

RELEASE AFTERNOON PAPERS SATURDAY, APRIL 27, 1946.

Mr. Sidney Goldmann
State Library

Sir:

I am filing herewith in the State Library, without my approval, Assembly Bill No. 14.

This act seeks to place upon the State the cost of paying certain officials for officiating at racetrack meets. Such officials; namely, stewards, certified public accountants, and veterinarians, are now employed and paid by the tracks. While the policy of having employees responsible to the State in these positions may have merit, nevertheless, the enactment of this legislation would be an extra expense to the State that I do not believe necessary or justified.

In addition thereto, the act provides that such compensation shall be paid out of "available appropriations". The act does not carry any appropriation and there is no other appropriation available for this purpose. Therefore, to enact this legislation into law would be meaningless and for that reason I am withholding my approval.

Very truly yours,

/S/ Walter E. Edge

Governor.

ATTEST:

/S/ Edward M. Gilroy

Secretary to the Governor

4/27/46

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 14

STATE OF NEW JERSEY

INTRODUCED APRIL 8, 1946

By Mr. WALTER H. JONES

(Without Reference)

AN ACT to amend and supplement "An act creating the New Jersey Racing Commission and defining its powers and duties; providing for the granting of permits and licenses for the operation of race meetings whereat the running, steeplechase racing or harness racing of horses only may be conducted; providing for the licensing of concessionaires and operators and their employees; regulating the system of pari-mutuel betting and fixing the license fees, taxes and revenues imposed hereunder and fixing penalties for violations of the provisions of this act," approved March eighteenth, one thousand nine hundred and forty (P. L. 1940, c. 17), as said Title was amended by chapter one hundred thirty-seven of the laws of one thousand nine hundred and forty-one.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section seventeen of the act of which this act is amendatory is amended
2 to read as follows:

3 17. The said commission may designate a steward, a certified public ac-
4 countant of this State as supervisor of mutuels, and a veterinarian licensed to
5 practice in this State, to serve at any horse race meeting held under a permit
6 issued under this act. The compensation of such representatives shall be
7 fixed by the commission within the limits of available appropriations and
8 shall be paid as all other State expenditures are paid. Such representa-

9 tives shall have full and free access to any portion of the space or enclosure
10 where such horse race meeting is held and shall have such powers and
11 duties as the commission may from time to time delegate to them under the
12 provisions of this act.

1 2. Section fifty-seven of the act of which this act is amendatory is
2 amended to read as follows:

3 57. In addition thereto said commission may appoint four persons, each
4 of whom, upon being certified by the chairman of the commission to the Sec-
5 retary of State as such appointee, shall take oath before the Secretary of
6 State to discharge the duties of his position. Such persons, upon appoint-
7 ment and qualification, shall have and possess all the powers, duties and lia-
8 bilities of police officers in cities, towns, townships and boroughs, in the
9 making of arrests and the execution of criminal processes, the enforcement of
10 all the laws of the State and of the provisions of this act.

11 Such persons, when appointed, shall hold their positions or employment
12 at the pleasure of the commission or for such terms as the commission may
13 fix or determine. Their compensation shall be such sum as may be fixed
14 by the commission within the limits of available appropriations and such
15-18 compensation shall be paid as all other State expenditures are paid.

19 Such persons may be assigned to such duties as the commission may, in
20 its discretion, deem necessary and such persons shall be responsible to no
21 one in the conduct of their duties except the commission.

1 3. No person shall be designated by the commission to perform any
2 special or general service, technical or otherwise, in connection with the con-
3 struction of race track facilities, or for any other purpose whatsoever, unless
4 such person's compensation for such service shall be paid by the State.

1 4. This act shall take effect immediately.

FOR RELEASE - WEDNESDAY, MAY 1, 1946 - P.M. PAPERS

Governor Edge filed the following
bill in the State Library without his approval:

ASSEMBLY BILL NO. 58.

The objectionable feature of this bill is that it gives the agency having jurisdiction over libraries in cities of the first class, the right to force out of employment and on retirement against his or her will, any employee of said library who has reached the age of sixty-five years regardless of how well qualified he or she may be to continue that employment.

Undoubtedly there are many employees who have reached this age serving efficiently and capably in libraries and who are desirous of continuing that service. To force them to retire with their income cut in half at an age when they cannot hope to secure other employment is distinctly unfair and for that reason I cannot give this bill my approval, although I favor the provision of extending pension privileges to all library employees.

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[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 58

STATE OF NEW JERSEY

INTRODUCED JANUARY 21, 1946

By Mr. ARTASERSE

Referred to Committee on Judiciary

AN ACT concerning the retirement upon pension of chief librarians, librarians and employees in libraries in cities of the first class, and amending section 43:12-32 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section 43:12-32 of the Revised Statutes is amended to read as
2 follows:

3 43:12-32. In any city of the first class, a chief librarian, a librarian, or
4 an employee in a library, who shall have been for twenty-five years con-
5 tinuously in public office, position or employment in the city and who has
6 reached the age of sixty-five years, or has become incapacitated for the
7 duties of his office, position or employment, may, upon his own request, or
8 without his request, be retired from service by the body, board or officer hav-
9 ing power to appoint his successor in case of vacancy.

1 2. This act shall take effect immediately.

RELEASE P.M. PAPERS, FRIDAY, APRIL 19, 1946

Mr. Sidney Goldmann,
State Library,
State House Annex.

Sir:

I am filing herewith in the State Library,
without my approval, Assembly Bill No. 109 and Assembly Bill No. 115.

I am informed by the State Highway Com-
missioner that Assembly No. 109 and 115 as passed do not conform to the
department's future enlargement plans of the State Highway System.

I am further informed that a suggestion was
made that the terms of these bills be revised, but in the closing hours of
the session this revision was not enacted into law.

I am therefore filing these bills without
my approval.

Very truly yours,

WALTER E. EDGE
Governor.

ATTEST:

EDWARD M. GILROY,
Secretary to the Governor.

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[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 109

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 4, 1946

By Mr. KATES

Referred to Committee on Highways

AN ACT concerning the State Highway Department, and adding a route to the State highway system.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. The State Highway Commissioner shall, as soon as practicable, and
2 in accordance with the procedure set forth in article one of chapter seven,
3 Title 27, of the Revised Statutes, add to the present State highway system
4 the following described route: Route No. extending State Highway Route
5 No. 25, northeast of its intersection with Westfield avenue, in the township
6 of Pennsauken, county of Camden and State of New Jersey, by direct route
7 to Delaware river bridge on the alignment of or roughly parallel to the
8 alignment of Westfield avenue or Federal street in the township of Penn-
9 sauken, and city of Camden, New Jersey.

1 2. When this route is taken into the State highway system as provided
2 in section one of this act, the State Highway Commissioner shall proceed to
3 give the said route an appropriate number as provided by law.

1 3. This act shall take effect immediately.

4/18/46

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 115

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 4, 1946

By Mr. KATES

Referred to Committee on Highways

AN ACT concerning the State Highway Department, and adding a route to the State highway system.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. The State Highway Commissioner shall, as soon as practicable, and in
2 accordance with the procedure set forth in article one of chapter seven, Title
3 27, of the Revised Statutes, add to the present State highway system the
4 following described route: Route No. extending State Highway Route
5 No. 42 in the vicinity of its present northerly extremity at the north branch
6 of Newton creek in the city of Camden, New Jersey, by direct route to Dela-
7 ware river bridge on the alignment of or roughly parallel to the alignment of
8 Mt. Ephraim and Haddon avenues in Woodlynne borough and Camden city,
9 New Jersey.

1 2. When this route is taken into the State highway system as provided
2 in section one of this act, the State Highway Commissioner shall proceed to
3 give the said route an appropriate number as provided by law.

1 3. This act shall take effect immediately.

FOR RELEASE P.M. PAPERS WEDNESDAY, MAY 1, 1946.

GOVERNOR EDGE VETOED THE FOLLOWING BILL:

I am filing in the State Library, without my approval, Assembly Bill No. 111.

This bill is a salary increase measure and applies to court attendants in several counties. I have no objection to those county employees receiving an increase in salary if the Boards of Freeholders of the respective counties, which are charged with the responsibility of raising the money, believe that the increase is justified and the county is in a financial position to carry the load.

However, it has been the consistent policy of this administration to insist that the salaries of municipal and county officers and employees, unless flagrantly out of line with comparable positions, should be fixed by the county and municipal governing bodies which are responsible for the tax rate. This bill seeks to increase salaries without giving the Boards of Freeholders in the counties affected any opportunity whatsoever to have a voice in determining whether or not those salaries are equitable or in line with other county employees; or whether or not the taxpayers of the county can meet these additional financial requirements.

I therefore cannot give this bill my approval.

Very truly yours,

/s/

WALTER E. EDGE
Governor.

ATTEST:

/s/ EDWARD M. GILROY
Secretary to the Governor.

[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 111

(Revised Statutes, sections 2:16-39, 2:16-40.)

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 4, 1946

By Mr. SMITH

Referred to Committee on Judiciary

AN ACT fixing the compensation of court attendants in certain counties in this State, and amending sections 2:16-39 and 2:16-40 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section 2:16-39 of the Revised Statutes is amended to read as fol-
2 lows:

3 2:16-39. In each county of the first class having a population less than
4 eight hundred thousand inhabitants, the court attendants attached or as-
5 signed to the Supreme Court circuit, the Circuit Court, the court of com-
6 mon pleas, the court of oyer and terminer, and the court of quarter sessions,
7 and to the grand jury, and to the various bureaus and departments in the
8 office of the sheriffs of said counties or to such executive or official as may
9 be in charge of such duties, shall each receive an annual salary as follows:
10 two thousand four hundred dollars (\$2,400.00) for the first year of service;
11 two thousand six hundred fifty dollars (\$2,650.00) for the second year of
12 service; two thousand nine hundred dollars (\$2,900.00) for the third year
13 of service; three thousand one hundred fifty dollars (\$3,150.00) for the
14 fourth year of service; three thousand four hundred dollars (\$3,400.00) for
15 the fifth year of service, three thousand six hundred dollars (\$3,600.00) for

16 the sixth and each succeeding year of service, which shall be in full and in
17 lieu of all fees, mileage or other allowances allowed for the service of
18 processes and duties as court attendants, and shall be paid in equal semi-
19 monthly installments by the county treasurer of each of such counties from
20 the judiciary fund of the county.

21 In all cases where any court attendant has already been serving, the
22 time served may be considered in fixing the salary to be paid to each court
23 attendant, respectively, if approved by the board of chosen freeholders.

24 In each county of the first class having a population more than eight
25 hundred thousand inhabitants, the court attendants attached or assigned to
26 the Supreme Court circuit, the Circuit Court, the court of common pleas,
27 the court of oyer and terminer, and the court of quarter sessions, and to the
28 grand jury, and to the various bureaus and departments in the office of the
29 sheriffs of said counties or to such executive or official as may be in charge
30 of such duties, shall upon the adoption of this act, each receive the minimum
31 compensation of two thousand four hundred dollars (\$2,400.00) per annum
32 and the maximum compensation of three thousand six hundred dollars
33 (\$3,600.00) per annum. The salaries of such employees hereafter appointed
34 shall commence at said minimum and shall be increased two hundred fifty
35 dollars (\$250.00) per annum for each year of service thereafter, not to
36 exceed the maximum herein established. All such employees now in service
37 shall on the first day of the month following the passage of this act receive
38 an increase of two hundred fifty dollars (\$250.00) over the amount of salary
39 then being received by such employee, and on the anniversary of such first
40 day of the month in each year thereafter shall receive a further increase of
41 two hundred fifty dollars (\$250.00) until the maximum herein established is
42 attained, which shall be in full and in lieu of all fees, mileage or other allow-
43 ances allowed for the service of processes and duties as court attendants, and
44 shall be paid in equal semimonthly installments by the county treasurer of
45 each of such counties from the judiciary fund of the county.

