The unexpended balance as of June 30, 1975 in the Municipalities franchise tax replacement account is hereby appropriated; provided, however, that the expenditure thereof shall be subject to t r a n s f e r s approved as prescribed in section 3 of this act.”

This item is deleted in its entirety.

On Page 150: Lines 53 - 61: “The amount provided hereinabove for Safe and Clean Neighborhoods shall be available for those municipalities qualifying for Municipal Aid, subject to enactment of enabling

legislation, for the purpose of improving safety and cleanliness of neighborhoods; provided, however, that each recipient municipality match its allocation with an equal amount; and provided further, that no municipality receive more than \$1 million.”

This item is deleted in its entirety.

- On Page 150: Line 2 “Total Appropriation . . . . . \$6,302,700”  
This item is reduced to \$5,002,700.
- On Page 150: Line 2 “Total Appropriation . . . . . \$6,302,700”  
This item is reduced to \$5,002,700.
- On Page 151: Lines 9-10 “Total Appropriation, Department of Community Affairs . . . . . \$59,077,266”  
This item is reduced to \$44,239,266.
- On Page 152: Line 13 “Total Appropriation, State Aid . . . . . \$1,263,647,471”  
This item is reduced to \$1,035,256,037.

“CAPITAL CONSTRUCTION”

“Department of the Treasury”

- On Page 154: Lines 1-6 Capital Construction: “For transfer to an applicant State department for advance planning, engineering design and architectural services for public works projects undertaken in

connection with matching Federal funds .....	(\$400,000)''
This item is deleted in its entirety.	
On Page 154: Lines 7-8 "Total Approp- riation, Department of the Treasury .....	(\$400,000)''
This item is deleted in its entirety.	
<i>"Department of Environmental Protection"</i>	
On Page 155: Lines 1-2A Capital Con- struction: "Protection and Maintenance, Dela- ware and Raritan Canal .....	(\$500,000)''
This item is deleted in its entirety.	
On Page 155: Lines 2B-2C "Miscellan- eous culvert replace- ments, Delaware and Rar- itan Canal .....	(\$100,000)''
This item is deleted in its entirety.	
On Page 155: Line 3 "Total Approp- riation .....	(\$600,000)''
This item is deleted in its entirety.	
On Page 157: Lines 11-12 "Total Ap- propriation, Department of Environmental Protec- tion .....	\$10,825,000''
This item is reduced to \$10,225,000.	
<i>"Department of Transportation"</i>	
On Page 159: Lines 1-14 "61100-612. State Highway Construc- tion .....	\$42,100,000''
This item is reduced to \$21,000,000.	

On Page 159: Line 15 "Sub-Total Ap-  
 propriation ..... \$42,100,000"  
 This item is reduced to  
 \$21,000,000.

On Page 160: Lines 16-17 "61190-612.  
 Transportation Construc-  
 tion Engineering ..... \$10,455,736"  
 This item is reduced to  
 \$9,955,736.

On Page 160: Line 35 "Total Appro-  
 priation ..... \$52,555,736"  
 This item is reduced to  
 \$30,955,736.

On Page 161: Line 61-61B ". . . after  
 consultation with the  
 Sub-committee on Trans-  
 fers of the Joint Appro-  
 priations Committee,..."  
 The foregoing part of  
 this item is deleted.

On Page 163: Lines 7-8 "Total Appro-  
 priation, Department of  
 Transportation ..... \$67,645,736"  
 This item is reduced to  
 \$46,045,736.

On Page 165: Line 20 "Total Appro-  
 priation, Capital Con-  
 struction ..... \$101,193,736"  
 This item is reduced to  
 \$78,593,736.

On Page 165: Line 21 "Grand Total  
 Appropriation ..... \$2,814,505,368"  
 This item is reduced to  
 \$2,430,319,769.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,  
 Attest: Governor,  
 /s/ CHARLES C. CARELLA  
 Executive Secretary to the Governor.

ASSEMBLY BILL No. 274 OCR (Esposito)

STATEMENT

I am filing Assembly Bill No. 274 (OCR) in the State Library without my approval.

Under the provisions of Article V, Section 1, Paragraph 14(b) of the Constitution, this bill does not become a law if it is not signed within the 45-day period, Sundays excepted, following the adjournment *sine die* of the Legislature. In these circumstances there is no provision for a veto, but I deem it to be in the public interest to state my reasons for deciding not to sign the bill.

At the outset of the December 10, 1975 public hearing which I conducted on this bill, I indicated that while its benefits to the licensed alcoholic beverage industry and to commercial interests were apparent, I was concerned about the potential inconvenience to the driving public and the administrative implementation of this legislation. That hearing confirmed my views on the merits of this bill. Unfortunately it did not dispel my concerns.

Doubtless, photographic driver's licenses would cut down sales of alcoholic beverages to underage purchasers, reduce the danger to the public from such sales, and provide alcoholic beverage license holders with a more reliable identification source. In addition, such licenses would facilitate commercial transactions by check.

Nonetheless, New Jersey has 4.5 million licensed drivers whose licenses must be renewed on a one-year or three-year basis. Under any system now utilized to produce photo-driver's licenses, each of those persons would be required to appear at a State-operated agency, such as one of our 50 privately operated motor vehicle agencies, or at a verification location, such as a bank, every one or three years. I am not convinced that the State is now, or can ever be under this bill, adequately equipped to assume that burden. To impose such a requirement on our citizens without unequivocal assurances of our ability to administer this system with a minimal intrusion on the time of the public cannot be justified. Moreover, New Jersey's \$4.00 annual renewal fee,

which would be increased up to \$5.00 by this bill, is already the nation's highest.

