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VETO MESSAGES

OF

HON. BRENDAN BYRNE
Governor of New Jersey



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

1976—1977

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1976—1977

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

ASSEMBLY BILL No. 1440 (OCR)

To the General Assembly:

Pursuant to Article V, Section I, paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 1440 (OCR), with my objections, for reconsideration.

This bill, which represents a response to a problem arising out of a change in form of government in Paterson, would authorize the municipal appointing authority, with the consent of the governing body, to appoint with permanent civil service status to a uniform firefighting position certain linemen and repairmen who have performed in said capacity for a period of eighteen or more years. Because of the length of service of these individuals, certain examination, age, and physical requirements would be waived.

I am convinced that the individuals affected by this bill are deserving of the benefits provided. However, the sponsor has brought to my attention an error which would inadvertently exclude certain deserving individuals from the benefits provided. Moreover, as with State Government, the final selection authority should rest with the appointing authority rather than the governing body.

Accordingly, I herewith return Assembly bill No. 1440 (OCR) for reconsideration and recommend that it be amended as follows:

Page 1, Section 1, lines 2 & 3: Delete from "with" on line 2 to "and" on line 3.

Page 1, Section 1, line 6: Delete from "fire" on line 6 to "in" on line 7.

Page 1, Section 1, lines 10, 11 and 12: Delete from "system" to "linemen" and insert "signal system repairman or lineman".

Page 1, Section 1, line 12: After “served” insert “in that capacity”.

Respectfully,

[SEAL]

Attest:

/s/ JOHN J. DEGNAN,

Executive Secretary to the Governor.

/s/ BRENDAN BYRNE,

Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
May 20, 1976.

ASSEMBLY BILL No. 1617

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Assembly Bill No. 1617 without my approval.

Assembly Bill No. 1617 would allow a municipality which is expecting to receive federal funds for a capital project to use short-term financing for 90 days longer than present law now allows. Under N.J.S. 40A:2-8 a municipality may float bond anticipation notes not exceeding one year for a period of five years. The bonds must all mature and be retired no later than five years and four months after the original bond anticipation notes are issued. To extend short-term financing for an additional 90 days, this bill authorizes a 90 day extension of the payment date on the existing notes if two conditions are met. The holder of the present notes and the Director of the Division of Local Government Services both must approve the 90 day extension of the note payment date.

In the context of current problems in municipal finance, Assembly Bill No. 1617 would create unwarranted risks. Extending the payment date on certain notes could be viewed by the investment community as a precedent for delaying debt payment obligations. It is essential that we demonstrate to investors that all levels of New Jersey government will continue to adhere to the rigorous protective standards of the existing State financing and budget laws.

This bill also is unlikely to help many municipalities. There is no guarantee that an additional 90 days of tem-

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On Page 8: Lines 2-3 "Total Appropriation, Legislative Services Agency\$ 1,722,187"
This item is reduced to \$1,498,356.

"Office of Fiscal Affairs"

On Page 8: Line 3 "72320-004. Division of State Auditing ...\$ 1,113,918"
This item is reduced to \$1,106,732.

On Page 8: Line 4 "72330-004. Division of Budget Review ...\$ 332,786"
This item is reduced to \$286,420.

On Page 8: Line 4A "72340-004. Division of Program Analysis.\$ 369,628"
This item is reduced to \$300,438.

On Page 8: Line 5 "Total Appropriation, Office of Fiscal Affairs\$ 2,094,800"
This item is reduced to \$1,972,058.

On Page 10: Line 6 "Total Appropriation, Legislative Affairs ..\$ 10,101,319"
This item is reduced to \$9,754,746.

"Executive Branch"

"Department of Law and Public Safety"

On Page 12: Line 3 "11290-120. Administration and Support \$ 3,287,461"
This item is reduced to \$3,137,461.

On Page 12: Line 4, "Total Appropriation\$ 34,221,127"
This item is reduced to \$34,071,127.

On Page 18: Lines 23-24 "Total Appropriation, Department of Law and Public Safety ..\$ 81,243,347"
This item is reduced to \$81,093,347.

“Department of State”

On Page 24: Lines 11C, 11D, 11E, 11F, “Of the amount provided hereinabove for cultural projects a sum of \$100,000 shall be provided for Newark Symphony Hall for staffing and operations.”

This quoted language is deleted in its entirety.

“Department of Agriculture”

On Page 27: Line 3 “41130-300. Resource Development Services\$ 452,824”

This item is reduced to \$437,824.

On Page 27: Line 4 “Total Appropriation\$ 1,839,980”

This item is reduced to \$1,824,980.

On Page 29: Lines 14-15 “Total Appropriation, Department of Agriculture\$ 3,681,275”

This item is reduced to \$3,666,275.

“Department of Environmental Protection”

On Page 46: Line 1 “46110-400, Parks Management\$ 5,368,806”

This item is reduced to \$5,348,806.

On Page 46: Line 5 “Total Appropriation\$ 7,352,408”

This item is reduced to \$7,332,408.

On Page 49: Lines 6-7 “Total Appropriation, Department of Environmental Protection \$ 40,762,923”

This item is reduced to \$40,742,923.

“Department of Higher Education”

On Page 65: Line 8 “33970. Institutional Support\$ 30,631,000”

This item is reduced to \$30,535,000.

- On Page 65: Line 9 "Sub-Total, General Operations\$ 131,388,000"
This item is reduced to \$131,292,000.
- On Page 65: Line 11 "Total All Operations\$ 155,588,000"
This item is reduced to \$155,492,000.
- On Page 66: Line 21C "Sub-Total Appropriation, General University\$ 74,230,600"
This item is reduced to \$74,134,600.
- On Page 67: Lines 32-39 "Of the amount provided hereinabove, \$96,000 shall be for the hiring of a Dean and for the development, planning, and study of a Veterinary School in New Jersey. A report shall be filed with the Chancellor of Higher Education by June 30, 1977, outlining recommendations including cost estimates and funding sources."
This quoted language is deleted in its entirety.
- On Page 69: Lines 36-37 "Total Appropriation, Rutgers the State University\$ 81,396,600"
This item is reduced to \$81,300,600.
- On Page 75: Lines 17-18 "Total Appropriation, Department of Higher Education\$ 295,896,932"
This item is reduced to \$295,800,932.
- "Department of Transportation"*
- On Page 77: Lines 22-25, "Of the amount provided hereinabove for Roadway and Bridge maintenance, a sum of \$100,000 shall be used for resurfacing Route 27 in Highland Park."
This quoted language is deleted in its entirety.

On Page 79: Lines 40-45, "... including \$30,000 for the feasibility study on the activation of the West Shore Railroad."
This quoted language is deleted in its entirety.

On Page 120: Lines 20-21 "Total Appropriation, General State Operations\$1,582,125,372"
This item is reduced to \$1,581,497,799.

STATE AID

"Department of Institutions and Agencies"

On Page 132: Line 1 "52530-715. Income Maintenance\$ 231,578,000"
This item is reduced to \$231,375,000.

On Page 132: Line 2 "Total Appropriation\$ 231,578,000"
This item is reduced to \$231,375,000.

On Page 134: Lines 18-19 "Total Appropriation, Department of Institutions and Agencies \$ 282,468,075"
This item is reduced to \$282,265,075.

"Department of Community Affairs"

On Page 134: Line 2 "42130-800. Local Government Services\$ 45,700,170"
This item is reduced to \$45,300,170.

On Page 134: Line 3 "Total Appropriation\$ 52,893,470"
This item is reduced to \$52,493,470.

On Page 135: Lines 17-18 "Total Appropriation, Department of Community Affairs\$ 56,844,470"
This item is reduced to \$56,444,470.

On Page 136: Line 25 "Total Appropriation, State Aid\$1,188,504,592"
This item is reduced to
\$1,187,901,592.

On Page 145: Line 14 "Grand Total Appropriation\$2,854,545,040"
This item is reduced to
\$2,853,314,467.

The Appropriations Bill allocates \$1,722,187 to the Legislative Services Agency for Fiscal Year 1977. This is an increase of \$223,831, or 15%, over the amount available to the agency in the current fiscal year. This amount also represents the amount requested by the agency. In this period of economic restraint every department in State Government has been forced to make sacrifices. Revenues have not increased sufficiently to justify large increases over the current level of spending. Few, if any agencies, have an appropriation which is more than the current year's appropriation. This is particularly true of agencies such as Legislative Services which have the use of unexpended balances, in this case, \$100,000. Accordingly, the appropriation to the Legislative Services Agency is reduced by \$223,831, to the Fiscal Year 1976 level.

The Appropriations Bill allocates \$2,094,800 to The Office of Fiscal Affairs. This represents an increase of \$122,742 over the present level of funding and is the amount requested by the agency. A significant part of this increase is due to a 23% increase over the current year's appropriation level for the Division of Program Analysis. While I recognize the importance of The Office of Fiscal Affairs and value its contribution to the operation of State government, as with the Legislative Services Agency, I cannot justify such an increased appropriation at the present time. The appropriation is therefore reduced by \$122,742 to the 1976 appropriation level.

The Department of Law and Public Safety annually conducts State Police Recruit Classes. The funds provided in the Appropriations Bill exceed the amount necessary to conduct one class but are insufficient for two classes. Therefore, the amount is reduced by \$150,000. This represents the appropriation necessary to train one recruit class.

Newark Symphony Hall is one of New Jersey's oldest and finest cultural institutions. Its continued existence benefits

every citizen of the State. It is therefore appropriate that the State contribute to its operation and maintenance, and I fully support expenditures for this purpose. However, this State is also fortunate to have a State Council on the Arts. The responsibility, and indeed, the obligation to determine priorities for expenditure of the cultural project funds is theirs. The Appropriations Bill is an inappropriate vehicle by which to determine such priorities. Therefore, although I strongly endorse the expenditure of funds by the Council for staffing and operations at Newark Symphony Hall, I delete the language in the bill which would mandate this expenditure.

The amount appropriated for Grants to Soil Conservation districts is reduced by \$15,000. The sum recommended in the bill is higher than the Department of Agriculture's request of \$93,000.

The Appropriations Committee funded the Delaware and Raritan Canal Commission at a level higher than prior years' appropriations.

The amount provided also exceeds the Department of Environmental Protection's determination of an adequate level of financing for Fiscal Year 1977. In accordance with my policy of fiscal restraint, the appropriation for expenses of the commission is therefore reduced by \$20,000.

For several years, New Jersey has purchased veterinary medicine education in out-of-State veterinary institutions. This has permitted many New Jersey residents to obtain an education in veterinary medicine which would otherwise be unavailable because of the absence of an in-State facility. My budget message increased the allocation of this program. The Appropriations Committee, however, reduced the funds available to purchase these educational services by \$96,000 and directed that this amount be used to hire a dean and to develop and plan a veterinary school of New Jersey. While I support the concept that New Jersey should have a veterinary school, I must delete that part of the Appropriations Bill which would transfer the usage of funds from purchase of services to planning and the hiring of a dean. I cannot justify commencing the development of a new institution of graduate education, with its necessarily significant cost implications for the future—both capital and operating—at a time when our existing institutions of higher education are operating on restricted

budgets. We simply cannot now afford the luxury of undertaking a new and substantial financial obligation for another institution for graduate education, albeit one which will benefit the citizens of this State. Fiscal integrity demands that we maintain, for the present, the purchase of service systems within the Central Office of the Department of Higher Education.

The Appropriations Bill, as submitted to me, designates two specific projects to be financed from appropriations to the Department of Transportation. These are the resurfacing of Route 27 in Highland Park and a feasibility study for the activation of the West Shore Railroad. While these projects may well prove to be highly meritorious and deserving of priority, the Appropriations Bill is an inappropriate vehicle through which to direct their initiation. Effective program management within the department dictates that the department, with its particular expertise and overview of the myriad of proposed projects in the State, determine the priority of such projects. I am certain that the merits of these particular projects will speak for themselves in such a departmental review. Accordingly, the language specifying the completion of these projects is deleted. However, the funding for Comprehensive Transportation Planning is not reduced. I support the amount provided by the Appropriations Committee.

There is presently in the Appropriations Bill an amount for Emergency Assistance. This amount exceeds what is expected to be required in Fiscal Year 1977. Accordingly, the funds for payments for Emergency Assistance are reduced by \$203,000. This sum recommended should be more than adequate to meet the expenses for emergency assistance, even with the recent amendments to the Emergency Assistance regulations which liberalize the availability of payments under extraordinary services.

Provision has been made in the Appropriations Bill for funds for Aid to Depressed Rural Areas, subject to the enactment of enabling legislation. Although a bill has been introduced to implement this program, the Legislature has, to date, failed to enact it. In the absence of authorizing legislation, I cannot approve the inclusion of these funds in

the budget. The funds for Aid to Depressed Rural Areas are therefore reduced by \$400,000.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,
Attest: Governor.
/s/ JOHN J. DEGNAN,
Executive Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT
December 1, 1977. }

ASSEMBLY BILL No. 1475 (OCR)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 1475 with my objection for reconsideration.

This bill allows any county or municipality to establish a voluntary deferred salary plan with its employees that will qualify for Federal Internal Revenue Service tax shelter benefits for those employees.

In order for the proposed plan to conform with the Internal Revenue Service regulations regarding tax shelter benefits under deferred salary plans, the employee must have no interest in the money contributed to the plan. However, language appearing in Section 3e, lines 45-48 of this legislation allows the employer to enter into an agreement with any entity designated by the employee for investment of specified amounts of deferred compensation.

This language violates the Internal Revenue Service provision concerning tax sheltered benefits for enrolled employees and would render the plan inoperative.

Accordingly I herewith return Assembly Bill No. 1475 for reconsideration and recommend that it be amended as follows:

Page 3, Section 3e, lines 45-48: Omit in their entirety.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,
Attest: Governor.
/s/ HENRY N. LUTHER, III
Executive Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT
September 26, 1977.)

ASSEMBLY BILL No. 1500 (OCR)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 1500 (OCR) with my objections, for reconsideration.

This bill would permit a court to order garnishment of wages, debts, earnings and income from trust funds, or profits in a contempt proceeding for failure to make support or maintenance payments. It would apply only if a defendant is more than 90 days overdue in making such payments.

This is a bill which will be of great assistance to the courts in enforcing support orders; I look forward to signing this bill into law. However, two flaws in the bill would seriously hamper its effectiveness. The bill speaks in terms of its applicability to "any contempt proceeding." A contempt proceeding is a term of art; under Rule of Court 1:10-4, this type of proceeding may be used to enforce child support payments. However, another available proceeding to enforce child support payments is the proceeding to enforce litigant's rights pursuant to Rule of Court 1:10-5. That proceeding is less cumbersome, and is used in more than 95% of support enforcement cases. To be certain that this bill will be most effective, it should be amended to apply to "any proceeding brought for failure to make support and maintenance payments."

The bill also requires that payments should be 90 days overdue in order for the bill to apply. While I certainly agree that a failure to make timely payments should be demonstrated, the 90 day period now set forth is too long a time period, particularly in light of the fact that court scheduling requirements might extend the period during which a parent and child would have to do without support payments to four full months. Forty-five days appears to me to be a more reasonable period.

Accordingly, I respectfully recommend the following change in Assembly Bill No. 1500:

Page 1, Section 1, Line 7: DELETE "contempt."

Page 1, Section 1, Line 9: DELETE “90” and INSERT “45”.

Respectfully,

Attest: ^[SEAL] /s/ BRENDAN BYRNE,
Governor.
/s/ JOHN J. DEGNAN,
Executive Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT
June 27, 1977.

ASSEMBLY BILL No. 1516 (OCR)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 (b) of the Constitution, I herewith return Assembly Bill No. 1516, with my objections, for reconsideration.

This bill would allot to each holder of a permit to conduct horse race meetings, one racing day in addition to the days authorized by the New Jersey Racing Commission, pursuant to P. L. 1940, c. 17. All moneys received by the Racing Commission from that additional racing day would be distributed by the New Jersey State Developmental Disabilities Council to organizations which (1) expend funds for direct services in full-time programs to New Jersey residents who are developmentally disabled and (2) are affiliated with a national organization of the same type and purpose.

The objective of this bill is clearly meritorious. The needs of developmentally disabled citizens in the State are substantial and deserve special attention. That is clearly reflected in the action taken by the Legislature and I am confident that any future bills that may be introduced to deal with the needs of different groups of citizens will be given the same careful consideration. Obviously, however many and meritorious other causes may be, this fund raising device must not be overutilized, and to ensure equitable treatment I recommend that the ultimate decision should lie within the discretion of the Racing Commission.

In addition, in order to avoid competition with Keystone Race Track in Pennsylvania and a competitive war for the

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The purpose of Assembly Bill No. 1985 is to amend the Child Labor Laws to exempt minors 14 years of age and older from the requirement of an employment certificate for work at agricultural fairs, horse, dog, or farm shows which last no longer than ten days and which do not conflict with regular school attendance. Employment certificates for school-age children are, by law, issued through the local public schools and enforced by the Department of Labor and Industry. Their purpose is two-fold: first, to ensure that the age and school status of a child seeking employment is verified by an authority which has the necessary records readily available, and second, to protect employers from inadvertent violations of the Child Labor Laws.

The bill which has been sent to me includes in its provisions an exemption for work in "similar exhibitions and expositions," a term which is not otherwise defined or delineated. I have been reluctant to sign this legislation into law because of the vagueness of that phrase.

In addition, the proposed legislation contains an unnecessary and conflicting condition disallowing work with power-driven machinery. Such employment for minors under 16 is already prohibited by P. L. 1973, c. 204 (C. 34:2-21.17). As to minors between the ages of 16 and 18, P. L. 1973, c. 204 (C. 34:2-17) indicates an intent to allow 16 to 18 year olds to work with certain power-driven machinery under specific conditions.

Therefore, I have decided to return Assembly Bill No. 1985 to you with the recommendation that certain amendments be adopted.

Accordingly, I herewith return Assembly Bill No. 1985 (OCR) for reconsideration and recommend that it be amended as follows:

Page 1, Section 7, Line 15: Delete " , or any similar exhibition or exposition "

Page 1, Section 7, Line 16B: Delete "power-driven machinery."

Page 1, Section 7, Line 16B: After the word "with" insert "employments prohibited by P. L. 1970, c. 115 (C.

34:2-21.15) and P. L. 1973, c. 204 (C. 34:2-21.17) of the child labor laws.”

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,
Attest: Governor.
/s/ HENRY N. LUTHER, III
Executive Secretary to the Governor.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT }
October 17, 1977. }

ASSEMBLY BILL No. 2125

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Assembly Bill No. 2125, with my objection, for reconsideration.

This bill amends current New Jersey law to permit the specific designation, in a collectively negotiated agreement, of the “duly certified majority representative”, as the sole recipient of organizational dues deducted automatically from the employee’s payroll. Payment of dues by way of the exclusive dues check off machinery to an employee organization other than the “duly certified majority representative” would be terminated as of July 1, next succeeding the date on which an employee’s notice of withdrawal was filed.

As passed by the Legislature, the bill may conflict with long established practices in the payment of dues by local school district employees in the education field where dues are often paid directly to organizations other than the majority representative. In order not to upset these practices, I recommend amending the bill to exclude employees of local school districts and county colleges.

In view of the above, I return Assembly Bill No. 2125 for your reconsideration and recommend the following change:

Page 2, Section 1, after line 33: Insert

“This authorization for negotiation of exclusive dues deduction provisions shall not apply to any negotiating unit which includes employees of any local school district or county college.”

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,
Attest: Governor.
/s/ JOHN J. DEGNAN,
Executive Secretary to the Governor.

July 11, 1977.

To the General Assembly:

This bill would increase the number of judges in the Division of Tax Appeals from seven to eleven and make certain other changes in current legislation governing tax appeals.

Because of the expenditure this bill would require and the “cap” legislation, its approval had to be delayed until the Legislature completed action on bills passed on the final day of the past fiscal year. I am now advised that the bill can be signed without violation of the “cap.” I believe that it is consistent with the Legislature’s intent to change the effective date of the legislation from its present “July 1 next following enactment” to make it effective immediately. This will allow these judges to assume their duties and begin work to reduce the current backlog.

Page 3, section 7, line 1: Delete remainder of section after “effect” and insert “immediately.”