46 This section shall not be construed as permitting the decrease of any
47 salaries authorized by law to be paid to any of the court attendants affected
48 by this section; nor shall this section affect in any way the provisions of sec-
49 tion 2:16-31 or section 2:16-32 of this Title, fixing the salaries of the
50 sergeants-at-arms and the court criers of the Supreme Court, the sergeants-
51 at-arms of the Circuit Court and the sergeants-at-arms and the court criers
52 of the court of common pleas in counties of the first class.

1 2. Section 2:16-40 of the Revised Statutes is amended to read as fol-
2 lows:

3 2:16-40. In each county having a population between one hundred and
4 seventy-five thousand inhabitants and four hundred and seventy thousand
5 inhabitants, the court attendants engaged in attending the Circuit Court,
6 court of oyer and terminer, court of common pleas, court of quarter sessions,
7 and criminal judicial district courts, shall receive and be paid monthly by the
8 county treasurer of the county, in lieu of all fees, or other al-
9 lowances, annual salaries as follows: In each county having a
10 population between one hundred and seventy-five thousand and three hun-
11 dred thousand inhabitants the sum of two thousand dollars (\$2,000.00) for
12 the first year of service; two thousand one hundred dollars (\$2,100.00) for
13 the second year of service; two thousand two hundred dollars (\$2,200.00)
14 for the third year of service; two thousand three hundred dollars
15 (\$2,300.00) for the fourth year of service; two thousand four hundred dol-
16 lars (\$2,400.00) for the fifth year of service; two thousand five hundred
17 dollars (\$2,500.00) for the sixth year of service; two thousand six hundred
18 dollars (\$2,600.00) for the seventh year of service; two thousand seven hun-
19 dred dollars (\$2,700.00) for the eighth year of service; two thousand eight
20 hundred dollars (\$2,800.00) for the ninth and each succeeding year of service.
21 In each county having a population between three hundred thousand and four
22 hundred and seventy thousand inhabitants, the sum of two thousand two
23 hundred dollars (\$2,200.00) for the first year of service; two thousand three
24 hundred dollars (\$2,300.00) for the second year of service; two thousand four

25 hundred dollars (\$2,400.00) for the third year of service; two thousand five
26 hundred dollars (\$2,500.00) for the fourth year of service; two thousand six
27 hundred dollars (\$2,600.00) for the fifth year of service; two thousand seven
28 hundred dollars (\$2,700.00) for the sixth year of service; two thousand
29 eight hundred dollars (\$2,800.00) for the seventh year of service; two thou-
30 sand nine hundred dollars (\$2,900.00) for the eighth year of service; three
31 thousand dollars (\$3,000.00) for the ninth year of service; three thousand
32 one hundred dollars (\$3,100.00) for the tenth year of service; three thousand
33 two hundred dollars (\$3,200.00) for the eleventh year of service; three thou-
34 sand three hundred dollars (\$3,300.00) for the twelfth and each succeeding
35 year of service.

36 This section shall not be construed as reducing the annual compensa-
37 tion of any court attendants engaged, on June second, one thousand nine
38 hundred and thirty-seven, in any courts affected by the terms of this section.

39 In all cases where any court attendant has already been serving, the
40 time served shall be considered in fixing the salary to be paid to each court
41 attendant respectively.

1 3. This act shall take effect immediately.

FOR RELEASE WEDNESDAY APRIL 17, 1946 - P.M. PAPERS

Mr. Sidney Goldmann,
State Library,
State House Annex.

Sir:

I am herewith filing in the State Library,
without my approval, Assembly Bill 178.

This measure would amend the existing law
specifying qualifications for superintendents of institutions treating com-
municable diseases. It removes the present requirement that a superintendent
of such institution "shall be a reputable licensed and qualified physician
of the State of at least five years' experience." Therefore, under this bill
it would be possible for a layman to be appointed to these responsible posi-
tions.

While I appreciate the intent behind this
measure is to permit selection of an administrative head who would not nec-
essarily be in charge of the medical work at the hospital, I cannot see my
way clear to lowering the standards required of officials who must carry the
full responsibility of operating such institutions for the care of our un-
fortunates.

Very truly yours,

/s/ WALTER E. EDGE
Governor

ATTEST:

/s/ EDWARD M. GILROY
Secretary to the Governor

4/18/46

[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 178

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 11, 1946

By Mr. WIDNALL

Referred to Committee on Unfinished Business

AN ACT concerning institutions designed for the care of communicable diseases, and amending sections 30:9-63 and 30:9-66 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section 30:9-63 of the Revised Statutes is amended to read as fol-
2 lows:

3 30:9-63. The board of managers shall elect from its membership a presi-
4 dent and one or more vice-presidents. It shall appoint a superintendent who
5 shall also be secretary and treasurer of the board and shall hold office at the
6 pleasure of the board.

7-9 The superintendent shall not be a member of the board.

10 The board of managers shall determine the amount of time he shall be
11 required to spend at the hospital in the discharge of his duties.

1 2. Section 30:9-66 of the Revised Statutes is amended to read as fol-
2 lows:

3 30:9-66. A resident of the county desiring treatment in the county hos-
4 pital established under section 30:9-61 of this Title may apply for examina-
5 tion to a reputable physician. Such physician if he find that the applicant is
6 suffering from a communicable disease in any form, except tuberculosis, may
7 apply to the superintendent for his admission.

8 All applications shall state whether in the judgment of the physician,
9 the patient is able to pay in whole or in part for his care and treatment.

10 Each application shall be filed and recorded in a book kept for that purpose
11 in the order of its receipt.

12 The admission and transfer of tubercular patients, and the determina-
13 tion of legal settlement and liability for cost of care and maintenance of all
14 patients shall be in so far as practicable in accordance with sections 30:4-23
15 to 30:4-105 and 30:9-45 to 30:9-60 of this Title.

16 Tubercular patients shall be admitted in the order in which the names
17 of applicants appear in the application book.

18 No discrimination shall be made in the accommodation, care or treat-
19 ment of any patient because of any payment of maintenance and no officer
20 or employee shall accept from a patient any fee, payment or gratuity for
21 services.

22 When in the judgment of the board of managers the further detention
23 of a patient is for his benefit or the benefit of the community, he may be
24 so detained. No patient shall be discharged without first obtaining permis-
25 sion of the superintendent or board of managers.

26 The superintendent, if he shall be a physician and if not then such mem-
27 ber of the medical staff as shall be so designated by the board of managers,
28 shall have the custody and control of the patients and within the regulations
29 of the board of managers may restrain and discipline a patient in such man-
30 ner as in his opinion the welfare of the patient requires. He shall discharge
31 a patient whenever cured or whenever further detention would not benefit the
32 patient or the community.

33 A patient to whom discharge is refused, or any person as his next
34 friend, may apply to the court of common pleas in a summary manner for
35 such discharge.

1 3. This act shall take effect immediately.

Governor Edge filed the following bills in the State Library without his approval:

ASSEMBLY BILL NO. 360 - SPONSORED BY MR. YOUNG.

CS FOR ASSEMBLY NO. 222

Both bills would amend Section 40:60-26 of the Revised Statutes, which relates to the sale by municipalities of lands or buildings not needed for public use.

In this connection, attention is directed to Chapter 106, Laws of 1946, which amended the same section of the Revised Statutes and which, before my approval thereof, was known as Assembly Bill No. 197. I approved that bill because I considered it sound legislation, in the interests of municipalities and taxpayers alike.

Committee Substitute for Assembly Bill No. 222 would, under the safeguards provided in the bill, permit the private sale of municipal properties not needed for public use to honorably discharged veterans, upon such terms and conditions and for such consideration as shall be authorized by resolution of the governing body, with the written approval of the Commissioner of Local Government. With respect to this feature, the bill is worthy of consideration and approval. Unfortunately, however, if I were to approve this bill I would in effect be nullifying Chapter 106 of the Laws of 1946, which obviously I cannot do after having given the same my approval as aforesaid.

Assembly Bill No. 360 retains the sound features of said Chapter 106, Laws of 1946, and incorporates the provisions of Committee Substitute for Assembly Bill No. 222 with respect to the sale of lands to veterans. To this extent the bill is a worthy one, and if it went no further I certainly would approve it. The bill, however, incorporates a provision which is objectionable. That provision permits the governing body, in the case of the sale of municipally owned properties not needed for public use, to impose "any reasonable conditions of sale requiring repairs, improvements, rehabilitation, reconstruction or demolition" etc.

This is practically the same provision which was contained in Assembly Bill No. 50 of last year (1945) amending the same section of the Revised Statutes, and which I declined to approve for the reason that in my judgment authority to impose conditions of this kind could very well easily open the way to flagrant abuse of the discretionary power conferred upon a municipality. I am still of the same opinion with respect to a provision of this kind, and I must therefore disapprove the bill.

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New Jersey State Library

[OFFICIAL COPY REPRINT]
COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 222

STATE OF NEW JERSEY

ADOPTED MARCH 29, 1946

AN Act relating to the sale by municipalities of lands or buildings not needed for public uses, and amending section 40:60-26 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section 40:60-26 of the Revised Statutes is amended to read as fol-
2 lows:

3 40:60-26. The governing body of any municipality may sell any lands or
4 buildings or any right or interest therein not needed for public use. All such
5 sales or disposition, except as provided in sections 40:60-27 to 40:60-29 of this
6 Title, shall be authorized to be made by one of the following methods:

7 (a) By public sale to the highest bidder after public advertisement
8 thereof in a newspaper circulating in a municipality in which the lands
9 are situated by two insertions at least once a week during two consecu-
10 tive weeks, the last publication to be not more than seven days prior to
11 the sale. In case of public sales the governing body of any munici-
12 pality may by resolution fix a minimum price to be included in the adver-
13 tisement of sale of lands and public notice thereof given at the time of
14 sale. Such sales may be adjourned at the time advertised for not more
15 than one week without readvertising.

16 (b) Such governing body may from time to time by ordinance au-
17 thorize the sale of any such properties at private sale for a period of

18 time to be stated in said ordinance, which ordinance shall also fix the
19 minimum sale price for each property so to be sold. A list of the proper-
20 ties so authorized to be sold, together with the minimum prices, respec-
21 tively, as determined by the governing body, shall be included in the
22 ordinance and said list shall be posted in the city hall, or in such other
23 municipal building in which the governing body usually holds its regular
24 meetings. Additional copies of said list shall be made available for dis-
25 tribution. Offers for any or all properties so listed may be made to the
26 governing body, at not less than the minimum prices as published by
27 any prospective purchaser or any real estate broker or other persons
28 legally authorized to consummate the transaction. The commission to be
29 paid to any such broker or person consummating a sale, other than the
30 purchaser, shall be not more than five per centum (5%) of the sale price,
31 and may be paid out of the down payment on account of the purchase
32 price.

33 Any and all private sales made in the manner specified shall not become
34 effective until ratified by the governing body of the municipality at a regular
35 meeting.

36 (c) In place of the above methods the governing body of any
37 municipality may sell any such properties at private sale, as follows:
38 Upon any offer being made by any person to the municipality to pur-
39 chase any such property, the said offer shall be submitted to and con-
40 sidered by the governing body thereof at a regular or special meeting,
41 and said governing body may then reject said offer, or may approve the
42 same subject to final approval at a further public meeting of said gov-
43 erning body not less than ten days after said first meeting. Notice of the
44 said further meeting of the governing body, containing said offer of pur-
45 chase with a description of the land to be sold, the price thereof and the
46 terms and conditions of said sale, shall be published at least once in a
47 newspaper circulating in said municipality, not less than two days nor
48 more than ten days before said further meeting; and at said further

49 meeting the said offer to purchase said property shall be considered by
50 the governing body, which may then reject the same, or may confirm and
51 ratify said sale under said terms and conditions, or a modification
52 thereof; *provided*, that no higher price or better terms shall then be bid
53 for said property by any other person; and said governing body may
54 then authorize the proper officers thereof either to execute a formal agree-
55 ment of sale with the purchaser which shall be binding upon said munici-
56 pality and upon the purchaser, or may authorize the proper officers to
57 make a deed of conveyance to said purchaser, as the case may require.