Furthermore, this bill does not alter the statutory requirement that renewals be issued by mail. That virtually mandates the utilization of a photographic system allowing for the retention of negatives, eliminates many competitive systems and would require an enormously expensive de-computerized retrieval system. Finally, a number of other administrative obstacles to implementation of the system in the manner required by this bill have not been resolved to my satisfaction. I am therefore filing Assembly Bill No. 274 (OCR) in the State Library without my approval.

Nonetheless, in light of the apparent desirable objectives achievable through a photographic driver's license system, I am today requesting the Attorney General to advise me within six months of a system for such licenses which is feasible. I expect that the recommendations will be comprehensive and that they may include a phased-in system or a limitation on the use of such licenses to a particular age group; they should indicate what legislative amendments, if any, would be necessary.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,  
Governor.

Dated: March 4, 1976.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
March 4, 1976. }

ASSEMBLY BILL No. 498 (1974)

STATEMENT

I am filing Assembly Bill No. 498 (1974) in the State Library without my approval.

Under the provisions of Article V, Section I, Paragraph 14(b) of the Constitution, this bill does not become a law if it is not signed within the 45-day period, Sundays excepted following the adjournment *sine die* of the Legis-

lature. In these circumstances there is no provision for a veto, but I deem it to be in the public interest to state my reasons for deciding not to sign the bill.

This bill would amend N.J.S.A. 40:74-18, which provides authority for municipalities operating under a commission form of government to adopt ordinances by petition and referendum. Under N.J.S.A. 40:74-18 a proposed ordinance becomes law if it is approved by a majority of the qualified electors voting on the ordinance. Under this bill a proposed ordinance would become law only if approved by a majority of the qualified electors voting on the proposal and at least 50% of the qualified electors of the municipality cast ballots in the referendum.

This bill would greatly undermine the effectiveness of the initiative process. While voter turnout often is low in special referenda, it also frequently is low in general elections. Nevertheless, we accept these expressions of the electorate as valid and binding. Since the experience with the initiative process is satisfactory, I see no need for implementing a higher participation requirement which could nullify many ordinances approved by a majority of the voters. At the same time, in those referenda which would be voided because of inadequate electoral participation, the public will have needlessly wasted much time, effort, and money.

In addition, this bill lacks an appropriate measure of even-handedness in application. The 50% voter participation requirement only applies to municipalities operating under a commission form of government. Municipalities organized under the Faulkner Act are authorized to adopt ordinances by initiative and referendum, but they are not subjected to the 50% voter participation requirement of this bill.

Accordingly, I am filing Assembly Bill No. 498 (1974) with the State Library without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,  
*Governor.*

Dated: March 4, 1976.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
March 5, 1976. }

ASSEMBLY BILL No. 587 (OCR) (1975)

STATEMENT

I am filing Assembly Bill No. 587 (OCR) in the State Library without my approval.

Under the provisions of Article V, Section 1, Paragraph 14(b) of the Constitution, this bill does not become a law if it is not signed within the 45-day period, Sundays excepted, following the adjournment *sine die* of the Legislature. In these circumstances there is no provision for a veto, but I deem it to be in the public interest to state my reasons for deciding not to sign the bill.

This bill would exempt persons 70 years of age or older from jury duty if they do not desire to serve.

I believe that the subject of this proposed legislation is more properly dealt with by the judiciary. The courts are in a better position to determine the burden of jury service and to devise appropriate relief. I question whether the blanket exemption of this class of persons is either wise or valid, but the judiciary has, in any event, more flexibility through its rule-making power to respond to valid claims for exclusion from this vital public duty.

Accordingly, I must file Assembly Bill No. 587 (OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,  
Governor,

Dated: March 5, 1976.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
March 4, 1976. }

ASSEMBLY BILL No. 941 (2ND OCR)

STATEMENT

I am filing Assembly Bill No. 941 (2nd OCR) in the State Library without my approval.

Under the provisions of Article V, Section I, Paragraph 14(b) of the Constitution, this bill does not become a law if it is not signed within the 45-day period, Sundays excepted, following the adjournment *sine die* of the Legislature. In these circumstances there is no provision for a veto, but I deem it to be in the public interest to state my reasons for deciding not to sign the bill.

Assembly Bill No. 941 (2nd OCR) would make it unlawful for any person to sell, attempt to sell or offer for sale any retail merchandise at a discount unless the discount policy of the store is plainly posted at the point of sale or display. Also prohibited would be selling at a discount other than that which is posted.

Existing law provides that the consumer must be given the benefits of any discount which is advertised. The failure to provide such a benefit is a violation of the Consumer Fraud Act subject to specific penalties. Restitution may also be made to the injured consumer. The consumer thus has adequate protection now.

Although the apparent intent of the legislation is to increase the availability of discounts to all consumers, the procedure required may instead discourage discount sales. The bill will also require the promulgation of regulations and exceptions. Enforcement of these regulations will impose significant cost on the Division of Consumer Affairs. Since the law now provides adequate protection to the consumer, and because the administrative burden and costs would be self-defeating, I have concluded that this bill should not be approved.

Accordingly, I must file Assembly Bill No. 941 (2nd OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,  
*Governor.*

Dated: March 4, 1976.

STATE OF NEW JERSEY,                    }  
EXECUTIVE DEPARTMENT,                }  
March 5, 1976.                         }

ASSEMBLY BILL No. 951 (1975)

STATEMENT

I am filing Assembly Bill No. 951 in the State Library without my approval.