[SEAL]

Attest:

Governor.

Executive Secretary to the Governor.

SENATE BILL No. 636 (OCR)

To the Senate:

Pursuant to Article V, Section 1, Paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 636 (OCR) with my objections, for reconsideration.

Senate Bill No. 636 (OCR) creates a State Energy Office to formulate comprehensive policies and programs for the production, distribution, consumption and conservation of energy resources. The powers of this agency would include the authority to require any energy industry doing business within the State to submit information, to prepare an emergency allocation plan of energy resources in the event of an impending serious shortage of energy, to establish an energy information system, to monitor prices charged for energy within the State and to design a program for the conservation of energy.

I have no objection to the basic provisions of this proposed legislation, and indeed the sponsor has noted that this bill was primarily drafted by my staff. The one area of disagreement has been the sponsor's insistence that the bill take this Office from its present location within the Department of Public Utilities.

There has been much controversy over the proper location of this Office. My personal view remains that the Department of Public Utilities is the most appropriate agency for the Office's functions. During the recent crisis, I believe that the Department of Public Utilities and the Office worked so effectively together that New Jersey's performance in dealing with the emergency was unsurpassed in the Nation. The Department is the most directly concerned with energy matters. It has the most experience and contacts with those who produce, distribute and use energy. Its regulatory authority over rates and its investigatory powers can, if effectively employed, be strong aids to the planning and conservation programs of the Energy Office. During recent months, the Department has demonstrated that it can realize its potential as a strong forum for protection of the public interest. Also, there would be a saving of close to \$100,000 from general revenues during

the next fiscal year if the Office remained in the Department, where it could be supported by the assessment against public utilities. This saving will be lost, and the burden placed on the general taxpayer, by removal of the Office from the Department.

The bill now before me places the Energy Office in the Department of Law and Public Safety, but expressly exempts the Office from any supervisory control of the Attorney General, who is the executive head of the Department. I do not believe the Office should be associated, even indirectly, with the chief law enforcement agency of the State government. In the recent crisis, some criticized what they saw as an undue emphasis on law enforcement in our emergency conservation steps. The Office should be basically a planning and policy formulation agency, and should not be placed within a department which has no positive association with energy policy other than its law enforcement capability.

Although I continue to believe that the Department of Public Utilities is the most appropriate location for this Office, I recognize that many legislators hold a contrary view. In the current energy crisis, there is a need for compromise by both the Executive and the Legislature. I feel that such a compromise, and many practical benefits as well, can be forged through my recommendation that the Legislature concur in the placement of the Office in the Executive Department for a period of five years.

The most recent energy crisis has shown again that the Governor must take a personal and continuing role in the development and implementation of our energy programs. At the commencement of my term in Office and again in the past weeks, I have not hesitated to take extraordinary steps to protect the public, or to criticize the federal policies which have led to an understandable lack of public credibility concerning the amounts and prices of our supplies provided by the giant energy companies. The State has fought for programs which would have forced these companies to disclose the information which they possess on the extent of our supplies, and to guarantee that those supplies are provided at a fair price. I continue to oppose those who would give away our natural resources to giant companies without effective controls on price or production. In the past, my direction of energy policy has brought criticism from those excluded from my confidence; these petty bureaucratic con-

cerns should not mask the fact that this State has had a vigorous and forceful position in the national energy debate.

Placement of the Energy Office under the Governor's direct control will confirm the central position which energy concerns must have in the coming years. The Governor has an overall view of the various programs of the respective State departments, and is able to use the powers of his Office to implement needed actions promptly and effectively. In a crisis, the Governor's extraordinary powers and responsibilities are a necessary part of an effective response to the emergency situation. Unlike the present bill the placement of the Office within the Governor's control will give the Office effective authority but not exempt it from necessary supervision.

I have also recommended placement of the Office in the Executive Department for a period of five years. This will permit a test of this Office's performance in the present structure, and a reevaluation of our energy programs in light of future concerns.

The time for political bickering is over. This is a good bill, and I feel the compromise which I now propose to the Legislature makes the Energy Office a stronger and more effective agency.

Accordingly, I herewith return Senate Bill No. 636 (OCR) with my recommendations for reconsideration and recommend that it be amended as follows:

Page 2, Section 3, Lines 6-7: Delete "Department of Law and Public Safety" and insert "Executive Branch in the Office of the Governor".

Page 4, Section 4, Lines 1-8: Delete in its entirety. Insert "4. The State Energy Office created in the Department of Public Utilities pursuant to Executive Order is hereby created by statute and continued and established in the Executive Branch in the Office of the Governor for a period of five years from the effective date of this act."

Respectfully,

[SEAL]	/s/ BRENDAN BYRNE,
Attest:	Governor,
/s/ HENRY N. LUTHER, III,	
Executive Secretary to the Governor	

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
February 14, 1977.

SENATE BILL No. 720

To the Senate:

Pursuant to Article V, Section I, paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 720 with my objections, for reconsideration.

This bill amends the statute governing the practice of podiatry. It deletes current restrictions against certain types of treatment on the foot and lower leg and permits the podiatrist to "treat any ailment of the human foot and those anatomical structures of the leg governing the functions of the foot including local manifestation of systemic diseases of any other part of the body". The bill also deletes restrictions against treatment of certain types of diseases, as they affect the foot, such as tuberculosis, osteomyelitis, malignancies, syphilis and diabetes; the bill deletes restrictions against treatment of certain types of injuries to the foot.

An amendment, which put the bill in its final form, would permit a podiatrist to treat "those anatomical structures of the leg governing functions of the foot". I am informed that this amendment was intended to better define the intent of the bill by clearly indicating that only structures affecting the foot could be treated by a podiatrist. However, this language could be interpreted to permit treatment of structures of the leg governing functions of the foot regardless of whether there is any ailment in the lower leg or foot and regardless of location of such anatomical structures on the leg. Thus, this language appears to broaden the effect of the bill beyond the scope intended; I am advised by the Board of Medical Examiners that this language should be deleted.

Accordingly, I herewith return Senate Bill No. 720 for reconsideration and recommend that it be amended as follows:

Respectfully,
 /s/ BRENDAN BYRNE,
Governor.

[SEAL]
 Attest:
 /s/ JOHN J. DEGNAN,
Executive Secretary to the Governor.

Attest: [SEAL] /s/ BRENDAN BYRNE,
Governor.
/s/ JOHN J. DEGNAN,
Executive Secretary to the Governor.

SENATE BILL No. 808 (OCR)

Pursuant to Article V, Section I, paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 808 with my objections, for reconsideration.

The bill is designed to give investors sufficient time and information to fully assess the reasonableness and ramifications of a tender offer, and to give target companies adequate time to defend their management policies to their stockholders and to clarify questions as to their financial status. Insofar as this bill accomplishes that intent by requiring an offeror to file a full disclosure statement with the Bureau of Securities and the target company twenty days before an effective offer is made, I am persuaded that it is worthwhile. Twenty-three other states have enacted similar legislation and New Jersey must also respond to the threat of unfair takeovers.

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However, the State's concern to protect its corporate citizens should not be so zealously exercised that it frustrates legitimate takeover efforts. Tender offer takeovers are often a desirable and efficient way for stockholders to rid themselves of ineffective or incompetent management. It is my opinion that this bill is too cumbersome in its attempt to restrict takeover and that a more limited and balanced approach would still provide the necessary protection.

Because I do not wish to delay this needed legislation, I have decided to return it to you with the recommendation that certain amendments be adopted.

Accordingly, I herewith return Assembly Bill No. 808 (OCR) for reconsideration and recommend that it be amended as follows:

Page 1, Section 2.a., Line 5: Delete "associate of the offeror" is:"and insert "'associate' of a person means:'"

Page 1, Section 2.a., Line 6-7: Delete "the offeror" and insert "such person"

Page 1, Section 2.a., Line 11-12: Delete "the offeror" and insert "such person"

Page 1, Section 2.a., Line 13: Delete "the offeror" and insert "such person"

Page 1, Section 2.a., Line 14: Delete "the offeror" and insert "such person"

Page 1, Section 2.a., Line 16: Delete "the offeror" and insert "such person" (both places)

Page 1, Section 2.a., Line 17: Delete "the offeror" and insert "such person"

Page 1, Section 2.a.(5), Line 17A: After the word "with" delete "that person" and insert "the offeror"

Page 2, Section 2.b., Line 19: Delete "Law" and insert "Consumer Affairs"

Page 2, Section 2.c.(2), Line 27H: Delete ";" and insert ", as described in c.(1) above;"

Page 2, Section 2.c.(3), Line 27J: Delete ";" and insert ", as described in c.(1) above;"

Page 2, Section 2.c.(4), Line 27L: Delete ";" and insert ", as described in c.(1) above;"

Page 2, Section 2.d., Line 30: Delete “;” after the word “security” and insert “, as described in c.(1) above;”

Page 3, Section 2.f., Line 41K: After the words “owner of” insert “any”

Page 3, Section 2.f., Lines 41K-41L: Delete “securities” and insert “security”

Page 3, Section 2.j., Line 50-52: After the word “corporation” delete “50% (exclusive of qualifying shares and shares subject to employee stock options) of”

Page 3, Section 2.j., Line 58: After the word “indirectly” delete “through subsidiaries”

Page 4, Section 2.1.(2)(e), Line 83: Delete “.” and insert “, provided that the terms thereof, including any inducements to officers or directors which are not made available to all shareholders, have been furnished to shareholders.”

Page 4, 2.1.(2)(h), Line 83A: After line 83A add new section (h) “(h) An offer to purchase shares of a company whose capital assets do not exceed \$5,000,000.00”

Page 5, Section 3.a., Line 7: Delete “been approved” and insert “been permitted to proceed”

Page 6, Section 3.b., Line 40: Delete the numeral “7” and insert the numeral “11”

Page 6, Section 3.b.(1)(ii), Line 61: Delete “he” and insert “that person”

Page 6, Section 3.b., Line 75-77: Delete “acquiring party” and insert “offeror”

Page 7, Section 3.b.(4), Line 80: Delete “acquiring party” and insert “offeror”

Page 7, Section 3.b.(4), Line 87: Delete “acquiring party” and insert “offeror”

Page 7, Section 3.b.(9), Line 117: Delete “acquiring party” and insert “offeror”

Page 8, Section 3.b., Line 136: Delete “acquiring party” and insert “offeror”

Page 8, Section 3.b.(11), Lines 142-143: Delete “acquiring party” and insert “offeror”.

Page 9, Section 3.b.(12), Line 169: Delete “office” and insert “officer”.

Page 9, Section 4.a., Line 1: Delete “Approval by bureau chief” and insert “Permission to proceed”.

Page 9, Section 4.a., Line 2: Delete “approve” and insert “permit”.

Page 9, Section 4.a., Line 3: After the words “this act” insert “to proceed,”.

Page 9, Section 4.a., Lines 5-11: Delete entirely.

Page 9, Section 4.a., Line 12: Delete numeral “(3)” and insert numeral “(1)”.

Page 9, Section 4.a., Line 12: Delete “might” and insert “to”.

Page 9, Section 4.a., Lines 14-15: Delete “customers or creditors” and delete “any remaining”.

Page 10, Section 4.a., Line 17: Delete numeral “(4)” and insert numeral “(2)”.

Page 10, Section 4.a., Line 17: Delete “and unreasonable” and insert “or inequitable”.

Page 10, Section 4.a., Line 19: Delete numeral “(5)” and insert “(3)”.

Page 10, Section 4.a., Lines 22-23: Delete “customers or creditors, or of the public;” and after the word “security-holders” insert “or” and before the word “security-holders” insert “remaining,” and after “employees” insert “;”.

Page 10, Section 4.a., Line 24: Delete numeral “(6)” and insert numeral “(4)”

Page 10, Section 4.a., Line 26: After the word “company’s” insert “remaining”

Page 10, Section 4.a., Lines 27-28: Delete “customers or creditors or of the public”

Page 10, Section 4.a., Line 27: After the word “security-holders,” insert “or” and after “employees” insert “;”

Page 10, Section 4.a., Line 29: Delete numeral “(7)” and insert numeral “(5)”

Page 10, Section 4.a., Line 30: Delete “of section 6”

Page 10, Section 4.b., Line 36: After the word "hearing" delete "." and insert ", unless the bureau chief finds that no cause for hearing exists."

Page 10, Section 4.b., Lines 47-48: Delete "any person to whom notice of hearing was sent," and after "any other person" insert "the bureau chief determines has sufficient interest"

Page 10, Section 4.b., Lines 48-49: Delete "whose interests may be affected thereby"

Page 10, Section 4.b., Line 52: Delete the word "presently"

Page 10, Section 4.b., Line 53: After the word "State" delete "." and insert ", or pursuant to such other procedure as may be established by the bureau chief."

Page 12, Section 7.a., Line 11-15: Omit in their entirety. Insert new subsection 7.b. as follows:

"b. If, in the course of any investigation or hearing conducted by the bureau chief pursuant to this act, a person refuses to answer a question or questions or produce evidence of any kind on the ground that he will be exposed to criminal prosecution or penalty or to a forfeiture of his estate thereby, the bureau chief may order the person to answer the question or questions or produce the requested evidence and confer immunity as in this section provided. If upon issuance of such an order, the person complies therewith, he shall be immune from having such responsive answer given by him or such responsive evidence produced by him, or evidence derived therefrom used to expose him to criminal prosecution or penalty or to a forfeiture of his estate, except that such person may nevertheless be prosecuted for any perjury committed in such answer or in producing such evidence, or for contempt for failing to give an answer or produce evidence in accordance with the order of the bureau chief and any such answer given or evidence produced shall be admissible against him upon any criminal investigation, proceeding or trial against him for such perjury, or upon any investigation, proceeding or trial against him for such contempt."

Page 12, Section 8.a., Line 7-8: Delete "is not effective" and insert "has not been permitted to proceed"

Page 13, Section 10, Line 1: After numeral "10." insert a title. "Voting of Securities; restrictions"

Page 15, Section 11.a., Line 13: After the words “Division of” delete “Law” and insert “Consumer Affairs”

Page 15, Section 11.b., Line 20: Delete “shall” and insert “may”

Page 15, Section 12.a., Line 14: Delete “his” and insert “the defendant’s”

Page 16, Section 12.b., Line 27-28: Delete “in the county where the target company has its principal business office in the State”

Page 16, Section 13, Line 1: Before the word “Penalties” insert “Criminal”

Page 16, New Section 14:

“14. Civil Penalties.

In addition to any other sanctions herein or otherwise provided by law, the bureau chief, upon notice and hearing, may impose a penalty not exceeding \$10,000 for any violation of this act or of any rule or regulation duly issued hereunder. Such penalty shall be recovered by and in the name of the bureau chief in a civil action by a summary proceeding under the Penalty Enforcement Law (C. 2A:58-1 et seq.) in the Superior Court, County Court, county district court or a municipal court, all of which shall have jurisdiction to enforce said Penalty Enforcement Law in connection with this act. Where any violation of this act or of any rule or regulation duly issued hereunder is of a continuing nature, each day during which such violation continues after the date fixed by the bureau chief in any order or notice for the correction or termination of such violation, shall constitute an additional separate and distinct offense, except during the time an appeal from said order or notice may be taken or is pending.”

Page 17, Section 13.e., Lines 30-32: Delete entirely.

Page 17, Section 14, Line 1: Delete numeral “17” and insert numeral “15”.

Page 17, Section 15.a., Lines 7-8: Delete “is measured either” and insert after the words “market value” “is the greater of the market value”.

Page 18, Section 15.c., Line 28: Delete “or” insert “and”.

Page 18, Section 15.d., Line 34: Delete “action” and insert “section”.

Page 18, New Section 16:

“16. Conflict with Other Laws.

All laws and parts of laws of this State inconsistent with this act are hereby superseded with respect to matters covered by this act; provided, however, that, nothing contained herein shall limit the power of the State to proceed against any person for conduct which constitutes a crime under any other statute, and further provided that, nothing contained herein shall affect the applicability of the New Jersey Anti-trust Act (N.J.S.A. 56:9-1 *et seq.*) or the rights conferred therein.”

Page 19, Line 1: Delete “15.” and insert numeral “17.”.

Page 19, Section 17.a., Lines 5-10: Delete everything after “Superior Court” through “stipulation”.

Page 19, Section 17.a., Line 5: After the words “appeal to the” insert “Appellate Division of”.

Page 20, Section 17.c., Line 21: Delete “commissioner” and insert “bureau chief”.

Page 20, Section 16, Line 1: Delete numeral “16” and insert numeral “18”.

Page 20, Section 16, Line 14: After the words “bank holding company” insert “,”.

Page 20, Line 2: Delete numeral “17” and insert “19. Application of Takeover Bid Disclosure Law”.

Page 20, Section 19.c., Line 17A: Insert “c. Where a takeover bid or takeover offer subject to the filing requirements of Section 3 of this act is also subject to similar laws of another state, or to review by Federal agencies, or other State agencies; the bureau chief may, at his discretion, hold joint hearings and otherwise cooperate with such State and Federal agencies, provided such cooperation furthers the purposes of this act and does not impair the ability of the bureau chief to proceed and make all requisite findings under section 4 of this act.”

Page 20, New Section 19, Line 18: Delete letter “c.” and insert “d.”

Page 20, Section 18, Line 1: Insert new section 20. as follows:

Page 1, Section 1.e., Lines 23 and 24: Delete “municipality or municipalities in which the race meeting is held.” and insert “racing permit holders conducting the race meeting.”

Attest: [SEAL] /s/ BRENDAN BYRNE,
Governor.
/s/ HENRY N. LUTHER, III,
Executive Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
May 23, 1977.

Pursuant to Article V, Section I, paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 1219, with my objections, for reconsideration.

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Accordingly, I herewith return Senate Bill No. 1219 for reconsideration and recommend that it be amended as follows:

On Page 4, Section 2, after Line 48: Insert new Section 3 to read as follows:

On page 4, Section 3, Line 1: Delete “3.” and insert “4.”.

Attest: [SEAL] /s/ BRENDAN BYRNE,
Governor.
/s/ JOHN J. DEGNAN,
Acting Executive Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
September 29, 1977.

To the Senate:

Pursuant to Article V, Section I, paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 1440 with my objections, for reconsideration.

Insofar as this bill accomplishes the above-mentioned purpose, I am persuaded that it is worthwhile. However, the passage of a resolution and the advertising of a sale are the major safeguards against corruption and self-dealing. Without those safeguards a possibility for serious abuse exists.

Therefore, I have decided to return it to you with the recommendation that such an amendment be adopted.

Page 1, Section 1, Line 15: After the first mention of the word “act” insert “, and provided, further, that this act shall not apply to individual sales where the sale price exceeded \$1,000;”

Attest: ^[SEAL] /s/ BRENDAN BYRNE,
Governor.
/s/ JOHN J. DEGNAN,
Acting Executive Secretary to the Governor.

SENATE BILL No. 1712 (2ND OCR)

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 1712 (2nd OCR), with my technical objection, for reconsideration.

This bill permits the political parties to apportion state committee membership in accordance with the rules and bylaws of their respective state committees. In order to allow for the election of state committee members under such a plan at this year's primary, the bill includes a compressed schedule of dates for promulgation of such reapportionment plan and notification to county chairmen and municipal clerks.

The legislation is intended to allow the state Democratic committee to reapportion itself in accordance with the mandate of national Democratic party rules. The national party's rules call for apportionment of all official party bodies according to one-man, one-vote principles.

I strongly support such reapportionment, and note that New Jersey law is guided by those principles in prescribing the formation of county committees. It is only the parties' state committees that are inconsistent, a relic of pre-reapportionment legislatures.

For this reason, I welcome the Legislature's action in passing legislation like Senate Bill 3099. It demonstrates a commitment to making party institutions workable instruments of the popular will.

While commending the Legislature for its decision to reform this archaic structure, I must point out that the bill presented to me does contain two serious deficiencies which prevent me from approving it in its current form.

Firstly, two of the three deadlines prescribed in the bill for promulgation of rules and notification to relevant persons had already passed by the time that the Legislature completed action on the bill. The hope that a newly-apportioned state committee could be elected at this June's primary accordingly could not be realized. Therefore, I am recommending that, for a state committee that elects to reapportion itself, committee members chosen in the 1977 primary election shall serve for only one year, and that a new committee be elected in June of 1978 to serve until 1981.

