
Public Hearing

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before

SENATE JUDICIARY COMMITTEE

"Initiative and Referendum"

LOCATION: Rutherford Borough Hall
Rutherford, New Jersey

DATE: March 23, 1993
10:00 a.m.

MEMBERS OF COMMITTEE PRESENT:

Senator William L. Gormley, Chairman
Senator Louis F. Kosco

ALSO PRESENT:

John J. Tumulty
Office of Legislative Services
Aide, Senate Judiciary Committee



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New Jersey State Legislature

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NOTICE OF PUBLIC HEARING

The Senate Judiciary Committee will hold a public hearing on the following:

Initiative and Referendum

The hearing will be held on **Tuesday, March 23, 1993 at 10:00 A.M.** in **Rutherford Borough Hall, Rutherford, New Jersey.**

The public may address comments and questions to John J. Tumulty, Judiciary Section, Office of Legislative Services, (609) 292-5526. Those persons presenting written testimony should provide 15 copies to the committee on the day of the hearing.

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SENATOR WILLIAM L. GORMLEY (Chairman): I would like to thank everyone for coming out today for this hearing to review the issue of Initiative and Referendum.

I would just like to announce now that at 1:00 p.m. we are going to be evicted from the Municipal Court. What we are going to do is go straight through. There will be no breaks, because we want to allow everyone an opportunity to testify. We have a number of witnesses, so I would ask that everybody realize, once they get to their turn, that there are many others after them. Try to be focused in your comments. Obviously, we do not want to cut anyone off, but we would like you to appreciate the fact that there are numerous other witnesses probably following you.

With that in mind, I would like to start with introductions by the host Senator for this event, my good friend and colleague, John Scott. Senator Scott?

S E N A T O R J O H N P. S C O T T: Thank you, Mr. Chairman. Oops, that is a little loud. We have a microphone that works well.

SENATOR GORMLEY: That's your average tone.

SENATOR SCOTT: I would like, at this time, Senator Gormley, to introduce the Mayor of Rutherford, Andrew Bertone. Andy has been in Rutherford, I guess, all of his life. He has been Mayor for the past couple of years, and a Councilman for some 20 years. Mayor Bertone?

M A Y O R A N D R E W E. B E R T O N E: I would like to welcome everybody here to Rutherford for this Senate hearing. We have a nice day, and I am glad everyone could get out. We welcome you here.

SENATOR GORMLEY: Thank you very much, Mayor.

SENATOR SCOTT: Thank you, Mayor Bertone.

Senator Gormley, I want to thank you for having this hearing up here in the 36th Legislative District today. It is

an issue that is extremely important to an awful lot of people in the State of New Jersey.

One of the things we find when we do polling, is that the people are interested in having Initiative and Referendum. Contrary to that, it is being opposed by just about everyone from the Business & Industry to the NRA to the New Jersey Education Association. Every group seems to be against this I&R, except the people, and that is what I think we are here to do -- to find out.

Just about three years ago, nearly one million people in New Jersey signed petitions seeking changes in the way government operates. The movement for change was a direct response to Governor Florio's \$2.8 billion tax package. The petition signers believed what they had learned way back in elementary school: that government is for the people, of the people, and by the people. Thus, the petition would alter, or reform the government.

Unfortunately, this is not true in New Jersey, as this State does not allow its citizenry to participate in democracy through the process of Initiative and Referendum. There have been many instances where the Governor and the Legislature have failed to respond to the obvious desires of the people. Just because an issue is rejected by the Governor and/or the Legislature because of partisan politics or the intervention of special interests, does not mean that the rejection was an act of wisdom.

Since I have been elected to office, I have had the opportunity to speak with, and listen to, many, many people. The subject of I&R is brought up often, and everyone wants to know why the people of New Jersey cannot directly vote on major issues that affect their lives. These people are: schoolteachers, construction workers, doctors, shopkeepers, accountants -- people from all walks of life, who want to know why the desires of the citizenry appear to be ignored by those

in power. When I hear these questions, and sometimes angry comments, I can't help but point out to these people that they actually work against their own beliefs by contributing to the organizations that are actively working full-time against I&R: the teachers' union, the AFL-CIO, Business & Industry. They are just a few of the lobbyist groups that are working against getting I&R passed.

From what I see and hear, the majority of the members of these organizations have little, or no say in what their leaders do. It appears to be a little redundant. They need I&R in their own organizations. I truly believe that the powers of Initiative and Referendum can only improve the democratic process in our State. The citizens of this State deserve to have these rights. They deserve to have the opportunity to voice their opinions on how their money is spent and how government operates.

Opponents to I&R are concerned that issues could be passed by a simple majority vote of the people. We elect our Governor, our legislators, and, in most counties and municipalities, the local officials, by simple majority vote. The voters are trusted to directly elect these powerful officeholders. Why aren't they trusted to participate in major decision making that affects their everyday lives?

In conclusion, I want to point out that according to an April '92 poll by the Tarrance (phonetic spelling) Group, 72 percent of New Jersey residents are in favor of I&R. I can't believe that any public official can ignore this mandate by the people. I&R is the politics of inclusion. I&R is really the special interest of all the people. When we talk about special interests in the State of New Jersey, we are talking about-- Right now, we are talking about the people, the general population.

My bill, which is one of several that have been proposed, changes a little bit, in that it does not allow for direct intervention in the Constitution. As you know, there

are several other bills in the legislative process at this time. I am sure we will hear about some of them today. I feel it is very important for us to get this I&R out -- this Initiative and Referendum out to the public who have something to say about I&R, and we are giving them the opportunity today.

I want to thank you very, very much for your hearing today. I think it will be very informative.

SENATOR GORMLEY: Thank you, Senator Scott. We have disagreed-- As many in the audience know, I have disagreed with John on this issue over the years. I think one thing we do agree about, however, is that if certain people, when they run for office, would stick to their positions the way John Scott does, there wouldn't be such an outcry for I&R.

I would like to introduce our next witness, Christine Todd Whitman, former head of the Board of Public Utilities of the State of New Jersey, someone whose integrity while she served in that office was unquestioned, and her professionalism. It is a real pleasure to have you here today.

C H R I S T I N E T O D D W H I T M A N: Thank you very much, Mr. Chairman. I appreciate those kind words. I also want to extend -- although I have no right to so do -- just a personal extension of thanks to you for being willing to come up here and Chair this, and assuming, as you always have, the importance and responsibility of your Chairmanship of this Committee. I have never known you to do otherwise but than to treat it with the highest respect, and the voters with the highest respect.

SENATOR GORMLEY: Well, I appreciate that. I also had -- sitting next to the John Scott caucus -- no choice but to come up here. (laughter)

MS. WHITMAN: He is a very determined individual, and he does have certain strengths that he brings--

SENATOR GORMLEY: Oh, subtle as Attila.

MS. WHITMAN: Subtle, definitely.

SENATOR GORMLEY: Excuse my humor. Go right ahead, please.

MS. WHITMAN: As you know, I strongly support the concept of Initiative and Referendum. I not only believe that it will put power squarely in the hands of the people, but that it will make lawmakers more responsive to the voters.

Mr. Chairman, as you and your Committee begin your work on Initiative and Referendum legislation, I urge you to consider the following provisions: Indirect Initiative, as in SCR-87; a limit on the number of Referenda that can be considered in any given year; an equitable signature requirement that includes a requirement for geographic distribution; a fiscal estimate that would determine how much each Initiative would cost the State; the review for constitutionality; and finally, a method to make available to the public the names of the contributors and an accounting of expenditures on behalf of an Initiative.

While my list is by no means exhaustive, I believe it incorporates many of the key components that will make I&R workable and effective in our State. For example, under indirect Initiative, the Legislature would be able to address any issue before it would be placed on the ballot. Indirect Initiative gives us the best of both worlds. It guarantees that the principles of representative democracy are not subverted, yet it retains a safety valve that permits the people to act on their own behalf when the Legislature does not.

Some argue that Initiative and Referendum would unfairly discriminate against a minority of voters such as in southern Jersey. Others say that Initiative and Referendum would not allow sufficient opportunity for debate about, or consideration of, the subtleties of complicated issues. Indirect Initiative guards against, and, in fact, forestalls these problems by ensuring that a proposal could only be placed on the ballot when the Legislature fails to act.

New Jersey already has a form of limited indirect Initiative. It occurs each time we amend our Constitution. The fundamental difference between the process -- between that process and what I urge you to adopt, is the genesis of each. When we amend the State Constitution, the process begins with the Legislature. When we begin with Initiative and Referendum, we begin with the people. With indirect Initiative, fewer questions would actually reach the ballot than in other systems of Initiative and Referendum.