Under the provisions of Article V, Section 1, Paragraph 14(b) of the Constitution, this bill does not become a law if it is not signed within the 45-day period, Sundays excepted, following the adjournment *sine die* of the Legislature. In these circumstances there is no provision for a veto, but I deem it to be in the public interest to state my reasons for deciding not to sign the bill.

This bill is intended to eliminate or at least limit so-called "sewer service." "Sewer service" is a term used to describe those cases where a landlord claims that he has personally served process on a tenant, but actually has not accomplished service.

It is questionable whether this bill will really overcome the problem associated with "sewer service" since it simply requires two mailings to the tenant without proof of receipt. More importantly, however, this alleged problem is more properly the subject of the courts. The judiciary has the experience to determine the extent of "sewer service," and can devise appropriate measures to counteract the practice. I believe that the judicial rule-making power is a better and more flexible device than this proposed legislative action.

Accordingly, I must file Assembly Bill No. 951 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,  
Governor.

Dated: March 5, 1976.

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT,  
March 4, 1976. }

ASSEMBLY BILL No. 1105 (OCR) (1975)

STATEMENT

I am filing Assembly Bill No. 1105 (OCR) in the State Library without my approval.

Under the provisions of Article V, Section I, Paragraph 14(b) of the Constitution, this bill does not become a law if it is not signed within the 45-day period, Sundays excepted, following the adjournment *sine die* of the Legislature. In these circumstances there is no provision for a veto, but I deem it to be in the public interest to state my reasons for deciding not to sign the bill.

This bill directs the Department of Transportation to conduct a study of the Eatontown Circle in Monmouth County at the intersection of Routes 35 and 36 and to perform construction and repairs found necessary by the study. The legislative process is an inappropriate vehicle for setting transportation priorities. While this project may be needed, as a matter of policy I believe that the Department should decide for itself what work should occupy its limited resources.

In addition, the bill may be technically deficient in that it would appropriate from the General State Fund "such sums as are necessary to effectuate the purposes of this act." According to N.J.S.A. 52:18-27, however, no monies may be drawn from the state treasury unless "explicitly appropriated." Moreover, no revenue raising measure accompanies this appropriation and, in its absence, I will not sign this bill.

Accordingly, I must file Assembly Bill No. 1105 (OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,  
*Governor.*

Dated: March 4, 1976.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
March 4, 1976. }

ASSEMBLY BILL No. 1194 (2ND OCR)

STATEMENT

I am filing Assembly Bill No. 1194 (2nd OCR) in the State Library without my approval.

Under the provisions of Article V, Section I, Paragraph 14(b) of the Constitution, this bill does not become a law if it is not signed within the 45-day period, Sundays excepted, following the adjournment *sine die* of the Legislature. In these circumstances there is no provision for a veto, but I deem it to be in the public interest to state my reasons for deciding not to sign the bill.

This bill directs the Department of Transportation to conduct a study of the Laurelton Circle in Brick Township and to perform construction and repairs found necessary by the study. The legislative process is an inappropriate vehicle for setting transportation priorities. While this project may be needed, as a matter of policy I believe that the Department should decide for itself what work should occupy its limited resources.

In addition, the bill may be technically deficient in that it would appropriate from the General State Fund "such sums as are necessary to effectuate the purposes of this act." According to N.J.S.A. 52:18-27, however, no monies may be drawn from the state treasury unless "explicitly appropriated." Moreover, no revenue raising measure accompanies this appropriation and, in its absence, I will not sign the bill.

Accordingly, I must file Assembly Bill No. 1194 (2nd OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,  
*Governor.*

Dated: March 4, 1976.

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT,  
March 4, 1976.

ASSEMBLY BILL No. 1628

STATEMENT

I am filing Assembly Bill No. 1628 in the State Library without my approval.

Under the provisions of Article V, Section I, Paragraph 14(b) of the Constitution, this bill does not become a law if it is not signed within the 45-day period, Sundays excepted, following the adjournment *sine die* of the Legislature. In these circumstances there is no provision for a veto, but I deem it to be in the public interest to state my reasons for deciding not to sign the bill.

The subject bill would expressly exempt from coverage under the Sales Tax Act personal property which is serviced and delivered outside of the State of New Jersey. In addition, the bill also exempts from coverage meals specifically prepared for and delivered to homebound elderly and/or disabled persons as part of any food service project funded in whole or in part by government or as part of a private non-profit funded project.

In regard to the provision dealing with meals for the elderly, my Division of Taxation informs me that in the past it has already exempted such transactions by regulation.

Insofar as the exemption for personal property serviced and then delivered out of the State is concerned, I strongly believe that such an amendment would represent a substantial and excellent step forward in reforming the present business tax structure that now plagues the economy of this State. However, I cannot overlook the fact that enactment of such an amendment may result in the loss of approximately \$5 million in tax revenue for the State. During this time of fiscal crisis, it would be irresponsible for me to allow such an amendment to become law without having the ability to recoup this loss through another revenue raising device.

Accordingly, I am filing Assembly Bill No. 1628 without my approval and requesting that the Legislature consider during this session adoption of the aforementioned Sales

Tax exemption for personal property serviced and then delivered out of the State as part of a total tax reform package for New Jersey.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,  
Governor.

Dated: March 4, 1976.

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT,  
March 4, 1976. }

ASSEMBLY BILL No. 2152 (1975)

STATEMENT

I am filing Assembly Bill No. 2152 (1975) in the State Library without my approval.

