

Fourth Annual Message  
OF  
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Governor of New Jersey

TO THE ONE HUNDRED AND EIGHTY-SECOND  
LEGISLATURE OF NEW JERSEY

January 14, 1958

Trenton, N. J.



GOVERNOR'S ANNUAL MESSAGE  
TO THE LEGISLATURE

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January 14, 1958

*Mr. President, Mr. Speaker and members of the Senate and General Assembly:*

I come before you, the members of the 182nd Legislature, in accordance with my constitutional duty, to inform you of the condition of the State and to propose courses of action that will better enable New Jersey to meet the challenges of our times.

Since I delivered my last annual message to you on January 8, 1957, there has been a change in the political composition of the Legislature. From the time of my inauguration on January 19, 1954, until the present, it has been my task to deal with a Legislature controlled overwhelmingly by members of the opposite political party.

But on November 5, 1957, the people elected a General Assembly which has a majority of my own party by a count of 42 to 18. Control of the Senate by the opposite party is held by a margin of 13 to 8 compared to 17 to 4 four years ago.

A HEAVIER RESPONSIBILITY

These changes can only mean that my party has been charged with a heavier responsibility for the conduct of the Legislature because the record of the 181st Legislature was an issue in last fall's campaign. In that campaign, I talked at length about the caucus system in both Houses, the legislative budget and the unending legislative year.

NEW ORDER OF BUSINESS

Now I am confident that the new Speaker and Majority Leader will act with all possible speed to institute a new order

of business in the General Assembly and I trust that the Senate will do likewise.

The people, by electing a new majority in the General Assembly and reducing the old majority in the State Senate, are insisting on a more effective legislative performance. My party, I hope, will give it to them immediately in the General Assembly, and if its program is not accompanied by similar action in the Senate, the latter will be ignoring the temper of public opinion.

#### THE CAUCUS

For years I have been talking about the caucus, or, as it has been called, "basement government." Under the operation of the caucus, held in secret with both the press and the public barred, no measure could reach the floor of either House unless it was approved at these meetings.

In many cases, a measure which would definitely have commanded a majority for passage was throttled to death in caucus. The minority party members, the press and the public have been compelled to stand idly by while the Star Chambers were in session.

#### OPEN PROCESS

Meantime, the committee system, familiar to all people from its functioning in Congress, has been allowed to atrophy from disuse. Under that system, on important legislative issues, hearings are held at which all interested parties can state their case, after which measures go to the floor of both Houses for debate and final action. For the most part, the legislative process is and should be observable by the public in all of its phases.

In that way, the minority can bring its influence to bear to prevent majority tyranny. In that way, the people of each county can learn of the way its Senator and Assemblymen acted on specific measures.

#### CURE FOR DEMOCRATIC ILLS

I expect the caucus to be abandoned in this new General Assembly, and I trust it will also be eliminated in the State Senate. In both Houses, we should have a rejuvenation of the committee system, which has proved so valuable a democratic agent in Congress and in the legislatures of many states.

If and when this happens, New Jersey will discover the truth of the old saying that the cure for the ills of democracy is more democracy. If and when this happens, many measures that should have passed long ago will be sped to action by the force of public opinion. Pitiless (or rewarding) publicity will shine down upon the character and actions of individual members, thus permitting voters to know them as they have not been able to know them before.

#### WHY A WINTER VACATION?

I have never been able to understand why the Legislature should take a winter vacation after the budget message is delivered in February, only a month after it convenes. Nor have I been able to understand why the Legislature should not set a specific term for the fulfillment of its duties—say a term of 60 or 90 days.

Such a specific term is required by the constitution or laws of various states. Voluntary action of both Houses could easily accomplish this aim, and I trust the action will be taken. The Legislature should make an intensive effort to get its work done and then adjourn.

#### BI-PARTISAN CONFERENCE

I have long followed the practice of holding a bi-partisan conference on the morning of every legislative day. At these meetings, I outline to the Senate President, the Assembly Speaker and the Majority and Minority Leaders of both Houses, the measures which I believe are needed, at the same time inviting the views of the conferees.

These meetings will be continued. Heretofore the legisla-

tive majority has been less than frank in outlining its own plans. I think there should be a freer exchange of views.

The practice of passing bills of doubtful constitutionality should be avoided. The Legislature has a responsibility equal to the courts and the Chief Executive in this regard.

#### GUIDE FOR THE FUTURE

In looking back to my annual message to the 181st Legislature, I find the following language: "In November of this year (1957), there will be an election for Governor and for 70 of the 81 seats in the Legislature. Therefore, the eyes of the people will be fastened upon you, the Legislature, and upon me, the Governor, to scrutinize our behavior.