Another important safeguard in keeping the process of Initiative and Referendum manageable, is limiting the number of Referenda that can be considered in any given year. It would allow ample time for the Legislature to address critical issues thoroughly. Such limits would ensure that New Jersey voters were not confronted by the California-style ballots, with scores of questions that require extensive and confusing interpretive materials.

I also ask that you keep the signature requirements for each Initiative at a reasonable level, and include a method for geographic distribution of signatures. I can think of no greater disservice to the people of New Jersey than to enact Initiative and Referendum, only to have it rendered ineffective by unreasonably high requirements. That would be a fraud on the voters, and on democracy.

Mr. Chairman, please consider including a provision that requires a calculation of how much each Initiative would cost the State. A fiscal note similar to those now prepared for legislation should be completed before a question reaches the ballot. Initiative and Referendum was impelled, in part, by the voters' dissatisfaction with the taxing and spending habits of the State of New Jersey. It is crucially important that Initiative and Referendum not become a tool of those who want government to spend money it doesn't have.

Not only should a fiscal assessment be prepared, but all proposed Initiatives should be subject to a constitutionality review. Most legislators don't draft every word of their own bills themselves, because they are not all lawyers. We also can't expect members of the public to have all the necessary skills to make their proposals technically correct and constitutional, without some help.

Finally, I urge you to act to make sure that Initiative and Referendum does not become a pawn of the special interests. It should become law, but only if you establish a system of accountability for those who lobby on any ballot question. We must know who is lobbying for what, and who is financing them. Without this information, it will become impossible for voters to assess the credibility of an argument that is being presented to them.

Mr. Chairman, I strongly support Initiative and Referendum. The people of New Jersey should have the right to make the laws that govern them. Only with Initiative and Referendum will the power to shape the future of our State be taken away from lobbyists, special interest groups, and powerful politicians, and given to the people. The historian Edward Gibbon once wrote: "It is sometimes easier to face a cannon than public opinion." It is reasonable to fear the first. I believe it is a mistake to disregard the voices of those whom our Constitution has made sovereign -- the people of New Jersey.

I want to thank you very much for offering me the opportunity to testify here this morning.

SENATOR GORMLEY: Okay, thank you. One question that I would have-- We talk about geographic limitations. Obviously, I start off with Senator Scott on this. Would we be talking in terms of region or in terms of by the county? What would be your sense of--

SENATOR SCOTT: Well, I think we have to have a combination, Senator, where we have by region, and also by county, minimums. I think we must have true representation, which would include the counties that do not have the populations as we do up here, for example, in Bergen. The legislation, as it is drafted now, takes that into account. There are eight southern counties that must have a minimum amount of signatures, and then each county has a maximum and a minimum. So I think that has to be addressed, both county and region.

SENATOR GORMLEY: Also, I appreciate the version that you have introduced with the constitutional exception because of the questions, such as the potential for an elected judiciary, which would be called in to -- which could become a possibility if we were to have constitutional I&R, and also any constitutionally vested right could be called in, such as New Jersey's right to privacy for women. That is something that I think would be-- Obviously, I disagree on calling them in. I think that version that you have introduced limiting the constitutionality, limiting the effect on the Constitution-- I think that is a positive one.

Do you have any further comments, Christie or John?

SENATOR SCOTT: No, thank you.

MS. WHITMAN: No.

SENATOR GORMLEY: Okay. Well, thank you very much. We appreciate your testimony. Senator Scott, I would ask that you join the Committee now.

SENATOR SCOTT: Thank you.

SENATOR GORMLEY: Thank you very much.

I would also like to welcome a distinguished Senator, a good friend, Lou Kosco. Thank you for being here today. Do you have any comments for the members of the public who are here today for the hearing?

SENATOR KOSCO: No, but thank you very much, Senator Gormley, for coming up to Bergen County. You don't get a chance to come up here as much as we get a chance to go down to Atlantic County.

SENATOR GORMLEY: Well, I am not going to say-- Have a few more conventions up here, okay? Anyway, we certainly appreciate the hospitality of the town, and we certainly appreciate the efforts of Senator Scott to put together the hearing today.

I would like now to call Sam Perilli, of United Taxpayers.

SAMUEL PERILLI: I am going to hold this up for you for a little while. (witness holds up headline)

SENATOR GORMLEY: Okay. Excuse me. Do you think we could prop it up over there? Would that be--

MR. PERILLI: Yes.

SENATOR GORMLEY: Just take your time. Don't rush. Why don't you take that chair down and lean it? Is that any better, or would you like it higher with a chair? Oh, here we go; here's an easel. Perfect. The Mayor is a great host here.

MR. PERILLI: Mr. Chairman, members of the Committee: I thank you for the opportunity to offer my remarks. It is the habit of the United Taxpayers of New Jersey-- We don't use the word "testimony" unless there is a Bible and someone gets sworn in. When people are sworn in, if they lie, they go to jail. Here we just offer our comments on how much experience we have had on specific issues. I hope you will understand why we do not use the word "testimony."

Speaking of testimony, I have before me something like 13 years of testimony, not from us, but from organizations all over this State.

First of all, we have to come here during the day. I'm sure a show of hands of the people who had to give up a day's work to come here today would be very interesting.

(Senator Kosco raises his hand) I notice, Senator, that you raised your hand. You are paid to be here today, so please don't insult my intelligence.

I offer to you that I think this Committee, when it is holding hearings, should at least have the courtesy to have them at night, so that the people of this State who want to speak out can come in the evening during their off time. The people who are here to offer testimony in opposition to this are being paid by very, very crafty and skillful professionals, whose job it is to make certain that the public's will is not what happens in the State Legislature.

I was almost prepared to just start reading my testimony -- my comments over the last 13 or 14 years. I present to you credentials. When people start talking about a million signatures-- In 1976, I offered this headline to you. We were out in front of the State House after presenting a million signatures for a change in the way our government operates, and it did absolutely no good at that time.

So, the subject of Initiative and Referendum is nonpartisan. There are those who blame the Democrats, and, of course, seeing what happened in the last election, I am sure they can equally blame the Republican Party. And, of course, we all saw in the last election that a half a million people said, "The hell with Republicans, and the hell with Democrats." I think that should have each and every one of you considering what your next moves are going to be.

The second thought I have is, here we are. Here I am representing United Taxpayers of New Jersey, asking you, as elected officials, to give me the right to participate in my government as a first-class citizen. It's so simple that it hurts. It is so difficult to convince people of this idea -- convince legislators of this idea -- that it stinks. That we have to ask you to support-- I have not come here today on behalf of our organization to ask you to support the Initiative

process. All I am asking you is to place the question on the ballot, like you do your bond issues when you want to create bonds; like you do when you want constitutional things changed, and you bring it before the voters. I am asking you to let the people of the great State of New Jersey -- excuse me, the near great State of New Jersey -- make the decision as to whether they want -- as to whether they want the right that half of the other states in our good country have already, and have had for years, as a matter of fact. As a matter of fact, the Initiative process has a collective something like 1200 years -- 1200 collective years in all the states that already have the process. Do we need any more experience than that?

You are going to hear the opposition say that it is dangerous. At some of the previous hearings, my ears were burning when I had to hear religious demagogues say, "We are all good Catholics until we get in the voting booth. Then something goes wrong with us, that we shouldn't have the right to place public questions on the ballot; that we will tear the system to pieces." How dare they? Catholic groups; Jewish groups. Religious demagogues come before you and say to you, "Watch out for this terrible public in this State."

The thing that I come here before you today to urge, is that you put aside your personal feelings. If you don't like the idea of Initiative, then, damn it, take that issue to the streets along with your campaigns. At least have the guts, the political courage, to say, "I don't believe in Initiative and Referendum, and I don't believe you, the people of this State, should vote yes for Initiative and Referendum." Take it to the people. Let us decide.

I mean, I hear this talk of geographic distribution. You will see what we are asking for. We are asking for no different than you, as legislators. You have rules -- there it is -- rules that are standing right now; rules of the Legislature. Do you folks put unconstitutional questions on

the ballot? Do you pass unconstitutional laws? I can't possibly think of that ever happening in this State. Have you ever passed unconstitutional laws? Look at the newspapers filled with court cases. So you question the wisdom of the voters, that the legislation that the voters want to put forth has to be checked for all its correctness. Well, damn it, I say put the same test on every bill you, John Scott, or you, Senator Kosco, or you, Senator Gormley, have put through the Legislature.

I say to you, "If you want a geographic test, then place that same geographic test on every piece of legislation that you put forth, including all the bond issues." Let's see what happens to New Jersey. Let's see about your geographic tests. I thought we had one man/one vote rule in this State, but what we are seeing with your geographic test is that one part of this State is limited on what it can say. I say take the argument, let the people of New Jersey decide.