58 (d) In place of the above methods the governing body of any
59 municipality may sell any such properties at public or private sale upon
60 such terms and conditions as shall be authorized by resolution of said
61 governing body, with the approval in writing of the commissioner of local
62 government.

63 (e) In addition to the above methods of sale, the governing body
64 of any municipality is hereby authorized and empowered to and may sell
64A any such properties at private sale to an honorably discharged soldier,
64B sailor, marine, nurse or member of the merchant marine of any war of
64C the United States upon such terms and conditions, and for such con-
64D sideration as shall be authorized by resolution of said governing body
64E with the approval in writing of the commissioner of local government;
64F *provided, however*, that such honorably discharged soldier, sailor,
64G marine, nurse or member of the merchant marine of any war of the
64H United States has been a resident of the municipality making sale to
64I him or her at the time of his or her induction into the military, naval or
64J merchant marine services of the United States, and continued to be
64K such resident at the time of purchase; *and provided, further*, that such
64L sale shall be limited to one parcel not exceeding one-half acre in area
64M and that such honorably discharged soldier, sailor, marine, nurse or
64N member of the merchant marine of any war of the United States, shall
64O within three (3) years from the date of such sale and purchase erect on

64P such plot a dwelling to be occupied by himself, or herself and family;
64Q *and provided, further,* that title to such property shall not be further
64R transferred for a period of five (5) years; all of which foregoing provi-
64S sions, conditions and restrictions shall be set forth in the resolution
64T authorizing such sale and in the conveyance to be made to such honor-
64U ably discharged soldier, sailor, marine, nurse or member of the mer-
64V chant marine of any war of the United States, which provisions, condi-
64W tions and restrictions are to run with the land for the periods herein set
64X forth; *and provided, further,* that should such honorably discharged
64Y soldier, sailor, marine, nurse or member of the merchant marine of
64Z any war of the United States fail to comply with or violate the provi-
65 sions, conditions or restrictions herein set forth, or such other provi-
65A sions, conditions or restrictions as may be embodied in the resolution
65B authorizing such sale, or conveyance made, then the fee conveyed shall
65C revert to the municipality making such sale.

65D All sales, either public or private, may be for cash or upon credit. The
66 governing body may by resolution fix the time for settlement and payment of
67 the consideration and when the sales are upon credit the municipality may ac-
68 cept a purchase money mortgage to be given by the purchaser or purchasers,
69 the terms and conditions of which mortgage shall be fixed by the reso-
70 lution of the governing body of the municipality; *provided, however,* that any
71 such mortgage shall be fully payable within five (5) years from the date of the
72 sale and shall bear interest at a rate not less than five per centum (5%)
73 per annum. The governing body may also impose conditions and restrictions
74 on the use to be made of such land in the manner and to the same extent as
75 any other vendor of real estate, whether such sale shall be made at public or
76 private sale; *provided, however,* that any conditions for the payment of the
77 consideration upon credit and any conditions and restrictions on the use to
78 be made of the land shall be set forth at length in any advertisement of sale
79 hereinabove required. In all sales made pursuant to paragraphs (a), (c) or
80 (d) of this section, the governing body of any municipality may pay a com-

81 mission to any real estate broker or other person other than the purchaser
82 actually consummating such sale, but said commissions shall not be more
83 than five per centum (5%) of the sale price.

1 2. This act shall take effect immediately.

RELEASE SATURDAY P.M. PAPERS APRIL 27, 1946

GOVERNOR EDGE VETOED THE FOLLOWING BILLS: FILED IN THE STATE LIBRARY

ASSEMBLY 407

I have consistently approved or vetoed these numerous additions proposed to the State Highway System, depending upon their being a part, or otherwise, of the comprehensive highway system plan as prepared by the State Highway Department.

As to 407, this department advises me that, while the bill is sound in principle so far as the ultimate extension of Route 21 is concerned, it is entirely unsatisfactory insofar as "describing its alignment through Paterson".

The department further advises that it will be a number of years before this road would be constructed, and that it would be far better to wait in consultation with Paterson officials and agree upon a definite route before adding this act to the chapter laws.

I am therefore filing it with my disapproval.

ASSEMBLY 408

The State Highway Department advises me that "this bill is deficient in the description of the route as it appears in lines 5, 6 and 7 of the proposed act. Route No. 3 lies to the east and not to the west of Clifton Avenue".

In view of these discrepancies I am filing the bill without my approval.

ASSEMBLY 225

This is a pure tenure of office act, especially designed for assessors in certain cities. So far as I can ascertain, however, the only city affected would be Clifton, in Passaic County, from which protests against the bill have already been filed with this office.

Irrespective of this fact, it is a type of special tenure legislation of which I cannot approve.

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4/27/46

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 407

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 11, 1946

By Mr. SHERSHIN

Referred to Committee on Highways

AN ACT concerning the State Highway Department and adding a route to the State highway system.

1 BE IT ENACTED by the Senate and General Assembly of the State of New
2 Jersey:

1 1. The State Highway Commissioner shall, as soon as practicable, and
2 in accordance with the procedure set forth in article one of chapter seven,
3 Title 27, of the Revised Statutes, add to the present State highway system
4 the following described route:

5 An extension of State Highway Route No. 21 in a northerly direction,
6 by direct route from Newark to Grand street and Marshall street in the
7 city of Paterson, on the alignment of or roughly parallel to the alignment of
8 the Passaic river.

1 2. When this route is taken into the State highway system as provided
2 in section one of this act, the State Highway Commissioner shall proceed
3 to give the said route an appropriate number as provided by law.

1 3. This act shall take effect immediately.

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 408

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 11, 1946

By Mr. SHERSHIN

Referred to Committee on Highways

AN ACT concerning the State Highway Department, and adding a route to the State highway system.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. The State Highway Commissioner shall, as soon as practicable, and in
2 accordance with the procedure set forth in article one of chapter seven, Title
3 27, of the Revised Statutes, add to the present State highway system the fol-
4 lowing described route:

5 Route No. —, providing for an approach to State Highway Route No. 3,
6 by extending Clifton avenue in the city of Clifton, county of Passaic, in a
7 general westerly direction, by direct route to State Highway Route No. 3.

1 2. When this route is taken into the State highway system as provided
2 in section one of this act, the State Highway Commissioner shall proceed to
3 give the said route an appropriate number as provided by law.

1 3. This act shall take effect immediately.

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 225

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 11, 1946

By Mr. R. G. HOWELL

Referred to Committee on Judiciary

AN ACT concerning municipalities and providing for tenure of service for certain assessors in certain cities operating under municipal manager form of government in this State.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. When any assessor, who is employed by any city operating under the
2 municipal manager form of government and having a population of more
3 than forty-five thousand inhabitants, has served as such assessor in such
4 municipality for a period of fifteen consecutive years, his services as such
5 assessor shall be during good behavior and efficiency; *provided*, that the
6 time any such assessor has served as assessor in the city in which he is
7 employed at the time this act shall take effect shall be counted in determin-
8 ing such period of employment.

1 2. No such assessor under the tenure referred to in section one of this
2 act shall be dismissed except for inefficiency, incapacity, conduct unbecom-
3 ing an assessor or other just cause and after a written charge of the cause
4 or causes has been preferred against him, signed by the person or persons
5 making the same, and filed with the municipal clerk of the city in which the
6 service is being rendered, and after the charge has been examined into and
7 found true in fact by the municipal council, at a public hearing held upon

8 reasonable notice to the person charged, who may be represented by counsel
9 at the hearing. Charges may be filed by any person whether a member of
10 such municipal council or not.

1 3. This act shall take effect immediately.

FOR RELEASE AFTERNOON PAPERS THURSDAY, MAY 1, 1946.

Governor Edge filed the following bill in the State Library without his approval:

ASSEMBLY BILL 253.

This act seeks to repeal the acts of 1940 and 1942 which created a State Commission on Student Service to determine under what circumstances students should be excused from school for the purpose of engaging in agricultural work.

Those acts were the result of a war-time emergency and were made necessary because of the extremely acute labor shortage as it applied to the agricultural industry.

Generally speaking, the war-time emergency is over and I am reluctant to continue in force and effect any legislation enacted on that promise, except where it is absolutely necessary to do so. The present extremely acute food shortage which exists all over the world, together with the scarcity of available labor for agricultural pursuits, makes it apparent that the emergency still exists insofar as it applies to labor for agricultural purposes.

The State Commission of Education, the Secretary of the Department of Agriculture and the State Commission on Student Service have all requested that the laws now in effect be allowed to continue for at least one year.

Because of the emergency to which I have referred, I am withholding my approval of this bill.

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New Jersey State Library

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 253

STATE OF NEW JERSEY

INTRODUCED, FEBRUARY 11, 1946

By Mr. WILSON

Referred to Committee on Labor and Industries

AN ACT to repeal "An act concerning child labor and compulsory education, establishing a State Commission on Student Service and defining its powers and duties and making an appropriation therefor, and supplementing 'An act to limit and regulate child labor in this State; to provide for examinations and inspections under the provisions of this act; to provide for the enforcement of this act and regulations made thereunder; to prescribe penalties for the violation thereof; and to repeal other acts,' approved June twenty-fifth, one thousand nine hundred and forty (P. L. 1940, c. 153)," approved March twenty-third, one thousand nine hundred and forty-two (P. L. 1942, c. 23).

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. "An act concerning child labor and compulsory education, establish-
2 ing a State Commission on Student Service and defining its powers and duties
3 and making an appropriation therefor, and supplementing 'An act to limit
4 and regulate child labor in this State; to provide for examinations and in-
5 spections under the provisions of this act; to provide for the enforcement of
6 this act and regulations made thereunder; to prescribe penalties for the
7 violation thereof; and to repeal other acts,' approved June twenty-fifth, one
8 thousand nine hundred and forty (P. L. 1940, c. 153)," approved March

9 twenty-third, one thousand nine hundred and forty-two (P. L. 1942, c. 23), is
10 repealed.

1 2. This act shall take effect June thirtieth, one thousand nine hundred
2 and forty-six.

S T A T E O F N E W J E R S E Y

EXECUTIVE DEPARTMENT

April 26,
1946.

Mr. Sidney Goldmann,
State Library.

Sir:

I am filing herewith in the State Library, without my approval, Assembly Bill No. 265.

I am disapproving this bill for the very simple reason that I consider it impossible of enforcement. Under existing law owners of game preserves are permitted to shoot a certain number of pheasants which they are presumed to have raised or purchased and this privilege includes shooting on Sundays. The object of this bill seems to be an effort to prevent shooting on Sundays of other game that might be found while sportsmen were hunting pheasants, presumably referring mainly to rabbits as being the only game that would be apt to be found in a pheasant preserve.

I repeat, I consider this unnecessary legislation, and I am very much afraid it would be simply an invitation to break the law, and I am therefore filing it without my approval.

Very truly yours,

Governor.