Secondly, I do not believe that the Legislature should grant to state party committees an unlimited power to restructure themselves. If the Legislature wishes to allow any discretion at all to the state party committees, it should be in the form of clearly prescribed options from which a state committee may choose.

I therefore recommend that the bill be amended to provide the following options:

(1) Apportionment of a 42-member committee, as under existing law, of one man and one woman from each county. I recommend this alternative with reluctance, because it does not provide for fair representation; nevertheless, I recognize that the Republican party has not yet indicated it would support reapportionment of its own state committee in accordance with one-man, one-vote principles of equity.

(2) Apportionment of an 80-member committee among counties according to population, except that every county would have at least one vote. Each county would elect an equal number of men and women.

(3) Apportionment of an 80-member committee according to the number of votes received by the Presidential candidate of said political party at the last preceding Presidential election. Each county would have at least one vote and would elect an equal number of men and women.

I accordingly recommend the following amendments for concurrence by the Legislature:

Page 1, Section 1, Line 12: After "party" omit remainder of line and insert "in accordance with one of the following options:

(a) one male and one female member of the State committee to be elected in each county;

(b) the State committee, composed of 80 members, to be apportioned among the several counties in accordance with population as determined at the most recent Federal decennial census; provided that each county have at least one vote; and provided further than an equal number of males and females be elected from each county, even if this require that a"

Lines 13-19: Omit

Line 20: Omit "county and may include the"

Line 20A: Omit "to". Omit "." and insert ";

After line 20A: Insert "(c) the State committee, composed of 80 members, to be apportioned among the several counties in accordance with each county's share of the number of votes cast for the presidential candidate of such

political party at the last preceding presidential election and provided that each county have at least one vote; and provided further than an equal number of males and females be elected from each county, even if this require that a number of males and females with less than one full vote be elected.”

Page 4, Section 6, Lines 1-15: Omit in their entirety and insert a new section 6 as follows:

“6. (NEW SECTION) a. On or before February 1, 1978, the State Committee of each political party shall adopt bylaws prescribing the apportionment of members of said committee in accordance with section 1 of this amendatory and supplementary act. The bylaws shall be adopted by a majority of the members of the respective State Committee present and voting at a duly convened meeting of said State Committee at which a quorum of at least 50% plus one is present. The chairman of each such State Committee shall certify the adoption of its bylaws to the Secretary of State on or before February 15, 1978.

b. In the event that a State Committee shall adopt on or before said date bylaws providing for an apportionment of members different from the apportionment under which the current members were elected, the terms of office of all members of such State Committee shall terminate on June 13, 1978, notwithstanding any other provision of law, and a new State Committee shall be elected at the primary election to be held in 1978.

c. If in any subsequent year a State Committee adopts bylaws to alter the apportionment of its members, such bylaws shall become operational and effective at the next primary election at which a Governor is to be elected.”

Page 4, Section 7, Line 1: Omit “and shall”

Page 4, Section 7, Line 2: Omit

Page 4, Section 7, Line 3: Omit “was prior to the effective date of this act”

Respectfully,

[SEAL] Attest:	/s/ BRENDAN BYRNE, <i>Governor.</i>
/s/ JOHN J. DEGNAN, <i>Acting Executive Secretary to the Governor.</i>	

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 21, 1977. }

SENATE BILL No. 3029

To the Senate:

Pursuant to Article V, Section I, Paragraph 14(a) of the Constitution, I herewith return Senate Bill No. 3029 without my approval.

This bill would affect the procedures for filling the Assembly vacancy created by the election of Joseph A. LeFante to the United States Congress. The bill would permit the county committees of each political party to nominate candidates for any special election to fill such a vacancy without having to conduct a special primary election. It would not be fair now to vest a new and broad power in county committee members when, at the time of their election, it was not known to the public.

My approval of this bill at this time would be interpreted in the Thirty-first District as substantially aiding one faction of one political party over another. I am not prepared to do that.

Therefore, I herewith return Senate Bill No. 3029 without my approval.

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,
Attest: Governor.
/s/ JOHN J. DEGNAN,
Executive Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
January 13, 1977. }

ASSEMBLY BILL No. 2028 (Second OCR)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 15 of the Constitution, I am appending to Assembly Bill No. 2028 (Second OCR) at the time of signing it, this statement of the terms, or parts thereof, to which I object so that each item, or part thereof, so objected to shall not take effect.

Page 1, section 1, line 13: Omit “\$600,000” insert “\$310,000”.

This bill as passed by the Legislature appropriates \$600,000 to the Department of Community Affairs to cover the cost to counties and municipalities of supplemental law enforcement personnel and public health related expenses required for Operation Sail and other Bicentennial activities during the period July 3 through July 7, 1976.

I have previously announced my intention to reduce the amount of this appropriation to the level reflected in claims submitted to the Department of Community Affairs through November 15, 1976. Although claims from counties and municipalities bordering on or near the Hudson River have substantially exceeded the \$150,000 allocated to this area by the bill, claims from the other two geographic areas designated as eligible for appropriations are below the allotments provided in the legislation. Consequently, total eligible claims in the amount of approximately \$310,000 have been filed with the Department. Since the manner of division of this appropriation has been the subject of considerable discussion in the Legislature, I do not believe it appropriate for me to attempt any modification of the geographic allocation fixed by the Legislature other than to reduce the total amount appropriated to the level of claims submitted.

My action should not be construed as a final determination that these claims are valid for full reimbursement. The Department must review each claim to ensure eligibility under the statutory formula and verification of the manner and amount of expenditures. In accordance with the legislation, any moneys not expended shall be returned to the General State Fund.

Respectfully,

[SEAL] Attest:	/s/ BRENDAN BYRNE, <i>Governor.</i>
/s/ JOHN J. DEGNAN, <i>Executive Secretary to the Governor.</i>	

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 2, 1978. }

SENATE BILL No. 1224 (5th OCR)

Pursuant to Article V, Section I, Paragraph 15 of the Constitution, I am appending to Senate Bill No. 1224 (5th OCR) at the time of signing it, this statement of the items, or parts thereof, to which I object so that each item, or part thereof, so objected to shall not take effect.

This bill, the County Environmental Health Act, primarily allows counties to assist in the development and enforcement of various environmental health programs. This is a good bill and I believe that it will assist both State and local governments in cooperating to improve our environment.

The bill contains important enabling authority which permits counties, if they so choose, to develop and administer a variety of programs.

I have decided to delete the appropriation of \$125,000.00 from the bill for matching grants to counties which elect to implement these programs. I am advised that this level of funding would provide extremely limited aid which would not serve as an incentive for those counties which do not seek to create their own programs.

In view of the tight budgetary picture for the coming months, it seems responsible to delete this funding, particularly when the loss of this amount of State money should not jeopardize the basic objectives of the legislation.

The enabling authority and the remainder of the bill, however, are significant features of the legislation which should become effective.

On Page 7, section 16, line 3: Delete "\$125,000.00."

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,
Attest: Governor.
/s/ ROBERT E. MULCAHY, III,
Chief of Staff—Secretary.

SENATE BILL No. 1501 (Corrected Copy)

To the Senate:

Pursuant to Article V, Section 1, Paragraph 15 of the Constitution, I am appending to Senate Bill No. 1501 (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.

1. *On page 1-2:*

“11420-160. *Consumer Affairs—Professional Boards*
Thomas W. Birdsall, 635 17th Avenue, Belmar, New Jersey 07719, for loss and resultant consequences of erroneous charge of gross negligency, incompetency, etc., by the New Jersey State Board of Professional Engineers and Land Surveyors in June of 1974, payable from funds appropriated to the State Board of Professional Engineers and Land Surveyors, \$4,400.”

This item is deleted in its entirety.

2. *On page 3:*

“600. *Department of Transportation*
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, \$35,000.”

This item is deleted in its entirety.

3. *On page 4:*

“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.

4. *On page 4, line 7:*

“Total Appropriation, Claims \$105,692”

This item is reduced to \$98,201.

5. *On page 4, line 14:*

“Total Supplemental Appropriation \$107,692”

This item is reduced to \$100,201.

Senate Bill No. 1501 (Corrected Copy) is a supplemental appropriations bill to authorize payment of certain claims filed against the State of New Jersey. I have decided, for the reasons below, to deny payment of the following claims.

The Birdsall claim for \$4,400 involves a complaint filed by the Attorney General before the State Board of Professional Engineers and Land Surveyors against Mr. Birdsall, a licensed professional engineer. The complaint alleged gross negligence in the review and approval of a subdivision plan while acting as a township engineer. The State retained an expert witness prior to the filing of the Complaint, and this expert offered the opinion that Mr. Birdsall had been grossly negligent. During the course of the hearing, this expert changed his opinion and the proceedings were then voluntarily dismissed against the claimant. Birdsall claims that he spent \$8,800 defending against the charges. The New Jersey Tort Claims Act bars this type of claim.

The claim should be rejected. On the basis of the expert's original opinion, there was probable cause to bring the complaint and there has been no showing of malice. Many administrative agencies hold such disciplinary hearings. Imposition of the costs of an unsuccessful prosecution upon the agency could increase the pressure to find against the defendant or decrease the bringing of such actions in close cases. Where there has been no abuse of discretion in the bringing of the action, the administrative agency should not be penalized.

The Borough of Netcong claim is based on proposed costs which would be incurred by the Borough for the upgrading of storm drains along Route 46. The municipality contends that the Department of Transportation caused flooding in a certain area when constructing Interstate 80. The Department of Transportation concedes that there is flooding at the area in question and that present drainage is inadequate. The Department maintains, however, that construction of Route 80 was an insignificant contributory factor to the present situation. The Department maintains that the problem can be properly corrected only on a larger scale, through the initiation of a more expensive project involving

The County of Morris claim of \$7,491 is for overtime expenses incurred by the Sheriff's Office of Morris County for security in the jury selection for a trial. The trial was transferred from Middlesex to Morris County to assure the defendants the opportunity to obtain a fair and impartial trial. This is a normal procedure followed when a question exists in the county where venue is regularly set of the fairness of that proceeding. It remains my view, as I have stated in vetoing this claim in prior years, that the expense of providing security through the Sheriff's Office in a particular county is not an appropriate expense for the Judiciary.

Attest: [SEAL] /s/ BRENDAN BYRNE,
Governor,
/s/ JOHN J. DEGNAN,
Executive Secretary to the Governor.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT
January 19, 1977.

To the Senate:

Pursuant to Article V, Section 1, Paragraph 15 of the Constitution, I am appending to Senate Bill No. 1708 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

“Legislative Services”

On Page 1: Line 4 “72210—Legislative
Services Agency \$127,935”
This item is eliminated in its
entirety.

“Office of Fiscal Affairs”

On Page 1: Line 6 “72330—Division of
Budget Review 41,353”
This item is eliminated in its
entirety.

On Page 1: Line 7 “72340—Division of
Program Analysis 43,445”
This item is eliminated in its
entirety.

On Page 1: Line 8 “Total Appropriation 84,798”
This item is eliminated in its
entirety.

“Legislative Commissions”

On Page 1: Lines 10-11 “72410-010. Inter-
governmental Relations Com-
mission 30,050”
This item is eliminated in its
entirety.

On Page 2: Line 17 “Total Appropriation,
Legislative Affairs 242,783”
This item is eliminated in its
entirety.

EXECUTIVE BRANCH

“Department of Insurance”

On Page 2: Line 1 “14290—Management
and General Support 100,000”
This item is eliminated in its
entirety.

On Page 2: Lines 11-12 “Total Appropria-
tion, Department of Insurance 100,000”
This item is eliminated in its
entirety.

“Department of Agriculture”

On Page 2: Line 1 “41130—Resource
Development Services 10,000”
This item is eliminated in its
entirety.

On Page 2: Lines 4-5 “Total Appropriation, Department of Agriculture This item is eliminated in its entirety.	10,000”
<i>“Department of Health”</i>	
On Page 3: Line 1 “22110—Community Health Service This item is eliminated in its entirety.	110,000”
On Page 3: Lines 5-6 “Total Appropriation, Department of Health This item is eliminated in its entirety.	110,000”
<i>“Department of Education”</i>	
On Page 3: Line 1 “32220—Resolution of Controversies and disputes This item is eliminated in its entirety.	30,000”
On Page 3: Line 4 “32320—Special Education This item is eliminated in its entirety.	900,000”
On Page 3: Line 9 “34130—Pingry Regional Day School This item is eliminated in its entirety.	100,000”
On Page 3: Line 15 “39130—Planning, Research and Evaluation This item is eliminated in its entirety.	92,568”
On Page 4: Lines 20-21 “Total Appropriation, Department of Education This item is eliminated in its entirety.	1,122,568”
<i>“Department of Higher Education”</i>	
On Page 4: Line 5 “33120—College-wide Organized Research This item is reduced to \$350,000.	435,903”

On Page 4: Lines 10-11 "Total Appropriation, Department of Higher Education 2,362,903"
This item is reduced to \$2,277,000.

"Department of Institutions and Agencies"
(Department of Human Services)

On Page 4: Line 1 "43120—General Medical Services 5,000,000"
This item is eliminated in its entirety.

On Page 4: Line 2 "53190—Administration and General Support 720,000"
This item is eliminated in its entirety.

On Page 4: Line 3 "Total Appropriation 5,720,000"
This item is eliminated in its entirety.

On Page 4: Lines 10-15 "In addition to the sum provided hereinabove for payments on behalf of medical assistance recipients for State share of increased provider costs, an amount of \$1,000,000 shall be transferred from the account Patient Employees in the Division of Mental Retardation."
The item of language quoted above is deleted in its entirety.

On Page 5: Line 16 "79130—Education Program, Garden State School District 300,000"
This item is eliminated in its entirety.

On Page 5: Lines 21-22 "Total Appropriation, Department of Institutions and Agencies (Department of Human Services) 6,020,000"
This item is eliminated in its entirety.

“Department of Community Affairs”

On Page 5: Line 1 “42110—Housing Code Enforcement	100,000”
This item is eliminated in its entirety.	
On Page 5: Line 3 “Total Appropriation	200,000”
This item is reduced to \$100,000.	
On Page 5: Line 8 “52310—Human Resources	30,000”
This item is eliminated in its entirety.	
On Page 5: Lines 12-13 “Total Appropriation, Department of Community Affairs	230,000”
This item is reduced to \$100,000.	

“The Judiciary”

On Page 6: Line 1 “73110—Supreme Court	78,745”
This item is reduced to \$30,000.	
On Page 6: Line 2 “73120—Superior Court	793,185”
This item is reduced to \$215,000.	
On Page 6: Line 3 “Total Appropriation ..	871,930”
This item is reduced to \$245,000.	
On Page 6: Line 7 “73210—Official Court Reporters	50,000”
This item is reduced to \$20,000.	
On Page 6: Line 8 “73290—General Support	1,040,470”
This item is reduced to \$485,000.	
On Page 6: Line 9 “Total Appropriation ..	1,090,470”
This item is reduced to \$505,000.	

On Page 6: Line 14A "Total Appropriation, Judicial Affairs 1,962,400"
This item is reduced to \$750,000.

On Page 6: Lines 15-16 "Total Appropriation, General State Operations 12,460,654"
This item is reduced to \$3,427,000.

"Department of Health"

On Page 7: Line 1 "22110—Community Health Services 5,332,013"
This item is reduced to \$3,000,000.

On Page 7: Lines 13-14 "Total Appropriation, Department of Health .. 5,332.013"
This item is reduced to \$3,000,000.

"Department of Environmental Protection"

On Page 7: Line 1 "41330—Marine Lands Management 510,000"
This item is eliminated in its entirety.

On Page 7: Lines 12-13 "Total Appropriation, Department of Environmental Protection 510,000"
This item is eliminated in its entirety.

"Department of Higher Education"

On Page 7: Line 1 "39220—Aid to County Colleges 4,790,952"
This item is reduced to \$2,000,000.

On Page 8: Lines 4-5 "Total Appropriation, Department of Higher Education 4,790,952"
This item is reduced to \$2,000,000.

"Department of Community Affairs"

On Page 8: Line 1 "42120—Housing 450,000"
This item is eliminated in its entirety.

On Page 8: Line 2 "Local Government
Services 7,950,000"
This item is reduced to
\$6,500,000.

On Page 8: Line 3 "Total Appropriation 8,400,000"
This item is reduced to
\$6,500,000.

On Page 8: Lines 13-14 "Total Appropria-
tion, Department of Communi-
ty Affairs 8,400,000"
This item is reduced to
\$6,500,000.

On Page 8: Line 20 "Total Appropriation,
State Aid 19,032,965"
This item is reduced to
\$11,500,000.

"Grand Total"

On Page 9: Line 8 "Grand Total, Supple-
mental Appropriation 35,993,619"
This item is reduced to
\$19,427,000.

This bill as passed by the Legislature would appropriate nearly \$36 million for various governmental programs. This money has been made available by revisions in expected revenues during the current fiscal year. Although this surplus revenue could be spent without imposing additional taxes, I cannot support spending money simply because it is available. The taxpayer has a right to demand that each dollar spent is absolutely needed; since I cannot agree that the \$36 million which would have been spent by this bill is essential, I am forced to cut this appropriation by \$16 million.

Over the past three years, the State government and the Legislature have made hard decisions which have placed New Jersey on a path toward fiscal responsibility and prudence. We have cut costs, ending a decade of average annual State budget increases of 16.8% so that the costs in the last two fiscal years to support State government have been held to only a 2.4% increase. We have taken steps toward an equitable tax structure, one which lowers the burden on the homeowner, the poor and elderly and which makes New Jersey attractive once more to the development

of new business and employment opportunities. This Legislature has taken the unprecedented step of restricting by law increases in spending by government at all levels.

In securing the passage of the various items in this bill, individual legislators have worked to convince their colleagues of the need for particular programs. In some cases, these programs would benefit a particular area of the State; in others a certain group or interest would gain. The legislators who successfully pressed the interests of their constituents should be congratulated. They did their jobs well.

I also recognize that some of these requests originated from the State agencies, which have understandably sought more support for the programs which they consider important. In some cases, the length of time which has passed since this bill was originally proposed has enabled us to find other monies to substitute for items which the Legislature justifiably thought vital. Again, the Legislature deserves no criticism for the changed situation caused by the passage of time.

Yet it is my job to make sure that the progress we have made is not lost simply because we are in the unusual situation of having some surplus. It is my job to force the State departments to make do with what they have, to seek improved productivity from their workers or to defer or abandon new purchases. The task of cutting programs which would aid worthy projects, groups or individuals is not one which is likely to win friends or political favor, either within or outside State government; it is however, the job which I can and must do if we have any hope of convincing New Jersey taxpayers that their money is spent only for the essential services of government.

* * *

We have made significant progress in recent years in strengthening the Legislative Services Agency and the Office of Fiscal Affairs. Nevertheless, the restoration of the sum provided in this bill would permit the Agency and Office to escape the spending reductions which have been previously imposed on all executive branch agencies. The Agency and Office can accept the restraints of the limited revenues, and utilize presently available funds.

The bill would restore funds to the Intergovernmental Relations Commission to enable the State to continue its membership in the Education Commission of the States and

the Atlantic States Marine Fisheries Commission. There have been questions raised concerning the value to the State from membership in the first organization, and participation in the second may be no longer needed as a result of recent federal legislation creating new regional fisheries councils. In both cases, it seems best to reevaluate the merits of participation in these groups at the beginning of the next fiscal years.

During the 1975 fiscal year, the Legislature passed three new laws requiring administration by the Department of Insurance. Although some funds were previously provided which enabled the Department to complete some planning, full implementation of the new laws will require additional support. In the current year, the Department may be able to shift funds from unfilled positions to continue its phased assumption of these new responsibilities. In the budget for the new fiscal year, we will reevaluate the scope of the programs in an attempt to fund the administration of these laws at an adequate level. Since full implementation will not take place in the current year, the Department should not need the funds appropriated by this bill.

The bill provides funds for the creation of a new position in the Department of Agriculture to administer the assistance program for soil conservation districts. This program has been previously administered by existing staff, and it seems unlikely that a significant improvement in the program will result from the addition of this position.