The special interest groups have a reason for not wanting Initiative and Referendum, simple as it may seem. It is a hell of a lot easier to convince 120 minds than to dare -- to dare let that argument spill out into our homes and workplaces, so that we can also get into the fray; that we don't have to take time off from our work; that we can do the thing in the streets and in our workplaces and in our homes, and discuss these issues. Please don't be afraid of the voters of this State. Don't be afraid of the voters in this State.

Before you, you have a number of bills. I submit to you that there are only two bills, and we are going to go back to basics. We are going to go back to what the Initiative process started out as in this State over 17 years ago -- over 17 years ago. I have been informed that it is even older than that; it is even older than that.

Three percent of the population for normal legislation; 5 percent of the population -- voter population --

for constitutional amendments. I note with interest that, Senator Scott, you make it a point to exclude constitutional amendments. I don't remember that when you were the head of that caucus -- that conservative caucus. You never discussed it then that people couldn't be trusted with the Constitution, unless you have had a change of mind, and then I owe you an apology. There shouldn't be any restrictions to the subject matter, just like the Legislature has no restrictions to the subject matter. As long as it is constitutional, it is fair game for legislators; it is fair game for the voters.

So I ask you today to put aside your personal problems with Initiative and Referendum, and let the people of this State take the battle to the streets, to our homes, and to our workplaces. That is all I ask you. Put your opposition alongside of the Initiative and Referendum question on the ballot. You have until August 1. Let's not let another year go by where August 1 comes and goes, and once again we remain second-class voters.

Thank you. (applause)

SENATOR GORMLEY: Thank you. Senator Scott?

SENATOR SCOTT: Thank you, Mr. Chairman. Sam, we go back quite a few years on Initiative and Referendum, so I kind of resent the implication that I have given up anything. Now that I am in a position to try to get something done from the inside, you seem to want it your way, period.

What I would suggest you do is recall that not too long ago, in the Assembly, it did not pass. So if we want to get some sort of Initiative and Referendum passed, if you are not satisfied with a part of the loaf, then I am afraid you and I have gone on divergent paths. The way I look at it today, what the protests have been about-- They have all been about statutory. That is what my SCR-37 covers -- statutory. When we are talking about going into the Constitution, my original

concept, if that were the bill, if that were to come out, I would support it.

What we are trying to do is get I&R for the people in the State of New Jersey. If I were you, I would support something that has a chance of going through. You do understand the legislative process, and you do understand that if you demand 100 percent your way, you are not going to get anything. You will walk away clean.

MR. PERILLI: May I answer that, Senator -- when you are finished?

SENATOR SCOTT: Well, I am not finished yet. I am not finished yet. We waited patiently, Sam, so you will have to-- You know how the proceedings take place, right?

MR. PERILLI: No one knows the rules better than I.

SENATOR SCOTT: Very good, so I would appreciate your following me.

Now, regarding-- You mentioned geographic tests. You know why that is there, Sam. You know why we put in the geographic test, so that one or two counties, in particular up here in the northeast where we are, in particular Bergen County, with its over -- almost 500,000 voters, with Morris, Passaic, Essex, and Hudson-- You take the top seven counties. We could literally control whatever is going to happen in the State of New Jersey. That is why you will not get any legislators from down south or out in the west to support I&R, unless there is some measure of control on the process. They need their representation.

I think the one thing we don't want to do is exclude the south and the west of New Jersey. This is for all of the people. That is why that geographic test is in there, Sam, so you and I can't hit Bergen County and get ourselves 100,000 signatures and that's it. The public be damned in the rest of the State. That is why that is there. I would suggest you review that carefully, because you know why it was put in there.

Thank you.

MR. PERILLI: May I respond?

SENATOR GORMLEY: Yes, of course.

MR. PERILLI: I suggest, Senator, that you review the one man/one vote rule. We do, in fact, in North Jersey, control the legislative process. We already do that. It's a one man/one vote rule. Why would you want to exclude any of your constituents from signing that petition? Because ultimately -- ultimately -- your members of the Legislature, your colleagues, would say, "John, we are not going to pass that piece of legislation that came out of your county, as such," and then it would be the responsibility of the Bergen County elected officials to either say, "No, we don't like the idea," or take the argument again to the public. Bergen County would have the responsibility of taking it to the public.

SENATOR SCOTT: Sam, you are still missing the one important factor: Bergen County has five Senators and 10 Assemblypeople. There happen to be 120 total. We don't control the legislative process, and that is what you seem to be missing.

MR. PERILLI: But you just said you did. You said that the people of Bergen County would control the legislative process. They wouldn't.

SENATOR SCOTT: No, let me explain: The legislative process with legislators versus the popular with the voters. We would have enough voters in Bergen County, under those percentages, to put anything through that we desired. Just one--

MR. PERILLI: No, you wouldn't; you wouldn't, because it would still have to go on the ballot, and then the entire State--

SENATOR SCOTT: Sam, look, all right, this could go on and on. I know what you're saying, Sam, but you are missing the basic point. You won't get yours through with the way you want to do it. Until you take into consideration all the

legislators in the State of New Jersey-- That is the key to it. If you don't know that by now, I'm surprised. You must take all the legislators and have a coalition, an agreement to get it through.

MR. PERILLI: Senator, I am looking at a poll right here that was done in June of this year by the Gordon Black Corporation -- which you may peruse, if you like -- one of the most prestigious organizations for polling in the United States. The poll they took said the right of Initiative in the State was 92 percent; Referendum on annual State budgets, which would be a constitutional question, 80 percent; a constitutional amendment requiring a Referendum on Federal taxes, 72 percent. These are not just people who idly said yes. These are people who thought about these questions.

I am telling you that the voters of New Jersey, in the north and in the south of this State-- We do not have two states. We have one State. I wish you could mention, and maybe the Senator could give me one example, where the people of the great State of New Jersey -- the nearly great State of New Jersey, in any year -- one piece of legislation that ever passed where the north did a number on the south; where the north "screwed" the south. Can anybody give me an example?

I remember, let's see, was it casino gambling? Was that what enriched our southern brethren? Everybody was for that Referendum. We went crazy, and the people of the north agreed that we needed that to help the southern end of our State. Isn't it interesting how the biggest opposition to our Referendum question is from the southern portion of our State? How convenient.

Thank you.

SENATOR GORMLEY: That's a draw. Okay? (laughter)

UNIDENTIFIED SPEAKER FROM AUDIENCE: That's your opinion.

SENATOR GORMLEY: Okay. Thank you. If I may make a brief comment, and I will use the Chairman's prerogative--

Thank you very much for your testimony. I will reserve comments until the very end, because obviously everyone-- If I begin interjecting, especially every time I hear the word "south," which, you know, is a knee-jerk reaction when you are from Atlantic City, we will be going on forever. What I will do, as Chairman, I will try to reserve comment until the very end, and reserve my personal observations until the very end of the hearing process.

The next witness will be Wayne Dibofsky, from the New Jersey Education Association.

W A Y N E D I B O F S K Y: Thank you, Mr. Chairman, members of the Committee. My name is Wayne Dibofsky, Associate Director of Government Relations, representing 142,000 citizens of the State of New Jersey who are members of ours.

Our long-standing policy has been in opposition to Initiative and Referendum. As a matter of fact, we are now unalterably opposed to the issue. You have heard our testimony over the last 10 to 12 years on varying forms of concerns. You have a formal testimony before you. I will not read it to you.

Many people in this room will call us a "special interest," and there are probably other special interests by organizations that will be called. Even Senator Scott made mention of that. I defer to the Committee to note that everybody in this room is a special interest; otherwise, we would not be here. We all have an interest that is special to us. Proponents and opponents alike have an interest in this issue; some obviously supporting it for personal reasons, and others opposing it.

Our organization has an opposition policy toward this bill based on an issue of comparison to other states which have the same demographics of educational quality and a tax base, those being Massachusetts and California. The results there

are woefully poor; woefully poor in that even this weekend, if you watched "60 Minutes," the demise of the higher education system in the State of California, and the ongoing demise of the education system in Massachusetts-- Certainly we have concerns about the educational quality in the State of New Jersey, as well.

Our special interest has always been to serve the children we are hired to teach. The real consideration is that we cannot easily and simplistically deal with the basic question that the proponents of I&R ask. That question always is: Don't you trust the people? The answer is: Absolutely, yes. We trust the people of our State to vote for capable, competent legislators. We ask them to refuse to reelect legislators who abuse that trust. I think 1991 was the beginning of a watershed in this State that showed that the public is getting involved in the day-to-day operations of their communities. I am proud, and I think everybody else is, of the ability to be here and be a participant in participatory democracy, and we thank you, Mr. Chairman, for holding this hearing.