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 265

STATE OF NEW JERSEY

INTRODUCED MARCH 4, 1946

By Mrs. SAVAGE

Referred to Committee, on Game and Fisheries

AN ACT respecting propagating licenses, and amending section 23:3-32 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section 23:3-32 of the Revised Statutes is amended to read as fol-
2 lows:

3 23:3-32. No pheasants or quail propagated in a semiwild state shall be
4 sold. No such pheasants or quail shall be possessed or transported outside
5 of licensed areas unless each bird shall have been tagged with the special tag
6 prescribed by sections 23:3-28 to 23:3-39 of this Title. Except as to the
7 additional tags hereinafter provided for, no licensee raising pheasants or
8 quail in a semiwild state shall procure from the Division of Fish and
9 Game during any year of operation more tags to be affixed to the dead
10 bodies of pheasants or quail propagated in a semiwild state than four times
11 the number of female pheasants or quail released prior to May first in each
12 year. Additional tags may be provided to any licensee in number equal to
13 four-fifths of the number of birds released after May first in each year. The
14 tags shall be of a special kind provided for the purpose. The numbers of
15 birds taken in any year, either alive or dead, on lands on which pheasants
16 or quail are propagated in a semiwild state shall not exceed the number of

17 tags obtained from the board. Pheasants propagated in a semiwild state
18 may be taken by shooting only from November tenth to January twentieth,
19 except where the licensee shall have produced evidence satisfactory to the
20 Division of Fish and Game that he has liberated on the land during the
21 year covered by his license, or that he has in his possession on the land
22 or in some other designated place or places and will liberate on the land
23 prior to February twenty-eighth at least one hundred pheasants for any
24 acreage up to one hundred acres and at least one pheasant for each
25 additional acre, in which case the licensee or any person or persons
26 authorized by him so to do may take pheasants by shooting from November
27 tenth to the next following February twenty-eighth, both days inclusive, on
28 the land described in his license. The number of pheasants so taken by
29 shooting shall not exceed four-fifths of the total number of pheasants liberated
30 on said land during the year covered by such license. Section 23:4-17 of
31 this Title relating to the tracking of game in the snow or the killing of game
32 while there is snow on the ground and section 23:4-24 of this Title relating
33 to hunting on Sunday shall not apply to the shooting of pheasants by any
34 person authorized to shoot pheasants under sections 23:3-28 to 23:3-39 of
35 this Title. Quail propagated in a semiwild state may be taken by shooting
36 only from November tenth to the next following February twenty-eighth,
37 both days inclusive. No pheasants or quail propagated in a semiwild state
38 shall be trapped without the written permission of the Division of Fish
39 and Game.

1. 2. This act shall take effect immediately.

FOR RELEASE P.M. PAPERS WEDNESDAY, MAY 1, 1946.

Governor Edge filed the following bill
in the State Library without his approval:

ASSEMBLY BILL No. 267.

This bill, while applying only to Essex County, makes compulsory, however, the retirement on pension of certain employees in county jails and penitentiaries at the age of seventy years.

While I recognize that this is a ripe age for retirement, nevertheless I do not approve of the policy of compulsory retirement. Under existing law these employees are all eligible for voluntary pension if they care to take advantage of it. On the other hand, many employees are well able to perform their duties at the age of seventy, and after the long service they have given I feel that the option should be theirs. If they are incapacitated, of course existing law provides for the termination of their services.

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[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 267

STATE OF NEW JERSEY

INTRODUCED MARCH 19, 1946

By Mr. SMITH

Referred to Committee on Judiciary

AN ACT concerning pensions of certain employees in counties having a population over eight hundred thousand, and supplementing chapter ten, Title 43, of the Revised Statutes.

1 BE IT ENACTED by the Senate and General Assembly of the State of New
2 Jersey:

1 1. In any county of this State having a population of more than eight
2 hundred thousand inhabitants, every court attendant in the office of the
3 sheriff, and every guard, keeper, nurse and other employee engaged in the
4 safe-keeping and care of prisoners in the county jail and the county peni-
5 tentiary, who shall have served as such for a period of twenty years, and
6 shall have reached the age of sixty-five years, and who, at that time, is a mem-
7 ber of the employees' retirement system of such county provided for by chap-
8 ter one hundred sixty of the laws of one thousand nine hundred and forty-
9 three, shall be retired under the provisions of said act; *provided, however,*
10 subject to the approval of the board of chosen freeholders, that any such per-
11 son may be continued in his or her county employment after reaching the age
12 of sixty-five, if the sheriff or warden of the jail or penitentiary, as the case
13 may be, shall file a certificate with the board of chosen freeholders and the
14 pension commission of the county, certifying that such person is in good phy-
15 sical and mental condition and able to fully perform his or her duties, in which
16 event such employee shall be permitted to remain in employment for a period

43:10-18.26

17 not exceeding one year from the date of the certificate. Such certificates may,
18 in the discretion of the sheriff or warden, as the case may be, be renewed
19 annually until after such person shall have reached the age of seventy, in
20 which event he or she shall be retired from county employ as provided herein,
21 without any further extension of service.

1 2. This act shall take effect six months after the same shall have been
2 adopted.

FOR RELEASE P.M. PAPERS WEDNESDAY, MAY 1, 1946.

GOVERNOR EDGE VETOED THE FOLLOWING BILL TODAY:

I am filing herewith with the State Library, without my approval, Assembly Bill No. 268.

This bill is designed to increase the salaries of certain employees of jails and penitentiaries in counties of the first class. It is a flat salary raise bill.

I have no objection to these employees receiving an increase in salary. I have consistently refused, however, to approve bills which provide for the fixing by statute of salaries of employees and officers of a county or municipality where the governing body, which is responsible for raising the money to pay the salaries, is deprived of any opportunity to pass upon the increases. For that reason I cannot give this bill my approval.

Very truly yours,

/s/ WALTER E. EDGE
Governor.

ATTEST:

/s/ EDWARD M. GILROY
Secretary to the Governor.

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 268

STATE OF NEW JERSEY

INTRODUCED MARCH 25, 1946

By Mr. SMITH

Referred to Committee on Judiciary

AN ACT to amend "An act fixing the compensation of guards, keepers, orderlies and industrial officers in the county jails, houses of detention and penitentiaries in counties of the first class in this State," approved March thirtieth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 54), as said title was amended by chapter one hundred and thirty-four of the laws of one thousand nine hundred and forty.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section one of the act of which this act is amendatory is amended to
2 read as follows:

3 1. In all counties of the first class in this State the guards, keepers and
4 industrial officers employed in the jails, houses of detention and penitentiaries
5 shall receive the minimum compensation of two thousand four hundred dol-
6 lars (\$2,400.00) per annum and the maximum compensation of three thou-
7 sand six hundred dollars (\$3,600.00) per annum. The salaries of such em-
8 ployees hereafter appointed shall commence at said minimum and shall be
9 increased two hundred fifty dollars (\$250.00) per annum for each year of
10 service thereafter, not to exceed the maximum herein established. All such
11 employees now in service shall on the first day of the month following the
12 passage of this act be entitled to receive an increase of two hundred fifty
13 dollars (\$250.00) over his or her present salary and on the anniversary of

14 such first day of the month in each year thereafter shall be entitled to a
15 further increase of two hundred fifty dollars (\$250.00), until the maximum
16 herein established is attained. Any orderly now employed in county jails
17 who has served as such orderly for a period of not less than seven years
18 at the time of the passage of this act shall be designated as a guard orderly
19 and shall receive the same salary as is paid a jail guard.

1 2. This act shall take effect immediately.

VETO OF ASSEMBLY BILL 278

This bill authorizes township committees in any township of the State to create garbage disposal districts within the township and provides for the election of three commissioners of said districts.

I am unable to find any justification for the creation of these additional governmental units. The commissioners elected to operate these garbage districts would have no more authority than that which is now vested in the township committee, who can perform all of the functions which the commissioners of the garbage districts would have.

In addition to this, the method which the bill provides for the election of commissioners is entirely contrary to our regularly established practice of electing public officials. There is no provision for the nomination of candidates by petition, for the printing of ballots or for the appointment of election officers. The method of election provided for would be open to abuse and fraud.

For the reasons set forth above, I cannot approve this legislation.

ASSEMBLY, No. 278

STATE OF NEW JERSEY

INTRODUCED MARCH 4, 1946

By Mr. HESS

Referred to Committee on Municipalities

AN ACT concerning districts for the collection and disposal of garbage, providing for the creation, management, operation and dissolution thereof, and supplementing chapter one hundred fifty-two of Title 40 of the Revised Statutes.

1 BE IT ENACTED by the Senate and General Assembly of the State of New
2 Jersey:

1 1. The township committee of any township may at any time set off and
2 divide the said township into districts, to be designated by number, and may
3 alter the same from time to time, and shall by resolution to be entered at
4 length upon its minutes, define and declare the limits, boundaries and num-
5 bers of said districts, and the same upon being so defined and declared shall
6 be deemed and taken to be garbage disposal districts, and shall be known
7 as and designated by and under the corporate name of "garbage disposal dis-
8 trict number". Such district when so designated shall be a
9 body corporate, and shall have the power to sue and be sued in any court of
10 law or equity, to make and use a common seal, and shall have all other cor-
11 porate power necessary for carrying out the powers hereinafter in this chap-
12 ter conferred.

40:152-5

1 2. On the third Saturday of February in each year the legal voters of
2 any such district so created may meet for the purpose of electing three per-
3 sons, who shall be known and designated as commissioners of garbage dis-
4 posal district number, and at the same time the legal voters

5 shall determine, by ballot, by the vote of the majority of those present and
6 voting, the sum of money to be raised and expended within such district for
7 the ensuing year for the collection and disposal of garbage and the carrying
8 out of the powers herein conferred.

9 The legal voters of any such district may at any annual election, by bal-
10 lot, by the vote of a majority of those present and voting, authorize the com-
11 missioners of said district to contract for the collection and disposal of gar-
12 bage, for a specified term not to exceed five years, and determine the sum of
13 money to be raised and expended within such district in each year during
14 the term of such contract for such purposes and for the carrying out of the
15 powers conferred by this act.

16 Nothing herein contained shall be taken to prohibit the commissioners
17 from adding to or expending in addition to the yearly appropriation any sur-
18 plus or excess remaining from the appropriations of the year or years
19 previous.

1 3. The meeting for the election of commissioners and the determination
2 of the sum or sums to be raised shall be held at such public place within the
3 district as the township committee may designate, and notice of the time and
4 place of such election shall be given by the township clerk, by setting up the
5 same in at least three of the most public places within the district ten days
6 before the said election. The polls on said election shall be open at one o'clock
7 in the afternoon and close at seven o'clock in the evening. The voters there
8 assembled, before any votes are cast, shall elect by viva voce vote, a judge,
9 inspector and clerk of said election.

1 4. The sum or sums fixed and appropriated by the majority of the votes
2 cast shall be certified forthwith to the commissioners elected as aforesaid,
3 who shall forthwith certify to the same and give notice to the township as-
4 sessor of the sum or sums so fixed, and he shall assess the same upon the tax-
5 able property within said district in the same manner as township taxes are
6 assessed, for the year or years for which the same are so determined and ap-

7 appropriated and the money shall be assessed, levied and collected in the same
8 manner as other township taxes shall be a lien upon the property as unpaid
9 taxes.

1 5. The collector of the township in which said district is situate shall pay
2 over one-half of all moneys on or before July first of the year for which
3 said funds are to be raised and the other one-half on or before January first
4 of the following year which shall have been assessed as aforesaid to the town-
5 ship treasurer, who shall keep said moneys in a special account for use
6 for the purposes of such garbage disposal district only and shall disburse
6 $\frac{1}{2}$ and pay out said moneys only on the presentation to him of a written
7 order or orders duly signed by the commissioners elected as aforesaid or by
8 a majority thereof.

1 6. The commissioners may expend said moneys for the purposes aforesaid
2 and may make contracts for the collection and disposal of garbage, during their
3 term of office or during the term of any contract which they may be author-
4 ized to make. The sum or sums to be paid by virtue of said contract shall not
5 exceed the amount or amounts voted for at said election in addition to any
6 surplus or excess remaining from any previous appropriation.

1 7. Whenever any township shall have been divided into garbage disposal
2 districts and commissioners therefor elected, and such township or any part
3 thereof embracing the districts aforesaid shall thereafter be incorporated as
4 a city having authority for the collection and disposal of garbage in said dis-
5 tricts, the commissioners of such garbage disposal district or districts, or the
6 treasurer of such district or custodian of its funds, may pay to the treasurer
7 of such city all moneys remaining in their or his hands which have been unex-
8 pended for the collection and disposal of garbage in such district or districts.

1 8. The township committee of any township in which a garbage disposal
2 district shall have been established may, by resolution adopted as hereinafter
3 in section 40:155-11 of this Title provided, dissolve and abolish said garbage
4 disposal district, and upon the adoption of such resolution the said district
5 shall be dissolved and abolished, and any moneys remaining in the hands of

6 the treasurer or custodian of the funds of such district shall be turned over
7 to the treasurer of the township.