The bill provides funding for programs in the Department of Health for lead poison controls and youth camp safety. Presently, with the aid of federal funds and the part-time use of inspectors employed in other programs, the State performs basic services in each area. Even with the funds provided in this bill, I am advised that the State's program would only be a cosmetic effort to treat problems of wide scope and magnitude. It would not be responsible to approve this bill when much more substantial programs are needed at levels of support beyond the State's ability to pay.

Funds would have been appropriated to the Department of Education for additional hearing examiners. If necessary, the Department may be able to reallocate existing resources for this purpose during the balance of the current year until the extent of the backlog can be reevaluated in the process of preparing the budget for the next fiscal year.

The Public School Education Act of 1975 requires that the State provide for the educational services of children eligible for day training for the mentally retarded. The assumption of the State's responsibilities for such education raises difficult and complicated questions concerning the nature and extent of the required programs and funding. Before we begin to spend money in this area, the State needs a comprehensive plan to ensure that our expenditures produce the best possible results for the affected children. I have directed that such a plan promptly be developed to identify the needed standards and level of funding for this important program.

Since the introduction of this bill, it has become clear that startup costs for the Pingry Regional Day School will not be required in the current fiscal year. This item has accordingly been deleted.

The Public School Education Act provided that minimum standards of education would be set so that we could better assess the quality of education offered children throughout the State. I strongly support this concept. As with the other fiscal reforms enacted during the past year, this law is important to convince the taxpayer that he is getting full value for each dollar spent on education. Since the Department has existing funds from unfilled positions, I do not believe that there is a need for additional funds for the months remaining in the present fiscal year in order to commence this program. I have accordingly eliminated the \$92,560 allocated by this bill. I intend to monitor the implementation of this program closely, and believe that the Department will be in a better position at the end of the fiscal year to assess its progress and determine the need for any additional funds.

The battle against cancer must be a high priority of government. I have created a Cabinet Committee on Cancer Control to coordinate and focus State cancer programs. This Committee has recently filed an application for \$6.8 million in federal funds to support a wide variety of cancer research and control activities. The Legislature has also demonstrated justifiable concern in creating a Commission which presently is reviewing legislative proposals to establish and fund cancer programs.

The \$435,903 appropriation which this bill would provide to support long-term basic research activities at the Institute of Medical Research at Camden is only a small proportion

of the support needed by this excellent facility. In view of the State's budgetary situation, it is clear that the Institute needs more stable funding to support its projects. I have reduced the current appropriation to the \$350,000 which was provided to the Institute in past years, and have directed my Cabinet Committee to work with the Institute toward obtaining a more secure source of money than general State revenues. This appropriation allows for the continuance of the program in Camden.

We can be proud of the fiscal controls which New Jersey has imposed on the costs of the Medicaid program. As a result of controls on hospital rate increases, vigorous investigation and prosecution of fraud, and other factors, I have been advised that a substantial surplus in the Medicaid account can be anticipated during the current year. Because of this surplus, funds appropriated by this bill for two Medicaid-related programs are no longer needed.

One of the cutbacks in the Medicaid program made during the 1976 fiscal year was a reduction of the fee allowed to providers of medical care services. This appropriation would permit the cost of these services to be increased to the 1975 amount. The Legislature has approved this long-deferred increase, and I concur that the increase is warranted. Since there are now surplus funds available, I am directing the Department to reallocate these funds to implement this fee adjustment, and the present appropriation is unnecessary.

As with the increase in provider fees, the Legislature has also acted prudently in increasing the amount for investigation of Medicaid fraud. In comparison with other states, New Jersey's efforts in curtailing fraud have been highly successful. Again, however, the current surplus in the Medicaid account can be reallocated for this purpose, thus eliminating the need for the appropriation.

The Garden State School District receives funds for distribution to the various correctional institutions for inmate training programs. Funds were added in anticipation of cutbacks in federal support of such programs. However, there is currently a balance of unexpended funds for this program which can be reallocated to eliminate the necessity for this appropriation.

The Department of Community Affairs would have received an additional \$100,000 for housing code enforce-

ment. Because of unfilled positions, there is currently a surplus in this account. If additional activities are warranted, they can be financed by this surplus.

The Office of Hispanic Affairs has been measurably strengthened in the last year so that it can serve the needs of the State's Hispanic community. The appropriation for Spanish Speaking Projects increased from \$250,000 in 1976 to \$400,000 in 1977, and I intend to provide additional support in the budget for the new fiscal year. These past and proposed appropriations are sufficient to eliminate any need for this supplemental funding.

The Chief Justice has requested substantial additional funding for the improvement of court operations and support. I have reduced the appropriation to \$750,000, which will permit a start of these projects. Meanwhile, I hope that new efforts can be made to obtain alternative sources of funding from federal agencies for some of the projects covered by this money.

The former program of State aid to local health programs was terminated at the end of the 1975 calendar year. This appropriation of \$2,332,013 would reinstitute the program at a point when continued State funding is unlikely because of limited revenues for existing programs. Furthermore, under the current State aid formula for distribution, these funds would not be distributed in a most effective manner. This State aid formula should be reviewed in the coming months. It seems unwise to expend this substantial sum at the present time under the current formula.

The appropriation of \$3 million to the Jersey City Medical Center is intended to subsidize its operating deficit. I am concerned about the existing controls over the financial management of the Center. The Legislature has passed a companion bill currently before me which indicates that some voluntary improvements in operations have been made. I have been assured that other actions will be taken to impose tighter fiscal controls on the Center's operations. While I am, with some reluctance, approving this appropriation in the interests of the Center's patients, I am doing so only on the basis of assurances of the Center's cooperation in reorganizing its operations. My approval should not be viewed as a precedent for future funding of deficits of the Center or other hospitals. To ensure adequate monitoring of State funds and an ongoing oversight role, I shall submit

legislation providing for appointment by the Governor of two members on the Center's governing board. The Center should take steps now to avoid the necessity for this appropriation next year.

The \$450,000 appropriated for shore protection projects would be in addition to \$1 million provided in the past year. While there is a backlog of current projects, it is my understanding that the time required for approvals of pending applications for the already authorized funds will eliminate any need for this money in the current year. The sum in the original budget is more than adequate for construction-ready projects. It may also be possible to secure federal funding of certain projects if additional public works monies are approved by the Congress and the President. Under such circumstances, I do not believe this appropriation is justified at the present time.

The special appropriation for a beach maintenance project to the Borough of Keansburg would set a bad precedent. If funds were available, there should be standards for a comprehensive program in this area.

One municipality should not be favored when there are insufficient funds to establish the program on a more comprehensive basis.

The \$4,790,952 appropriation to the county colleges may represent, in my view, an unfortunate reward to certain institutions which have not made adequate efforts to live within budget restrictions imposed on other governmentally supported agencies. This money is purportedly needed because of problems related to enrollment increases in the 1974-75 fiscal year. By approving this full sum, we would pay funds to certain colleges which have failed to adjust their programs and spending to the level of funding identified in the budget. Other institutions may have a demonstrated need for these sums because of factors outside their control. After consultation with the Chancellor of Higher Education, I have determined that this appropriation can be reduced to \$2 million, which should be a sufficient level of funding for those institutions which can justify their requests. I have further directed that these funds should only be expended upon the recommendation of the Chancellor that a county college has demonstrated the existence of fiscal problems related to enrollment overruns during the 1974-75 fiscal year. It would be unfair to the

other institutions which have learned to cut back in view of current fiscal restraints if I approved this entire appropriation.

The current appropriation for the Revolving Housing Development and Demonstration Grant Fund was increased by \$1.2 million over the \$3 million provided in 1976, even though other activities of the Department of Community Affairs were substantially reduced. There also may be alternative funds from bond accounts or other sources for the program which would avoid the need for this additional expenditure.

Appropriation of \$400,000 has again been approved to create a new aid program for depressed rural areas. The Legislature has before it a companion bill to authorize this program. I question whether the formula provided in the pending bill before the Legislature fairly treats those areas in greatest need, and will work with the Legislature to revise the formula. Meanwhile, I do not think it proper to appropriate this money until the Legislature completes action on the manner in which the money should be spent, and will reconsider this expenditure when the authorization bill, and a separate appropriation measure, reaches my desk.

The bill would have appropriated \$1,050,000 to restore a program dropped in the 1976 budget to reimburse municipalities for revenues lost from the earlier repeal of municipal franchise taxes on motor buses. The municipalities have received additional support from federal and State governments through revenue sharing, and have learned to adjust to the loss of this revenue.

* * *

There is nothing wrong with a constant monitoring of State expenditures. The Legislature has done it well. I believe that my record of limiting expenditures in the past three years indicates they can be controlled. I recognize the need for constant vigilance and communication with the Legislature to achieve this purpose. I will try my best.

Respectfully,

[SEAL] Attest:	/s/ BRENDAN BYRNE, <i>Governor.</i>
/s/ JOHN J. DEGNAN, <i>Executive Secretary to the Governor.</i>	

SENATE BILL NO. 3200

To the Senate:

Pursuant to Article V. Section 1, Paragraph 15 of the Constitution, I am appending to Senate Bill No. 3200 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.

GENERAL STATE OPERATIONS

EXECUTIVE BRANCH

“Department of Labor and Industry”

On Page 41: Lines 1-2 “59210-380. Expansion and Growth of Commerce and Industry \$2,064,036”
This item is reduced to \$1,864,036.

On Page 41: Line 3 “Total Appropriation 2,064,036”
This item is reduced to \$1,864,036.

On Page 42: Lines 8-9 “Total Appropriation, Department of Labor and Industry 20,788,889”
This item is reduced to \$20,588,889.

“Department of Environmental Protection”

On Page 45: Line 1 “46110-400. Parks Management \$8,222,494”
This item is reduced to \$7,822,494.

On Page 45: Line 5 “Total Appropriation 10,638,669”
This item is reduced to \$10,238,669.

On Page 48: Lines 48-49 “Total Appropriation, Department of Environmental Protection 28,351,269”
This item is reduced to \$27,951,269.

“Department of Higher Education”

On Page 56:	Line 1 “33970. Institutional Support	\$745,218”
	This item is reduced to \$640,940.	
On Page 56:	Line 2 “Total Appropriation	745,218”
	This item is reduced to \$640,940.	
On Page 64:	Line 1 “33120. Research	4,836,515”
	This item is reduced to \$4,696,515.	
On Page 64:	Line 3 “Sub-Total. General Operations	7,921,787”
	This item is reduced to \$7,781,787.	
On Page 64:	Line 6 “Total All Operations	13,213,000”
	This item is reduced to \$13,073,000.	
On Page 65:	Line 13 “Sub-Total Appropriation	7,886,787”
	This item is reduced to \$7,746,787.	
On Page 65:	Lines 36-37 “Total Appropriation, Rutgers, The State University	94,947,500”
	This item is reduced to \$94,807,500.	
On Page 72:	Lines 50-51 “Total Appropriation, Department of Higher Education	328,419,550”
	This item is reduced to \$328,175,272.	

“Department of Transportation”

On Page 75:	Lines 29-33 “. . . In Ringwood Township, Passaic County, and at three locations in Sussex County.”
	This quoted language is deleted in its entirety.

“Department of Community Affairs”

On Page 92: Lines 34-39H “. . . For Revolving Housing Development and Demonstration Grant Fund, \$1,550,000; for Youth employment program, \$750,000; for Community Development, \$1,000,000; . . .”
This quoted language is deleted in its entirety.

“Interdepartmental Accounts”

On Page 110: Line 1 “78220. Employee Benefits \$193,351,196”
This item is reduced to \$188,351,196.

On Page 110: Line 2 “Total Appropriation 193,351,196”
This item is reduced to \$188,351,196.

On Page 116: Lines 15-16 “Total Appropriation, Inter-Departmental Accounts 260,114,492”
This item is reduced to \$255,114,492.

On Page 118: Lines 25-26 “Total Appropriation, General State Operations \$1,615,108,741”
This item is reduced to \$1,609,264,463.

STATE AID

“Department of the Treasury”

On Pages 120-121: Lines 13-23 “Notwithstanding the provisions of PL 1975, c. 170, . . . to the local taxing districts; provided, however, that the sum apportioned to the several counties of the State shall not be distributed and shall be antici-

pated as revenue for general State purposes.”
This quoted language is deleted in its entirety.

On Page 121: Lines 24-32 “Notwithstanding the provisions of PL 1975, c. 171, . . . to the local taxing districts; provided, however, that the sum apportioned to the several counties of the State shall not be distributed and shall be anticipated as revenue for general State purposes.”
This quoted language is deleted in its entirety.

On Page 121: Line 4A “77260-240. Locally Provided Services . . . 9,000,000”
This item is reduced to \$8,000,000.

On Page 121: Line 5 “Total Appropriation . . . 20,082,959”
This item is reduced to \$19,082,959.

On Page 121: Lines 20-21 “Total Appropriation, Department of the Treasury . . . 136,012,456”
This item is reduced to \$135,012,456.

“Department of Education”

On Page 125: Lines 66-69 “The Department of Education, at all stages of the calculation of district budget growth, shall round off per pupil expenditure to the nearest whole cent, in order to minimize rounding error.”
This quoted language is deleted in its entirety.

On Page 126: Line 5 "31250-500. Other Grants-in-Aid \$3,292,598"
This item is reduced to \$3,167,598.

On Page 126: Line 6 "Total Appropriation 28,283,399"
This item is reduced to \$28,158,399.

On Page 127: Lines 5-6 "Total Appropriation, Department of Education 761,302,835"
This item is reduced to \$761,177,835.

"Department of Higher Education"

On Page 128: Line 1 "39220-540. Aid to County Colleges \$52,640,952"
This item is reduced to \$49,850,000.

On Page 128: Line 2 "Total Appropriation 52,640,952"
This item is reduced to \$49,850,000.

On Page 129: Lines 44-45 "Total Appropriation, Department of Higher Education 52,640,952"
This item is reduced to \$49,850,000.

"Department of Transportation"

On Page 129: Lines 1-5 "... Provided, however, that of the amount, not more than \$95,000 shall be used to install railroad signalization of the Whitman Avenue crossing, Edison."
This quoted language is deleted in its entirety.

On Page 135: Line 25 "Total Appropriation, State Aid \$1,324,861,964"
This item is reduced to \$1,320,946,012.

CAPITAL

“Department of Transportation”

On Page 141: Lines 52A-52J “Of the amount provided hereinabove for State Highway Construction not more than \$275,000 shall be used for preliminary engineering and design of the Camden Transportation Center, \$40,000 shall be used for reconstruction of Washington Avenue in Highland Park, \$100,000 shall be used for planning improvements to Routes 4 and 17 and connecting highways, and a pedestrian overnight shall be constructed over Route 18 in Old Bridge Township.” This quoted language is deleted in its entirety.

On Page 141: Lines 52K-52R “Of the amount provided hereinabove for State Highway Construction, no funds shall be expended or allocated for construction of Route 29 southward and eastward from Cass Street in Trenton and no funds shall be expended or allocated for land acquisition, construction or related purposes for Route I-95 between Hopewell Township and the Raritan River.”

This quoted language is deleted in its entirety.

On Page 148: Line 23 "Total Appropriation, General State Fund \$3,115,571,188"
This item is reduced to \$3,105,810,958.

PROPERTY TAX RELIEF FUND

STATE AID

"Department of the Treasury"

On Page 150: Lines 1-2 "77130-240. Business Personal Property Tax Replacement .. \$50,500,000"
This item is reduced to \$18,759,233.

On Page 150: Line 3 "Total Appropriation 50,500,000"
This item is reduced to \$18,759,233.

On Page 150: Lines 18-19 "Total Appropriation, Department of the Treasury 424,500,000"
This item is reduced to \$392,759,233.

On Page 151: Line 20 "Total Appropriation, State Aid 929,523,076"
This item is reduced to \$897,782,309.

On Page 151: Lines 21-22 "Total Appropriation, Property Tax Relief Fund 936,578,076"
This item is reduced to \$904,837,309.

On Page 151: Line 23 "Grand Total Appropriation, All Funds \$4,052,149,264"
This item is reduced to \$4,010,648,267.

I hereby certify that in lieu of the resources listed in S-3200 the following resources are available to support appropriations in the amount of \$3,105,810,058 from the General State Fund and \$904,837,309 from the Property Tax Relief Fund.

GENERAL STATE FUND

Surplus—Estimated Balance July 1, 1977 \$90,176,014

Major Taxes:

Sales	\$968,000,000
Corporation franchise ...	508,000,000
Business personal property	78,000,000
Corporation business— banks and financial business	22,000,000
Cigarette	168,000,000
Insurance premiums	67,000,000
Motor fuels	297,000,000
Pari-mutuel	27,600,000
Realty transfer	14,000,000
Savings institution	3,000,000
All other major taxes, same as S-3200	430,300,000

Total, Major Taxes \$2,582,900,000

Miscellaneous Taxes and Other Revenues:

Division of Consumer Affairs—General	\$1,250,000
Professional examining board fees	3,100,000
Board of patients, residents, other income	96,371,000
All other items, same as S-3200	185,005,448

Total, Miscellaneous Taxes and
Other Revenues \$285,726,448

Interfund Transfers:

State lottery fund	\$77,000,000
Transportation Benefit Fund	800,000
Transportation Fund	29,200,000
All other interfund trans- fers, same as S-3200 ...	97,147,499

Total, Interfund Transfers \$204,147,499

Total Resources, General State Fund	\$3,162,949,961
Less:	
Reserve for Commuter Taxes:	
Emergency Transportation Tax	(—)\$29,200,000
Transportation Benefits Tax	(—) 800,000
Net General State Fund Anticipated Resources	\$3,132,949,961
<i>PROPERTY TAX RELIEF FUND:</i>	
Surplus—Estimated Balance July 1, 1977	\$146,500,000
Gross income tax	792,000,000
Total Resources, Property Tax Relief Fund	\$938,500,000

This bill provides, in the main, for programs which are essential to the welfare and prosperity of our State, and which deserve our support in the coming budget year and in future years.

It provides \$1.321 billion in State aid to local governments, including aid for schools, for safe and clean streets, for community colleges and mental health facilities, for senior citizens and veterans property tax relief, and for public assistance and child care programs. These are necessary and productive programs, and I approve their continued funding.

It provides \$154.1 million for law enforcement, corrections, and consumer protection. These programs can be cut back only at our peril.

\$482 million is provided for health service, drug treatment, mental retardation care, and medicaid. I support these vital programs.

We will spend \$18.9 million on youth and family service programs—on foster care and delinquency prevention.

From the General State Fund, we will spend \$356.5 million for education, for support of State colleges and for scholarship and aid programs.

These programs are investments in New Jersey's future. They must be supported.

We will spend \$29.3 million on environmental protection and community development—on operations of State parks, on plant and animal disease control, on pollution abatement and on housing and community planning.

We will spend \$34.9 million to stimulate jobs and economic development and \$176.6 million on transportation improvement.

\$316.3 million is allocated for pension payments, and for interest and principal due on State bonds.

These are essential programs—vital to the State's growth and prosperity.

Each of these expenditures is necessary, each is prudent; each has been painstakingly reviewed and justified. We have trimmed where possible. We have sought savings wherever we could. But we have stood up for the legitimate needs of the people of New Jersey, for education, health care, transportation, law enforcement, job development and environmental improvements. We have not compromised the interests of our citizens or the prospects for our future.

The Appropriations Bill allocates \$200,000 as start up costs for the Energy Finance Authority and \$400,000 for operation of a New Jersey Conservation Corps. These appropriations should be considered when the specific legislative bills are approved and the departments involved have had an opportunity to study the final legislative provisions and respond with their recommendations. These could become significantly new endeavors for the State; the impact of each should be fully explored in the context of the specific legislation creating the program.

In view of the fact that receipts from fees are appropriated for the use of Thomas A. Edison College, I am reducing the appropriation by \$104,278 to the amount of my recommendation in the 1978 Budget.

The Agriculture Experiment Station is reduced by \$140,000 to the amount requested by the Board of Higher Education for the Experiment Station in the 1978 Budget.