Proponents of I&R have long called for accountability. However, let me refute one of the comments that my good friend, Sam Perilli, has recently made. An Engleton poll of January '92 made an interesting commentary shortly after saying that the State public was moving above the 50 percent threshold level of support of a typical I&R bill. Typical was generically listed. But, at the same time, 75 percent of those people polled said that the public did not want an Initiative and Referendum if it in any way cut their State services. It is impossible, at times, to have both ends of the dream work. Having Initiative and Referendum will, in some way, have a detrimental impact on the tax base of this State. History has shown that across this country.

Without tax dollars, our State will not be able to provide simple services, health care for our children, or other demands of need for those who are less fortunate. Each and every study dealing with Initiative and Referendum shows that certain citizens in certain regional areas, as Senator Scott indicated, will be impacted positively or negatively by some type of Initiative and Referendum. Socioeconomic freedoms, religious rights, voters' rights, economic and educational opportunities will all be brought to bear.

As representatives of the people of New Jersey, it is your duty to protect all of us from all types of notions, no matter how noble sounding, no matter how seductive, that could lead to the destruction of what we have achieved, and are still trying to achieve, under our constitutional representative democracy.

On behalf of the NJEA, we would ask you not to report out any bill on Initiative and Referendum. Thank you, Mr. Chairman. (negative reaction from audience)

SENATOR GORMLEY: Thank you. No booing, okay? A little bit of clapping from time to time, but no booing or hissing anybody. If this is a participatory democracy, people deserve courtesy in it. Thank you.

MR. DIBOFSKY: Thank you.

SENATOR GORMLEY: Vincent J. Trantantoni. (no response) William Healey, New Jersey Chamber of Commerce.

W I L L I A M R. H E A L E Y: Mr. Chairman, thank you. Senator Scott, Senator Kosco, as well, the State Chamber thanks you for the opportunity to present testimony this morning. I am passing out copies of my testimony, and for the purpose of this hearing I will abridge that.

I am here this morning to represent our 45,000 members between our direct membership and the 110 affiliated local, county, and regional chambers of commerce. I believe this Committee and your colleagues in the Assembly are well

acquainted with our views in strident opposition to Initiative and Referendum. We've got to disagree in the strongest possible terms with the advocates of this legislation. We feel the confidence of the voting public in the Legislature, as a responsible public institution, is not well-served by I&R.

Last summer, we were one of the most visible opponents on the Assembly side to both ACR-1 and ACR-3. The concept of I&R in any form is really reprehensible to representative democracy. May I remind this Committee, and your other colleagues in the Senate, that in both of those bills, 80 members in the lower House-- One got 28 votes; the other got 29 votes.

Voters are now sizing up the yardstick by which they will judge you in the fall, and it is called an "election." We feel the Legislature best fulfills the mandate of the electorate by tackling the many pressing problems of this State. There are certainly many that I can elaborate for you -- I will not; they are included in my testimony -- and some of them are health care -- yes, that job has not been finished; our State budget, which is now being debated; regulatory reform; environmental policy-- I could go on and on. This session of the Legislature is now nearly a year-and-a-half old, a good example, perhaps, of bipartisan support and positive results moving forward. Changes that the people truly want are the changes to our State's ECRA law -- passed overwhelmingly by you and your colleagues yesterday -- and cooperation that has now resulted in a landmark "plant malfunction" bill -- and if anybody is interested, I will be happy to explain that to them.

The Legislature can also now take control of the reins of the bureaucracy by the review of administrative rules and regulations.

As I said, we are very much opposed to I&R. Under I&R, the Legislature will take a back seat and punt during the most crucial formative stage of public policy. Under I&R, you

cede your responsibility to the voting public. We feel I&R would replace a system of compromise that is inherent in the legislative process, not so ruled by a majority, as the previous speaker has alluded to, where one state, or a small section of a state, no matter how populous, could control the legislative process. I don't believe we sent 120 lawmakers into Trenton to control anybody. I think, as aptly pointed out, that I&R does not respect the rights of minorities.

Of greatest concern to our organization, to our business members, and to the voting public at large, we believe, is the perception that you, as lawmakers, would be forsaking the responsibilities that the voters have entrusted to you; quite frankly, to make informed decisions on complicated, intricate public policy issues. You are making those decisions on behalf of the voting public.

Obviously, I believe that the three Senators here, all anticipating standing for reelection, will be involved in campaigns, and I think you will agree with me that the State has enough sloganeering, pitching both products and political campaigns. Under I&R we are asking the sloganeers, namely consultants, PR types, and others, to pitch public policy.

Let me give you one concrete example of what we fear I&R could become, and I think it is an example that is relevant to the business community, since the business community pays most of the health care premiums in this State. Two years ago, our State ballot had a very nice-sounding question on the concept of national health care, and it was overwhelmingly passed by the voters. But may I remind you, it failed to ask the question: How much in additional taxation would you be willing to pay to support national health care, or guaranteed access to health care?

Last fall, you, as Senators, and your colleagues in the Assembly, found out just how difficult it was to craft health care reform. Now our President and our First Lady are

also finding out that health care is something everyone wants, yet no one wants to pay the bill for. We are not totally happy, obviously, with the Health Care Reform Act -- as you know, we very much opposed it -- but it is far better and far more honest than the 1991 ballot question.

I&R proponents emphatically argue that we will not become California; we guarantee it. I don't think you can. It is fitting to explore some of the problems faced by Californians as a result of their ability to put singularly focused Initiatives on the ballot. A previous speaker, Mr. Dibofsky, very eloquently outlined some of the problems with the educational system in California. I&R would fund an industry not made up of people with the State's best interests in mind -- the sloganeers, the campaign managers, those who feed at the, I'll call it the "I&R trough."

I&R says that this Legislature is willing to create a new class of public policymaker accountable to no one, and I will call that person the "public policy mercenary," just as the Hessians were the mercenaries back in revolutionary times. Please, let's not bring any mercenaries back to Trenton. Let's keep the responsible process of lawmaking where it belongs, in your hands. That is what the voters send you to Trenton for.

I think perhaps Mr. Perilli's comments unwittingly pointed out a danger of I&R when he mentioned: "Put your convictions aside. Put your conscience aside. Put it on the ballot." I don't think you want to do that. I think, quite frankly, it is wrong for anybody to ask you to do that. Many of these Initiatives that would be less than well-thought-out would be directed at the business community. The business community defeated an Initiative that was very narrowly and singularly focused in Massachusetts last year, but it cost the business community \$5 million to do it. That's \$5 million that would have been better spent in R&D, product development, and lower prices.

Let me just add one final comment, and I will conclude on this note. I mentioned before that we feel that I&R would allow the Legislature to punt on many public policy issues. Like Mr. Perilli, I did not bring props here this morning. Maybe I should have brought my football, but let's leave the punting to Sean Landetta and Louis Aguillar down Route 3 at Giant Stadium.

On that note, thank you very much for the opportunity to present the State Chamber's testimony. I will be happy to try to answer any questions.

SENATOR GORMLEY: Do you have any questions, Senator Scott?

SENATOR SCOTT: No. I'm sure we will hear some more.

SENATOR GORMLEY: Oh, we are going to hear a lot more, believe me. Thank you.

Senator Kosco?

SENATOR KOSCO: No. I just didn't know that Aguillar was going to be the number one punter this year.

SENATOR GORMLEY: Okay. Thank you, Mr. Healey.

MR. HEALEY: Thank you, Mr. Chairman.

SENATOR GORMLEY: Andrew W. Bloschak. Excuse me if I am not pronouncing it correctly. (no response) Philip Kirschner, Employer Legislative Committees of New Jersey.

P H I L I P K I R S C H N E R, ESQ.: Thank you, Mr. Chairman, and members of the Committee. I am Philip Kirschner. I represent the Employer Legislative Committees of New Jersey, which is a grass-roots organization of small business members -- ELCs -- that meet monthly throughout the State. All of you have participated in those meetings, and I thank you for that.

In our organization I am in touch with rank and file businessmen every single day, and they, like the organizations as a whole, are very, very much opposed to I&R because of the experience in other states. As has been told to you, in

Michigan there was a proposal on the ballot that would have increased business taxes by \$750 million; just last year, Massachusetts, severe product packaging restrictions, greater than anything we have in New Jersey, and a new excise tax on business. In Oregon right now they are circulating petitions that would set the rate of property taxation on business at twice the rate of residential taxpayers.

That was all last year. The reason I bring those up is that all of these proposals were in states that have indirect Initiative, which was supposedly proposed here as a safeguard. Those were not California. There were many Initiatives in California that we could talk about, but all of these were in states that had indirect Initiatives.

We feel very, very strongly with proposals like this, that at best make business spend millions of dollars if they are successful-- They will put New Jersey at a disadvantage as the only State in the East, in our entire region, that has I&R.