1 9. Such resolution shall not be adopted except upon the written applica-
2 tion of at least twenty freeholders of such garbage disposal district. Upon
3 receipt of such application the township committee shall fix a time and place
4 for the hearing of such application and shall cause the clerk of such township
5 to give notice of the time and place when a hearing will be given thereon. Said
6 notice shall be published at least once in a newspaper circulating in the town-
7 ship at least five days before the holding of said meeting. At the time and
8 place so designated the township committee shall hear all parties desiring to
9 be heard and at such meeting, or at an adjournment thereof, the resolution
10 shall be adopted or rejected.

1 10. This act shall take effect immediately.

RELEASE P.M. PAPERS, WEDNESDAY, MAY 1, 1946

April 30,
19 46.

Mr. Sidney Goldmann
State Library

Sir:

I am filing herewith with the State Library,
without my approval, Assembly Bill No. 315.

This bill creates a new office in certain
counties; namely, that of chief court attendant and fixes the salary of that
office. It is ^{mandatory} namdatory legislation of the type which I have consistently
opposed during my administration.

The Board of Freeholders of each county is
responsible for the county budget and the county tax rate. The board should
have the opportunity of deciding whether or not additional county offices are
necessary and have the power to fix such salaries. County freeholders are
deprived of both privileges under this bill.

This measure, because of these features is
devoid of every semblance of home rule, and I can not give it my approval.

Very truly yours,

/s/ WALTER E. EDGE

Governor.

ATTEST:

/s/ EDWARD M. GILROY

Secretary to the Governor

New Jersey State Library

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ASSEMBLY, No. 315

STATE OF NEW JERSEY

INTRODUCED MARCH 29, 1946

By Mr. REIFFIN

Referred to Committee on Judiciary

AN ACT to prescribe the method of appointment of chief court attendants hereafter appointed and to prescribe the duties and fix the salary of chief court attendants, in certain counties of the second class, and supplementing chapter sixteen of Title 2 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. In all counties of the second class having a population of not less
2 than two hundred seventy thousand and not more than three hundred twenty
3 thousand inhabitants, the sheriff may appoint a chief court attendant at-
4 tached to or connected with the sheriff's office.

1 2. Each chief court attendant hereafter appointed shall be appointed
2 by the promotion of a court attendant having at least three years' service as
3 such.

1 3. In all such counties where there is now or hereafter may be a chief
2 court attendant attached to or connected with the sheriff's office, he shall be
3 in charge of all court attendants under the direction of the sheriff, and he
4 shall be responsible at all times to the sheriff for the proper performance of
5 his duties as such chief court attendant.

1 4. The minimum salary of such chief court attendant shall be three thou-
2 sand dollars (\$3,000.00) per year and his salary shall be increased one
3 hundred dollars (\$100.00) per year for each year of service until a maxi-

4 mum of three thousand five hundred dollars (\$3,500.00) shall be reached.

5 The said years of service upon which compensation is based shall be com-
6 puted from the time when the said chief court attendant entered upon his
7 duties as such.

1 5. All acts and parts of acts inconsistent herewith are repealed.

1 6. This act shall take effect immediately.

Governor Edge filed the following bills in the State Library without his approval:

ASSEMBLY BILL NO. 360 - SPONSORED BY MR. YOUNG.

CS FOR ASSEMBLY NO. 222

Both bills would amend Section 40:60-26 of the Revised Statutes, which relates to the sale by municipalities of lands or buildings not needed for public use.

In this connection, attention is directed to Chapter 106, Laws of 1946, which amended the same section of the Revised Statutes and which, before my approval thereof, was known as Assembly Bill No. 197. I approved that bill because I considered it sound legislation, in the interests of municipalities and taxpayers alike.

Committee Substitute for Assembly Bill No. 222 would, under the safeguards provided in the bill, permit the private sale of municipal properties not needed for public use to honorably discharged veterans, upon such terms and conditions and for such consideration as shall be authorized by resolution of the governing body, with the written approval of the Commissioner of Local Government. With respect to this feature, the bill is worthy of consideration and approval. Unfortunately, however, if I were to approve this bill I would in effect be nullifying Chapter 106 of the Laws of 1946, which obviously I cannot do after having given the same my approval as aforesaid.

Assembly Bill No. 360 retains the sound features of said Chapter 106, Laws of 1946, and incorporates the provisions of Committee Substitute for Assembly Bill No. 222 with respect to the sale of lands to veterans. To this extent the bill is a worthy one, and if it went no further I certainly would approve it. The bill, however, incorporates a provision which is objectionable. That provision permits the governing body, in the case of the sale of municipally owned properties not needed for public use, to impose "any reasonable conditions of sale requiring repairs, improvements, rehabilitation, reconstruction or demolition" etc.

This is practically the same provision which was contained in Assembly Bill No. 50 of last year (1945) amending the same section of the Revised Statutes, and which I declined to approve for the reason that in my judgment authority to impose conditions of this kind could very well easily open the way to flagrant abuse of the discretionary power conferred upon a municipality. I am still of the same opinion with respect to a provision of this kind, and I must therefore disapprove the bill.

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New Jersey State Library

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ASSEMBLY, No. 360

STATE OF NEW JERSEY

INTRODUCED APRIL 12, 1946

By Mr. YOUNG

(Without Reference)

AN ACT concerning the sale by municipalities of lands or buildings not needed for public uses, and amending section 40:60-26 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section 40:60-26 of the Revised Statutes is amended to read as follows:
2 40:60-26. The governing body of any municipality may sell any lands or
3 buildings or any right or interest therein not needed for public use. All
4 such sales or disposition except as provided in sections 40:60-27 to 40:60-29
5 of this Title shall be authorized to be made by one of the following methods:

6 (a) By public sale to the highest bidder who complies with the terms
7 and conditions of sale after public advertisement thereof in a newspaper
8 circulating in a municipality in which the lands are situated by two
9 insertions at least once a week during two consecutive weeks, the last
9½ publication to be not more than seven days prior to the sale. In the
10 case of public sales the governing body of any municipality may by resolu-
11 tion fix a minimum price to be included in the advertisement of sale of lands
12 and public notice thereof given at the time of sale, or may by resolution
13 provide that upon the completion of the public sale, the highest bid made
14 thereat shall be subject to acceptance or rejection by the governing body, but
15 the acceptance or rejection thereof shall be made not later than at the sec-
16 ond regular meeting of the governing body following the sale, and, that if

17 the governing body shall fail or refuse to accept or reject any such high-
18 est bid, as aforesaid, the said bid shall be deemed to have been rejected.
18¹/₂ Such sales may be adjourned at the time advertised for not more than one
19 week without readvertising.

20 (b) Such governing body may from time to time by ordinance authorize
21 the sale of any such properties at private sale for a period of time to be
22 stated in said ordinance, which ordinance shall also fix the minimum sale
23 price for each property so to be sold. A list of the properties so authorized
24 to be sold, together with the minimum prices respectively, as determined by
25 the governing body, shall be included in the ordinance and said list shall
26 be posted in the city hall, or in such other municipal building in which the
27 governing body usually holds its regular meetings. Additional copies of said
28 list shall be made available for distribution. Offers for any or all proper-
29 ties so listed may be made to the governing body, at not less than the mini-
30 mum prices as published by any prospective purchaser or any real estate
31 broker or other persons legally authorized to consummate the transaction.
32 The commission to be paid to any such broker or person consummating a
33 sale, other than the purchaser, shall be not more than five per centum (5%)
34 of the sale price, and may be paid out of the down payment on account of
35 the purchase price.

36 Any and all private sales made in the manner specified shall not be-
37 come effective until ratified by the governing body of the municipality at a
38 regular meeting.

39 (c) In place of the above methods the governing body of any munici-
40 pality may sell any such properties at private sale, as follows: Upon any offer
41 being made by any person to the municipality to purchase any such prop-
42 erty, the said offer shall be submitted to and considered by the governing
43 body thereof at a regular or special meeting, and said governing body may
44 then reject said offer, or may approve the same subject to final approval at
45 a further public meeting of said governing body not less than ten days after
46 said first meeting. Notice of the said further meeting of the governing body,

47 containing said offer of purchase with a description of the land to be sold,
48 the price thereof and the terms and conditions of said sale, shall be published
49 at least once in a newspaper circulating in said municipality, not less than
50 two days nor more than ten days before said further meeting; and at said
51 further meeting the said offer to purchase said property shall be consid-
52 ered by the governing body, which may then reject the same, or may con-
53 firm and ratify said sale under said terms and conditions, or a modification
54 thereof; *provided*, that no higher price or better terms shall then be bid for
55 said property by any other person, in which case the sale is to be made to the
56 highest bidder; and said governing body may then authorize the proper
57 officers thereof either to execute a formal agreement of sale with the pur-
58 chaser which shall be binding upon said municipality and upon the purchaser,
59 or may authorize the proper officers to make a deed of conveyance to said
60 purchaser, as the case may require.

61 (d) In place of the above methods the governing body of any munici-
62 pality may sell any such properties at public or private sale upon such
63 terms and conditions as shall be authorized by resolution of said govern-
64 ing body, with the approval in writing of the commissioner of local gov-
65 ernment.

66 (e) In addition to the above methods of sale, the governing body of any
67 municipality is hereby authorized and empowered to and may sell any such
68 properties at private sale to an honorably discharged soldier, sailor, marine,
69 nurse or member of the merchant marine of any war of the United States
70 upon such terms and conditions, and for such consideration as shall be
71 authorized by resolution of said governing body with the approval in writing
72 of the commissioner of local government; *provided, however*, that such
73 honorably discharged soldier, sailor, marine, nurse or member of the mer-
74 chant marine of any war of the United States has been a resident of the
75 municipality making sale to him or her at the time of his or her induction
76 into the military, naval or merchant marine services of the United States,
77 and continued to be such resident at the time of purchase; *and provided*,

78 *further*, that such sale shall be limited to one parcel not exceeding one-half
79 acre in area and that such honorably discharged soldier, sailor, marine,
80 nurse or member of the merchant marine of any war of the United States,
81 shall within three years from the date of such sale and purchase erect on
82 such plot a dwelling to be occupied by himself, or herself and family; *and*
83 *provided, further*, that title to such property shall not be further transferred
84 for a period of five years; all of which foregoing provisions, conditions and
85 restrictions shall be set forth in the resolution authorizing such sale and
86 in the conveyance to be made to such honorably discharged soldier, sailor,
87 marine, nurse or member of the merchant marine of any war of the United
88 States, which provisions, conditions and restrictions are to run with the land
89 for the periods herein set forth; *and provided, further*, that should such hon-
90 orably discharged soldier, sailor, marine, nurse or member of the merchant
91 marine of any war of the United States fail to comply with or violate the
92 provisions, conditions or restrictions herein set forth, or such other provi-
93 sions, conditions or restrictions as may be embodied in the resolution au-
94 thorizing such sale, or conveyance made, then the fee conveyed shall revert
95 to the municipality making such sale.

96 The governing body of any municipality shall have the right to reject
97 any or all offers of purchase whether at public or private sale, and all sales,
98 either public or private, shall not become effective until ratified by the gov-
99 erning body of the municipality.

