

STATE OF NEW JERSEY
C O N S T I T U T I O N A L
C O N V E N T I O N
of
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Held at
RUTGERS UNIVERSITY
The State University of New Jersey
New Brunswick, New Jersey
April 14, 1966

Volume IV

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STATE OF NEW JERSEY
CONSTITUTIONAL CONVENTION OF 1966

APRIL 14, 1966

(The session began at 11:05 A. M.)

PRESIDENT ADRIAN M. FOLEY, JR.: Ladies and gentlemen, will you please take your places.

The fourth session of the Constitutional Convention of 1966 will please come to order.

Fellow Delegates, we are privileged this morning to have with us a renowned clergyman, Rabbi Sholom B. Gordon. The Rabbi is the Founder and Director of the Rabbinical College of New Jersey. He is also Rabbi of the Congregation Ahavath Zion in Newark, New Jersey. In addition to that the Rabbi serves as Chaplain at Newark's Beth Israel Hospital.

We are honored to have the Rabbi with us and I would ask him at this time to give the invocation.

RABBI GORDON: Our God and the God of our Fathers, we invoke Thy blessings upon the distinguished leaders of our State who have assembled here to provide more equal representation for all segments of our people in their governing bodies, in accordance with the principle expounded by Thy servants, the authors of the Talmud, who stated: "I am a human being; so is my neighbor a human being. My work is in the city and his work is in the field. I rise early to my work, and he rises early to his work. As he cannot excel in my work, so can I not excel in his. I have no right to feel that I am contributing more to society than he is."

The eyes of our people are fixed upon their leaders and their eyes are bent on Thee. Guide them to find the proper formula which will guarantee political equality for all our citizens.

Bless our great land with peace and tranquility and let us say, Amen.

PRESIDENT: In the name of the Convention, may we thank the Rabbi for his most inspiring message.

Ladies and gentlemen, you have before you, on your desks, the minutes of our last proceeding. Are there any amendments or suggestions to be suggested to the minutes as you find them?

(Silence)

There being apparently no amendments or corrections, what is your pleasure?

MR. HERBERT H. TATE: I would like the roll call corrected to include the name Tate as present, from Essex.

PRESIDENT: The record will be amended to include Delegate Tate from Essex County.

Are there any further amendments or corrections to the minutes?

There being no further amendments or corrections, what is your pleasure?

MR. J. EDWARD CRABIEL: Mr. President, I move that the minutes be accepted as corrected.

MR. C. ROBERT SARCONI: Second the motion.

PRESIDENT: We have a motion that the minutes be accepted as corrected.

All those in favor, signify by saying "Aye."

(Chorus of "Ayes")

Those opposed, "No."

(Silence.)

The motion is carried.

Mr. Secretary, would you please call the roll.

(The Secretary called the roll and the following delegates answered as their names were called.)

ATLANTIC COUNTY

Lilienfeld, Ponzio, Bozarth, Farley

BERGEN COUNTY

Andora, Bartoletta, Becton, Bertini, Borg, Durkin,
Inglima, Jones, Peer, Sammartino, Skevin, Weber,
Woodcock

BURLINGTON COUNTY

Belopolsky, Dimon, Forsythe, Kelley

CAMDEN COUNTY

Deighan, Malandra, McCord, Scholz, Thatcher,
Perry, Weinberg

CAPE MAY COUNTY

Sandman

CUMBERLAND COUNTY

Lupton

ESSEX COUNTY

Bate, Clancy, Clapp, Duff, Foley,
Jacobson, Kimmelman, Lynch, Sarccone, Stiles,
Tate, Tompkins, Van Riper, Hume

GLOUCESTER COUNTY

Connery, Hunt, Caulfield, Cotton

HUDSON COUNTY

Castano, Dugan, Gaulkin, Glauberman, Grossi,
Koch, MacPhail, Musto, Phelps, Roberson

HUNTERDON COUNTY

Lance, Rittenhouse

MERCER COUNTY

Bash, Goldberg, Hollendonner, Weinroth, Lockard
Pierson

MIDDLESEX COUNTY

Borst, Crabiel, Gallagher, Jacks, Metzger,
Willis, Yelencsics

MONMOUTH COUNTY

Beadleston, Gross, McGann, Reilly, Stout

MORRIS COUNTY

Georges, Hillery, Manahan, Maraziti, Roach, Thomas

OCEAN COUNTY

Cucci, Novins

PASSAIC COUNTY

Biber, Dunn, Evers, Keegan, LaCava, Sullivan

SALEM COUNTY

Davis, Leap

SOMERSET COUNTY

Meredith, Ozzard, Shaffer

SUSSEX COUNTY

Hollander, Woolfenden

UNION COUNTY

Bailey, Cawley, Dietz, Gannon, Jamison, McDonough,
McGowan, Schreiber, Orkin, Pfaltz

WARREN COUNTY

Curry, Dumont

SECRETARY JOHN E. DIMON: Are there any late additions?

(Silence)

You have a quorum, Mr. President, and you may
proceed with the agenda.

PRESIDENT: Are there any additions to the roll call?