I do want to take a moment to talk about the indirect nature of I&R that we hear a lot about as supposedly having safeguards. In the proposals here in New Jersey, and everywhere around the country, indirect I&R is meaningless. It is a gun to the head of the Legislature. All it means is that it must be submitted to the Legislature, and the Legislature must enact it in toto. If they make any change to it, then it goes directly to the ballot. That gives the Legislature no meaningful role in I&R. That is what I call a "gun-to-the-head" approach. So let's put to rest that indirect I&R really gives the Legislature any particular choice. It really does not.

Similarly, in virtually all states around the country and in the proposals in this State, there is no bill that requires that both the majority of the counties in the State and the majority of the southern counties both vote for I&R. There are proposals for certain numbers, but all of them would

leave out the-- It would always be possible to leave out the seven southern New Jersey counties in any of those proposals.

Similarly, in terms of signature requirements, one can ask anybody in the business of collecting signatures, and they will tell you that New Jersey is an ideal place to collect signatures. It is densely populated; it is small geographically; and it is not a difficult State in which to collect signatures, no matter what that threshold is.

A final point I want to make on what was discussed before is, we heard a lot about surveys. One thing you didn't hear was, when you ask people if they like I&R, you get a majority of yeses voted on the questions. In not one survey, not one over the past few years ranking the State's top 10 problems, has I&R ever shown up in the top 10 -- on the statewide priority of problems facing New Jersey's electorate.

You have heard that I&R really does provide simplistic solutions to very complex problems. Things that go through the Legislature whether one agrees with them or not, get looked at by committees, fiscal analysis, and the like. That would not happen under I&R. I&R would basically enrich advertising companies, and people like that, a basically sound byte type of government, which is something that -- the very thing that some of the people who are for I&R repel against, the sound byte type of government that they accuse the current legislative bodies of doing. It is even worse through I&R. That is what the whole campaign is about.

Last, but not least, I do want to say that I&R is also an instrument with tremendous negative potential. I know one of the previous speakers dismissed the religious groups that were against I&R last time, and the minority groups, but, in fact, they have good reason to worry. We had an experience in Arizona over the Martin Luther King holiday. We had an experience just this past year in Colorado over an Initiative there that had spawned tremendous divisiveness in the state,

and has hurt their tourism economy. It does happen. It is not just an idle speculative threat.

I&R is an idea whose time has come and gone. Of the 23 states that have I&R, 18 adopted them before 1918. No state has adopted in the last 21 years. It is an idea that does not have currency. It is a bad idea. It has been thoroughly debated in this State on a bipartisan basis. It was rejected last year through a Republican-controlled Assembly, and the previous year through a Democratically controlled Senate. It is simply a bad idea, and we ask you not to resurrect it.

SENATOR GORMLEY: Thank you.

Bernard Laufgas.

UNIDENTIFIED SPEAKER FROM AUDIENCE: Mr. Chairman, this is Vincent Trantantoni's turn.

SENATOR GORMLEY: Oh, I did not realize that he came in. We will put him back in the rotation. We will call him.

Mr. Trantantoni, I'm sorry. We called your name earlier, but you were not here yet. We will call you, okay? (phone ringing at this point) That's the White House.

Mr. Laufgas, go right ahead.

UNIDENTIFIED SPEAKER FROM AUDIENCE: If it's for me, I'm not here.

B E R N A R D L A U F G A S: Good morning, Mr. Chairman, members of the Committee. If it is the White House, you have a lot of connections, Senator.

SENATOR GORMLEY: The White House is a local hoagie parlor down in Atlantic City, that's all. Don't worry about it. It is not the real one.

MR. LAUFGAS: I guess Clinton must own that, too.

SENATOR GORMLEY: Go ahead.

MR. LAUFGAS: In today's Asbury Park Press, there is an article: "I&R To Reclaim Our Government," by Mr. Bill Green, from Brick Town. He is saying that the Republicans promised us I&R.

Now, I am a registered Democrat. I am actually an Independent. However, you guys did promise us. That is what you ran on, and I think that is what we should get.

Now, I am not going to come in with facts and figures like the other gentleman did -- the gentleman who just spoke before you -- who was talking about special interest groups in Arizona that knocked out Martin Luther King. They overturned that, and the Martin Luther King holiday will be celebrated in Arizona. So, it works.

Let me tell you why I believe we should have I&R: We have laws on the books that our executive branch does not even follow. I'm sure you are familiar with this. (holds up book) This is the State Constitution -- one of the two books. This is Title 39. I am sure, Senator, that you know what that is.

SENATOR GORMLEY: We all do.

MR. LAUFGAS: Motor Vehicles. I'm sure you haven't practiced in a while in municipal courts. However, you did vote for some legislation in them.

Let me go into specifics on one piece of legislation; then you will understand what I am trying -- where I am heading. I believe that in 1982 you were an Assemblyman?

SENATOR GORMLEY: For half of the year; then I became a Senator.

MR. LAUFGAS: But for the first half year you were an Assemblyman?

SENATOR GORMLEY: That is correct.

MR. LAUFGAS: In fact, in the minutes of the General Assembly, you voted for that bill. They called it Senate Bill No. 987. I do have the minutes of the Journal and the minutes on who voted on what.

In that legislation they passed a law, and I am sure you read that article by Judge Haines in the "New Jersey Law Journal." Now, the article refers to the Division of Motor Vehicles circumventing the State law. Thousands of people have

gone to jail illegally. The Division of Motor Vehicles has collected \$697 million illegally. That is one of the reasons why we need I&R. If the executive branch does not control itself, it will give us a chance to tell the executive branch what we want done. It is that simple.

There is a problem there. The Attorney General simply does not want to do his job. What do we do? Who do we go to? Do we go to the former Attorney General, Mr. Cary Edwards? He was part of the problem. He was Counsel to the Governor back in 1982, as I recall, and then he became the Attorney General. He didn't follow the law.

Let me refresh your memory about what the law said. It was Senate Bill No. 897 (sic). It says: "The court shall assess points at the time of conviction for any offense committed in this State. The court shall transmit to the Director all points assessed, along with a fine. The Director shall maintain a record in the manner which he shall prescribe."

Senator, what that means is, the judge has to give you points when you are convicted. No judge in New Jersey has ever assessed points. No judge has ever told the Director of Motor Vehicles how many points they have assessed. The Director did not follow his job. He has to prescribe the manner. The manner of transmitting the penalties is the MF-1 card. The MF-1 card has no place for points. Why has the Director of Motor Vehicles, from 1982 -- as of October 26, 1982 to the present-- Why haven't they changed? You dictate to the executive branch what they should do. They ignored you. Mr. Senator, do you let people ignore you? That is why we need I&R.

If you don't want to do the checks and balances on the executive branch and the judiciary, then let us do it. Let us vote that SOB out of office. (laughter) I just used the initials.

SENATOR GORMLEY: I understand; I understand.

MR. LAUFGAS: It offends me very much. Senator, I was born in the Soviet Union. I believe that in the Soviet Union they throw people in jail illegally; not in New Jersey. But, they are doing it. People are sitting in jail illegally because they were driving on suspended licenses, or due to points. That is why we need I&R. There are a lot of problems with our State agency. They ignore you.

Is there any reason why a person has to be ignored when he wants to look at driving records in the State of New Jersey? They thumb their noses. A Deputy Attorney General-- A salary is given to him through our tax dollars -- as \$70,000 or \$80,000 a year tells you. That individual happens to be an attorney at the AG's Office. He tells you, "Yes, it is public record, but you are not entitled to see it." Then you have to go home and type up a lawsuit. They call it a prerogative writ under rule 4:69. I am sure you are familiar with those rules, Mr. Senator. Then you have to sue. Then the State has to come in and defend itself. They come in and say, "You're right. We should have given you the documents." That is why we need I&R, to put a stop to government abuse.

Our government belongs to us. It doesn't belong to them. It is not their niche; it is our niche. It is our territory. This is our government. We pay them to do their jobs. They ignore us. That is why we need I&R.

By the way, for your information, Senator Gormley, they told me that I would need \$5.2 million to look at driving records, just to inspect them. I happened to see Senator Cardinale, and I asked him if he would give me the \$5.2 million. Smilingly, he said, "Yes."

SENATOR GORMLEY: He said yes? I know he would.

MR. LAUFGAS: He said yes. Now, he didn't ask me why. By the way, I filed notice to enforce litigant rights. I happen to be very good in litigation.

SENATOR GORMLEY: I don't question that at all.

MR. LAUFGAS: I'm sure you don't.

SENATOR GORMLEY: I do not question that at all. I mean that very respectfully; I do. You spend a lot of time on this. I do not question your ability with the statutes.