100 All sales, either public or private, may be for cash or upon credit. The
101 governing body may by resolution fix the time for settlement and payment
102 of the consideration and when the sales are upon credit the municipality
103 may accept a purchase money mortgage to be given by the purchaser or pur-
104 chasers, the terms and conditions of which mortgage shall be fixed by the
105 resolution of the governing body of the municipality; *provided, however*,
106 that any such mortgage shall be fully payable within five years from the
107 date of the sale and shall bear interest at a rate not less than five per
108 centum (5%) per annum. The governing body may also impose any reason-

109 able conditions of sale requiring repairs, improvements, rehabilitation, re-
110 construction or demolition or the construction or erection of certain types and
111 character of buildings or structures or the installation of utilities, sidewalks,
112 curbs or street pavements or any other conditions of sale and any restrictions
113 as to or on the use to be made of such land in the manner and to the same
114 extent as any other vendor of real estate, whether such sale shall be made at
115 public or private sale; *provided, however*, that any such conditions for the
116 payment of the consideration upon credit and any conditions of sale requir-
117 ing repairs, improvements, rehabilitation, reconstruction or demolition or
118 the construction or erection of certain types and character of buildings or
119 structures or the installation of utilities, sidewalks, curbs or street pave-
120 ments or any other conditions of sale, and any conditions and restrictions
121 on the use to be made of the land shall be set forth at length in any adver-
122 tisement of sale hereinabove required. In all sales made pursuant to para-
123 graphs (a), (c) or (d) of this section, the governing body of any munici-
124 pality may pay a commission to any real estate broker or other person
125 other than the purchaser actually consummating such sale, but said commis-
126 sions shall not be more than five per centum (5%) of the sale price except
127 where the sale price is less than two thousand dollars (\$2,000.00) in which
128 case a commission not exceeding one hundred dollars (\$100.00) may be paid.

1 2. This act shall take effect immediately.

VETO ON ASSEMBLY 363 by Huhn

The object which this bill seeks to accomplish, namely the imposition of penalties for violation of any of the provisions of the State law concerning building codes, is perfectly laudable.

However, the legislation is loosely and improperly drawn. Instead of enumerating the provisions for violations of which a penalty is imposed, this bill simply refers to the original act and imposes a penalty for violation of "any supplement" thereof. Not only does this create confusion and uncertainty in the statutes, but it means that the Legislature was called upon to pass an act inflicting penalties without having before it any information as to the violations for which such penalties were being inflicted.

I am withholding my approval from this bill in the hope that a future Legislature will remedy this situation by re-enactment of any supplements which do not now carry penalties and by specifically providing for such penalties.

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[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 363

STATE OF NEW JERSEY

INTRODUCED MARCH 12, 1946

By Mr. HUHNS

Referred to Committee on Judiciary

AN ACT extending the provisions relating to the imposition and collection of penalties for violations of the provisions of the safety code for workers in the construction industry, being chapter five of Title 34 of the Revised Statutes, so as to include violations of the provisions of any supplement to said chapter, and amending sections 34:5-159, 34:5-160, 34:5-161 and 34:5-162 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section 34:5-159 of the Revised Statutes is amended to read as
2 follows:

3 34:5-159. Any person who shall violate any of the provisions of this
4 chapter or any supplement thereof shall, upon conviction thereof be pun-
5 ished by a fine of not less than twenty-five dollars (\$25.00) nor more than one
6 hundred dollars (\$100.00), for the first offense; and, for a second offense, may
7 be sentenced to confinement in the common jail of the county where the con-
8 viction is had, for a period of ten days; and, for the third and each succeed-
9 ing offense, may be sentenced to confinement in the common jail of the county
10 where the third or succeeding conviction is had, for a period of thirty days.

1 2. Section 34:5-160 of the Revised Statutes is amended to read as
2 follows:

3 34:5-160. Any officer of a corporation which shall violate any of the
4 provisions of this chapter or any supplement thereof shall be personally

5 liable for such violation of such corporation, and upon conviction thereof
6 shall be fined or imprisoned as herein provided.

1 3. Section 34:5-161 of the Revised Statutes is amended to read as
2 follows:

3 34:5-161. Any manager, superintendent, owner, foreman or other per-
4 son in charge of any building, construction or other place, in which this
5 chapter or any supplement thereof is violated shall, upon conviction thereof,
6 be fined or imprisoned as herein provided.

1 4. Section 34:5-162 of the Revised Statutes is amended to read as
2 follows:

3 34:5-162. Every police magistrate, recorder, justice of the peace or offi-
4 cial having criminal jurisdiction in a municipality where a violation of any
5 of the provisions of this chapter or any supplement thereof shall be com-
6 mitted, upon receiving a verified complaint in writing of the violation, shall
7 have jurisdiction to try and punish the offender and shall issue process in
8 the nature of a summons or warrant. When in the nature of a warrant, such
9 process shall be returnable forthwith; when in the nature of a summons, in
10 not less than five nor more than fifteen days.

1 5. This act shall take effect immediately.

April 18,

Mr. Sidney Goldmann,
State Library,
State House Annex.

Sir:

I am filing herewith in the State Library, without my approval, Assembly Bill 373.

This measure makes two major changes in the law regulating professional engineers and land surveyors. One change which appears desirable would prohibit any corporation, partnership or association from using a name containing the words "engineers" or "engineering" unless its principal officer shall be a licensed professional engineer. Had the bill been limited to this provision I would gladly have signed it.

Another amendment, however, would give members of this honorary licensing board compensation of \$40.00 a day for attendance at each board meeting without limitation as to the number that could be held. The only restriction on the amount of money these board members could receive is that it could not exceed the total revenues of the board, which aggregate about \$25,000 annually.

In effect this bill creates five new salaried positions on a \$40.00 per diem basis up to a maximum of \$25,000 for the entire board. This is the same per diem compensation paid judges of the Court of Errors and Appeals, the highest judicial tribunal of the State.

Members of this board were willing to take this public responsibility without compensation in the past, the same as hundreds of other persons holding comparable honorary positions in the State Government. I can see no justification for creating salaried positions at this time and I certainly cannot approve any per diem compensation authorized without any limitation whatsoever on the total salary to be paid.

Very truly yours,

/s/ WALTER E. EDGE
Governor.

ATTEST:

EDWARD M. GILROY
Secretary to the Governor.

New Jersey State Library

4/18/46

[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 373

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 11, 1946

By Mr. MEHORTER

Referred to Committee on Judiciary

AN ACT to amend "An act concerning the practice of professional engineering and land surveying (Revision of 1938), and repealing chapter eight, Title 45, of the Revised Statutes," approved June fourteenth, one thousand nine hundred and thirty-eight (P. L. 1938, c. 342).

1 BE IT ENACTED by the Senate and General Assembly of the State of New
2 Jersey:

1 1. Section one of the act of which this act is amendatory is amended to
2 read as follows:

3 1. In order to safeguard life, health and property, any person practicing
4 or offering to practice professional engineering or land surveying in this
5 State shall hereafter be required to submit evidence that he or she is
6 qualified so to practice and shall be licensed as hereinafter provided, and
7 from and after the date upon which this chapter becomes effective it shall
8 be unlawful for any person to practice or to offer to practice professional
9 engineering or land surveying in this State, or to use the title engineer or
10 surveyor or any other title, sign card or device in such manner as to tend
11 to convey the impression that such person is practicing professional engineer-
12 ing or land surveying or is a professional engineer or land surveyor, unless
13 such person is duly licensed under the provisions of this chapter. Every
14 holder of a license shall display it in a conspicuous place in his principal
15 office, place of business or employment.

16 No corporation, firm, partnership or association shall be granted a li-
17 cense under this chapter. No corporation, firm, partnership or association
18 shall use or assume a name involving the words "engineers" or "engineer-
19 ing" or any modification or derivative of such terms, unless an executive
20 officer, if a corporation, or a member, if a firm, partnership or association,
21 shall be a licensed professional engineer of the State of New Jersey if
22 practicing professional engineering, or a licensed land surveyor of the State
23 of New Jersey if practicing land surveying; *provided*, that no corporation,
24 firm, partnership or association shall practice or offer to practice profes-
25 sional engineering or land surveying in this State unless the person or per-
26 sons in responsible charge of engineering or land surveying work shall be so
27 licensed to practice in this State; *provided further*, that the person or per-
28 sons carrying on the actual practice of engineering or land surveying on
29 behalf of or designated as "engineers" or "surveyors," with or without
30 qualifying or characterizing words, by any such corporations, firms, partner-
31 ships or associations, shall be licensed to practice professional engineering
32 or land surveying as provided in this chapter.

33 Nothing in this act shall be construed as requiring licensing for the pur-
34 pose of practicing professional engineering or land surveying by any person,
35 firm or corporation upon property owned or leased by such person, firm or
36 corporation, unless the same involves the public safety or health.

1 2. Section four of the act of which this act is amendatory is amended
2 to read as follows:

3 4. Said board, when so appointed, shall be designated and known as the
4 "State Board of Professional Engineers and Land Surveyors."

5 No person shall be appointed on said board who is not a citizen of the
6 United States and a resident of this State at the time of his appointment,
7 and who has not been engaged in the practice of professional engineering
8 at least ten years, and who shall not have been in responsible charge of pro-
9 fessional engineering or land surveying for at least five years.

10 After the passage of this chapter appointments to the board to fill ex-
11 pired terms may be made by the Governor from nominees recommended by

12 the representative professional engineering societies of the State, with the
13 advice and consent of the Senate.

14 The Governor may remove any member of the board, after hearing, for
15 misconduct, incompetency, neglect of duty or for any other sufficient cause.

16 One member of said examining board shall be a licensed land surveyor.

17 After this chapter becomes effective, no person shall be appointed as a
18 member of said examining board who shall not be a licensed professional en-
19 gineer or licensed land surveyor under the provisions of this chapter.

20 The members of said examining board shall receive no compensation
21 for their services, but the sum of forty dollars (\$40.00) for attendance at
22 each meeting conducted by the said board and shall be reimbursed for all
23 necessary traveling, hotel, incidental and clerical expenses, incurred in car-
24 rying out the provisions of this chapter; *provided, however*, that the total
25 of such expenses shall not exceed the total receipts from fees during any
26 fiscal year.

1 3. Section thirteen of the act of which this act is amendatory is amended
2 to read as follows:

3 13. Any person who, hereafter, is not legally authorized to practice pro-
4 fessional engineering or land surveying in this State according to the pro-
5 visions of this chapter, who shall so practice or offer so to practice in this
6 State, except as provided in section fourteen of this chapter, or any person
7 presenting or attempting to file as his own the certificate of license of an-
8 other, or who shall give false or forged evidence of any kind to the board,
9 or to any member or officer thereof, in obtaining a certificate of license, or
10 who shall falsely impersonate another licensed practitioner of like or differ-
11 ent name, or who shall use or attempt to use an expired certificate of license,
12 or an unexpired and revoked certificate of license, or who shall otherwise
13 violate any of the provisions of this chapter, shall be deemed guilty of a
14 misdemeanor and punishable upon conviction thereof by a fine of not less
15 than one hundred dollars (\$100.00) nor more than five hundred dollars

16 (\$500.00) or by imprisonment for a term of not exceeding three months, or
17 by both fine and imprisonment.

18 All fines collected for the violation of any of the provisions of this chap-
19 ter shall be paid to the secretary of this board to be held, disposed and ac-
20 counted for by him as herein directed, and it shall be the duty of the county
21 treasurer of each county, or the treasurer of any municipality, upon receipt
22 by him of any such fine, to forthwith pay over same to the secretary of the
23 board. The board or any member or officer thereof may prefer a complaint
24 for violation of this chapter before any court, tribunal or magistrate having
25 jurisdiction and may by its officers, counsel and agents, aid in presenting the
26 law or facts before said court, tribunal or magistrate in any proceeding
27 taken thereon, and it shall be the duty of the prosecutor of the pleas of the
28 counties in this State to prosecute all violations of the provisions of this
29 chapter.

1 4. This act shall take effect immediately.

RELEASE AFTERNOON PAPERS TUESDAY, APRIL 30, 1946

April 29, 1946

Mr. Sidney Goldmann,
State Library,
State House Annex

Sir:

I am filing in the State Library, without my approval, Assembly Bill 398.

This measure would permit the mayor and fellow members of municipal governing bodies to raise their own salaries within limits prescribed without approval of the voters in advance. This reverses the present law which requires that mayors and municipal governing bodies must obtain approval of the voters before their own salaries can be increased.