The special reserve funds provided for the Housing Finance Agency for bond security which are not required

after December 31, 1977, should lapse into the General Treasury in accordance with the original intent expressed in the Budget. I do not recommend that these funds be used in the middle of Fiscal Year 1978 to generate or to expand programs significantly which may then require full year funding in Fiscal Year 1979. Therefore, I have eliminated the language which makes \$3.3 million of these funds available for selected Department of Community Affairs' activities. The priorities in the 1979 Budget should be determined when this Budget is considered next year.

The State Employees Health Benefits account is reduced from \$46 million to \$41 million, as recommended by the Division of Pensions. The health benefits rates from the carriers, as approved by the Department of Insurance, are substantially less than were reflected in the original estimate at the time the Budget was submitted.

Payments to municipalities for services to State-owned property has been recommended by various groups for many years. The Appropriations Bill includes \$9 million for this desirable purpose; however, this is reduced by \$1 million to take into consideration some refinement of the calculations which may now be necessary as a result of the most recent municipal tax rate reductions.

In accordance with the recent legislation introduced with respect to the bank corporation taxes made available to municipalities and counties, I have corrected the language in the Appropriations Act in order to make these tax payments during Fiscal Year 1978.

I have deleted the language requiring the Department of Education to round off per pupil expenditure to the nearest whole cent because I am advised by the State Department of Education that this would be very costly and effect no real return to the State.

The National Guard Cooperative Education Program is reduced by \$125,000 to maintain the same level or program activity as at present. Federal law now requires a 50 percent State match.

The aid to counties for county college over enrollments—\$2,790,952—is deleted. This is the amount I also vetoed in the Fiscal Year 1977 supplemental appropriation act. A sum of \$2.0 million will remain in this account for distribution to counties based upon a determination to be made by the

Department of Higher Education. It should be pointed out that counties will benefit through this Appropriations Bill and the enabling legislation to the extent of \$5.0 million for a county revenue sharing program; and also Chapter 133 of the Laws of 1977, which I signed on June 29 to raise the reimbursement by the State to \$700 per student enrolled in a county college at a total cost of \$6,850,000.

The Appropriations Bill designates some specific projects to be financed from appropriations to the Department of Transportation and, in other cases, prohibits the use of any appropriation for other projects. While these projects may or may not prove ultimately to be meritorious, the Appropriations Bill is an inappropriate vehicle through which to direct their initiation or termination. As in prior years, I am vetoing this appropriation language. Effective program management within the department dictates that the department, with its particular expertise and overview of the myriad of proposed projects in the State, determine the priority of such projects.

The Business Personal Property Replacement Tax, a dedicated fund in Fiscal Year 1977, will have a balance at year end which is more than sufficient to make the August payment in connection with this replacement tax program. A balance of \$31.7 million in this dedicated fund will be obligated at June 30, 1977 to make this payment. Therefore, the appropriation in the Property Tax Relief Fund in the Business Personal Property Replacement Tax—State Aid—account can be reduced by this \$31.7 million, since this August payment need not be made from this account.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT
August 31, 1977. }

SENATE BILL NO. 3201

To the Senate:

Pursuant to Article V, Section I, Paragraph 15 of the Constitution, I am appending to Senate Bill No. 3201 at the time of signing it, this statement of the items to which I object so that each item so objected to shall not take effect.

On page 1:

“Vernon Township, Route 515, Vernon, New Jersey

07462, Attention: Anna Edsall, Treasurer, for the refund of State gasoline taxes paid upon a timely claim, an award in the amount of \$1,295.00 be paid from Motor Fuel Tax revenues of 1976-77."

This item is deleted in its entirety.

On page 2:

"Sandyston Township, Layton, New Jersey 07851, c/o Hixon Spangenberg, Township Clerk, Sandyston Township, Layton, New Jersey 07851, for payment in lieu of taxes for certain fish and game properties, an award in the amount of \$2,310.00 be made for 1977, \$6,450.00 for 1975 and \$5,670.00 for 1974 from funds appropriated for Public Shooting and Fishing grounds."

This item is reduced by the amount of \$6,450.00.

On page 2:

"Borough of Netcong, c/o Borough Officials and Meyer-son and Kron, Esquires, 46 Main Street, Netcong, New Jersey 07857, for drainage expenses resulting from flooding due to construction of Route 80, an award in the amount of \$35,000.00 be payable from funds appropriated to the Department."

This item is deleted in its entirety.

On page 2:

"Township of Warren, c/o Mastro & Mastro, Attorneys at Law, 7 Morristown Road, Bernardsville, New Jersey 07924, Attention: J. Albert Mastro, Esq. for repair expenses necessary on Mountainview Road as a result of equipment used in conjunction with the construction of Route I-78, an award in the amount of \$30,000.00 be made payable from funds appropriated to the Department."

This item is deleted in its entirety.

On page 3:

"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 3:

"Total Appropriation, Claims \$10,241"

This amount is corrected and changed to \$2,750.

Senate Bill No. 3201 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 the following claims.

Vernon Township seeks a refund of State gasoline taxes. Since the claimant has additional refund claims to make, I have vetoed the present claim so that the entire matter can be reviewed and a proper application filed for all outstanding claims next year.

The Sandyston Township claims involve payments, in lieu of taxes for certain fish and game properties. I am advised by the Treasurer that the payment of \$6,450.00 for 1975 has previously been appropriated, and is incorrectly included in this bill. I have accordingly reduced this item by this amount to avoid a double payment.

The Borough of Netcong matter involves a claim for upgrading storm drains along Route 46 which has been presented in prior years. The Borough contends that the Department of Transportation caused the flooding in the area when constructing Route 80.

This claim was vetoed in 1975 and in 1976 because the record indicated that the construction of Route 80 was only one of a series of contributing factors and indeed a very insignificant factor, since the Route 80 area covers only 6-7 per cent of the watershed. At the Borough's request, this situation was reviewed again this year with an on-site inspection; as a result of this inspection, the Department of Transportation still believes that the flooding was not caused by the Route 80 construction, and that the proper correction would involve an extremely expensive and complex project. This claim clearly will not alleviate the situation.

The Township of Warren seeks an award to cover the cost of making repairs of a local road which was destroyed in 1964 by construction equipment used in the building of Route I-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,

The Morris County claim is for overtime expenses of the Sheriff's Office for providing security in jury selection. I vetoed this same claim in the past years 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.

Attest: ^[SEAL] /s/ BRENDAN BYRNE,
Governor,
/s/ JOHN J. DEGNAN,
Acting Executive Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 2, 1978.

Pursuant to Article V, Section I, Paragraph 15 of the Constitution, I am appending to Senate Bill No. 3408 (OCR) 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.

These projects will greatly enhance the State's program to combat water pollution and to ensure safe drinking water supplies.

I have deleted the appropriation of \$600,000 provided to the Gloucester County Sewerage Authority for the renovation of a sludge treatment unit and expansion of plant capacity through an amendment to this bill. I am advised that this appropriation is not supported by the Department of Environmental Protection and would give this Authority a share of available State funding which is not proportionate to that provided other authorities for similar projects. I recognize that the legislators from Gloucester County have attempted to serve the needs of their constituents by adding this appropriation to the bill, but it would not be fair to other authorities to approve this special funding.

Page 5, section 4, lines 1-6: Delete "\$600,000."

Respectfully,

[SEAL] /s/ BRENDAN BYRNE,
Attest: Governor,
/s/ ROBERT E. MULCAHY, III,
Chief of Staff-Secretary.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 7 (OCR)

STATEMENT

I am filing Assembly Bill No. 7 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 would establish a Booking Agency Board within the Division of Consumer Affairs and would regulate the practice of booking agencies.

This Administration has adopted a general policy against proliferation of licensing boards. While there may be

abuses which justify licensing of booking agents in this State, I do not believe the creation of a new licensing board is necessary to remedy these abuses. I will consider legislation to make the current licensing statutes more effective; but, again, I believe such improvement in the regulatory mechanisms does not justify a new board.

Accordingly, I must file Assembly Bill No. 7 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 207

STATEMENT

I am filing Assembly Bill No. 207 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 would mandate that a State agency give at least 30 days notice of its intended action to adopt, amend or repeal any administrative rule. The current 20-day notice provision in N.J.S. 52:14B-4 is more than enough time for a state agency to give notice of its intended action. An additional 10 days for such notice would further delay the initiation of official administrative action.

Accordingly, I will file Assembly Bill No. 207 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 272

STATEMENT

I am filing Assembly Bill No. 272 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 would require that the parents of the deceased parent of a minor child must be made parties to any adoption proceeding concerning such minor child brought by the surviving parent's subsequent spouse.

While this bill is well-intentioned, the need seems questionable. The parents of the deceased parent of a child have a right to bring a writ of habeas corpus before the Superior Court to permit visitation rights with the child for such grandparents.

To permit grandparents to have the right to appear at all phases of adoption proceedings could be dangerous to the well-being of the child because of the sensitivity of such proceedings.

Accordingly, I will file Assembly Bill No. 272 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 307

STATEMENT

I am filing Assembly Bill No. 307 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 is a companion bill to Assembly Bill No. 7, which would establish a Booking Agency Board. Assembly Bill No. 307 would delete private employment agencies which secure engagements for performing artists from the statute regulating and licensing employment agencies. I have decided to file Assembly Bill No. 7 without my approval. To sign Assembly Bill No. 307 while not approving Assembly Bill No. 7 would leave booking agents unregulated. This was clearly not the intent of the Legislature in passing these two bills.

Accordingly, I must file Assembly Bill No. 307 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 398

STATEMENT

I am filing Assembly Bill No. 398 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 this bill.

This bill would increase the penalty for destroying, defacing, or removing a tomb, monument, gravestone, cemetery fencing or shrubbery from the standard maximum misdemeanor penalty of \$1,000.00 or 3 years or both to \$2,000.00 or 5 years or both.

I believe the greatest deterrent to the type of practice this bill seeks to prevent is to require restitution; the authority for the courts to require such restitution is already available under another statute and this bill does not serve to enhance that authority.

Furthermore, the statute which this bill amends would be repealed by the penal code with a new offense which would prohibit the desecration of venerated objects. The penal code should be enacted to provide a comprehensive revision of the criminal law, and such piecemeal amendments as Assembly Bill No. 398 would provide should be avoided.

Accordingly, I must file Assembly Bill No. 398 without approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 648 (OCR)

STATEMENT

I am filing Assembly Bill No. 648 (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 would require that, in each public school classroom, the teacher must, at the opening of school upon every school day, conduct a brief period of silent meditation with the participation of all the pupils therein assembled.

Legislation similar to this is in place in other states including Connecticut, Pennsylvania, Massachusetts and Arkansas. The Massachusetts statute has been upheld by a Federal district court. Notwithstanding the existence of such other statutes, it appears arguable that the United States Supreme Court could find the statute unconstitutional as a violation of the Establishment Clause or the Free Exercise Clause of the First Amendment. However, if a court were to find the statute constitutionally acceptable, the question becomes, "What purpose is served by this legislation?" If the few moments of silence indeed do not constitute prayer, neither can they realistically serve as moments when children can truly "meditate" and consider their thoughts. And what is the teacher to say when a child asks what he is to do with his moment of silence? I noted with interest the specific response which the court in the Massachusetts Federal court case found acceptable. The teacher, in response to such a question from the child, is to say: "We are doing this in compliance with State Law. Any other questions you have should be discussed with your parents or with someone in your home." A child who is not properly advised at home will be at a loss to understand this directive. And even the child who is advised at home to pray during this period must wonder at the meaning of this terse explanation of some State-imposed requirement to keep still.

It is very important to remember that any teacher can currently require the moment of silent meditation this bill mandates for children at the beginning of each school day. Some teachers can effectively and sensitively ask the children in their classroom to stop and reflect for a few moments. For others, a State-imposed requirement that they keep their classes quiet for a moment simply to be "in compliance with State law" will only breed disrespect

for the teachers, the State, and, most distressingly, for the value of such moments of silent reflection. This bill sets down an absolute mandate for a moment of silence at the beginning of each day. I prefer to leave it to the discretion of the teacher to decide if he or she can convey to the children the value and comfort of such moments of silence, either for prayer or otherwise.

Accordingly, I will file Assembly Bill No. 648 (OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 781 (ACS)

STATEMENT

I am filing Assembly Bill No. 781 (ACS) 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 would provide for quarterly computation of registration fees for certain school vehicles and commercial motor vehicles. Commercial motor vehicles are currently afforded the opportunity of paying a half-year's registration fee if they register after January 1. School vehicles currently pay on a full year basis, as do all private motor vehicles.

The potential revenue loss could reach \$500,000, although it is arguable that the loss might be less because some owners of these vehicles might not wait to register their vehicles as they do now. Nevertheless, the cost of the bill

seems too high: on the other hand, if the cost of the bill is not as high as estimated, the benefit to interested parties seems too low to merit the administrative expense of a changeover from the current system at this time, given extreme budget constraints.

I am, therefore, filing the Assembly Committee Substitute for Assembly Bill 781 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 920

STATEMENT

I am filing Assembly Bill No. 920 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 would prohibit an employer from knowingly hiring an alien who is not lawfully admitted to permanent residence in the United States. It would also set up a graduated schedule of penalties in order to discourage the hiring of such illegal aliens.

Although the purpose of this bill is a salutary one, it would be better served by uniform federal legislation. It would be difficult for illegal alien legislation to be carried out by a state humanely and without discrimination because a state's powers are limited to its borders and do not include the power to grant amnesty to aliens. Federal legislation which would pre-empt state legislation concerning the employment of illegal aliens is currently before the House Judiciary Committee.

Accordingly, I am filing Assembly Bill No. 920 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL NO. 971

STATEMENT

I am filing Assembly Bill No. 971 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 would require the Attorney General to include in his annual report to the Governor and Legislature, required under N.J.S.A. 52:17B-111, statistical information pertaining to the granting of immunity during each year.

The information required by this bill can and should be provided by the Attorney General to the Legislature. However, no purpose is served by requiring the Attorney General to go through the yearly exercise of providing this item of information. As the need arises, the Legislature can request this information from the Attorney General to provide such information; it is the policy of this Administration to nurture open government. If the information requested by the Legislature is not provided, then legislation such as Assembly Bill No. 971 may be justified.

Accordingly, I will now file Assembly Bill No. 971 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 996

STATEMENT

I am filing Assembly Bill No. 996 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 would prohibit agreements to influence legislation where the compensation of the legislative agent would be contingent on whether or not such activity is successful.

Currently, under N.J.S.A. 52:13C-21, such a contract must be filed by a signed notice to the Attorney General of such an agreement. Someone failing to comply with this provision would be guilty of a misdemeanor under N.J.S.A. 52:13C-30.

No specific instances of contingent fee contracts by legislative agents were raised during the legislative committee considerations of this bill. And the last survey of contracts by legislative agents reported to the Attorney General revealed no such contingent compensation contracts; thus, no abuses of such contracts have been revealed.

Moreover, it is not clear to me that a contract by a legislative agent with compensation contingent upon the agent's success is, in itself, undesirable. Though evils exist in the practice of lobbying, I am not persuaded that this type of contract adds to those evils. I believe the current reporting requirement relating to this type of contract suffices.

Accordingly, I shall file Assembly Bill No. 996 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 1519 (2ND OCR)

STATEMENT

I am filing Assembly Bill No. 1519 (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 would authorize the creation of "county central sex crime analysis units" whose primary function would be to gather information and to investigate all sex related offenses. Its purpose is to assure more sensitive treatment and more efficient handling of such cases, thereby encouraging the reporting of rape and sexual assaults. Notwithstanding the statutory limitations of N.J.S.A. 2A:157-2 *et seq.* it permits the appointment of specially trained personnel subject to the approval of the county governing body. It is this requirement which causes me to pause in my initial and wholehearted support of Assembly Bill No. 1519 (2nd OCR).

When Assemblyman Herman first introduced this bill no such units were operating anywhere in the State. That situation is now quite different. As a result of public discussion and encouragement generated by this bill, such units are already operating in eighteen of the twenty-one counties in New Jersey with personnel specially trained by the State Police in consultation with the State Division of Criminal Justice. I would not want in any way to undermine those units already in operation by the enactment of legislation suggestive of a need for prior approval.

Accordingly, I am filing Assembly Bill No. 1519 (2nd OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 1659

STATEMENT

I am filing Assembly Bill No. 1659 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 would require that a female under 45 years of age applying for a marriage license submit a certificate stating whether she exhibits laboratory evidence of immunological response to rubella. A serological test approved by the Department of Health must be administered by a physician unless the applicant provides certified evidence of the results of a previous serological test. The bill does not require immunization as a prerequisite to obtaining a marriage license, but the woman who does not exhibit immunity must be advised by the examining physician of the medical significance of the results of the serological test.

There has been some concern expressed that if the woman is pregnant or becomes pregnant within three months after immunization, there would exist the very danger which this bill seeks to avoid—that a child may be born with defects. It appears that this is not a serious problem, as reflected in experience in other states which require immunization. However, the possibility of such an occurrence which could result from hastily given and inadequate advice to the woman, gives one pause in considering this legislation.

Another factor which must be considered is the frequency of the harm sought to be avoided. The Center for Disease Control notes that in 1977, there were only 18 rubella-related birth defects in the United States; the Center hastens to add that many such birth defects may surface after the child is several years old, and that some women, upon discovering that they are both pregnant and have

rubella, will seek an abortion. Still, the incidence of such defects is very low; the burden on the woman who must pay for and undergo this test does not appear to be commensurate with the probability that a rubella-related defect will occur. Furthermore, there is a margin of error in the test so that all positive results will not be accurate.

Finally, it should be noted that, because of the immunization program carried on by this State against rubella, it is anticipated that in four to five years, there will be no significant incidence of rubella in this State. Although the purpose of this bill is certainly a worthy one, we must use our limited resources wisely to prevent those evils which are more widespread.

Accordingly, I must file Assembly Bill No. 1659 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 1734

STATEMENT

I am filing Assembly Bill No. 1734 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 would substantially revise New Jersey's boxing and wrestling statutes. The bill sets forth detailed provisions for the regulation of boxing and wrestling in this State with respect to the issuance of licenses for various functions and participants in boxing and wrestling matches

and exhibitions, and with respect to penalties, promotions, and taxation of revenue.

I am concerned with some of the details of this bill. For example, the bill provides for a dedicated State Athletic Commission Fund, which is a structure of questionable desirability.

This and other concerns with the details of the bill may be corrected. However, I have more overriding concern with the perpetuation of a separate independent Office to deal with the regulation of boxing and wrestling in this State. In my annual message to the Legislature, this year, I proposed a full-time Gaming Commission to oversee all types of gambling in the State except casino gambling. I believe that Commission should also encompass the regulation of all types of professional sports in the State. When legislation is prepared to establish this Gaming Commission, many of the excellent provisions in Assembly Bill 1734 should, perhaps, be included. But to begin to implement Assembly Bill 1734 while anticipating the establishment of this all-inclusive Gaming Commission would require effort and funds unproductively spent.

Accordingly, I will file Assembly Bill No. 1734 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 1771 (OCR)

STATEMENT

I am filing Assembly Bill No. 1771 (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 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 provide that an individual who retired from the Public Employee's Retirement System (PERS) and chose full benefits, but who died within a year after retirement, would be allowed to have his accumulated deductions paid to his estate or his designee. Currently, a pensioner in the above situation loses both his pension and the money he contributed.

If the member dies before receiving payments equaling the present value of his retirement allowance as it was at retirement, 1) the balance payable goes to the member's legal representative or any other person designated in writing by the member. The payee determines how he will receive the payment; 2) at death, the retirement allowance will be paid throughout the life of a person designated by the retiree at the time of retirement; 3) at death, one-half of the retirement allowance will be continued throughout the life of the designated person so designated at retirement and; 4) some other benefit will be payable to the member or his nominee if that benefit, in addition to the smaller retirement allowance, is certified by the pension actuary to be of the same actuarial value. The lesser retirement allowance is, in no instance, to be smaller than Option 2.

These options provide a member with the opportunity to select a method that will provide a benefit for his beneficiary or estate. In the case of a person aided by A-1771 it appears that he probably did not see fit to provide such an option for his estate electing instead to receive the maximum allowance available with benefits terminating at death. However, if he died within one year of retirement, and his life insurance benefits were thought to be sufficient to adequately protect his estate, his estate would not receive all the payments made. This bill questions the intent of the pensioner in that regard.