MR. LAUFGAS: I understand, Senator, but why do I have to spend my time checking up on the laws which you passed on; you voted on? And some idiot who works for our government tells me that I need \$5.2 million. By the way, after I finished with them, the only thing they cried before the judge was that I was asking to see too many driving records. That is why we need I&R. This is one of the reasons. By the way, they are also going to give me my costs. That's nice of them. The State is going to reimburse me. It is totally unnecessary. They have better things to do, but they ignore us, and that is why we need I&R.

I&R would alleviate the dirty laundry that you don't want to pass on -- the laws that you don't want to pass on because they affect you in one form or another. Let us do your dirty work, as they say. I&R will do that for us. It is going to leave you clean. You can tell your voters -- your constituents in your district -- "I didn't do it. The people did it." That is why we need I&R. It will get you off the hook.

Let me tell you a little bit about--

SENATOR GORMLEY: Excuse me.

MR. LAUFGAS: Yes?

SENATOR GORMLEY: We have a number of other witnesses, okay?

MR. LAUFGAS: I understand.

SENATOR GORMLEY: Out of courtesy to the other witnesses, and, you know, we have a 1:00 cutoff-- Obviously you have made your basic point. I would appreciate it if you could make one other point and conclude it, out of deference to the other witnesses.

MR. LAUFGAS: One or two other points, and that's it. Okay. I have traveled almost as far as you have to come here. I could have met you part of the way at Exit 67.

SENATOR GORMLEY: We could have gone over this on the way up.

MR. LAUFGAS: Sure.

SENATOR GORMLEY: Oh, great.

MR. LAUFGAS: Let me tell you about the Department of Education.

SENATOR GORMLEY: Okay.

MR. LAUFGAS: The Department of Education doesn't want to investigate school districts when something is brought to their attention. This should be a joint venture between the public and the government. When something is wrong in government, the public brings that to the attention of certain agencies, and they don't even want to take care of it. The State Commission of Investigation doesn't want to do anything about it. The Attorney General's Office doesn't want to do anything about it.

I am covered. Our school officials were going on trips and were not turning in receipts. Our Superintendent of Schools took his petty cash money and the money for conventions in one lump sum, and he went to Atlantic City. He made some casino very rich. When a child forgets his dollar for lunch, he eats peanut butter and jelly. The Superintendent eats eight pieces of chicken, two pizzas, and one gin.

SENATOR GORMLEY: And one other point, okay?

MR. LAUFGAS: Yes.

SENATOR GORMLEY: One other point.

MR. LAUFGAS: As far as the special interest groups are concerned, you should ask them, when they come up to speak, "Do you get paid for being here?" I don't. There are a number of people here who do not get paid. We are the true volunteers. They get paid for it. They are speaking for

somebody else. I don't think you should listen to them; you should listen to us. They might give you a donation, but we have the votes. What is more important: the votes or the money? You have to decide.

We need I&R. I&R would really speak. Thank you.
(applause)

SENATOR GORMLEY: Dominick Porco, Bergen Sportsmen's Clubs.

D O M I N I C K P O R C O: No one paid me to be here. I have taken the day off. I represent both the New Jersey State Federation of Sportsmen's Clubs, and the Bergen County Federation of Sportsmen's Clubs, which includes approximately 150,000 members statewide.

SENATOR GORMLEY: I know that very well, better than any other legislator in all of New Jersey.

MR. PORCO: No, Senator Gormley. We are not NRA affiliated, because we have fishing clubs, target shooting clubs, collectors, sportsmen.

SENATOR GORMLEY: Well, tell your affiliates in southern New Jersey that, would you, please? Thank you.

MR. PORCO: I would like to point out the disadvantages to Initiative and Referendum. Both the Legislature and I&R can write a law on any issue. However, only the Legislature can draft a law based on compromise and discussion. Before a law is voted on, the Legislature can voice its opinions, as well as the public can express its opinions, as we are doing right here. Before a law is passed, its financial impact can be analyzed by the Legislature.

Laws can be changed and improved before passage via the amendment process, and the Governor or the Legislature may repeal an ineffective law. However, in I&R, none of these proceedings that I just indicated can be discussed. It just goes on the ballot and is either passed or rejected, without regard to any of these important points.

We have examples of I&R being passed in other states, particularly in the areas of conservation and wildlife management and game -- which is why I am here -- where our organizations have spent millions of donated dollars -- these did not come from businesses, but rather from individuals -- and instead of going toward wildlife management and conservation of our environment, it went to public relations firms, lobbyists, etc., a waste of millions and millions of dollars of our environment and conservation moneys.

One of the most important problems that we have with I&R, is that before I&R can even be considered, like in England and the rest of the industrialized world, we have to license all media outlets; that is, radio, television, newspapers, magazines, their owners, their publishers, and their news gatherers. What happens in England and other industrialized nations, is that when the media distorts, omits, or outright lies about news events, their license is yanked upon hearing and upon being convicted.

Now, this is not an infringement of First Amendment rights at all. What it is, is a compulsion on the media to report all items fairly and representatively, so that when something goes on I&R, the individual citizen will be well-informed as to how a vote should be passed or rejected, not based on media moguls' decisions on what the Legislature should do, what individuals should do, based on their control of the mass media.

Recent cases in point have to do with the gun ban that just came up. Here we have the media Sovietizing the English language, calling a firearm a machine gun, when, in essence, it wasn't. Then they showed it on television time and again, saying, "This is what the Legislature wanted to pass," and that wasn't the case at all.

SENATOR GORMLEY: Do you know what is funny about that? You should have seen the ads that were run by the other

side. You know, I voted on the side of the gun ban. You should have seen the ads that were run against my family; a real, real expression of freedom of speech.

MR. PORCO: Well, this is--

SENATOR GORMLEY: But I respect that, and you can't do anything about it. I mean, I agree with you on this issue, but when you talk about a ban affecting the media and what people can say--

MR. PORCO: No, no, no, no, not at all, Senator. I am not talking about a ban or an infringement on First Amendment rights at all, but rather a compulsion for them to report all factual information. If it is not factual, as in England and the rest of the world, there is a complaint filed. A hearing is held. If it is proven that the media deliberately omitted pertinent information, or distorted or deceived, or outright lied, upon conviction the license is revoked.

Now, this is not an infringement on rights. The same thing like the example you gave. If your opponents presented incorrect information or deception or lies, that would be stopped.

SENATOR GORMLEY: Sure. As I said, I agree with you on this issue. That is the basis of this hearing. We can go into what controls are over the media and the FCC and everything, but I want to be very frank with you. If you are talking about some form of prior restraint, which this would be construed-- I don't question your sincerity. I am just telling you how it would be construed. Any form of prior constraint on the media--

By the way, do you think I like everything they write?

MR. PORCO: Exactly.

SENATOR GORMLEY: But, that is our system. That is the right of freedom of speech. Quite frankly, it goes in a direction-- I just want to be honest with you. It is something that, in my mind, whatever it is you are talking

about-- I don't see something like that happening. I just wanted to mention that, because you have brought up a whole new concept.

MR. PORCO: Well, the reason for the concept is, if it works in the rest of the industrialized nations, and it is our media that is talking about I&R in a great way-- If I&R passes, the media moguls will be dictating what passes and what does not pass. Forget just the State of New Jersey within these United States.

SENATOR GORMLEY: I want to be balanced about this. You're saying the media is pushing it. I think you would find that the editorial writers in this State have been opposed to it. I mean, that is just counter to how the media has treated this issue. I just want to be balanced about it.

MR. PORCO: Well, it seems that in most of the TV news reports that have been given, and in most of the major newspapers in New Jersey, it appears that they are for it. Now, perhaps I have missed something, Senator Gormley.

SENATOR GORMLEY: You know, I think the other side would say they are against it -- or, for it. That is just the nature--

MR. PORCO: They would have an overwhelming interest in this situation. The point is, if the citizens of New Jersey are not given factual information on all of these topics, and in an unbiased way, all of these issues that the media is in favor of will pass, and those that they are not in favor of will not. I would rather place my trust and faith in you and in Senator Scott and in the rest of the Legislature, where at least you will listen to opposing points of view, as opposed to being brainwashed day in and day out on a specific point. We put ourselves in great jeopardy.

SENATOR GORMLEY: Listen, I interjected myself. I just want to make a comment: that, whatever it is you are talking about -- and I mean that in a respectful manner,

because I have not reviewed a specific proposal-- Quite frankly, just upon appearance, to try to do something like that beyond what we already have, I think would be counterproductive.

As I said, I do not agree with every article. I think there should always be a factor more on my side in every article that appears, but I think our system, in terms of reporting-- Even though I do not agree with it all the time, I think it is as good and as fair as you are going to get anywhere in the world.

I'm sorry. Why don't we get on to the balance of your testimony? I apologize for interjecting myself.