Under this bill such increases, if adopted by ordinance, would become effective unless a petition signed by 15 per cent of the voters were filed within 10 days requiring a referendum. While I fully appreciate this can scarcely be called mandatory legislation, nevertheless, it takes away from the voters their present automatic right to pass on salary increases. In effect, it requires the voters to initiate a movement against increases and would single out leading opponents of any such program.

I see no reason to change the present law and, therefore, I am disapproving this bill. If proposed increases are proper and the voters favor them, municipal officials will have full opportunity for increased compensation. If, however, the voters are reluctant to grant such increases, for which they as taxpayers must foot the bill, then it should not be made more difficult for them to express their opposition.

Very truly yours,

/S/ Walter E. Edge

Governor.

ATTEST:

/S/ Edward M. Gilroy

Secretary to the Governor

[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 398

(Revised Statutes, sections 40:46-23 and 40:46-26.)

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 11, 1946

By Mr. McCAY

Referred to Committee on Municipalities

AN ACT concerning the salaries to be paid to the mayor and members of governing bodies in municipalities, and amending sections 40:46-23 and 40:46-26 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section 40:46-23 of the Revised Statutes is amended to read as fol-
2 lows:

3 40:46-23. The governing body may, by ordinance, notwithstanding any
4 maximum or minimum limitation fixed by statute, fix and determine the
5 salaries, wages or compensation to be paid to each officer and employee of
6 the municipality who, by law, is entitled thereto except the members of the
7 governing body and mayor therein, whose salaries shall be fixed (1) by
8 vote of the legal voters as hereinafter provided, or (2) by ordinance, sub-
9 ject, however, to referendum to the legal voters as provided by section
10 40:46-26 of this chapter and except all such officers whose salaries shall have
11 been adopted or determined by a referendum vote, which salaries shall not
12 be changed except by another and further referendum vote thereon. In case
13 any officer is re-elected to succeed himself after having served one full term,
14 his salary may be once increased during the term for which he is so re-
15 elected.

1 2. Section 40:46-26 of the Revised Statutes is amended to read as fol-
2 lows:

3 40:46-26. The legal voters of any municipality may, by vote at a gen-
4 eral election held in such municipality, fix and determine the salary or other
5 compensation to be paid the members of the governing body. They may in
6 the same manner fix the salary or other compensation to be paid the mayor,
7 except in municipalities having a population of more than twenty thousand,
8 in which municipalities the governing body shall fix the salary of the mayor
9 by ordinance. In case the mayor of any municipality is re-elected to suc-
10 ceed himself after having served one full term in such office his salary may
11 be increased not more than once during such term for which he is so re-
12 elected.

13 In any municipality in which the legal voters have not fixed and de-
14 termined the salaries of the mayor or members of the governing body in the
15 manner aforesaid, the governing body may, by ordinance, fix the annual sal-
16 aries to be paid the mayor and members of the governing body, but any
17 such salary shall not be in excess of six hundred dollars (\$600.00) per
18 annum in municipalities having a population not in excess of nine thousand,
19 or one thousand dollars (\$1,000.00) per annum in municipalities having a
20 population in excess of nine thousand but not in excess of fourteen thou-
21 sand, or two thousand five hundred dollars (\$2,500.00) per annum in munici-
22 palities having a population in excess of fourteen thousand. Any such
23 ordinance shall become operative in ten days after the publication thereof
24 after its final passage, unless within said ten days, a petition, signed by the
25 voters of such municipality equal in number to at least fifteen per centum
26 (15%) of the entire vote cast in the last preceding general election protest-
27 ing against the passage of such ordinance, be presented to the governing
28 body, in which case such ordinance shall remain inoperative unless and until
29 a proposition for the ratification thereof shall be adopted at the next gen-
30 eral election by a majority of the qualified voters voting on said proposition.

31 This section shall not be construed to prevent the payment of a per diem
32 compensation, pursuant to section 40:146-14 of this Title, to members of a
33 township committee who are not paid a salary.

34 This section shall not apply to municipalities governed by the provisions
35 of subtitle four (40:70-1 et seq.) or subtitle five (40:79-1 et seq.) of this Title
36 or boroughs in counties of the fourth or of the sixth class, in which boroughs
37 such salaries may be fixed by ordinance pursuant to section 40:87-60 of this
38 Title, or townships having a population in excess of nine thousand and not
39 in excess of fourteen thousand, in which townships such salaries are fixed by
40 section 40:146-15 of this Title.

GOVERNOR EDGE VETOED THE FOLLOWING BILLS: FILED IN THE STATE LIBRARY

ASSEMBLY 407

I have consistently approved or vetoed these numerous additions proposed to the State Highway System, depending upon their being a part, or otherwise, of the comprehensive highway system plan as prepared by the State Highway Department.

As to 407, this department advises me that, while the bill is sound in principle so far as the ultimate extension of Route 21 is concerned, it is entirely unsatisfactory insofar as "describing its alignment through Paterson".

The department further advises that it will be a number of years before this road would be constructed, and that it would be far better to wait in consultation with Paterson officials and agree upon a definite route before adding this act to the chapter laws.

I am therefore filing it with my disapproval.

ASSEMBLY 408

The State Highway Department advises me that "this bill is deficient in the description of the route as it appears in lines 5, 6 and 7 of the proposed act. Route No. 3 lies to the east and not to the west of Clifton Avenue".

In view of these discrepancies I am filing the bill without my approval.

ASSEMBLY 225

This is a special tenure of office act, especially designed for assessors in certain cities. So far as I can ascertain, however, the only city affected would be Clifton, in Passaic County, from which protests against the bill have already been filed with this office.

Irrespective of this fact, it is a type of special tenure legislation of which I cannot approve.

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4/27/46

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 407

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 11, 1946

By Mr. SHERSHIN

Referred to Committee on Highways

AN ACT concerning the State Highway Department and adding a route to the State highway system.

1 BE IT ENACTED by the Senate and General Assembly of the State of New
2 Jersey:

1 1. The State Highway Commissioner shall, as soon as practicable, and
2 in accordance with the procedure set forth in article one of chapter seven,
3 Title 27, of the Revised Statutes, add to the present State highway system
4 the following described route:

5 An extension of State Highway Route No. 21 in a northerly direction,
6 by direct route from Newark to Grand street and Marshall street in the
7 city of Paterson, on the alignment of or roughly parallel to the alignment of
8 the Passaic river.

1 2. When this route is taken into the State highway system as provided
2 in section one of this act, the State Highway Commissioner shall proceed
3 to give the said route an appropriate number as provided by law.

1 3. This act shall take effect immediately.

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 408

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 11, 1946

By Mr. SHERSHIN

Referred to Committee on Highways

AN ACT concerning the State Highway Department, and adding a route to the
State highway system.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. The State Highway Commissioner shall, as soon as practicable, and in
2 accordance with the procedure set forth in article one of chapter seven, Title
3 27, of the Revised Statutes, add to the present State highway system the fol-
4 lowing described route:

5 Route No. —, providing for an approach to State Highway Route No. 3,
6 by extending Clifton avenue in the city of Clifton, county of Passaic, in a
7 general westerly direction, by direct route to State Highway Route No. 3.

1 2. When this route is taken into the State highway system as provided
2 in section one of this act, the State Highway Commissioner shall proceed to
3 give the said route an appropriate number as provided by law.

1 3. This act shall take effect immediately.

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 225

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 11, 1946

By Mr. R. G. HOWELL

Referred to Committee on Judiciary

AN ACT concerning municipalities and providing for tenure of service for certain assessors in certain cities operating under municipal manager form of government in this State.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. When any assessor, who is employed by any city operating under the
2 municipal manager form of government and having a population of more
3 than forty-five thousand inhabitants, has served as such assessor in such
4 municipality for a period of fifteen consecutive years, his services as such
5 assessor shall be during good behavior and efficiency; *provided*, that the
6 time any such assessor has served as assessor in the city in which he is
7 employed at the time this act shall take effect shall be counted in determin-
8 ing such period of employment.

1 2. No such assessor under the tenure referred to in section one of this
2 act shall be dismissed except for inefficiency, incapacity, conduct unbecom-
3 ing an assessor or other just cause and after a written charge of the cause
4 or causes has been preferred against him, signed by the person or persons
5 making the same, and filed with the municipal clerk of the city in which the
6 service is being rendered, and after the charge has been examined into and
7 found true in fact by the municipal council, at a public hearing held upon

8 reasonable notice to the person charged, who may be represented by counsel
9 at the hearing. Charges may be filed by any person whether a member of
10 such municipal council or not.

1 3. This act shall take effect immediately.

Assembly
SENATE BILL NO. 427:

I am filing herewith in the State Library,
Assembly
without my approval, ~~Senate~~ Bill No. 427.

This bill seeks to exempt from taxation that portion of any bridge used for railroad purposes, the cost of construction of which portion of said bridge has been borne by the United States, the State of New Jersey, any of its political sub-divisions, or by any other person or corporation other than the railroad.

The principle of the exemption from taxation of privately owned property is an especially dangerous one and is fundamentally unfair to all other taxpayers.

The traditional State policy of extending tax exemption to property used for public, religious, charitable and educational purposes, must be protected, but this policy loses its justification of being in the public good just as soon as that exemption is extended to property owned privately and used in private enterprise for profit.

For that reason I cannot subscribe to the purpose which this bill seeks to accomplish.

Very truly yours,

WALTER E. EDGE
Governor.

ATTEST:

EDWARD M. GILROY
Secretary to the Governor.

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ASSEMBLY, No. 427

(P. L. 1941, page 773.)

STATE OF NEW JERSEY

INTRODUCED MARCH 11, 1946

By Mr. THOMPSON

Referred to Committee on Taxation

A SUPPLEMENT to "An act relating to taxation of railroads, and repealing chapters nineteen through twenty-nine, inclusive, of Title 54 of the Revised Statutes, chapter ninety-one of the laws of one thousand eight hundred and eighty-five, chapter two hundred seventy-five of the laws of one thousand eight hundred and eighty-six, chapter three hundred thirty-three of the laws of one thousand nine hundred and twenty-one, and chapter four hundred twenty-three of the laws of one thousand nine hundred and thirty-three," approved July twenty-second, one thousand nine hundred and forty-one (P. L. 1941, c. 291).

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Whenever any bridge used for main stem railroad purposes shall be
2 required to be constructed, reconstructed, altered or changed in any man- 54:294-3.1
3 ner pursuant to any law of this State or of the United States for the purpose
4 of improving navigation of any navigable waters within this State, there
5 shall be excluded from any determination of the value of the main stem
6 of any railroad, under the provisions of the act to which this
7 act is a supplement, such proportion of the cost of construction, recon-
8 struction, alteration or change of such bridge, which shall be borne or

9 assumed by the United States, the State or any of its political subdivisions,
10 or any interested person, firm or corporation, other than a railroad.

1 2. This act shall take effect immediately.

FOR RELEASE P.M. PAPERS FRIDAY, APRIL 19, 1946

Mr. Sidney Goldmann,
State Library,
State House Annex.

Sir:

I am filing herewith in the State
Library, without my approval, Assembly Bill No. 439.

The object of this bill is undoubtedly
meritorious, but there is a limit to which the State can obligate
itself with these many proposals for inland dredging.

I have already approved in the annual
Appropriations Bill of the expenditure of \$160,000 to dredge a new channel
in Barnegat Bay. This Ocean County project was proposed over a year ago
and has taken its turn.

I am informed that no official survey has
been made of the area covered by Assembly Bill No. 439, and, as indicated,
in view of the capital expenditure already assumed by the State to benefit
this section I am filing this bill without my approval.

Very truly yours,

/s/ WALTER E. EDGE
Governor

ATTEST:

/s/ EDWARD M. GILROY
Secretary to the Governor

4/18/46

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 439

STATE OF NEW JERSEY

INTRODUCED APRIL 2, 1946

By Mrs. SAVAGE

Referred to Committee on Judiciary

AN ACT making an appropriation to the Department of Conservation, Division of Navigation.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. There is hereby appropriated to the Department of Conservation,
2 Division of Navigation, if and when included in any annual or other appro-
3 priation bill, the sum of ninety thousand dollars (\$90,000.00) to dredge cer-
4 tain shoal areas in the Metedeconk river, Brick township, Ocean county, and
5 a connecting channel in the Metedeconk river known as Gunners ditch.