Under the provisions of Article V, Section I, Paragraph 14(b) of the Constitution, this bill does not become law if it is not signed within the 45-day period, Sundays excepted, following the adjournment *sine die* of the Legislature. In these circumstances there is no provision for a veto, but I deem it to be in the public interest to state my reasons for deciding not to sign the bill.

The subject bill, which only applies to Passaic and Hudson counties, allows certain State employees paid by such counties to be reinstated into a county pension fund upon their return to the State position within five years after having left the position. The bill would apply to employees who work for the State but are paid by the county, who have completed fifteen years of State employment before voluntarily leaving rather than being removed for cause, and who have accumulated at least fifteen years of pension credit. Upon their return to the State position, these employees would be allowed to purchase pension credit for the years when they were not in the State's employment. These employees would have to pay over the money which would have been deducted had they remained a member of the fund during these intervening years.

It has been the practice of our Division of Pensions never to permit any individual to receive credit, even when he has paid in additional money, for periods of time when he did not render any service at all to the public. This has

proven to be a sound practice and I find no compelling reason to now change this precedent.

Accordingly, I am filing Assembly Bill No. 2152 (1975) in the State Library without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,  
*Governor.*

Dated: March 4, 1976.

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT,  
March 4, 1976. }

ASSEMBLY BILL No. 2239 (2ND OCR) (1975)

STATEMENT

I am filing Assembly Bill No. 2239 (2nd OCR) in the State Library without my approval.

Under the provisions of Article V, Section 1, Paragraph 14(b) of the Constitution, this bill does not become a law if it is not signed within the 45-day period, Sundays excepted, following the adjournment *sine die* of the Legislature. In these circumstances there is no provision for a veto, but I deem it to be in the public interest to state my reasons for deciding not to sign the bill.

This bill amends the act providing for escheat of unclaimed bank deposits to require every bank having such a deposit to advertise that fact, in eight point size type, in a newspaper circulated in each county in which the bank has an office. Existing law does not specify point size and requires only that the bank advertise in the municipality in which its principal office is located.

An amendment to the bill, however, has resulted in a serious technical deficiency. Although an "unclaimed bank deposit" is one in which no transaction has occurred during the previous 20 years, this amendment has the effect of requiring publication for "unclaimed bank deposits" in which no transaction has occurred for the preceding five consecutive years. It is therefore not clear whether such advertising should be done every five years after the initial 20-year period has expired or every five years during the pendency of the initial 20-year period. As a result, although I endorse the original intent of this bill, the recent amendment may be inconsistent with the definition of "unclaimed

bank deposit'' and may result in considerable ambiguity and uncertainty.

Accordingly, I must file Assembly Bill No. 2239 (2nd OCR) without my approval.

Respectfully,

[SEAL.]

/s/ BRENDAN BYRNE,  
Governor.

Dated: March 4, 1976.

STATE OF NEW JERSEY }  
EXECUTIVE DEPARTMENT, }  
March 5, 1976. }

ASSEMBLY BILL No. 3004 (SR) (1975)

STATEMENT

I am filing Assembly Bill No. 3004 (SR) in the State Library without my approval.

Under the provisions of Article V, Section I, Paragraph 14(b) of the Constitution, this bill does not become law if it is not signed within the 45-day period, Sundays excepted, following the adjournment *sine die* of the Legislature. In these circumstances there is no provision for a veto, but I deem it to be in the public interest to state my reasons for deciding not to sign the bill.

A-3004 (SR) provides that any person who, while serving as a superintendent in a State penal institution, incurs a physical disability as a result of an injury received in the line of duty, during a prison disturbance, may be appointed or promoted to any position in the Department of Institutions and Agencies, notwithstanding any Civil Service rule to the contrary. Appointment or promotion would be made by the Commissioner of the Department of Institutions and Agencies within his discretion as to what is proper and necessary for the good of the Department.

I am advised that this bill was drafted and introduced to aid the former superintendent of Rahway State Prison who was injured in the riots of 1971. I am further advised that this individual is now retired and is on permanent disability. Thus, it would appear that the bill is no longer necessary. There is apparently no other person who would qualify for appointment or promotion under its terms.

Accordingly, I must file Assembly Bill No. 3004 (SR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,  
Governor.

Dated: March 5, 1976.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
March 4, 1976. }

SENATE BILL No. 530 (Dumont)

STATEMENT

I am filing Senate Bill No. 530 in the State Library without my approval.

Under the provisions of Article V, Section 1, Paragraph 14(b) of the Constitution, this bill does not become a law if it is not signed within the 45-day period, Sundays excepted, following the adjournment *sine die* of the Legislature. In these circumstances there is no provision for a veto, but I deem it to be in the public interest to state my reasons for deciding not to sign the bill.

This bill would prohibit any municipality from either increasing or decreasing its license fees for plenary retail consumption and distribution licenses to sell alcoholic beverages more often than once in any three year period and by no more than 20% of that required for the previous three year period or by \$500 whichever is less.

Although I endorse the intent of the bill which is to protect license holders against unreasonable and arbitrary modifications in fees, in my view existing law already affords adequate protection for license holders and still allows municipalities enough flexibility to adjust fees, some of which are now quite low. Those statutes now allow a municipality to modify fees by no more than 20% from that charged in the preceding license year or by \$500 whichever is less. In addition, there is now a range of permissible fees—from \$100 to \$2000—which limit a

municipality's discretion; that limit is not altered by this bill.

In that context, the existing statutory schemework represents an appropriate balance between preventing arbitrary fee alterations and allowing municipalities which assess those fees ample discretion.