What the new provision amounts to is a new option for pensioners. In that regard, perhaps legislation could be sponsored adding a fifth option for retirees. If this tact is taken, the State will pay nothing and the employee will bear the entire cost. However, this solution will not aid the individuals that A-1771 was designed to help. Those persons are deceased thus unable to pay the premiums needed to

pay for the fifth option. Further, we have been advised that the State's consulting actuary would charge the State at least \$607,000 for the PERS alone if this bill becomes law.

Accordingly, I will file Assembly Bill No. 1771 (OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 1896

STATEMENT

I am filing Assembly Bill No. 1896 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 an employee to authorize his employer to withhold from his wages, payments to be made to banks, savings banks, savings and loan or building and loan associations or credit unions in repayment of funds loaned to the employee by these institutions. The employee would retain the right to make this authorization at any time.

I have decided to file Assembly Bill No. 1896 without my approval.

This legislation would permit garnishment of wages without a court order which is contrary to due process. Furthermore, the bill gives banks' and credit unions' creditors special treatment in relation to an employee's wages.

Accordingly I must file Assembly Bill No. 1896 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 9, 1978. }

ASSEMBLY BILL No. 1914

STATEMENT

I am filing Assembly Bill No. 1914 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 is special legislation that authorizes the town of Jamesburg in Middlesex County to make permanent the appointment of a particular individual to the Jamesburg police department. I have been generally opposed to special legislation of this sort in the past and I will continue my opposition.

The individual involved in this instance is older than the maximum age allowable for permanent appointment to a police department.

The continued creation of exceptions to the constitutionally provided manner of selection of police officers undermines the merit and fitness criteria imposed on State hiring practices by Article 7, Section I, Paragraph 2 and Article IV, Section 7, Paragraph 9(5) of the State Constitution. I have urged legislation so that Civil Service can develop an orderly procedure to determine these matters on the merits.

Accordingly, I will file Assembly Bill No. 1914 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 9, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 1990 (OCR)

STATEMENT

I am filing Assembly Bill No. 1990 (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.

I am not convinced that widespread conflicts between police authorities and fire-fighting authorities at the scene of a fire make this legislation necessary.

Accordingly, I am filing Assembly Bill No. 1990 (OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 2095

STATEMENT

I am filing Assembly Bill No. 2095 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 would authorize a legally blind individual employed by a municipal police department to retire as a member of the Public Employees' Retirement System (PERS) for reasons of ordinary disability without having completed the mandatory 10 years of service usually required before enrollment is permitted.

In addition to costing the statewide PERS a present value of about \$50,000 which would be imposed upon all employers participating in the program, the bill can reasonably be seen as laying the groundwork for other exceptions to the statutory proscribed requirements for admission to the PERS plan.

Individuals who, because of unforeseen circumstances, are not immediately eligible for entrance into the PERS fund for ordinary disability, could have the municipality where they are employed, retain them on salary until the correct time of eligibility occurs. Further, the municipality where the individual so affected works could set up a reasonable non-contributory pension fund for the individual. Upon such a grant, the individual would then withdraw from PERS and immediately begin receiving his disability pension.

These sorts of alternatives are more favorable than the creation of more exceptions to the requirements for entrance into the PERS.

Accordingly, I am filing Assembly Bill No. 2095 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT, }
March 3, 1978. }

ASSEMBLY BILL No. 2178

STATEMENT

I am filing Assembly Bill No. 2178 in the State Library without my approval.

Under the provision 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 subject bill exempts from the State highway use tax, motor fuel tax, and net worth corporation business tax certain bus companies which provide regular route passenger service and are under contract for financial assistance with the Commuter Operating Agency.

I have decided to file Assembly Bill No. 2178 without my approval. Exemptions from taxes should be limited. Allowing this exemption could establish a precedent for other economically depressed industries to ask for exemptions.

Accordingly I must file Assembly Bill No. 2178 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 2211 (OCR)

STATEMENT

I am filing Assembly Bill No. 2211 (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 prohibits the sale or labeling of fruits or vegetables as "New Jersey" or "Jersey" grown or produced

unless the commodity was grown in the State. The bill authorizes enforcement by the Secretary of Agriculture and sets penalties for violations.

I am advised by the Attorney General that this practice is subject to general prohibitions against deceptive packaging under already existing law. I am also concerned over the split of enforcement responsibilities relating to consumer fraud, and believe that further study should be made of the scope of responsibility of the Division of Consumer Affairs before approving new enforcement programs. I would prefer to consolidate existing consumer programs, and this bill may lead to additional bureaucracy and dilution of current State efforts to protect consumers against deceptive practices.

Accordingly, I am filing Assembly Bill No. 2211 (OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT
March 3, 1978. }

ASSEMBLY BILL No. 2262 (OCR)

STATEMENT

I am filing Assembly Bill No. 2262 (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 would allow a credit under the former "Tax on Capital Gains and Other Unearned Income Act", (P.L. 1975, c. 172) for the amount of taxes imposed by other states or political sub-divisions of states. The bill is retroactive to January 1, 1976.

The Division of Taxation advises that it is extremely difficult to estimate the revenue loss which would result from this bill's approval, but that the sum could well be substantial. In view of the tight budget picture, it would not be responsible to approve this legislation. I am accordingly filing this bill without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT, }
March 3, 1978. }

ASSEMBLY BILL No. 2323 (2ND OCR)

STATEMENT

I am filing Assembly Bill No. 2323 (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 would require administrative agencies before adopting any rule, among other things, to inform the Legislature of its intended action. This would require the giving of notice which would include either the terms or substance of the intended action or a description of the subjects and issues involved. The notice is required to be forwarded to the Legislature and, in turn, referred to one of the standing committees for review. The standing committee would then have 45 days to report its findings. The proposed rule may be adopted by the agencies unless each House, within 60 days after submission of such notice to the Legislature, by a majority vote, disapproves the notice.

This legislation would unnecessarily impede and burden administrative procedures and involves the Legislature in the routine day-to-day operations of State government.

Furthermore, the bill would delay the adoption of many regulations which must be available to the public upon the adoption of a new law or amendment to an existing law.

Accordingly, I will file Assembly Bill No. 2323 (2nd OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 2324

STATEMENT

I am filing Assembly Bill No. 2324 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 terminates the extension of Route 29 at a point northwest of the intersection of Lamberton and Cass Streets in Trenton. It also adds a new route to the State Highway System extending from Route 1 in Trenton southeastwardly to Interstate Route 195. Route 29 is part of the "Trenton Complex" which consists of four highways: (1) Interstate Route 295 from a point near Bordentown to Kuser Road in Hamilton Township; (2) Interstate Route 195 from the vicinity of Arena Drive to a junction with Interstate 295; (3) Route 20 from its present southern terminus on John Fitch Way to a connection with the I-195/295 interchange; and (4) Route 129 from Market Street to a connection with Route 29 North of Lalor Street.

I have decided to file Assembly Bill No. 2324 without my approval. Acting Commissioner of Transportation Russell

Mullen has promised the City of Trenton that the extension of Route 29 in Trenton will be given the State's very last priority in the construction of the Trenton Complex. I believe that the deletion of Route 29 from the State Highway System would substantially delay the completion of the environmental impact statement for the Trenton Complex and impede the completion of these important interstate links.

Accordingly I must file Assembly Bill No. 2324 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 2345 (OCR)

STATEMENT

I am filing Assembly Bill No. 2345 (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 would appropriate \$1 million in State aid to those municipalities with a population exceeding 50,000 persons and contiguous with a municipality now receiving aid under the Safe and Clean Neighborhood program.

I cannot approve this bill because an appropriation of this amount cannot be sustained in view of current revenue projections. I also question the merits of this bill in that there is no showing that the municipalities which would receive assistance merit the aid on the basis of crime rates or tax burdens. The bill would set up an irrational category

for expansion of the Safe and Clean program which has not been justified on the basis of objective criteria.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT, }
March 3, 1978. }

ASSEMBLY BILL No. 2351

STATEMENT

I am filing Assembly Bill No. 2351 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 would give certain additional police powers to identification officers employed by a county of the first class. They would be empowered to act as officers for purposes of "detection, apprehension, arrest and conviction."

While many county identification officers have, of their own volition, attended the police training academy, such training is not now required. I am opposed to extending full police powers to those who have not received the requisite training.

Accordingly, I am filing Assembly Bill No. 2351 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 2397

STATEMENT

I am filing Assembly Bill No. 2397 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 amends R. S. 43:10-1 by removing the requirement that a widow or widower of a member of a pension fund in a county of the first class having a population of less than 800,000 must have received at least one-half of his or her support from the member in the 12-month period immediately preceding the member's death or accident which was the direct cause of the member's death, in order to be eligible for the member's pension.

Under the existing statute, the dependence requirement is in addition to the requirement that the widow/widower must have been married to the member at least five years before the member's death and in addition, was married continuously to this person until death.

All of the public pension systems except for the Consolidated Police and Firemen's Pension Fund and the Police and Firemen's Retirement System have a dependence requirement similar to the one this bill would remove. The purpose of such a provision is to insure that the widow/widower was truly dependent upon the member for support. By removing this provision persons who have had no financial contact with the member would be allowed to receive benefits designed to go to a spouse without means.

Such an occurrence would result in a substantial increase of pension payments to widows/widowers of a questionable dependency status. Also, larger numbers of individuals

would attempt to claim spousal benefits, further increasing the costs.

Accordingly, I will file Assembly Bill No. 2397 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 2430 (OCR)

STATEMENT

I am filing Assembly Bill No. 2430 (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 would amend N.J.S. 11:22-2 to include in the unclassified service up to fifteen positions for heads of any designated divisions within municipal departments if those positions are provided for in the administrative code of any municipality organized under any of the plans contained in the Optional Municipal Charter Law. A-2430 would also include in the unclassified service one secretary or confidential aide to a municipality, as per the provision currently applicable to counties. Further, the bill authorizes at least six additional unclassified positions in the form of division directors.

This bill does not define a "division" or "division head". Neither does the bill allocate or restrict the number of unclassified division heads in any one department. This means that the appointing authorities could fill one department with unclassified division directors, while the division

directors in another department would remain classified. Such a procedure would result in a non-uniform system of hiring and placement of division directors. Furthermore, the unrestricted appointment of unclassified personnel, at any level, undermines the workings of the merit system. Guidelines for the appointment of unclassified division directors, outlining, among other things, the duties and responsibilities of those directors must be developed and implemented.

Accordingly, I will file Assembly Bill No. 2430 (OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 2435

STATEMENT

I am filing Assembly Bill No. 2435 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 would amend R. S. 19:34-52, prohibiting endorsements of candidates for public office by the various party committees before a primary, by allowing such endorsements if timely notice is given to all committee members; and, a quorum is present; and a majority of those present vote to endorse a candidate.

The problem of open primaries has been of concern to this Administration since 1974. In that year I was for open primaries as a matter of principle. In 1977, I embraced

the concept as a matter of principle and expediency. Recently, however, I have learned that this bill may create, in effect, a candidate screening committee. Candidate screening committees were held, in *Cavanaugh v. Morris County Democratic Committee*, 121 N.J. Super. 430 (1972), to be invalid.

Accordingly, I will file Assembly Bill No. 2435 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT, }
March 3, 1978. }

ASSEMBLY BILL No. 3034

STATEMENT

I am filing Assembly Bill No. 3034 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.

I have previously stated my intention not to approve this bill, which would eliminate the authorization for statements of candidates in gubernatorial elections to be mailed to voters with sample election ballots.

The inclusion of these statements with the November 1977 general election sample ballots was, in my view, a worthwhile experiment in providing voters more information on the positions of the candidates. It was particularly valuable in assisting independent candidates, who have special problems in financing expensive campaigns, an opportunity to convey their stands on the issues to the voters. There are other reforms of the election law relating

to independent candidates which the Legislature should examine, including the relevance of the current qualifying standards for petitions needed to place a candidate on the ballot. The Legislature should examine this and other issues in an effort to ensure that our election law remains modern and fair.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 3079

STATEMENT

I am filing Assembly Bill No. 3079 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 would revise the shoplifting statutes to conform with various changes in the nature of shoplifting caused partially by recently developed merchandising techniques. I recognize that shoplifting has become a significant and expensive problem and I fully support legislation which would diminish and curtail this activity.

My problems with the bill concern the penalty section which provides for a set of minimum mandatory penalties including a fine of not less than \$100 for a first offense, \$250 for a second offense, and \$500 or imprisonment, for not less than 30 days nor more than 6 months, for third and subsequent offenses. I am not opposed to the severity of the penalties, but am rather concerned with the administrative effects of these penalties on the municipal courts and the

cost to the public of providing probationary services and jury trials. For instance, a sentence which includes a possibility of a fine over \$200 will require the appointment of an attorney to represent the accused individual. This means that assignment of counsel for indigents will be generally required for all persons charged under this statute unless the judge decides at the outset that a fine of less than \$200 would be appropriate. The Public Defender is now required by statute to represent individuals in municipal court; however, present funding levels do not permit that obligation to be met at this time. In addition, a potential sentence over \$500 may require a jury trial even though the period of incarceration is limited to six months.

Accordingly, I am filing Assembly Bill No. 3079 without my approval but because of the seriousness of the problem and the need for deterrent penalties, I am introducing a new bill with a revised penalty section and am requesting that the Legislature expedite its passage in light of the severe effect of this crime on the merchants of New Jersey.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT, }
March 3, 1978. }

ASSEMBLY BILL No. 3100

STATEMENT

I am filing Assembly Bill No. 3100 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 amends the statutory formula for the valuation of reserves held by life insurance companies on group

annuity and pure endowment contracts. It would permit a retroactive increase of reserve valuation interest from 4% to 5% for contracts sold on or before January 1, 1973 and an increase from 6% to a 7½% maximum for contracts sold on or after January 1, 1977.

Although aimed at correcting surplus drains on life insurance companies selling group annuities and making them more competitive in that market, this bill has several technical defects.

The bill fails to update mortality rate assumptions along with reserve valuation assumptions. It also provides no mechanism for distinguishing those companies which have in fact been earning greater interest than provided by the statutory formula from those which have not.

Accordingly, I am filing Assembly Bill No. 3100 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 3104 (OCR)

STATEMENT

I am filing Assembly Bill No. 3104 (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 gives those people who clean, press, launder, alter or repair clothing, curtains, carpets or similar goods a lien for the charges due on goods not claimed by customers

one hundred and eighty days after the goods are available. After giving thirty days' notice to the customers by mail and by posting a notice of sale in a prominent place on the premises, such goods may be publicly sold to pay the charges due with the remainder together with the cost of notice going to the customer or to the municipality if the customer cannot be located. After six months, the remaining unclaimed amount must be paid to the treasurer of the municipality for its use.

To the extent that this legislation creates in the State a right to take a customer's property or the proceeds therefrom, a 14th Amendment due process problem exists.

Although the bill requires sufficient notice to customers before the lien can be perfected, the bill makes no provision for debtor opportunity to be heard before a neutral State officer with regard to the validity of the lien or the underlying alleged debt. The failure of A-3104 (OCR) to satisfy the second prong of the two part due process test of *Fuentes v. Shevin*, 407 U.S. 72 (1972), and the cases stemming from it, renders this bill unconstitutional.

Accordingly, I will file Assembly Bill No. 3104 (OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT, }
March 3, 1978. }

ASSEMBLY BILL No. 3140 (OCR)

STATEMENT

I am filing Assembly Bill No. 3140 (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 amends the sections of the Campaign Contributions and Expenditures Reporting Act of 1973 addressing reporting requirements for political information organizations and political committees.

Under the current law any political information organization must advise the Election Law Enforcement Commission of the name of its campaign treasurer and financial depository for funds collected for political lobbying. A \$750 reporting and bookkeeping threshold is designed to allow any single issue, ad hoc organization with under \$750 in expenditures, to be exempt from statutory reporting and bookkeeping requirements especially where the burden of compliance by these smaller lobbying groups outweighs the benefit to their regulation.

Some regulation of political information groups is legally supportable on the theory that the State has a legitimate interest in securing the accurate dissemination of political information. However, this concern must be balanced against the First Amendment right of freedom of expression and Article I Section 18 of the New Jersey Constitution which guarantees the right of citizens to freely assemble and consult for their common good.

Unfortunately, I believe that the language of this legislation is so narrow in relation to the \$750 reporting threshold level for political information organizations, that too many single issue, ad hoc or voluntary groups will be forced to go through the added burden of appointing a treasurer and depository.

Accordingly, I will file Assembly Bill No. 3140 (OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 3170

STATEMENT

I am filing Assembly Bill No. 3170 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 would require police training courses carried on by the Police Training Commission to include training in the handling of domestic disputes involving an assault by one spouse upon another. The bill's mandate is no more specific than this. Since the Police Training Commission currently mandates training in domestic disputes, the bill is unnecessary.

Accordingly, I will file Assembly Bill 3170 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 3226 (OCR)

STATEMENT

I am filing Assembly Bill No. 3226 (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 would have authorized a municipality to amend its budget prior to May 31, 1977 for fiscal 1977 only. Delinquent taxes paid by one taxpayer (whose assessed value represented 10% or more of the ratables of a municipality) prior to March 31, could have been deducted from the amount previously required for the "reserve for uncollected taxes." The amount so deducted from the reserve was to be allocated to reduce the levy for municipal purposes.

I understand this bill was introduced to take care of a problem that has since been solved. Therefore, this legislation is no longer required.

Accordingly, I will file Assembly Bill No. 3226 (OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 9, 1978.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT, }
March 3, 1978. }

ASSEMBLY BILL No. 3277 (2ND OCR)

STATEMENT

I am filing Assembly Bill No. 3277 (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 establishes energy efficiency standards for the sale of air conditioners. Sale of equipment not meeting the standards would be prohibited.

The standards set by this legislation would promote our energy conservation program by requiring that more efficient equipment be used throughout the State.

The legislation creating the State Department of Energy provides regulatory authority to the Department to set efficiency standards. This authority is subject to legislative oversight, and regulations may be disapproved by the Legislature before they become effective. I believe that it will be more effective to utilize the regulatory approach authorized by the Legislature in establishing the Department than to pass separate pieces of legislation fixing efficiency standards for different appliances. The imposition of such standards through regulation will allow us to expedite implementation of the State's energy conservation program and to retain flexibility in responding to changing technology and problems.

Accordingly, I will not approve this bill, but have directed the Department of Energy to propose comparable standards through regulation.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 3428

STATEMENT

I am filing Assembly Bill No. 3428 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 would grant to Sheriffs in counties of the first class the authority to establish and fill sheriff's investigator positions. Such appointees are to be placed in the classified service, i.e. they would be subject to Civil Service examinations pursuant to Title 11 of the New Jersey statutes. A-3428 also provides that persons appointed by the Sheriffs and holding a classified position are to be deemed permanent appointees as of the date of the original appointment. The bill also gives statutorily defined law enforcement powers to an unlimited number of sheriff's investigators.

N.J.S. 2A:154-3 clearly indicates that sheriff's officers are empowered to act as officers for detection and apprehension, arrest and conviction of offenders against the law. N.J.S. 2A:158-5 gives similar powers to prosecutors, and further states that the Prosecutor is the chief law enforcement officer of the county; meaning that the Sheriff is subject to his direction.

Since it is evident that the Legislature clearly intended to give the county prosecutor the primary responsibility for enforcement of the criminal laws, the proliferation of the number of sheriff's officers (investigators) with enforcement powers may jeopardize the existence of a uniform state-wide criminal justice system mandated by the Criminal Justice Act. With enforcement authority given to sheriff's officers in an unlimited fashion, duplications and waste of criminal justice resources will occur.

Accordingly, I will file Assembly Bill No. 3428 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

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TRENTON, NJ 08625-0520

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

SENATE BILL No. 428

ASSEMBLY BILL No. 3541

STATEMENT

I am filing Senate Bill No. 428 and Assembly Bill No. 3541 in the State Library without my approval.

Under the provisions of Article V, Section I, Paragraph 14(b) of the Constitution, these bills do 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 bills.