"If we permit partisan politics to influence our judgment, if we permit ambitions to sway our actions, we will be judged accordingly. For myself, I promise to work with you in every way consistent with my convictions."

I believe these words remain full of meaning and that they can now be repeated for our mutual benefit, and as a guide for our future cooperation. They apply, of course, to members of both parties.

#### TWO BROAD CATEGORIES

Let me now proceed to outline some of the subjects on which the Legislature should take action in the coming months. As I see it, these subjects fall largely within two broad categories:

- I. To strengthen our resources as a State.
- II. To strengthen our democratic processes.

Many of these proposals have been given complete discussion in the past and do not need extended analysis here. As in the past, members of my Cabinet and my staff have been directed to provide any information needed to reach wise legislative decisions.

It is intended here not to compile an encyclopedia of State needs, but to deal with some of the major issues. From

time to time, I will present to you additional subjects for legislative deliberation and action.

Before presenting the two broad categories of State needs, may I offer two subjects that require immediate action?

#### RENT CONTROL

1. It is urged that the rent control law, which expired December 31st following failure of the 181st Legislature to act, be immediately extended, retroactive to December 31st. I am informed that some 17 communities, which have chosen to continue rent control, are affected, and much hardship will result if no action is taken.

#### PAY CUT RESTORATION

2. Last year, the Legislature, while granting an across-the-board increase in the pay of State employees, rejected the usual merit increment, as well as medical-surgical benefits. In the campaign, the subject became a matter of intense discussion and debate.

I feel I am under mandate to propose to you that the usual merit increment be restored and medical-surgical benefits granted. I feel further that the traditional merit increase should be continued in the future. If not, a deadly blow will be leveled at the morale of the State employee as an individual and at the *esprit de corps* of the State service.

#### FOR VITAL SERVICES

Other cuts were made in the budget last year which severely handicap various State departments, particularly the Department of Institutions and Agencies. If these departments are to function effectively until the end of the present fiscal year, supplemental appropriations should be authorized to repair the crippling cuts.

A supplemental bill to provide the appropriations necessary for these purposes has been prepared and is ready for introduction today.



## I. TO STRENGTHEN OUR RESOURCES AS A STATE

### WATER

We have made progress toward solving the immediate water problem of North Jersey by acquiring the site of Round Valley in Hunterdon County and by legislation authorizing that it be filled with water from the Raritan River basin. An appropriation of \$250,000 has been made for detailed engineering, appraisal and other costs to expedite the use of Round Valley.

It has been proposed that a bond issue of some \$40,000,000 be placed on the ballot next November for the first phase in the development of Raritan Valley water resources.

But various other steps must be taken to complete the project. The law requires a compensating flow in the south branch of the Raritan at three gauging stations. To produce this flow, an on-river dam must be built.

### SPRUCE RUN

I recommend that \$2,000,000 be appropriated to purchase the reservoir site at Spruce Run in Hunterdon County, providing the engineering report presently under way is favorable. This amount could be returned out of the proposed bond issue, and the appropriation should so provide.

### COST OF TRANSMISSION

We must also decide how and by what agency Round Valley reservoir is to be built and how water is to be transmitted to communities in short supply. We have the choice of having these tasks undertaken by the State, by an authority or by an existing agency.

In addition to the reservoir cost of \$40,000,000, a nearly equal amount will be needed to build a purification system and to pipe the water to the east. If transmission is to be handled by an authority or an existing agency, it may be desirable to pledge the State's credit to get the best terms in the money

market, and to include that additional cost in the bond issue referendum.

In considering these large expenditures for water storage and transmission, it should be borne in mind that the entire project eventually will be self-liquidating through the sale of water.

### HIGHWAYS

We are one of 18 states which have fully matched in the fiscal year 1956-57 all Federal funds for interstate highways. But in doing so we have been compelled to neglect construction and improvement of highways which are the sole responsibility of the State, and upon which, to a large degree, depends the continuance of our present program of safety construction. There is a backlog of such projects of approximately \$70,000,000. We have also been obliged to forego advance acquisition of rights-of-way for future construction.

### GAS TAX INCREASE

I must again point out the urgent need for an increase in the gasoline tax to take care of emergency highway requirements. We must keep abreast of the Federal highway program by which New Jersey, on interstate defense freeways, receives \$90 for every \$10 it contributes, as well as 50-50 contributions for other roads. We must also provide adequately for State construction and improvement where no Federal funds are forthcoming.