1 2. This act shall take effect immediately.

April 26,
1946.

Mr. Sidney Goldmann,
State Library.

Sir:

I am filing herewith in the State Library,
without my approval, Assembly Bill No. 441.

This is a bill requiring approval at a county-wide referendum before an application for a permit to construct and operate a horse racing track can be granted. The object of this bill is in every way meritorious, and in the original proposal recommended by the Commission on State Administrative Reorganization would have received my unqualified approval. However, in the preparation of the bill, instead of confining it to the operation of running race tracks, it has been made general and would apply to county fair meets or the more or less private meets that have heretofore been sponsored by groups of sportsmen desiring to conduct a harness race meet or a hunt race meet.

It is perfectly obvious that this latter type of race meet should not be dependent upon the vote of the electorate. At present there are two hunt clubs, - the Essex Fox Hounds at Far Hills and the Monmouth County Hunt Club, which have held these hunt race meets in the past and undoubtedly will wish to hold one or two-day similar meetings in the future. They are non-profit organizations and in no way in the class of professional running race meets.

Existing legislation provides for the issuing of licenses to seven tracks for harness race purposes. I am also of the opinion that the approval of this act would prevent county fairs like the Flemington and Trenton Fairs from conducting their annual harness horse race meets. The original recommendation of the Reorganization Commission was only expected to apply, as indicated, to the running horse tracks, of which three have already been licensed. Under existing law a fourth track could be given a permit if the Racing Commission so elects. I am very sorry that the bill was not confined to a referendum in the event of such an application, but because of the inclusion of the other type of racing, in all fairness I am compelled to file the bill without my approval. However, I am quite positive there will be no fourth major track permit granted by the Racing Commission until an opportunity has been afforded for the two newly-licensed running race tracks to have had a season of operation. Therefore at the next session of the Legislature this error can be rectified and a bill passed limiting the referendum vote to the type track for which it was originally intended.

Very truly yours,

/s/ Walter E. Edge
Governor

ATTEST: /s/ Edward M. Gilroy, Secretary to the Governor.

New Jersey State Library

4/27/46

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 441

STATE OF NEW JERSEY

INTRODUCED APRIL 8, 1946

By Mr. WALTER H. JONES

(Without Reference)

AN ACT to amend and supplement "An act creating the New Jersey Racing Commission and defining its powers and duties; providing for the granting of permits and licenses for the operation of race meetings whereat the running, steeplechase racing or harness racing of horses only may be conducted; providing for the licensing of concessionaires and operators and their employees; regulating the system of pari-mutuel betting and fixing the license fees, taxes and revenues imposed hereunder and fixing penalties for violations of the provisions of this act," approved March eighteenth, one thousand nine hundred and forty (P. L. 1940, c. 17), as said Title was amended by chapter one hundred thirty-seven of the laws of one thousand nine hundred and forty-one.

1 BE IT ENACTED by the Senate and General Assembly of the State of New
2 Jersey:

1 1. Any original application for a permit to hold or conduct a horse
2 race meeting shall be filed with the commission prior to the first day of
3 August of any year. An application shall be deemed to be original when
4 filed each time before any such permit has been finally granted to the appli-
5 cant to hold or conduct a horse race meeting for the first year.

6 Within fifteen days after the filing of any such original application, the
7 commission shall determine whether the same is in due form and meets the
8 requirements of law in all respects; and upon being satisfied thereof, the

9 commission shall forthwith appoint a time, not later than the fifteenth day
 10 of September next, when a public hearing shall be held on such application
 11 within the county wherein it is proposed to conduct the race meeting for
 12 which the permit is sought, and shall cause a display advertisement, approxi-
 13 mately eleven inches by eight inches in size, to be published at least once
 14 in a daily newspaper, and at least once in a weekly newspaper, published,
 15 or circulated if none be published, in said county. Such advertisement shall
 16 be so published at least fifteen days before the date of such public hear-
 17 ing, and shall contain sufficient information to apprise the public as to the
 18 purpose of such hearing, the time and place thereof, and the nature of the
 19 permit applied for. Such advertisement shall be prepared and placed by
 20 the commission but shall be paid for by the applicant. If, after such public
 21 hearing, the commission shall act favorably on such application, its deter-
 22 mination shall be to the effect that a permit to hold or conduct a running
 23 race meeting or a harness race meeting, as the case may be, is provisionally
 24 granted pending approval thereof by the legal voters of the county and of
 25 the municipality in which it is proposed to hold or conduct such race
 26 meeting.

27 Thereupon, but not less than thirty days before the next ensuing gen-
 28 eral election, the commission shall in writing certify to the county clerk of
 29 the county in which it is proposed to hold or conduct such horse race meet-
 30 ing that such permit has been so provisionally granted; and such county
 31 clerk shall cause to be printed, in the same manner as all other public ques-
 32 tions to be submitted to the voters are by law required to be printed, upon
 33 each sample ballot and each official ballot to be used in such county at the
 34 next ensuing general election, the following question:

35 "Shall (insert running race meetings
 36 or harness race meetings, as the case may be) be permitted in the
 37 county of (insert name of county)?"

38 When duly voted upon, said public question shall be deemed to be ap-
 39 proved only if a majority of the votes cast thereon by the legal voters of

40 the county and also a majority of the votes cast thereon by the legal voters
41 of the municipality in which it is proposed to hold or conduct such horse
42 race meeting, shall have been cast in favor thereof; and in the event the
43 majority of votes cast thereon in the county and also in the municipality
44 shall have been cast in favor of said public question, the commission shall,
45 at its next meeting to be held for the consideration of applications for dates
46 for horse race meetings after the first year filed prior to the fifteenth day
47 of December, proceed with the application upon which the permit was pro-
48 visionally granted, in the manner provided by law for the allotment of rac-
49 ing dates for the ensuing year and for the subsequent granting or issuance
50 of a permit to hold or conduct a horse race meeting as authorized by law.

51 In the event a majority of the votes cast on said public question in the
52 county or in the municipality shall have been cast against said public ques-
53 tion, the commission shall in writing notify the applicant that the permit
54 provisionally granted is canceled and thenceforth shall be of no effect, and
55 no permit to conduct or hold any horse race meeting, of the nature desig-
56 nated in the public question so voted upon, in the same county shall be granted
57 unless and until, after a new application filed and public hearing held after
58 public notice and permit provisionally granted (following the procedure
59 hereinabove specified), the same public question shall again have been sub-
60 mitted to the legal voters of the county, and a majority of the votes cast
61 thereon in the county and also in the municipality in which it is proposed
62 to hold or conduct such horse race meeting shall have been cast in favor
63 thereof; *provided, however*, that the same public question shall not be sub-
64 mitted to the legal voters of the same county oftener than once in five years.

65 The votes cast for or against said public question, whenever it shall
66 appear upon the ballot at any general election, shall be counted and the
67 result thereof returned by the election officials and a canvass of such elec-
68 tion had and announced in the manner now provided by law; but the result
69 in each municipality shall be separately tabulated in such return.

1 2. Section twenty-three of the act of which this act is amendatory is
2 amended to read as follows:

3 23. All applications for dates for horse race meetings after the first
4 year shall be filed with the commission prior to the fifteenth day of Decem-
5 ber of each year and shall be acted upon by the commission at a meeting
6 of the commission to be held not later than the first day of February of the
7-8 ensuing year. At such meeting so held the commission shall
9 act upon all applications filed with it prior to the fifteenth day
10 of December of such year and shall allot to the respective appli-
11 cants, subject as hereinbefore and hereafter stated, racing dates for the
12 ensuing year. In making such allotment of racing dates, the commission
13 shall endeavor to allot to each applicant, subject to the restrictions herein
14 provided, the dates requested in the respective application so filed by such
15 applicant, after giving due consideration to all of the factors involved and
16 the interests of such respective applicants and the public. Any applicant
17 whose application has been filed prior to December fifteenth may be pres-
18 ent in person or by agent or counsel and be heard by the commission with
19 respect to such allotment or allotments at the meeting of the commission to
20 be held prior to February first of the ensuing year. In the event any such
21 application is filed with the commission on or after the fifteenth day of
22 December of any year, the commission shall act upon the same at a meet-
23 ing of the commission to be held not later than sixty days following the fil-
24 ing of such application; and any licensee or applicant may be present in
25 person or by agent or counsel and be heard at such meeting of the commis-
26 sion with respect to such application or applications. The commission shall
27 prescribe forms to be used in making such applications and all applications
28 shall be made on the forms prescribed by the commission.

1 3. This act shall take effect immediately.

FOR RELEASE P.M. PAPERS SATURDAY, APRIL 27, 1946

Mr. Sidney Goldmann
State Library.

Sir:

I am filing herewith in the State Library,
without my approval, Assembly Joint Resolution No. 5.

In view of the fact that the Legislature
has amended the formula for licensing heavy trucks, this resolution of
inquiry seems unnecessary at this time. Further, it does not appeal to
me that the Commission on State Tax Policy is particularly equipped for
the investigation proposed in the resolution. This is a special type of
taxation, and in my judgment, while investigation of methods in other
States is no doubt desirable, such inquiry should be made by the State
Department of Motor Vehicles, which department is constantly in touch with
the policies adopted in other States. In fact, the information obtained
justifying the increase in truck license rates was secured through the
investigation by this department.

No doubt succeeding Governors will meet this
same problem, and I am confident the Motor Vehicle Department is well
equipped to furnish all information necessary or desirable.

Very truly yours,

/s/ WALTER E. EDGE
Governor.

ATTEST:

/s/ EDWARD M. GILROY
Secretary to the Governor.

4/27/46

[OFFICIAL COPY REPRINT]

ASSEMBLY JOINT RESOLUTION No. 5

STATE OF NEW JERSEY

INTRODUCED MARCH 18, 1946

By Mr. DIXON

Referred to Committee on Judiciary

A JOINT RESOLUTION to refer the determination of the proper amounts of tax to be collected from owners and users of automotive equipment traveling upon or over the public highways in this State.

1 WHEREAS, The method of taxing automotive equipment traveling upon or
2 over the public highways in this State has been the subject of legis-
3 lative consideration for several years past; and

4 WHEREAS, The Governor, in his annual message to the Legislature, delivered
5 on January eighth, one thousand nine hundred and forty-six, has called
6 attention to the inequitable and indefensible manner in which large
7 trucks using our public highways are taxed by means of the present rates
8 for fees and license registration; and

9 WHEREAS, The fees for registration of passenger automobiles are based on
10 an outmoded formula which causes an inequitable fee to be charged on
11 many cars; and

12 WHEREAS, The Legislature, acting in the interest of all of the automotive
13 truck and automobile owners using the public highways of this State,
14 concurs in the recommendation of the Governor to the Legislature to give
15 this question most careful attention; and

16 WHEREAS, The Legislature fully appreciates the complexity of the problem
17 involved in determining an equitable and logical tax to place on each type

18 and piece of automotive equipment traveling upon or over the public
19 highways of this State; therefore,

1 BE IT RESOLVED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. That the matter of preparing a more equitable formula for levying
2 taxes upon owners and users of automotive equipment traveling upon or
3 over the public highways of this State be referred to the Commission on
4 State Tax Policy, created in one thousand nine hundred and forty-five by
5 an act of the Legislature (chapter 157, laws of 1945), and the said Commis-
6 sion on State Tax Policy is hereby authorized and directed to make a thor-
7 ough and complete study of this problem, and to review any or all legisla-
8 tion on the subject, as well as the methods and formulas employed for like
9 purposes in other States and to report the result of its findings, together
10 with its recommendations, to this or to a succeeding Legislature.

1 2. This joint resolution shall take effect immediately.