Both these bills attempt to deal with the fuel adjustment charge on utility bills by requiring hearings before an adjustment in rates. I support the abolition of automatic increases on utility bills without hearings. The original justification for the fuel adjustment charge seems questionable under present circumstances, and utilities may present necessary data on fuel costs in their applications for rate adjustments.

These bills, however, contain certain drafting and technical errors which may create confusion. I accordingly will not approve the bills presently before me, but am directing that a new bill be prepared without these defects. I am also asking the Board of Public Utilities to adopt administratively the concept incorporated in these bills until the Legislature completes final action on new legislation. I urge the Legislature to take prompt action on a new bill to deal with this problem.

Accordingly, I am filing Senate Bill No. 428 and Assembly Bill No. 3541 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

ASSEMBLY BILL No. 3584

STATEMENT

I am filing Assembly Bill No. 3584 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 would provide a new method of apportioning the school board seats in regional districts with more than nine constituent districts in an effort to apply the standards delineated by the New Jersey Supreme Court in *Township of Franklin v. Board of Education of North Hunterdon Regional High School*.

The bill has several substantive defects. First of all, it is limited to regional districts with more than nine constituent districts and does not deal with variations from strict voter equality experienced by a majority of the regional districts throughout the State.

Secondly, by permitting the election of board members at large in each representative district, it creates the probability that the most populous municipality in each representative district will elect all of the members from that district.

Furthermore, the Attorney General has filed a petition for Writ of Certiorari with the U.S. Supreme Court for review of the State Supreme Court decision and any legislative response to this decision should be postponed pending this appeal.

Accordingly, I will file Assembly Bill No. 3584 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT
March 3, 1978. }

SENATE BILL No. 4

STATEMENT

I am filing Senate Bill No. 4 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 makes two changes in the statutes authorizing indemnification by boards of education to officers, employees and board members who successfully defend themselves in legal actions relating to their employment or position.

First, it authorizes reimbursement to school board officers or employees notwithstanding an indictment prior to the effective date of chapter 16-6.1 of Title 18A which it amends.

Secondly, this bill liberalizes the requirements for the reimbursement of board members to include legal actions based on an act or omission "arising out of" or "in the course of" the defendant's performance as a board member.

I am concerned with expanding the scope of the authority for boards of education to reimburse board members for successfully defending charges of misfeasance to include defending charges of malfeasance.

Accordingly, I will file Senate Bill No. 4 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT
March 3, 1978. }

SENATE BILL No. 99

STATEMENT

I am filing Senate Bill No. 99 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 would provide for the licensing of audiologists and speech pathologists by the State Board of Medical Examiners. The bill would create an Examining Committee to which is delegated the authority to carry out the powers conferred by the bill on the Board of Medical Examiners.

This Administration has adopted a strong policy against new licensing boards and committees. The number of boards and commissions should be curbed and not expanded.

I understand that recently enacted Federal legislation requires testing for speech and hearing defects, and that, perhaps, this may lead to abuses as large scale testing is instituted. I have not seen sufficient evidence to date of abuses to justify this legislation; however, if the Division of Consumer Affairs cannot, through its current enforcement powers against fraud, curb abuses which arise, I will consider legislation to provide for licensing of audiologists and speech pathologists by the Division of Consumer Affairs rather than by a Board.

At this time, I will file Senate Bill No. 99 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT
March 3, 1978. }

SENATE BILL No. 154

STATEMENT

I am filing Senate Bill No. 154 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 will amend N.J.S. 2A:151-5 which provides a minimum penalty for persons who commit high misdemeanors while armed. The minimum penalty is in addition to any sentence imposed for the primary offense. The amendment prohibits the suspension of any portion of the "while armed" sentence and denies the person so sentenced parole eligibility and "good time" credit until the sentence is served.

I have, in the past, refused to sign bills which represented piecemeal amendments to the present penal code because I am committed to a complete revision of our criminal justice laws. The statute which this bill would amend would be repealed in its entirety if the penal code is adopted. I will continue to press for meaningful reform of the New Jersey Criminal Code.

Accordingly, I am filing Senate Bill No. 154 without my approval and requesting that the Legislature adopt the proposed penal code as quickly as is reasonably possible.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT
March 3, 1978. }

SENATE BILL No. 181

STATEMENT

I am filing Senate Bill No. 181 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.

I am advised that this bill, which would extend for three days the current seven-day period required before animal shelters may destroy dogs, would lead to significant overcrowding in shelters; jeopardize the continued existence of some shelters; and protect few if any animals from ultimate destruction.

I understand the concern which led to this bill, but the result of approval would be to allow a deterioration of the conditions under which thousands of animals are presently maintained in an effort to preserve only a few animals. Although there have been scattered situations where pets have been destroyed, most pets are reclaimed from shelters by their owners well before the current deadline; when pets are licensed or tagged, shelters make extensive efforts to locate owners before destroying the animals. It is possible that substitute legislation, more narrowly directed toward pets, would be appropriate; the current bill, however, would create significant problems in our efforts to provide humane conditions in animal shelters.

Accordingly, I am filing Senate Bill No. 181 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT
March 3, 1978. }

SENATE BILL No. 190

STATEMENT

I am filing Senate Bill No. 190 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 purpose of this bill is to permit the withdrawal of estimated funds of compensation in condemnation proceedings at any time, including during the pendency of an appeal, subject to the approval of the Superior Court.

Rule of Court 4:73-9(d) provides that "all orders for withdrawal may be reviewed by the court pending expiration of the time to appeal and during the pendency of any appeal." This rule places discretion in the court to make this determination; this bill would do no more.

The bill, therefore, appears unnecessary.

I will, therefore, file Senate Bill No. 190 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT
March 3, 1978. }

SENATE BILL No. 206 (OCR)

STATEMENT

I am filing Senate Bill No. 206 (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.

Although I support the idea that an employee of one level of public service should not lose fundamental benefits of such employment upon an inter or intra level transfer, I am concerned about the language in S-206 that purports to remedy the problem. That language may be broader than is necessary to carry out the purpose of the bill. I will work with the sponsors of this legislation in an attempt to get narrower language that addresses the problem more squarely.

Accordingly, I will file Senate Bill No. 206 (OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT
March 3, 1978. }

SENATE BILL No. 428

ASSEMBLY BILL No. 3541

STATEMENT

I am filing Senate Bill No. 428 and Assembly Bill No. 3541 in the State Library without my approval.

Under the provisions of Article V, Section I, Paragraph 14(b) of the Constitution, these bills do not become law if 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 bills.

Both these bills attempt to deal with the fuel adjustment charge on utility bills by requiring hearings before an adjustment in rates. I support the abolition of automatic increases on utility bills without hearings. The original justification for the fuel adjustment charge seems questionable under present circumstances, and utilities may present necessary data on fuel costs in their applications for rate adjustments.

These bills, however, contain certain drafting and technical errors which may create confusion. I accordingly will not approve the bills presently before me, but am directing that a new bill be prepared without these defects. I am also asking the Board of Public Utilities to adopt administratively the concept incorporated in these bills until the Legislature completes final action on new legislation. I urge the Legislature to take prompt action on a new bill to deal with this problem.

Accordingly, I am filing Senate Bill No. 428 and Assembly Bill No. 3541 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT
March 3, 1978. }

SENATE BILL No. 639 (2ND OCR)

STATEMENT

I am filing Senate Bill No. 639 (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 would amend the New Jersey Penal Code to reinstate the death penalty for specific offenses. Capital punish-

ment is chiefly an emotional response to crime, especially when offered in the absence of any meaningful attempt at penal reform.

Although I told this Legislature that I would sign a death penalty bill if it was accompanied in 1977 by a comprehensive penal code reform, I do not pretend that this bill alone is a solution to our many problems in the law enforcement area.

Accordingly, I am filing Senate Bill No. 639 (2nd OCR) without my approval and request the new Legislature to deal promptly with penal code reform.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT
March 3, 1978. }

SENATE BILL No. 823

STATEMENT

I am filing Senate Bill No. 823 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 directs the Department of Transportation to investigate the Route 4 and 17 cloverleaf which is located in Bergen County. It also appropriates money to implement the Department's study.

I have decided to file Senate Bill No. 823 without my approval. The Department of Transportation has already studied the interchange and has prepared a model demonstrating the needed improvements. However, the cost of implementing the Department's study exceeds \$50,000,000.

Present fiscal constraints make funding unavailable for these improvements. There is also no firm consensus on which alternatives would be effective, and which would not simply move the problem to another point.

Accordingly I must file Senate Bill No. 823 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT
March 3, 1978. }

SENATE BILL No. 867 (OCR)

STATEMENT

I am filing Senate Bill No. 867 (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 attempts to require the surrogate in each county to notify the municipal tax assessor in the municipality in which a deceased maintained his residence, when wills have been recorded or letters testamentary and letters of administration have been granted.

It is not clear, from the language of S-867, that it will accomplish its purpose. Furthermore, there are already in existence statutes that require the recording by the surrogate of letters testamentary, letters of administration and wills. Also, S-867 would place an addition financial burden upon the county surrogate since more individuals would have to be hired to correctly implement this bill.

Accordingly, I will file Senate Bill No. 867 (OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT
March 3, 1978. }

SENATE BILL No. 887 (OCR)

STATEMENT

I am filing Senate Bill No. 887 (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 would authorize the Department of Labor and Industry to regulate the siting of tanks or facilities used to store liquified natural gas.

This bill was introduced prior to the creation of the State Department of Energy by the Legislature. The Department is now reviewing the existing State programs relating to the siting of energy facilities. I do not believe that we should take action on this bill until this review is completed, and reasoned judgments can be made on the respective responsibilities of State agencies concerning the siting of such facilities.

Accordingly, I will file Senate Bill No. 887 (OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT
March 3, 1978. }

SENATE BILL No. 973 (OCR)

STATEMENT

I am filing Senate Bill No. 973 (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 would establish a Mental Health Oversight Commission to monitor implementation of the Mental Health Master Plan, analyze the budgets of the Departments of Institutions and Agencies (the bill was not amended to apply to Human Services) and Health, provide mental health care consumers with an ombudsman-like group to hear problems of individuals, revise existing mental health statutes, and review or prepare legislative proposals. The bill appropriates \$25,000.

We must certainly ensure that the problems of mental health are addressed; however, I am concerned that adding another body to an existing plethora of agencies in this area is a cosmetic solution with little effect.

The Joint Appropriations Committee and the Office of Fiscal Affairs can effectively analyze the budget of departments in New Jersey State government to ensure that funds are effectively allocated. The Office of Mental Health Advocacy or the Department of The Public Advocate can effectively represent the problems and concerns of the mentally ill. And the standing legislative Institutions, Health and Welfare committees can effectively review existing statute and new legislative proposals.

I have no doubts that this legislation was enacted with the very best of intentions. But I believe also that to add to another commission the long roster will not most effectively focus on the problems of mental health in New Jersey. We

will continue to explore the most effective ways to deal with those problems.

Accordingly, I will file Senate Bill No. 973 (OCR) without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT
March 3, 1978. }

SENATE BILL No. 978 (3RD OCR)

STATEMENT

I am filing Senate Bill No. 978 (Third 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 would reconstitute the offices of county superintendents of schools as branches of the Department of Education.

The purpose of this bill is to shift to the State those costs of existing offices still funded by the counties. I am advised that the costs which would be assumed by the State would be substantial, and that it would be difficult to reconcile this added burden with current State fiscal responsibilities. While not taking a position on the merits of this bill, I am constrained to withhold my approval because of the current tight budget picture for the next fiscal year. Accordingly, I am filing Senate Bill No. 978 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT
March 3, 1978. }

SENATE BILL No. 1033

STATEMENT

I am filing Senate Bill No. 1033 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 would provide insolvency protection for policyholders of commercial life and health insurance companies by creating a private, nonprofit association to be known as the New Jersey Life and Health Insurance Guaranty Association. Commercial insurers selling life insurance, health insurance, annuity contracts or supplemental contracts would be required to be members of the Association as a condition of doing business in the State. In the event of an insolvency, the Association would guarantee, assume or reinsure policies, assure payment of contractual obligations, and lend money or other backing to the insolvent insurer with the purpose of rehabilitating the insurer and providing uninterrupted protection to its policyholders. The Association would come under the immediate supervision of the Commissioner of Insurance and would be subject to applicable State insurance laws.

All funds required by the Association are to be raised by assessments against member insurers pursuant to three formulas provided in the bill, one for the payment of administrative costs, another for costs related to the impairment of a domestic insurer, and a third for costs related to the impairment of a foreign or alien insurer.

The difficulty with this bill lies in section 16 which would permit member companies to recoup assessments by deducting them from premium taxes otherwise owed the State. Up to 20% of the amount of an assessment could be deducted in any one year. The potential annual tax loss could

range from \$1.5 million to \$15 million—the entire amount of premium taxes collected from life and health insurers in FY '76.

Furthermore, the tax offset provision would, in effect, require New Jersey taxpayers to subsidize nonresident policyholders. Absent the tax offset provision, the cost of insolvency protection would be spread among all policyholders wherever located. This provision, however, would guarantee all policies of New Jersey domiciled companies, giving out-of-state policyholders the benefits of insolvency protection without having to pay for it. Because New Jersey is a net exporter of insurance, the potential burden on New Jersey taxpayers would be unfairly disproportionate.

I cannot support this bill in its present form. Accordingly, I am filing Senate Bill No. 1033 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT
March 3, 1978. }

SENATE BILL NO. 1084

STATEMENT

I am filing Senate Bill No. 1084 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 would provide that the identity of any living person who is the victim of any crime involving rape, carnal abuse, or forcible sodomy shall not be part of the public records of any court or law enforcement agency, and is to be strictly safeguarded from public information. Such in-

formation would be made available only by court order for good cause shown.

Violation of the bill would result in a disorderly persons offense.

This bill would be impossible to administer. The bill could be interpreted to be retroactive, although this may well not have been the intent of the Legislature. Furthermore, for the bill to achieve its intended effect, trials would need to be closed to the public, since newsmen could otherwise be present and report the names of victims. In the alternative, pseudonyms would have to be applied to identify victims in court. The constitutionality of such procedures must be considered suspect.

Finally, while to prevent individuals from having to bear the social stigma of being victims of these crimes is a well-intentioned end, one may argue that legislative policy should be aimed at emphasizing that, to the contrary, victims of these crimes bear no guilt and should bear no stigma simply because they are victims of the type of sex offenses enumerated in the bill.

Accordingly, I will file Senate Bill No. 1084 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT
March 3, 1978. }

SENATE BILL No. 1247

STATEMENT

I am filing Senate Bill No. 1247 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. 1247, which defines obscenity and gives each of the 567 New Jersey communities authority to enforce as a disorderly person's offense its provisions, is an unsatisfactory solution to a problem. Undoubtedly, the Legislature's haste to enact the bill is inspired by what it sees as the lack of an adequate court tested remedy for the pornography problem, nationally and in New Jersey.

Localized remedy has the advantage of promptness and of some responsiveness to vocal community sentiment. There are disadvantages. Penalties are limited by the jurisdiction of the municipal court, i.e., disorderly person's offenses. Standards of definition and enforcement can vary widely from community to community—a problem which could quickly assume constitutional dimension. Enforcement on a level beyond municipal boundaries can become difficult. Extradition is not available for disorderly person's offenses. The seriousness of the offense does not take account of the involvement of children as victims of the crime.

Commercial pornography and pornography which victimizes children should be the subject of state regulation. The proposed penal code passed by the Assembly deals with the problem proscribing the sale of exhibition of obscene material to persons under 16 years of age, and public communication of obscenity.

Failing that, I prefer to rely on existing statutes, N.J.S. 2A:115-1.1. et seq. These statutes were construed by the New Jersey Supreme Court in *State v. DeSantis*, 65 N.J. 462 (1974), so as to incorporate the standards deemed constitutional by the United States Supreme Court in *Miller v. California*, 413 U.S. 15 (1973). Thus, the courts may continue to give the existing provisions constitutional application. Under the current statutes, displays or distribution of obscene matter is a misdemeanor rather than merely a disorderly persons offense as provided by this bill.

Although enforcement of present law yields mixed results, it has been used effectively in several areas of the state to close shops and exhibitions. I note that substantial fines far in excess of those here proposed were involved in the successful prosecutions. That law remains in the arsenal of prosecution weapons.

The penal code provision might help more. The bill I return, although passed with the best of intentions, falls short.

I am, therefore, filing Senate Bill No. 1247, without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT
March 3, 1978. }

SENATE BILL No. 1272

STATEMENT

I am filing Senate Bill No. 1272 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 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.

In 1976, I vetoed legislation identical to this bill. At that time, I noted that "the existing statutory schemework represents an appropriate balance between preventing arbitrary fee alterations and allowing municipalities which assess those fees ample discretion." I believe this reservation is still valid.

Accordingly, I will file Senate Bill No. 1272 without my approval.

Respectfully,

[SEAL]

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT, }
March 3, 1978. }

SENATE BILL No. 1273

STATEMENT

I am filing Senate Bill No. 1273 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 authorizes credit for prior service in State, county or municipal service for public employees upon their transfer by appointment, assignment or promotion among the three levels of public service as well as within the employee's own level of public employment for all purposes where the length of service is a factor in determining the rights of an employee.

I am concerned that language in S-1273 may be broader than is necessary to carry out the purpose of the bill. A more careful delineation of the rights to be transferred must be undertaken. I will work with the sponsors of this legislation in an attempt to get narrower language that addresses the problem more squarely.

Accordingly, I will file Senate Bill No. 1273 without my approval.

Respectfully,

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT, }
March 3, 1978. }

SENATE BILL No. 1346 (OCR)

STATEMENT

I am filing Senate Bill No. 1346 (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 would create a procedure for the resolution of title questions to property which may be subject to claims by the State on the basis of property formerly being flowed by the mean high tide.

The Attorney General's Office has raised certain technical and substantive questions relating to this proposed legislation. It is possible that these questions could be resolved as a result of further review and consultation by the Attorney General's Office with the proponents of this bill. I support attempts to provide an expedited procedure for resolution of these questions consistent with the protection of the State's interest in maintaining its claims to tide-flowed property. Until there is further review of this proposal, it seems prudent to withhold approval of the current bill. Accordingly, I am filing Senate Bill No. 1346 (OCR) without my approval.

Respectfully,

/s/ BRENDAN BYRNE,
Governor

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

SENATE BILL No. 1459

STATEMENT

I am filing Senate Bill No. 1459 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 would amend the child labor law to allow minors 16 years of age or older who are members of a volunteer fire company's Junior Firemen's Auxiliary to engage in fire fighting training activities which may be hazardous.

It would leave each municipality free, under N.J.S. 40A:14-98, to determine what duties the members of the Junior Firemen's Auxiliary could perform that would not expose them "to the same degree of hazard as a regular member of a volunteer fire company."

With such discretion, municipalities lacking sufficient adult firemen may be tempted to use this legislative exemption to permit minors to actually fight fires. In addition, municipal liability insurance may have to be increased to cover the fire fighting activities of such minors.

Accordingly, I am filing Senate Bill No. 1459 without my approval.

Respectfully,

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

SENATE BILL No. 1495

STATEMENT

I am filing Senate Bill No. 1495 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 repeals the section of the new Municipal Land Use Law, approved on January 14, 1976 (P. L. 1975, c. 291, C. 40:55D-59). The section which would be repealed relates to land assessed pursuant to the Farmland Assessment Act, and requires that land would lose its preferential assessment under that Act on the January 1 following the approval of any preliminary sub-division, site plan or planned development. I have discussed this bill with both supporters and opponents of the proposed legislation. The bill raises serious questions concerning its consistency with the objective of the Farmland Assessment Act to conserve farmland by giving farmers a tax advantage. If this bill is approved, a developer will be able to buy farmland and continue to receive the tax advantage even though the property is targeted for eventual development.

I understand that there are strong opinions on both sides of the issue, but in my view, the repeal of this section so quickly after the approval of the Municipal Land Use Law would be inappropriate at the present time. The effect of this section on the preservation of farmland should continue to be reviewed, possibly in the context of an overall study of the effectiveness of the Farmland Assessment Act. My concern that this bill does not serve to promote the preservation of farmland in our State leads me to defer approval of this proposed legislation.