### EDUCATION

1. Our needs for higher education have just been set forth by the State Board of Education in a report to the Governor and the Legislature entitled "College Opportunity in New Jersey." This report shows that rising birth rates and increased migration into the State will double the college-age group in little more than a decade.

## EXPANSION IS ESSENTIAL

The Board of Education proposes increased facilities at the State University, the six Teachers' Colleges and the Newark College of Engineering, to cost in the neighborhood of \$80,000,000. Expansion of higher educational facilities is obviously essential. I reserve for the budget message discussion of whether expansion should be financed on a pay-as-you-go plan or by a bond issue. In any event, we must make a substantial start at once.

## BONDS AND SCHOLARSHIPS

2. There is a pressing need for measures which will permit our school districts to finance capital improvements at lowest possible interest rates. A constitutional amendment to permit the use of the present State school fund, and legislation authorizing the pledge of state school aid funds to accomplish this end are under consideration.

3. I urge a scholarship program by which financial aid may be extended to needy, deserving and qualified students who wish to enter New Jersey colleges and universities. This would supplement the scholarship program now operative at the State University and could be linked with a Federal scholarship program, if one should be established.

## FURTHER STATE AID

4. Despite the fact that State aid to local school districts has tripled in the last four years, there is a continuing demand for further State aid for operational purposes, and to relieve the burden of homeowners and other local taxpayers. In recognition of this demand, I propose the subject be turned over to the State Tax Policy Commission for its 1958 report and recommendations.

## LABOR LAW CHANGES

New legislation is needed in the field of labor, some of which has been repeatedly urged in my annual messages. For

instance, the minimum wage law is completely unrealistic, since it applies to women and minors but not to men.

We need a State labor relations law by which unfair labor practices may be defined and prevented, and by which collective bargaining representatives may be selected and certified.

I recommend that the Legislature re-examine the level of, and eligibility requirements for, unemployment compensation, temporary disability and workmen's compensation benefits in the light of average wages now paid and in the light of higher living costs.

The unemployment compensation and temporary disability benefits law should be extended to employers with one or more employees, instead of being restricted to employers with four or more employees.

## THE MEADOWS

On the New Jersey side of the Hudson River lie 30,000 acres of what is potentially the most valuable land in the entire world. This is known as the Meadows. It is a vast swamp infiltrated with sea water. For a century men have dreamed of reclaiming the land for use.

Some men have done more than dream. The railroads have found ways to lay tracks and build yards through the Meadows. The Newark Airport is built on such reclaimed land. Piers of the New Jersey Turnpike have been given a solid base there. Many highways now traverse the area.

## A FRESH LOOK

Let us take a fresh look at the problem. I have in mind that engineers in The Netherlands, a country which has always had to battle the sea for existence, have been able to find ways to separate salt water from low-lying land. I recommend the establishment of a State commission to investigate whether Dutch methods would be feasible here, to determine questions of land ownership in the Meadows, and otherwise to deal with possible reclamation and use of this land.

## TAX POLICY

A report of the State Tax Policy Commission is expected to deal with (1) the 100 per cent assessment decision of the State Supreme Court in the Middletown Township case and (2) the question of additional revenue to meet State needs. I will comment on the report in my budget message.

## COMPULSORY AUTO INSURANCE

I recommend that the Legislature give serious consideration to the enactment of a compulsory automobile insurance law, to indemnify innocent victims of traffic accidents or their dependents for loss of life, injury to persons and damage to property. The Unsatisfied Claims and Judgment Fund has met some but not all of the needs of the people in this area. I suggest the Legislature make a study of the operation of the compulsory laws of other states as a guide to possible action.

## AFTER 40 YEARS

I am about to appoint a commission to study the framework of law, policy and administration of the Department of Institutions and Agencies. Since the original Morrow report of 1918, the department, with its system of citizen participation in state and local boards, has made many significant contributions in the field of human welfare.

It is our belief that, after 40 years of operation, we should re-examine the department and its far-ranging tasks, along with its kinship to other departments, to find out if we are doing all we can to meet modern needs. After the commission finishes its study, it will make a report consistent with the statutory mandate that our institutions and agencies "shall be humanely, scientifically, efficiently and economically operated."

No doubt, as in the case of the Morrow report, the Legislature will be called upon for measures to improve the lot of the 125,000 persons who are wards of the State.

## RAPID TRANSIT

The report of the Metropolitan Rapid Transit Commission was not received in time to be given consideration in this message. The commission has made an intensive study of the vexing traffic problems of the New York-New Jersey metropolitan area. Year by year these problems grow more difficult and more expensive to solve, and a comprehensive assault on them cannot be much longer delayed.