Accordingly, I must file Senate Bill No. 530 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,  
Governor.

Dated: March 4, 1976.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
March 5, 1976. }

SENATE BILL NO. 760 (2ND OCR) (1974)

STATEMENT

I am filing Senate Bill No. 760 (2nd OCR) in the State Library without my approval.

Under the provisions of Article V, Section I, Paragraph 14(b) of the Constitution, this bill does not become a law if it is not signed within the 45-day period, Sundays excepted, following the adjournment *sine die* of the Legislature. In these circumstances there is no provision for a veto, but I deem it to be in the public interest to state my reasons for deciding not to sign the bill.

The bill requires the State Parole Board to give notice of its decision to a prisoner within 14 days after it meets with him. It also requires a rehearing on every parole denial within 14 days and a complete review of each denial within 12 months.

The system of parole in New Jersey is in need of reform to assure fairness to individuals and to society. But the particular obligation for rehearing imposed by this bill will require a substantial increase in expenditures for parole

procedures without corresponding benefit. The rehearing procedure simply duplicates the initial consideration. To require reconsideration immediately after the first decision precludes any meaningful review.

What is needed to improve our parole system is a procedure that insures careful consideration of each application, a judgment sensitive to that individual's circumstances with reasons fully explained to the applicant. This objective is not furthered by a uniform requirement that the decision-makers rehear each case—rather, this bill will encourage formalistic affirmation of the earlier proceeding, without any assurance of added justice. Existing procedures do require written reasons for denial of parole and review within 12 months.

Accordingly, I must file Senate Bill No. 760 (2nd OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,  
Governor.

Dated: March 5, 1976.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
March 5, 1976. }

SENATE BILL No. 767 (OCR) (1975)

STATEMENT

I am filing Senate Bill No. 767 (OCR) in the State Library without my approval.

Under the provisions of Article V, Section 1, Paragraph 14(b) of the Constitution, this bill does not become a law if it is not signed within the 45-day period, Sundays excepted, following the adjournment *sine die* of the Legislature. In these circumstances there is no provision for a veto, but I deem it to be in the public interest to state my reasons for deciding not to sign the bill.

This bill provides that no person may sell any food product with the word "honey" used in the packaging,

labeling or advertising of the product if the product does not contain honey.

The original version of this bill would have prohibited use of the word "honey" to describe any product unless the product was pure honey. The bill was apparently introduced to deal with products which use "honey" in their trade names but which principally contain honey substitutes.

The original bill was amended to limit its coverage to food products and to prohibit the use of the term "honey" only if the product did not contain honey. The effect of the amendment is to prohibit use of the term only when the food product is totally lacking honey as an ingredient. A product could thus contain only a trace of honey and still, under this bill, be described as "honey."

The bill as amended would appear to do little in the way of aiding disclosure of the nature of food products to the consumer, and could be construed to weaken existing protections against deceptive marketing practices. Federal and State food and drug laws and regulations now provide that a food is misbranded if its label is false or misleading in any particular. More specifically, both federal and State food and drug regulations provide that in the labeling of any food containing two or more ingredients, it may be deemed misleading to use a name which includes or suggests the name of one or more but not all such ingredients, even though the names of all such ingredients are stated elsewhere in the labeling. To the extent that this bill may be construed to sanction "honey" as a description for products which contain only a trace of that natural substance, the bill would be an unfortunate weakening of our current laws and regulations protecting both the vendor and consumer of honey.

Accordingly, I must file Senate Bill No. 767 (OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,  
*Governor.*

Dated: March 5, 1976.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
March 4, 1976. }

SENATE BILL No. 1032 (4TH OCR)

STATEMENT

I am filing Senate Bill No. 1032 (4th OCR) (1974) in the State Library without my approval.

Under the provisions of Article V, Section I, Paragraph 14(b) of the Constitution, this bill does not become a law if it is not signed within the 45-day period, Sundays excepted, following the adjournment *sine die* of the Legislature. In these circumstances there is no provision for a veto, but I deem it to be in the public interest to state my reasons for deciding not to sign the bill.

Senate Bill No. 1032 (4th OCR) would guarantee to persons committed in State and County mental institutions a legal right to receive adequate medical and psychiatric treatment. The bill would establish a Mental Treatment Standards Committee within the Department of Institutions and Agencies which would prepare a Manual of Adequate Standards for Treatment of the Mentally Ill. Upon its completion, this manual would be delivered to the Commissioner of Institutions and Agencies for adoption. Each state and county mental institution would then be required to adhere to the standards contained in the manual, a synopsis of which would be given to each patient.

The bill would also create a Patient Treatment Review Board which would receive, hear and investigate petitions filed on behalf of patients who allege that they are not receiving adequate treatment. The board would also recommend to the Commissioner such action as may be necessary to compel adequate treatment. Provision is made for legal counsel for indigent patients in proceedings before the Patient Treatment Review Board. Finally, provision is made for treatment in a community mental health center if there is a judicial determination that adequate care has not been provided, after exhaustion of the administrative procedure.

I wholeheartedly support the purpose of this bill. The State has a constitutional mandate to provide for the health, safety and welfare of its citizens. The State has a

special burden with respect to those of our citizens who are in our State and county institutions since they may be incapable of protecting their own interests. We must do everything possible to guarantee that those in our mental institutions do not become second-class citizens, or worse, simply forgotten ones. And there can be no question that they deserve the finest medical and psychiatric care and treatment which we can provide.

Enactment of this bill would be a substantial step towards assuming our burden. It would be a significant advance in the treatment of the mentally ill and will make New Jersey a national leader in the field. But I cannot sign the bill at the present time.