MR. PORCO: If I may read the official position of the New Jersey State Federation of Sportsmen's Clubs:

The potential for abuse of I&R is substantial, and the system practically guarantees the abuse of minority interests by well-funded special interest groups. The experience in other states is that I&R is most often used to bypass the legislative process to get self-serving single issues passed. I&R allows the majority to tyrannize the minority, and eliminates the checks and balances inherent in our present system of government. With the elimination of checks and balances, including hearings and amendments, there is no opportunity for reasoned deliberation, debate, compromise, or consensus building.

One only has to look to California and Arizona to see the disastrous effects of I&R on the citizens of those states. The millions of dollars now being spent by well-financed special interest groups to foster legislation beneficial to their beliefs have forced the expenditure of additional millions to counter ill-conceived and self-serving interests. I&R has fostered voter apathy, confusion, and cynicism in California, where some Initiatives are being enacted by less than 20 percent of California's eligible voters. No California Initiative has ever received the approval of a majority of

California adults. In the 1988 election, voters in San Francisco had to face the ridiculous situation of voting on 57 separate Initiative measures, and the 1990 California general election ballot title short summary and analysis of Initiatives ran to 222 pages.

As sportsmen, we have seen the I&R process being used by animal rights and antihunting zealots in Arizona to place propositions on the ballot which could result in the prohibition of all hunting, fishing, and trapping in that state. Millions of dollars are now being raised by wildlife, hunting, and conservation groups all over the country to fight this Initiative. These are sorely needed moneys which would have otherwise been used for wildlife conservation measures.

The concept of using I&R as a method to halt legitimate sporting programs, as well as all use and management of our wildlife, is spreading, and animal rights factions are now using the same strategy in Colorado.

The enactment of I&R will force groups such as the New Jersey Sportsmen's Federation to spend much needed and presently nonexistent conservation dollars fighting special interests. Accordingly, we respectfully request that the I&R legislation not be enacted in New Jersey.

Thank you.

SENATOR GORMLEY: Thank you.

Now we are going to have a public service announcement: A tan Acura, license number FFU9H4, has someone blocked in. A tan Acura, okay? Thank you.

The next witness will be Vincent J. Trantantoni.

V I N C E N T J. T R A N T A N T O N I: Good morning, Senators. Thank you for holding this hearing, and giving the citizens another opportunity to speak on this issue.

I would just like to preface my remarks by saying that I was an opponent of I&R until the past several years. Like many of the people who were opposed to it, I believed that the

citizens were not able to get a lot of the detailed information to make some of these very important decisions regarding law, and all that.

However, serving as a public official from 1987 until 1990 in my township, and getting involved on the State level and attending many public hearings -- Senate hearings such as this, and Assembly hearings -- it has become apparent to me that many good citizens of our State know more about what is going on in the State than some of our legislators.

So, I come before you this morning saying that I have had to more or less change my position. I think the citizens of this State deserve to have a voice in the way their government is run, and also a voice in creating some of this legislation.

There are several issues which I think would document this need. The most dear to me is education. I have three children -- an 8-year-old, a 15-year-old, and a 20-year-old. I have written many letters to address this issue locally. The education problem in this State is a severe one. It has been extremely detrimental to our children. However, the catch-all phrase for more funding is, "for the children."

I wrote a letter which was published in The Star-Ledger about a month ago. The first sentence said: "The worst form of child abuse is taking place in our public educational system." I got the largest response I ever got from a letter -- over 30 phone calls from all over the State. Interestingly, one of them was from a former IRS agent and an investigator for the State Department of Education. The hour he spent on the phone with me, telling me of the things that I didn't even address, was beyond imagination. He was just more or less handcuffed into doing his job.

One of my pet things is this testing issue, which I have addressed for many years. In fact, on February 1, our local board of education president called the police on me

because I was addressing this issue. I said, "There are some serious problems with this testing issue." Lo and behold, only two days later, on February 3, it was on the front page of The Star-Ledger that errors in the State testing program have put many children in remedial education programs. Now we found out in yesterday's Star-Ledger that it has been an ongoing issue. The special needs school districts face new controls on spending. I am sure you read the article, but the State-- In this article, the State Department of Education admits that it has no way of determining how the Quality Education money was spent. It was given -- and I addressed this issue at several hearings -- with no direction on how to spend it. It was left up to the local districts. There is no supervision of the way the money is spent.

When we get an admission from the State Department of Education saying that they may never know how that money was spent, something is seriously wrong with our system. Once again, I was not off when I said, "This is child abuse in its worst form," because these are the children we are using to generate this money, and these are the things that-- Our Legislatures are passing these laws. The Quality Education Act -- QEA I -- was passed by legislators. It was a failure. We knew it was a failure within a month or so. So what happened? What did we do? We went into the back room -- when I say "we," I mean our State legislators, our elected officials-- What did they do? They came out with QEA II. Once again, that was a failure.

SENATOR GORMLEY: It was less than 10 days. It was very quick.

MR. TRANTANTONI: Thank you. I--

SENATOR GORMLEY: I voted against both versions, just for the record.

MR. TRANTANTONI: You will see that I am a conservative, so if I err, I would like to err on the--

SENATOR GORMLEY: I just wanted to agree with you on those bills -- okay? -- for the record.

MR. TRANTANTONI: I thank you. I am aware of your vote, and I appreciate it.

The point here is, there are many citizens, such as myself and the local taxpayers in our township, who have investigated and developed a lot of fraud and mismanagement of our local dollars in education in our town. I want to make a point: I contacted Senator Lynch in August of 1990 -- actually July of 1990 -- when he was fighting the teachers' union. His secretary called me back. He was very interested in my comments, and he would like to meet with me.

I met with him in Trenton for three-and-a-half hours. I gave him documentation about what was wrong with our Belleville school system; some of the illegal things where we cut the budget and were upheld by an Administrative Law Court. He said, "You're right." He took all of the information, and then two weeks later he changed his position under pressure from the NJEA.

So, now we have another reason why we need Initiative and Referendum -- education. I could go on and on about the illegalities that have taken place in the system. We have to address this. For the sake of brevity, I will cut this short.

The next issue is insurance. We have had insurance reform for the last decade. Every year it is a new insurance reform. Every one fails. Every one of these pieces of legislation for insurance reform has failed.

Recently, I got my insurance bill. Three years ago, my son turned 17, and you know with a young driver how your insurance costs go up. Last year my insurance bill for two vehicles was \$3341. This year, Governor Florio appears, and he is taking credit for keeping Allstate in the State of New Jersey. Well, two days later I got a letter saying that Allstate had been assigned to accept me in the free market

system. A few days later I received a letter from Allstate: "Here is your new policy." From \$3341, it went to \$5649, more than I was making 25 years ago when I got married and bought a house and a car and all.

I called Florio's Office. I couldn't get an answer, so I went to my Assemblyman, John Kelly. He wrote a letter on January 5 to Governor Florio, because here were the same two cars, the same drivers, the same driving records. Why did I get a \$2300 increase in my insurance? I also sent a letter to Commissioner Fortunato. We have had no response, and it is over two-and-a-half months.

I believe it was Senator Scott -- and I thanked him for it -- in one of his statements, either at a campaign rally or in the paper-- I think he stated that the answer to insurance reform is to make it nonmandatory. Let's go back to the voluntary market. Am I paraphrasing you correctly, Senator?

SENATOR SCOTT: Basically, yes.

MR. TRANTANTONI: I thank you for that, and I believe that is the answer.

Once again, the citizens need I&R, because the legislators are not doing it. Insurance reform. What did we get from insurance reform? We got a transfer of costs. While some people think their bills may have gone down, they really didn't, because the registration fees were doubled. Fees were put on doctors, on lawyers, on auto body shops to offset this. We know that insurance reform was a transfer of costs, which I, and the other citizens, are paying. We have had no insurance reform.

There is another reason why we need I&R. On January 28 of this year, there was an article in The Star-Ledger: "Senator Lautenberg Pushes for a \$6.7 Billion Transportation Boost." In this picture is Senator Lautenberg and New Jersey's own Transportation Commissioner, Thomas Downs. We need a lot of infrastructure work in our State, and it will create jobs.

Thomas Downs, our Transportation Commissioner, states in this article-- It says: "Downs says there is \$200 million worth of highway and transit work on the shelf that could get underway immediately if funds were available."

Now, that seems dramatic. I spoke at a union meeting and I told them about this. These people are out of work, and they said, "Gee, we ought to get that \$200 million, so we can get this work underway." Some people like me save newspaper articles. Well, I went back into my files -- and remember, this is January 28-- I went back only six weeks earlier to December 18, 1992. And here is an article: "Approval of Nearly \$200 Million in New State Spending Moves Forward." This was approved by the State Legislature: \$200 million for various projects, such as \$12.5 million to fund public subsidies for next year's gubernatorial campaign; \$8.6 million for additional pension fund payments for local school and country workers; and \$24 million for costs associated with the overruns of the State takeover of the school systems of Jersey City and Paterson. All failed programs.