## NEW STATE BUILDINGS

New State buildings are urgently needed to house the Departments of Labor and Industry, Education and Health. These departments are now scattered in seriously overcrowded state-owned or rented quarters.

New structures would make possible more efficient operation of these departments in the interest of the public, besides saving large sums in rentals.

Funds for a building for the Department of Labor and Industry are already available; funds set aside for the other two buildings would be a sound investment and would add to the resources of the State.

In September 1956, I sent you a special message dealing with this problem in some detail, and I will certainly renew my recommendation in the forthcoming budget message.

## KOREAN WAR TERMINATION

The Legislature has not declared a termination date for the Korean conflict. As a result, thousands of grossly discriminatory veterans' property tax exemptions and unfair civil service preferences are being granted each year and will continue to be granted in ever increasing numbers unless action is taken.

As to all previous wars, the Legislature has specifically limited the duration of each war for exemption and preference purposes to the period of actual hostilities. Actual hostilities ceased on July 27, 1953, in the Korean conflict. I recommend that Chapter 184, Laws of 1951, be amended to correct this inequity.



#### CONFLICT OF INTEREST

New Jersey needs a comprehensive conflict-of-interest statute forbidding all employees and officials of the State from serving or representing outside interests which might prejudice or impinge upon their loyalties to the public service.

#### RADIATION PROTECTION

An advisory committee appointed by me has explored the field of radiation and has recommended legislation to provide control of radiation sources in New Jersey. Such control, enforced by a single agency, is required at the State level to protect our citizens. A bill to that effect will be submitted to you.

## II. TO STRENGTHEN OUR DEMOCRATIC PROCESSES .

#### REAPPORTIONMENT AND REDISTRICTING

You are aware of your duty to reapportion the Assembly in accordance with population changes. Article IV, Section III, of the State Constitution directs: "... Apportionment of the members of the General Assembly shall be made by the Legislature at the first session after the next and every subsequent census . . ."

Since the 1950 census, seven Legislatures have come and gone without action on this basic matter. As a result, the people suffer the consequences of unequal representation.

As a practical solution, I recommend a self-enacting constitutional amendment, looking to the 1960 census, to provide adequate representation to each of our counties.

#### THE CLASSIC SEVENTH

A related subject is congressional redistricting, which has not been done since 1931, more than a quarter century ago. One need only take a look at the Seventh District to understand how badly redistricting has been neglected. This district is a classic example of the gerrymander, a notorious device to keep one individual or one party in office.

#### VOTING MACHINES

Twelve of the State's 21 counties now use voting machines and their use should be made mandatory in the remaining nine counties which continue to use paper ballots. Is it necessary to repeat what has so often been said, that the voting machine is the most accurate, quickest, most convenient, most trusted and, in the long run, the most economical way to compute election returns?

#### MOBILE REGISTRATION

Mobile, or neighborhood registration, is a highly desirable method to take voting machinery more directly to the people. Many people find it difficult or impossible during their hours of employment or because of domestic duties to go to the Court House or the office of the Municipal Clerk to register.

Therefore, by legislative mandate it should be incumbent on the part of the County Election Boards to minister to the convenience of these people. Every county board should be directed to sit at least one night in each ward and at least one night in each municipality, depending on the size of the community.

#### SUGGESTED COURT CHANGES

Two changes in our court system were recently advocated by Chief Justice Weintraub:

1. He points out that the co-existence of separate county and Superior Courts "has been fettering and restrictive." These courts have overlapping jurisdiction in a substantial area, and the supposed advantages of this division of judicial duties have not come to pass. He suggests consolidation of county and Superior Courts.

2. He points out further that we have 488 separate municipal courts, "in which 30 per cent of the magistrates are poorly paid, and their quarters frequently are inappropriate." It is impossible properly to supervise the work of 488 separate courts, and the Chief Justice suggests a county-wide court,



presided over by full-time judges, appointed by the Governor, subject to Senate confirmation.

I commend his views to you for study and for whatever action you deem fit to take.

#### A LEGALISTIC JUNGLE

More than two decades have passed since New Jersey statutes have been revised. Meantime our laws have become a jungle growth, through which laymen and lawyers must grope their way without much hope of finding Dr. Livingstone.

To change the metaphor, Professor Edwin W. Patterson of Columbia University says that New Jersey statutes "exhibit layers of legislative deposits going back to 1891 and 1902, so that the process of interpretation becomes geological rather than logical." He was speaking specifically of insurance statutes, but what he says is true of other titles as well.