Respectfully,

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT, }
March 3, 1978. }

SENATE BILL No. 1517

STATEMENT

I am filing Senate Bill No. 1517 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 would enable counties retroactively to provide certain bonus and longevity payments to surrogates' deputies and clerks to achieve parity with deputies and clerks in other county offices.

Recognizing that this is permissive legislation and is somewhat restricted by the Cap laws, I would sign a bill which required applications for the payments authorized by Senate Bill No. 1517 to be made within six months of enactment.

Accordingly, I am filing Senate Bill No. 1517 without my approval.

Respectfully,

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT, }
March 3, 1978. }

SENATE BILL No. 1520

STATEMENT

I am filing Senate Bill No. 1520 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 increases the minimum and maximum fines which may be imposed upon persons violating the Public Movers Act by performing public movers' service without a certificate. For the first such offense, the minimum fine is increased from \$25 to \$100 and the maximum fine from \$100 to \$300. For subsequent offenses, the maximum fine of \$300 is increased to a set fine of \$500. Other fines will remain unchanged.

This bill cannot be approved in its present form without inadvertent repeal of language inserted in N.J.S.A. 48:22-17 by Public Law 1977, c. 263.

Therefore, I am filing Senate Bill No. 1520 without my approval and requesting that the Legislature consider adoption during this session of an identical bill incorporating certain technical amendments.

Respectfully,

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT, }
March 3, 1978 }

SENATE BILL NO. 1528

STATEMENT

I am filing Senate Bill No. 1528 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 would make the same procedures which are applicable to judgments in favor of minors applicable to arbitration awards to minors.

While there appears to be no problem with the end sought to be accomplished, the bill is technically deficient in that statutory amendments enacted previous to the enactment of this bill were not incorporated into the bill. To enact this bill might be interpreted to implicitly repeal those previous amendments although this was not the Legislature's intent.

Accordingly, I will file Senate Bill No. 1528 without my approval.

Respectfully,

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

SENATE BILL No. 1555 (OCR)

STATEMENT

I am filing Senate Bill No. 1555 (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 would establish a procedure by which a garage keeper may acquire a lien on a motor vehicle he has towed and stored. After filing a complaint and motion to obtain a lien and having perfected a lien, the garage keeper may sell the vehicle at public sale according to procedures set forth in the bill. Prerequisites to obtaining a junk title certificate are set forth in the bill. The lien thus obtained has, under

prescribed circumstances, priority over any lien, title or interest held by virtue of a prior security interest.

This bill succeeds Senate Bill No. 1504 which I filed in 1976 without my approval. That action was taken because of a recent Federal Court decision which had ruled a statute unconstitutional which required a public sale 30 days after the date a vehicle was detained because of failure to pay for costs due the garage keeper. I noted at that time that Senate Bill No. 1504 suffered from an even greater constitutional deficiency in that the bill did 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.

While this bill, S-1555 (OCR) provides for some of the deficiencies in S-1504, there are still serious problems. The bill does not provide a mechanism whereby the owner of the vehicle can repossess his vehicle upon payment of a deposit or bond into court. Because of language in court decisions indicating that the garage keeper's retention of an owner's automobile "amounts to deprivation of a significant possessory interest," it would be advisable to add this language to the bill.

Furthermore, the garage keeper can perfect a lien on a vehicle, and make the sole determination as to whether the vehicle is eligible for a "junk title", thereby giving his lien priority, without any notice to other lien holders. This gives rise to a constitutional due process issue.

One may also question the need for this bill in light of N.J.S.A. 39:10A-3 which provides for junk title certificates to be issued where a public agency takes possession of a vehicle; while that statute does not cover the range of cases addressed by Senate Bill No. 1555 (OCR), it would appear to deal in good part with the problems arising from the need to remove abandoned vehicles.

While there may be a need for legislation to accomplish the ends sought by this bill, it should take a different form in order to offer due process to vehicle owners and prior lien holders, and still offer relief to garage owners who may have trouble collecting repair bills.

Accordingly, I will file Senate Bill No. 1555 (OCR) without my approval.

Respectfully,

/s/ BRENDAN BYRNE,

Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

SENATE BILL No. 1635

STATEMENT

I am filing Senate Bill No. 1635 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 would establish a New Jersey Commission on Services for the Deaf. The Commission would gather information on the number of deaf citizens in schools in New Jersey, the kinds of jobs held by the deaf, their level of income and the extent of their need for various services, such as health care and job training.

On July 31, 1977, I signed legislation creating a Division of the Deaf and an Advisory Council on the Deaf within the Department of Labor and Industry; that legislation appropriated \$200,000. No duties are specifically enumerated in that legislation for the 14-member Advisory Council. To now create a new Commission on Services of the Deaf can only be counterproductive and can only serve to fragment the effort to provide services for the deaf in the State. Furthermore, the \$60,000 this bill would invest in another bureaucratic layer may better be spent in directly providing services to the deaf or to some other worthy group of citizens.

I will ask the Advisory Council on the Deaf to perform the tasks which S-1635 would have assigned to the Study Commission. If the Advisory Council finds it cannot perform those tasks, I will reconsider approving legislation such as S-1635 if the Legislature will re-enact it next session.

Accordingly, at this time, I will file Senate Bill 1635 without my approval.

Respectfully,

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT, }
March 3, 1978. }

SENATE BILL No. 1690 (2ND OCR)

STATEMENT

I am filing Senate Bill No. 1690 (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 would include unclassified employees in the group of State employees entitled to the addition of certain amounts of annual leave time accrued to their vacation leave entitlement.

Under S-1690, an employee could add previous service with the State in the computation of time for vacation leave, whether or not that service was continuous, provided that the employee reenter State service not later than five years following a prior departure from State service. However, because of the difficulty and length of time required to accurately determine the cost of this change, I cannot responsibly sign this bill.

Accordingly, I will file Senate Bill No. 1690 (OCR) without my approval.

Respectfully,

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT, }
March 3, 1978. }

SENATE BILL No. 3051

STATEMENT

I am filing Senate Bill No. 3051 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 establishes three levels of licensing for social workers and creates a nine-member State Board of Social Work Examiners to administer the act, examine and pass on the qualifications of all candidates for licensure, establish a social work specialty advisory committee to define areas of practice and a core curriculum and issue rules and regulations for the enforcement of the act.

I have decided to file Senate Bill No. 3051 without my approval. My Administration has adopted a policy against new licensing boards and committees. There is no clear evidence that licensing establishes good standards or protects consumers. Furthermore, this bill would add another layer of unnecessary bureaucracy to State government.

Accordingly I must file Senate Bill No. 3051 without my approval.

Respectfully,

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
March 3, 1978. }

SENATE BILL No. 3096 (2ND OCR)

STATEMENT

I am filing Senate Bill No. 3096 (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 would have appropriated \$2,000,000.00 to Bergen County for the support of Bergen Pines County Hospital.

While Bergen Pines County Hospital is deserving of this assistance because of its high indigency rate and because it is a public general hospital rendering unique service to Bergen County, I have indicated that such assistance should only be provided by the State with adequate provisions for audit and State representation on the governing board of such an institution receiving State assistance.

On December 1, 1977, I signed into law Public Law 1977, c. 289, the "Public General Hospital Assistance Act." That law provides those safeguards. Furthermore, it is estimated that, under that statute, Bergen Pines County Hospital will be eligible for approximately \$3.8 million in State aid. Since, under the terms of c. 289, that amount would be reduced by the amount of any other appropriation to Bergen Pines County Hospital, signing Senate Bill No. 3096 (2nd OCR) would give no additional funding to this hospital, but would give \$2 million without appropriate safeguards. To fund Bergen Pines through Senate Bill No. 3096 (2nd OCR) would therefore, be a less desirable mechanism than P. L. 1977, c. 289.

I will, therefore, file Senate Bill No. 3096 (2nd OCR) without my approval.

Respectfully,

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT, }
March 3, 1978. }

SENATE BILL No. 3100

STATEMENT

I am filing Senate Bill No. 3100 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 ex-

cepted, 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 would amend the "Municipal Policemen and Firemen Residency Preference Act," P. L. 1976, c. 132, which I signed into law on December 21, 1976. The bill defines a "resident" as one who has primary habitancy within the municipality as of the promulgation date of the current list for the classification under which the applicant seeks to qualify and adds the requirement that the applicant maintain his primary residency within the jurisdiction up to and including the date of his appointment.

The Department of Civil Service has already achieved the objective of Senate Bill No. 3100 by regulation and accordingly, I am filing the bill without my approval.

Respectfully,

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT, }
March 3, 1978. }

SENATE BILL No. 3391 (OCR)

STATEMENT

I am filing Senate Bill No. 3391 (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 would allow financial business corporations to claim interest on indebtedness to a parent company as a deduction from the State Corporation Business Tax.

I am advised that this bill has been introduced to make the tax treatment of New Jersey corporations affected by present law more comparable with that of neighboring states. It is claimed that our current law adversely affects the location of such finance companies in the State.

I support the concept of the legislation. I am concerned, however, about the potential revenue loss resulting from the present effective date of the bill allowing taxpayers to the benefit of this legislation during 1977. I am accordingly filing this bill without my approval, but would approve legislation which had a prospective effect beginning in 1978.

Respectfully,

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

STATE OF NEW JERSEY, }
EXECUTIVE DEPARTMENT, }
March 3, 1978. }

SENATE BILL No. 3465

STATEMENT

I am filing Senate Bill No. 3465 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 would increase the number of public members on the New Jersey Commission on Capital Budgeting and Planning from four to six.

I believe that this Commission has been an effective aid in the development of the State's capital program and has increased public credibility in the merits of proposed bond issues for capital construction. I hesitate to change the structure of an agency which is working effectively and

particularly to expand its membership with the risk of dilution of the present active participation of its members. I will defer approval of this bill on the theory that "If it ain't broke, don't fix it."

Accordingly, I am filing Senate Bill No. 3465 without my approval.

Respectfully,

/s/ BRENDAN BYRNE,
Governor.

Dated: March 3, 1978.

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A. 2351	Gives additional police powers to identification officers employed by a county of the first class.	Pocket	96

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COUNTIES (cont'd)			
A. 3428	Grants to Sheriffs in counties of the first class the authority to establish and fill sheriff's investigator positions.	Pocket	108
S. 867	(OCR) Requires the surrogate in each county to notify the municipal tax assessor in the municipality in which a deceased maintained his residence.	Pocket	120
S. 1517	Authorizes bonus and longevity payments to deputies and certain clerks in the office of county surrogate.	Pocket	133
DEATH PENALTY			
S. 639	(2nd OCR) Amends the New Jersey Penal Code to reinstate the death penalty for specific offenses.	Pocket	118
DEAF			
S. 1635	Establishes a New Jersey Commission on Services for the Deaf.	Pocket	137
DOGS			
S. 181	Extends for three days the current seven-day period required before animal shelters may destroy dogs.	Pocket	115
ECONOMIC DEVELOPMENT			
S. 1712	(2nd OCR) Expands the definition of permissible Economic Development Authority projects.	Conditional	33
ELECTIONS			
A. 2435	Prohibits endorsements of candidates for public office by the various party committees before a primary.	Pocket	99
A. 3034	Eliminates the authorization for statements of candidates in gubernatorial elections to be mailed to voters with sample election ballots.	Pocket	100
A. 3140	(OCR) Amends the Campaign Contributions and Expenditures Reporting Act of 1973 addressing reporting requirements for political information organizations and political committees.	Pocket	104
ENERGY			
A. 3277	(2nd OCR) Establishes energy efficiency standards for the sale of air conditioners.	Pocket	107
S. 636	(OCR) Creates a State Energy Office.	Conditional	19

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ENVIRONMENT			
S. 1224	(5th OCR) Allows counties to assist in the development and enforcement of various environmental health programs.	Line Item	40
EMPLOYEES			
A. 1896	Allows an employee to authorize his employer to withhold from his wages certain payments.	Pocket	87
A. 2125	Permits the specific designation, of the "duly certified majority representative", as the sole recipient of organizational dues deducted automatically from the employee's payroll.	Conditional	17
EMPLOYMENT AGENCIES			
A. 307	Deletes private employment agencies which secure engagements for performing artists from the statute regulating and licensing employment agencies.	Pocket	75
FIREMEN			
A. 1990	(OCR) Provides that the chief or other superior officer of any paid or volunteer fire department shall have sole authority at the scene of a fire.	Pocket	89
S. 1459	Permits minors 16 years of age or older to engage in Junior Firemen's Auxiliary activities.	Pocket	131
HEALTH CARE			
S. 1219	(2nd OCR) Permits owners and employees of private long-term health care facilities to occupy the third floor of such facilities.	Conditional	31
INSURANCE			
A. 3100	Amends the statutory formula for the valuation of reserves held by life insurance companies on group annuity and pure endowment contracts.	Pocket	140
S. 1033	Creates a private, nonprofit association to be known as the New Jersey Life and Health Insurance Guaranty Association.	Pocket	124
IMMUNITY			
A. 971	Requires the Attorney General to include statistical information pertaining to granting of immunity in his annual report.	Pocket	80

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LABELING			
A. 2211	(OCR) Prohibits the sale or labeling of fruits or vegetables as "New Jersey" or "Jersey" grown or produced unless the commodity was grown in the State.	Pocket	91
LABOR			
A. 1985	(OCR) Exempts minors 14 years of age and older from the requirement of an employment certificate for work at agricultural fairs, horse, dog, or farm shows.	Conditional	15
LEGISLATION			
A. 996	Prohibits agreements to influence legislation under certain circumstances.	Pocket	81
LICENSES			
A. 1659	Requires a female under 45 years of age applying for a marriage license submit a certificate stating whether she exhibits immunological response to rubella.	Pocket	83
S. 99	Provides for the licensing of audiologists and speech pathologists by the State Board of Medical Examiners.	Pocket	113
S. 3051	Establishes three levels of licensing for social workers and creates a nine-member State Board of Social Work Examiners.	Pocket	138
LIENS			
A. 3104	(OCR) Provides a lien on articles not claimed within 180 days to dry cleaners and tailors.	Pocket	103
MENTAL HEALTH			
S. 973	(OCR) Establishes a Mental Health Oversight Commission.	Pocket	122
MINORS			
S. 1528	Provides that any arbitration award in favor of a minor shall be subject to certain requirements.	Pocket	134
MISDEMEANORS			
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MOTOR VEHICLES			
A. 781	(ACS) Provides quarterly computation of registration fees for certain school vehicles and commercial motor vehicles.	Pocket	78
S. 1555	(OCR) Establishes a procedure by which a garage keeper may acquire a lien on a motor vehicle he has towed and stored.	Pocket	135
MUNICIPALITIES			
A. 1440	Permits certain civilian members of a municipal fire department to be appointed to a uniformed fire fighting position.	Conditional	1
A. 1914	Authorizes the town of Jamesburg to make permanent the appointment of a particular individual to police department.	Pocket	88
A. 2430	(OCR) Permits certain municipalities to appoint up to 15 heads of designated divisions in the unclassified service of Civil Service.	Pocket	98
A. 3226	(OCR) Authorizes a municipality to amend its budget prior to May 31, 1977 for fiscal 1977 only.	Pocket	106
S. 1272	Limits municipalities from either increasing or decreasing its license fees for plenary retail consumption and distribution licenses to sell alcoholic beverages.	Pocket	128
S. 1440	Validates certain municipal land sales	Conditional	32
S. 1495	Repeals a section of the Municipal Land Use Law (P. L. 1975, c. 291) relative to assessment of farmland subject to preliminary subdivision, site plan or planned development approval.	Pocket	132
S. 3100	Amends the Municipal Policemen and Firemen Residency Preference Act.	Pocket	140
NATURAL GAS			
S. 887	(OCR) Authorizes the Department of Labor and Industry to regulate the siting of tanks or facilities used to store liquified natural gas.	Pocket	121
OBSCENITY			
S. 1247	Revises the obscenity laws.	Pocket	126
PODIATRISTS			
S. 720	Permits podiatrists to perform any surgery, not to include amputation, on any part of the foot, but not treatment of systemic diseases of any other part of the body.	Conditional	22

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POLICEMEN			
A. 3170	Requires police training courses carried on by the Police Training Commission to include training in the handling of domestic disputes.	Pocket	106
POLITICAL PARTIES			
S. 3029	Permits the county committees of each political party to nominate candidates for any special election to fill such a vacancy without having to conduct a special primary election.	Absolute	38
S. 3099	(2nd OCR) Permits the political parties to apportion State committee membership in accordance with the rules and bylaws of their respective State committees.	Conditional	34
PUBLIC EMPLOYEES			
A. 1771	(OCR) Allows retired (PERS) members to have their accumulated deductions paid to their estates or designees.	Pocket	85
A. 2095	Authorizes a legally blind individual employed by a municipal police department to retire as a member of the Public Employee's Retirement System for reasons of ordinary disability without having completed the mandatory 10 years of service.	Pocket	89
A. 2397	Deletes the requirement in certain county employees' pension funds that a widow or widower of a member must be receiving at least $\frac{1}{2}$ of their support from the member to be eligible for a pension.	Pocket	97
S. 206	(OCR) Includes all public employees in the act concerning the rights of employees transferred to other positions in the county or municipalities in the county.	Pocket	116
S. 1273	Authorizes credit for prior service in State, county or municipal service for public employees upon their transfer.	Pocket	129
S. 1690	(2nd OCR) Includes unclassified employees in the group of State employees entitled to the addition of certain amounts of annual leave time accrued to their vacation leave entitlement.	Pocket	138
PUBLIC MOVERS			
S. 1520	Increases the fines which may be imposed upon persons violating the Public Mover's Act by performing public movers' service without a certificate.	Pocket	133

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RACING			
A. 1516	(OCR) Allots one additional day to each holder of a permit to conduct horse race meetings.	Conditional	13
S. 963	Describes the manner of distribution for moneys deposited with the State Treasurer by horse race permit holders or the Local Expense Fund.	Conditional	30
REAL PROPERTY			
S. 1346	(OCR) Creates a procedure for the resolution of title questions to property which may be subject to claims by the State on the basis of property formerly being flowed by the mean high tide.	Pocket	130
SCHOOLS			
A. 3584	Provides a new method of apportioning the school board seats in regional districts with more than nine constituent districts.	Pocket	111
S. 4	Makes certain changes in the statutes authorizing indemnification by boards of education to officers, employees and board members who successfully defend themselves in legal actions relating to their employment or position.	Pocket	112
S. 978	(3rd OCR) Reconstitutes the offices of county superintendents of schools as branches of the Department of Education.	Pocket	123
SEX CRIMES			
S. 1084	Provides that the identity of any living person who is a victim of certain sex crimes shall not be part of the public records of any court or law enforcement agency.	Pocket	125
SHOPLIFTING			
A. 3079	Revises the shoplifting statutes to conform with various changes in the nature of shoplifting caused partially by recently developed merchandising techniques.	Pocket	101
SPORTS			
A. 1734	Revises boxing and wrestling statutes.	Pocket	84
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TAXATION			
A. 1475	(OCR) Allows any county or municipality to establish a voluntary deferred salary plan with its employees that will qualify for Federal tax shelter benefits.	Conditional	11
A. 2178	Exempts certain bus companies from the State highway use tax, motor fuel tax, and net worth corporation business tax.	Pocket	90
A. 2262	(OCR) Allows a credit for the amount of taxes imposed by other states or political sub-divisions of states.	Pocket	92
A. 2440	(3rd OCR) Increases the number of Judges in the Division of Tax Appeals from seven to eleven and makes certain other changes in current legislation governing tax appeals.	Conditional	18
S. 3391	(OCR) Allows financial business corporation to claim interest on indebtedness to a parent company as a deduction from the State Corporation Business Tax.	Pocket	141
TEACHERS			
A. 648	(OCR) Requires the teacher to conduct silent meditation in classroom.	Pocket	76
TRANSPORTATION			
A. 2324	Terminates the extension of Route 29.	Pocket	94
S. 823	Directs the Department of Transportation to investigate the Route 4 and 17 cloverleaf which is located in Bergen County.	Pocket	119
UTILITIES			
A. 3541	Requires hearings before an adjustment in rates on utility bills.	Pocket	110
S. 428	Requires hearings before an adjustment in rates on utility bills.	Pocket	117