The bill provides that the adequate standards shall be established by the Standards Committee. The mandatory language of the legislation precludes the Commissioner of Institutions and Agencies from substantially receiving and modifying these standards. This is a supersession of the Commissioner's authority in which I cannot concur. The Commissioner is the official agent of the department for all purposes. She is statutorily mandated to determine all matters of policy and to regulate the administration of all institutions within the department, including the specific functions to be performed therein. It is therefore more appropriate for the Mental Treatment Standards Committee to be an advisory body which makes recommendations to the Commissioner who shall then review and modify the standards where necessary and appropriate. Alterations in the membership of this board are also appropriate, to reduce it to workable size without sacrificing professional expertise.

The procedure for judicial appeal after exhaustion of administrative relief which is specified in the bill is unnecessarily cumbersome and raises questions as to the proper role of the Patient Treatment Review Board. Accordingly, changes are necessary to clarify the role of this board, to simplify the appellate procedure and to comport with the present Rules of Court.

As drafted, the bill provides that "the commissioner shall allocate sufficient resources necessary to enable the State mental institutions to be able to provide at least the adequate staffing standards". I fully support the concept

that our institutions must be provided with the resources necessary to meet adequate standards of care and treatment. However, the allocation of such resources is a legislative, not a departmental function. The onus of allocating resources should not be placed on the Commissioner. To do so would be to place her in an untenable position of having to deprive other already under-funded departmental programs equally deserving of high priority and full funding. It would also be an abrogation of legislative responsibility.

The foregoing, although serious, are technical deficiencies which could be cured. The major impediment to my signing this bill is more critical. The provision of adequate standards of treatment will cost money. True, it is difficult to determine precisely how much; only educated guesses can be made. The Department of Institutions and Agencies and the Bureau of the Budget estimate that a minimum of \$2,450,000 will be necessary for the first full year of operation. While this figure can and has been disputed, there can be no dispute that what this bill mandates will require substantial expenditure of funds. We do not have these funds. To sign this bill with this knowledge would be to perpetrate a cruel hoax upon the citizens of this State. I will not do so. I will not promise what I know we cannot deliver.

Our citizens in mental institutions deserve more. Many of these institutions are not of the quality which they should be despite the ceaseless efforts of their staffs. We should and must do more. If the Legislature provides the appropriation which this bill would require and a revenue source for this appropriation, I pledge that I will not only sign, but that I will actively campaign for enactment of legislation such as this bill.

Accordingly, I must file Senate Bill No. 1032, without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,  
*Governor.*

Dated: March 4, 1976.

STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
March 4, 1976. }

SENATE BILL No. 1386 (1975)

STATEMENT

I am filing Senate Bill No. 1386 in the State Library without my approval.

Under the provisions of Article V, Section 1, Paragraph 14(b) of the Constitution, this bill does not become a law if it is not signed within the 45-day period, Sundays excepted, following the adjournment *sine die* of the Legislature. In these circumstances there is no provision for a veto, but I deem it to be in the Public interest to state my reasons for deciding not to sign the bill.

This bill amends the law governing the disposition of unclaimed personal property and money which comes into a municipal department by finding or recovery. It sought to achieve the same goal as Assembly Bill No. 2177 (Esposito) which was passed, conditionally vetoed and then readopted and approved on February 9, 1976, L. 1975, c. 306. In that context, there is no longer a need to sign this bill and I am, accordingly, filing it in the State Library without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,  
Governor.

Dated: March 4, 1976.

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STATE OF NEW JERSEY, }  
EXECUTIVE DEPARTMENT, }  
March 5, 1976. }

SENATE BILL No. 1504 (OCR) (1975)

STATEMENT

I am filing Senate Bill No. 1504 (OCR) (1975) in the State Library without my approval.

Under the provisions of Article V, Section I, Paragraph 14(b) of the Constitution, this bill does not become a law

if it is not signed within the 45-day period, Sundays excepted, following the adjournment *sine die* of the Legislature. In these circumstances there is no provision for a veto, but I deem it to be in the public interest to state my reasons for deciding not to sign the bill.

The subject bill creates an alternative statutory framework to existing law dealing with garage keeper's liens. The bill imposes a lien for towing, transporting or storing a damaged or disabled vehicle and gives priority to such a lien if the vehicle is incapable of safe operation or repair except at a cost in excess of its value. This legislation authorizes a sale 90 days after detention.

The sales and possessory lien provisions of existing garage keeper's statutes authorize release of an automobile to its owner pending judicial proceedings by a garage keeper to prove his claim if the owner deposits with the court a sum sufficient to cover the amount demanded by the garage keeper. Notwithstanding this procedure to assist an automobile owner to retain title, a recent court decision found said laws to be unconstitutional because the financial obligation of providing either a deposit or a bond was too burdensome upon the automobile owner and thereby deprived him of an adequate opportunity to be heard judicially prior to loss of title to his automobile. The subject bill suffers from a greater constitutional deficiency, since it does not even require a garage keeper to judicially establish his claim prior to sale in the event an owner disputes the reasonableness of the charges and is willing to submit a deposit or bond to a court.

I also note that the subject bill prohibits any further verification by the Division of Motor Vehicles or other concerned party after a garage keeper certifies that the vehicle in question is incapable of being operated safely or of being put in safe operational condition except at a cost in excess of the value thereof and requests a junk title certificate.