(Silence)

Mr. Secretary, do you have any proposals to be
introduced and read for first reading?

SECRETARY: Mr. President, we do have Proposal No. 2
introduced by Martin F. Caulfield, Delegate from Gloucester
County, entitled:

A PROPOSAL to revise, alter and reform the Constitution of New Jersey, and providing for a bicameral Legislature elected wholly within county lines and having weighted votes, and amending Article 4, Section II, Paragraphs 1 and 2, and Article 4, Section III, Paragraph 1, and adding Article 4, Section II, Paragraphs 3, 4 and 5 and Article 4, Section III, Paragraphs 2, 3, 4 and 5 of said Constitution.

We have proposal No. 3, introduced by John Skevin, Delegate from Bergen County, entitled:

A PROPOSAL that this Convention shall, in the establishment of Senate and General Assembly districts, retain county and municipal lines wherever practicable.

Proposal No. 4, introduced by Richard Peer, Delegate from Bergen County, entitled:

A PROPOSAL that members of The General Assembly be elected in three classes, triennially.

In addition, Mr. President, this is the second reading of Proposal No. 1, introduced by Delegate William V. Musto:

A PROPOSAL to provide for a unicameral legislature.

PRESIDENT: Thank you, Mr. Secretary.

Proposal No. 2, introduced by Delegate Caulfield, referred to the Committee on Apportionment of the Legislature, generally, except as to the number of houses and the term of legislators as to which it is referred to the Committee on Structure.

Proposal No. 3, introduced by Delegate Skevin, generally referred to the Committee on Apportionment of the Legislature, except as to the reference to the number of houses which is referred to the Committee on Structure.

Proposal No. 4, introduced by Delegate Peer of Bergen County, is referred, generally, to the Committee on Structure of the Legislature, except as to reference to the number of legislators, which is referred to the Committee on Apportionment.

The Chair recognizes Delegate Peer.

MR. RICHARD S. PEER: Thank you, Mr. President.

As to Proposal No. 4, there is an error in the last word of paragraph 2. That should read "annually" and not "triennially."

PRESIDENT: The printed form, as we find it, you say, Delegate Peer, should be amended to reflect "annually" rather than "triennially."

MR. PEER: That's correct.

PRESIDENT: That's the last word of the Resolution as found in the second paragraph.

It will be so amended.

You are cautioned, gentlemen, in that "triennially," as I take it, is only corrected in one instance, namely, the last word of the second paragraph. It is not corrected in any other case.

The Chair recognizes Delegate Dietz.

MR. CHRISTOPHER DIETZ: Mr. President, I rise to a point of order.

Did the Secretary read Mr. Musto's proposal as the second reading?

PRESIDENT: The Secretary did.

MR. DIETZ: The rules specifically provide, sir,

that second reading does not occur, under Rule 56, until the Committee reports it out.

PRESIDENT: The Committee, of course, has received it. No recommendation has yet been received from the Committee and a fully implemented reading cannot occur, as you properly point out, until the Committee has reported it out.

Are there any other motions or resolutions to come before the Convention?

The Chair recognizes Judge Clapp of Essex County.

MR. ALFRED C. CLAPP: Mr. President, there is a resolution on the Secretary's desk and I respectfully request that it be referred to the Rules Committee as a proposed amendment to the rules.

PRESIDENT: Thank you. I will ask the Secretary to read the resolution to the delegation.

SECRETARY: RESOLVED that the rules of the Convention be amended by adding thereto Rule 72A reading as follows:

The Convention, by an affirmative vote of delegates having not less than 45 votes, may submit to the voters of the State a single proposal, or a proposal containing not more than two plans stated in the alternative, unless delegates having at least 67 votes shall vote against submission. If a proposal is submitted containing two plans stated in the alternative, the Convention by an affirmative vote of delegates having not less than 45 votes may provide for the adoption of one of the plans by a plurality of all votes cast by the voters of the State for and against the plans.

And be it further RESOLVED that this Convention refer to the Committee on Rules and Business Affairs proposed Rule 72A for its consideration and for such action as it

deems appropriate.

PRESIDENT: The Resolution properly refers to an amendment to the rules and, therefore, it is the province of the Committee on Rules and Business Affairs and immediate reference to that Committee is now made for its consideration.

Is there any further business or motions or resolutions to come before the Convention?

(Silence)

The Chair would advise, as you have been previously advised, that there will be public hearings commencing at 2 o'clock this afternoon, which public hearings will go to the very heart of the work of the Convention. Attendance by all Delegates is not only welcome but recommended by the committees holding these hearings. Participation, of course, is open and available to all.

Is there any other matter to come before the Convention?

MR. SARCONI: Mr. President, I move that this Convention adjourn until next Thursday, April 21, at 11 A.M.

MR. CRABIEL: Second the motion, Mr. President.

PRESIDENT: Motion for adjournment having been made and seconded, all those in favor will signify by saying "Aye."

(Chorus of "Ayes")

Those opposed, "No."

(Silence)

The motion is carried.

(The session adjourned at 11:30 A. M.)