Conspicuous examples of laws needing revision:

Title 11 — Civil Service

Title 14 — General Corporations

Title 17 — Those sections dealing with insurance laws.

Title 18 — Education

Title 19 — Election Laws

Title 26 — Health

Title 40 — Counties and Municipalities

Title 48 — Public Utilities

Title 51 — Weights and Measures

In some of these areas, revision is under way. I urge its early completion and a start on work in other areas, including statutes of specific application to each of the 14 State Departments.

#### CHANGES IN INSURANCE LAW

Last year I asked Professor Patterson, an outstanding authority, to study the administration of the Department of Banking and Insurance.

He recommends legislation which would (1) give the department better and more general notice and hearing provis-

ions; (2) give the Commissioner explicit power to make regulations; (3) give the Commissioner broader discretionary power in refusing to issue or renew, or in revoking an insurer's license; (4) give the Commissioner specific power to force the removal of proved untrustworthy insurance company officers; and (5) revise the liquidation provisions for taking over a domestic insurer.

#### OTHER INSURANCE PROPOSALS

In addition, I strongly urge that you give early consideration to legislation, introduced but not passed at the last session, which would enable the Commissioner of Banking and Insurance to have more specific and effective powers over the licensing and regulation of insurance agents, brokers and solicitors.

Also, I recommend that you adopt legislation requiring insurance companies to submit reports on internal audits to the Commissioner to help keep him informed of company operations during the period between regular departmental examinations.

These recommendations should be the subject of immediate action. At the same time, we should take steps to undertake a general revision of our insurance statutes to be ready for enactment by the 1959 Legislature.

#### CRIME REPORTING

I have repeatedly urged the creation of a uniform crime reporting system. Such a system would enable persons responsible for enforcing our criminal laws to collect, collate and use essential facts relating to crime. It would require local, county and state police authorities to make periodic reports about the number and nature of arrests. That information, in turn, would produce statistics of great value and for the first time, form a survey of the frequency, type and concentration of crime. It is a basic requirement of modern-day law enforcement.

#### POLICE TRAINING

For years, I have pointed out that some system of police training is vitally necessary to our State law enforcement administration. For the past two years, bills have been introduced that advocate some kind of training for rookie patrolmen. The charge that such a system would be subject to State Police control and would violate home rule is simply not true.

Under the proposed legislation, a State-wide commission would create standards of instruction and would approve schools, public or private, which all future law enforcement officers would be required to attend. The commission would not be made up of State officials alone; on the distinct contrary, the bulk of the commission would consist of representatives chosen by policemen's service organizations.

Bills for crime reporting and police training have been prepared and are ready for introduction.

#### SALE OF PACKAGED MEDICINES

The business of retailing packaged medicines has presented problems that have existed for years. Conflicting views have been held as to whether aspirin, cough medicines and similar products can be sold by persons other than registered pharmacists.

Litigation has been almost constant. In 1954, the State Supreme Court stated that legislation was urgently needed to clarify ambiguities arising from interpretation of the 1901 statute. I hope you will be able to resolve these ambiguities in the light of modern conditions.

#### SUNDAY SALES

Increasing commercial activity is drastically changing the character of Sunday as a day of rest. We should seek a state-wide pattern regulating Sunday activity with a recognition of local needs.

#### CONCLUSION

Let me express the hope that the next ninety days will become notable in New Jersey's history for the accomplishments of the Legislature. In these uneasy times, it becomes especially important for the law-makers of this State to show qualities of leadership and firm action with regard to our problems.

Many of them, indeed, are not new. They have been discussed, explored and debated for a long time, and there can be no reasonable excuse for further delay. Others will yield to hard study and searching debate in committee and on the floor.

I hope you will keep in mind that the measures here suggested are designed to strengthen the resources of the State, physically and morally, and to strengthen our democratic processes. Never in history has our country had a greater need to marshal its powers and to show to the world how democracy can flower in adversity.

You are concerned with the affairs of one State of the Union, but the example of one State in strong, forward-looking action can have a tonic effect everywhere.

From the time of the American Revolution, New Jersey has been first in many fields—in government, in education, in welfare, in industry, in invention, as well as in the intangible qualities which go to make up what we call civilization.

I feel sure, as you of the 182nd Legislature settle to your tasks, you will draw faith, confidence and inspiration from New Jersey's illustrious past to grasp its brilliant opportunities for the future.

Respectfully submitted,

ROBERT B. MEYNER,  
*Governor.*

Attest:

BRENDAN T. BYRNE,  
*Acting Secretary to the Governor.*