Accordingly, I am filing Senate Bill No. 1504 (OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,  
*Governor.*

Dated: March 5, 1976.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
March 5, 1976. }

SENATE BILL No. 3272 (OCR)

STATEMENT

I am filing Senate Bill No. 3272 (OCR) in the State Library without my approval.

Under the provisions of Article V, Section I, Paragraph 14(b) of the Constitution, this bill does not become a law if it is not signed within the 45-day period, Sundays excepted, following the adjournment *sine die* of the Legislature. In these circumstances there is no provision for a veto, but I deem it to be in the public interest to state my reasons for deciding not to sign the bill.

The subject bill would allow individuals, who have retired from a public employment position and who subsequently are employed in a second position which is covered by the same retirement system but which is not the "same or comparable position" as that from which they were retired, to collect both the pension based upon the first position and the salary for the second position. Under existing law, such individuals are prohibited from receiving pension benefits while employed in the second position and are required to re-enroll in the pension system upon taking the second position.

I have authorized an independent study of the potential cost of the subject bill. This study has now been completed and indicates that the subject bill, because of the possibility of encouraging earlier retirement, could cost public employers in New Jersey many millions of dollars. Notwithstanding the merits of the subject bill, the present fiscal dilemma facing public employers in New Jersey leaves me no choice but to prevent this bill from becoming law.

I am, however, concerned that failure to adopt any amendment to the existing law may discourage certain highly qualified individuals from running for public offices wherein their previous experience in public employment could be of great benefit to the residents of this State. More specifically, under existing law, retired public employees who are on a pension and who are contemplating running

for public offices, which are also covered by the same pension system, may be discouraged because of the loss of their pension. Since the ballot box would allow voters to decide whether an individual should hold an elected office and still receive a pension based upon prior public employment, existing law should be amended in order to allow the retired public employee running for elected office to have the issue decided on an ad hoc basis by the voters.

Accordingly, I am filing Senate Bill No. 3272 (OCR) without my approval and requesting that the Legislature consider adoption during this session of an amendment relating specifically to retired employees who run for elected office.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,  
*Governor.*

Dated: March 5, 1976.

STATE OF NEW JERSEY,  
EXECUTIVE DEPARTMENT,  
March 5, 1976. }

SENATE BILL No. 3342 (1975)

STATEMENT

I am filing Senate Bill No. 3342 in the State Library without my approval.

Under the provisions of Article V, Section 1, Paragraph 14(b) of the Constitution, this bill does not become a law if it is not signed within the 45-day period, Sundays excepted, following the adjournment *sine die* of the Legislature. In these circumstances there is no provision for a veto, but I deem it to be in the public interest to state my reasons for deciding not to sign the bill.

The bill reduces school bus registration fees and eliminates a fee for licenses. It is estimated that these reductions will result in substantial decreases in State revenues.

The adverse fiscal impact of this bill cannot be tolerated in this period of austerity. While the State has contributed in part to transportation costs of school districts, continuation of such assistance remains questionable in view of

current budgetary restraints. Until the State's fiscal situation improves, we simply cannot afford measures which decrease revenues needed to keep basic State programs operating at minimal levels of support.

Accordingly, I must file Senate Bill No. 3342 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,  
*Governor.*

Dated: March 5, 1976.



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A. 1106	Authorizes deductions of membership dues for retirement associations from pensions paid by the pension system of 1st class cities.	Absolute	69
A. 1124	Requires all municipal governing bodies to schedule every other periodic meeting in the evening.	Absolute	70
A. 1338	Permits municipalities to establish districts in which senior citizens' housing is permitted.	Absolute	74
A. 1365	Increases from \$12,000 to \$16,000 the maximum salaries for participation in a city employees retirement system in 1st class cities having in excess of 400,000 inhabitants.	Conditional	38
A. 3057	(OCR) Extends the time for municipalities to adopt their budgets and for county boards of taxation to prepare the table of aggregates for the year 1975.	Absolute	79
A. 3530	Increases the maximum annual salary for mayors and commissioners of certain fourth class cities.	Conditional	43
S. 411	Provides for the qualification, certification, and designation of the title of Registered Municipal Clerk.	Absolute	86

<i>Subject</i>	<i>Bill</i>	<i>Type of Veto</i>	<i>Page</i>
<b>MUNICIPALITIES (cont'd)</b>			
S. 530	Prohibits a municipality to increase or lower plenary retail consumption and retail distribution license fee more often than once in any ensuing 3-year period and in no case by more than 20% from that charged during the preceding 3-year period or \$500, whichever is the lesser.	Pocket	166
S. 702	Permits municipalities to enact ordinances to permit the parking of motor vehicles in front of private driveways, whenever both the vehicle and driveway is owned by the same person.	Conditional	50
S. 937	Increases from 1% to 10% of the minimum price or value of the property to be sold for deposit that may be required of all bidders by a county or municipality on real property capital improvement or personal property at either public or private sale.	Conditional	53
S. 960	Changes from January 1, 1969 to January 1, 1973 the date prior to which a municipality sold land and may waive any terms imposed on such date.	Absolute	88

**NURSING HOMES** see APPROPRIATIONS, S. 3130

**OPTOMETRISTS** see MEDICINE, A. 1551 (2nd OCR)

**PARKS**

A. 505	(OCR) Establishes a State memorial park for the preservation and exhibition of the battleship U.S.S. New Jersey as a permanent historical monument; creates the U.S.S. New Jersey Battleship Commission; appropriates \$5,000.	Absolute	61
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**PODIATRISTS** see MEDICINE, A. 1551 (2nd OCR)

**POLICE**

A. 2177	(2nd OCR) Prescribes the disposition of money or tangible property found by a policeman acting in line of duty and by any private citizen.	Conditional	42
A. 2179	Provides retirement after 35 years of service for members of the Consolidated Police and Firemen's Pension Fund who have received certain citations during military service.	Absolute	77
S. 1386	(1975) Prescribes the disposition of money or tangible property found by a policeman acting in the line of duty and by any private citizen.	Pocket	173

<i>Subject</i>	<i>Bill</i>	<i>Type of Veto</i>	<i>Page</i>
<b>PRISONS</b>			
S. 760	(2nd OCR) (1974) Requires a prisoner to be notified within 14 days, after appearing before the parole board, of the board's decision; permits the prisoner to request a rehearing if denied parole; requires a reconsideration within 12 months.	Pocket	167
<b>PSYCHOLOGISTS see MEDICINE, A. 1551 (2nd OCR)</b>			
<b>PUBLIC EMPLOYEES &amp; OFFICERS</b>			
S. 962	Permits any temporary public employee who became permanent and who failed to make any contribution to the Retirement Fund, to do so within 3 months after the effective date of the act.	Absolute	7
S. 3272	(OCR) Allows individuals, who have retired from a public employment position and who subsequently are employed in a second position which is covered by the same retirement system but which is not the "same or comparable position" as that from which they were retired, to collect both the pension based upon the first position and the salary for the second position.	Pocket	175
<b>PUBLIC UTILITIES</b>			
A. 3146	(OCR) Prohibits the Board of Public Utility Commissioners (PUC) from establishing a franchise area for solid waste collection or disposal where a collecting or disposing operator, who has either a PUC certificate of convenience and necessity or of Environmental Protection approval pursuant to the Solid Waste Management Act of 1970, is already engaging in the proposed franchise area.	Absolute	80
S. 1381	Provides for the reallocation of natural and synthetic gas.	Absolute	91
<b>REAL ESTATE</b>			
A. 501	(3rd OCR) Requires mortgagees to apply for cancellation of a mortgage within 45 days after said mortgage is redeemed, paid and satisfied.	Conditional	25
<b>RECREATION</b>			
A. 1222	Designated the "Ski Lift and Safety Act," provides for the registration and inspection of passenger tramways.	Conditional	33
A. 1288	(2nd OCR) Requires certain safety equipment on bicycles before the sale or rental of such bicycles.	Conditional	35

<i>Subject</i>	<i>Bill</i>	<i>Type of Veto</i>	<i>Page</i>
<b>SALES</b>			
A. 941	(2nd OCR) Designated the "Discount Policy Disclosure Act," requires that any discounts granted from posted retail prices be in accord with clearly stated and consistent store policies.	Pocket	157
A. 1253	(OCR) Prohibits the display of merchandise for sale in an assembled condition, when it is intended to be sold unassembled, unless a notice of same is displayed.	Absolute	73
S. 767	(OCR) (1975) Prohibits any person to sell any food product with the word "honey" on the packaging, labeling or advertising of the product, if the product does not contain honey.	Pocket	168
<b>SCHOOLS</b>			
A. 1130	Requires boards of education to conduct at least every other regularly scheduled meeting in the evening.	Absolute	71
<b>SCHOOL BUSES</b>			
S. 3342	(1975) Reduces school bus registration fees and eliminates a fee for licenses.	Pocket	176
<b>SENIOR CITIZENS</b>			
A. 587	(OCR) (1975) Exempts persons who are 70 years of age or older from jury service who do not wish to serve as Jurors. See also MUNICIPALITIES, A. 1338.	Pocket	157
<b>STATE</b>			
A. 90	Authorized the State to advance funds for travel expenses to State officers and employees under certain circumstances.	Absolute	1
A. 1000	(2nd OCR) Designated the "Economic Impact Disclosure Act of 1975," provides for certain proposed legislation and other State action; appropriates \$250,000.	Absolute	64
A. 3731	Expands the State's authority of regulation of the taking of sea clams within New Jersey's coastal waters.	Conditional	44
<b>STUDENT LOANS see FINANCIAL INSTITUTIONS, A. 1566 (2nd OCR)</b>			
<b>TAXATION</b>			
A. 1628	Prohibits the imposition of the sales tax on sales of services where the serviced property is delivered to the purchaser out of state for use outside the State.	Pocket	162

<i>Subject</i>	<i>Bill</i>	<i>Type of Veto</i>	<i>Page</i>
<b>TAXATION (cont'd)</b>			
S. 134	Provides that above ground swimming pools, which can be disassembled and removed from the land, shall not be subject to taxation as real property.	Absolute	5
S. 603	(2nd OCR) Requires the assessor, in preparing a tax list, to include in the description of each parcel, the existence of a tax title lien held by the municipality. See also HOUSING AND TAXATION, S. 1351.	Absolute	87
<b>TENANTS see HOUSING, A. 951 and A. 1060 (2nd OCR)</b>			
<b>VETERANS</b>			
A. 1077	(OCR) Provides educational benefits to the Vietnam war orphans.	Conditional	31
A. 1078	Provides for a deferment of payments for tuition and fees for veterans enrolled in State supported educational and training programs. See also HOLIDAYS, A. 91.	Absolute	67
<b>WEAPONS</b>			
A. 1091	(OCR) Prohibits as a high misdemeanor the selling of pistols or revolvers except antique firearms having a barrel die cast of metal which will melt at 800° F.	Conditional	32
<b>WOMEN</b>			
A. 2180	Prescribes the meaning of words and phrases ending in "man" or "woman" when used or named within the State laws.	Absolute	79