The point here is, while Commissioner Downs says he needs \$200 million-- Do you know where those \$200 million came from? The Transportation Trust Fund. These are our tax dollars. About four years ago, the Legislature increased our gas tax by 2 1/2 cents a gallon. Do you recall that? That was supposed to generate money so we could fix our roads, and let the people driving the cars pay for these roads. We've got hundreds of millions of dollars in the Transportation Trust Fund. Why aren't these roads being fixed? Why is money being taken from that for other purposes?

I was happy to see that Senator Lynch said that he criticized the plan for the Republican and Democratic leadership to divert \$350 million from the Transportation Trust Fund over the next two years. This is another reason the citizens need I&R. Then perhaps we can say, "Look, we know

you've got the money there. You just proved it. You robbed it. You took \$200 million from the Transportation Trust Fund, when we have potholes all over the State, and you put it to all of your pet projects."

This is not rhetoric. This is not just something we are assuming. These come under the heading: "Action in Trenton." These are things that the Legislature already did. This is what has made me change my position; that the citizens, whether they are going to be right or wrong-- Like the previous member of the gun club, or whoever he was, said, or somebody said, "A simplistic solution to complex problems." I agree. However, I don't think the citizens can do any worse than the State Legislature has done. (applause)

There are two more smaller issues here. Well, they are not smaller issues. It is mind-boggling that some of the bills that have just been sponsored in the last few months, with the climate in this State, the unrest of the citizens, the overtaxing of our citizens, the unemployment rate, and the severe problems-- Listen to some of these bills. I mean, if you don't understand it, maybe some of these Assemblymen and Senators are-- Maybe the legislators live in California, because they are sure not paying attention to New Jersey.

Assembly Bill No. 1093: Assemblyman John Rocco wants to eliminate the cap on the school budget. I mean, this is obscene. How can a man even think of proposing something like this unless somebody is funding his campaign? That is all I can say on that issue.

Assembly Bill No. 1046: Assemblyman Doria. He wants to eliminate the taxpayers' right to vote on the school budget. Once again, what we should be doing is passing legislation giving us the right to vote on the municipal budget. (applause)

And now we have Assembly Bill No. 1607, by Pat Roma, and Senate Bill No. 797, by Senator Kosco here -- and I do

admire some of the things the Senator has done-- But this one -- and listen to this one real good -- allows the teachers to strike and receive full pay while they are on strike. (negative responses from members of the audience)

SENATOR GORMLEY: All right, okay, please. Do me a favor. We are really-- We have a broad latitude today in terms of what is being said, and that is the way we want to have it conducted. But the demonstrations, we said-- There is latitude on the applause, but let's not start the booing, or whatever -- okay? -- because it has been a very good hearing so far. I think everyone has felt as though they have had a fair amount of time, and we want to make sure that we continue to do that. However, I would remind everybody that we are going to be ejected at 1:00, and there are still a number of other speakers.

SENATOR SCOTT: It will be at a quarter of.

SENATOR GORMLEY: It is going to be at a quarter to one? Okay, excuse me.

SENATOR SCOTT: At a quarter of one, we are out of here.

MR. TRANTANTONI: I will be out of here in two minutes, Senator. Thank you.

These bills are beyond the comprehension-- I mean, when they see this, they can't believe it. Our citizens' group in Belleville made up fliers and we distributed them in Bloomfield Center and on the street. Some of these people, they thought we were kidding. They said, "No, they can't." Believe me. We gave them the 800 number of Legislative Services. "Call up and get a copy of the bill."

There is one more issue which-- While you agreed with me earlier, Senator -- and that was a compliment -- I've got to question something here. There was a recent question on the ballot on the State takeover of the court costs -- okay? -- and the voters approved this. However, when I was a Commissioner

in Belleville in 1987, then Senator Orechio asked if he could hold a Senate hearing in our Council Chambers, and I agreed.

We held this hearing, and that was the first that I became aware of it. There were some things in that law which I was not happy with, and at the time I wrote a letter and I suggested that the citizens, if the counties were going to take over the court costs--

SENATOR GORMLEY: The State.

MR. TRANTANTONI: --if the State was going to take over the court costs from the counties, I wanted a guarantee that we were going to get a dollar-for-dollar reduction in our county taxes, which I think they incorporated into the bill. That is extremely important.

However, what happens is that, with the -- if you are familiar with it, and I am sure you are -- supplemental property tax relief that was given to municipalities two years ago--

SENATOR GORMLEY: Okay, fine.

MR. TRANTANTONI: This legislation was drafted up-- Specifically, the money could only be used for property tax relief, to reduce taxation. So what the municipalities simply did-- They increased their appropriations on one side of the ledger, and then on the revenue side they put the corresponding revenue, and then the bottom list they did enter as a separate line item, so they increased the budget tremendously, and then used the municipal aid to fund their expanded programs. I wrote a letter to the Governor saying, "With that money, they gave our local employees in town up to a 10 percent pay raise, on salaries of \$70,000 or \$80,000. So, that didn't work.

However, something very funny happened. There was almost a full-page ad in The Star-Ledger encouraging people to vote yes for the State takeover; that it was going to save them money, and all that. Well, come to find out that it was from a group -- and I believe you were cochairman of that group, okay?

SENATOR GORMLEY: Yes.

MR. TRANTANTONI: We found out that this was actually taxpayers' money that funded that ad. The way the money came-- The money came from the counties, which gave it to NJAC -- the New Jersey Association of Counties -- and they created the special committee, which I think you were cochairman of, and then they spent our money. This is illegal. It is illegal for the State to take taxpayers' money and put almost a full-page ad out encouraging the people, not just to get out and vote, but specifically to vote one way on the issues. (applause)

So, Senator, I ask you what the falloff was on that? Once again, I think--

SENATOR GORMLEY: Well, fine. Thank you very much.

Now I will answer your questions on the-- The one bill that you talked about that I am the sponsor of was the court costs takeover. There is a bill adjusting the cap when the money is provided to the counties; exactly what you talked about. Therefore, when the money comes back in the aid-- This bill is still in Committee, or it is still in the legislative process, but it is exactly what you are talking about. When the dollar comes back to the counties -- okay? -- their cap would be adjusted downward so that they couldn't spend the money. This is what you talked about before. The aid came in and it went out the other door, and it was just spent for something else. In other words, we adjusted the cap in the legislation to address that question.

Quite frankly, if you would like to talk to the New Jersey Association of Counties, which did this, obviously it was done in public, at public meetings when they supported this legislation, and nothing was found to be illegal. Okay? Those are the facts. So when you bring up the piece of legislation that I have sponsored, I am more than happy to specifically answer you.

MR. TRANTANTONI: No, I am not discussing the legislation. What I am talking about is that the advertisement in the paper was paid for with tax dollars.

SENATOR GORMLEY: No, no. May I tell you something? The New Jersey Association of Counties did that. They did it appropriately. There has been no real challenge to it. Linda Spalinski, from the New Jersey Association of Counties, their Executive Director, would be more than happy to go over it with you at any time, how they conducted themselves on the issue. I suggest that you contact her. This was publicly aired. They did everything in full light, in full public view when they did it. Okay? Thank you.

Oh, excuse me, Senator Scott.

SENATOR SCOTT: I have one thing. I want to thank Mr. Trantantoni, and go back to his original -- his first set of problems with the boards of education and so on and so forth. I could not agree more that we need some avenue that will get us answers to many of our questions on education. As you know, I have a request in now to investigate the Lyndhurst situation as to fraud, misconduct, misuse of funds, and so on. So I could not agree more. I am glad you brought that up, because that is an area where perhaps we would be able to do something under I&R.

MR. TRANTANTONI: Senator, I thank you for that investigation. Now, two weeks ago -- about a week-and-a-half ago -- the State created a new committee to oversee the spending -- the educational spending money. But when I read that article, I went off the wall. I was eating breakfast. I had to throw it away, and I made 12 phone calls, starting from Governor Florio's Office. I believe I called your--

SENATOR GORMLEY: It is about 10 of 12. Other people want to go off the wall and testify before a quarter of.

MR. TRANTANTONI: Well, the thing is, there is not one representative of the citizen on that panel. They are all

educators. I asked to sit on that committee. I called Senator DiFrancesco, because he has the reappointments coming up. I asked my Assemblyman, John Kelly, if he could use any influence to get me on that committee. We need a citizen representative, not teachers, school board members, and all. (applause)

Now, please, if you can do anything-- We have to get a member on there, because Initiative and Referendum is going to be needed to overcome the failures of our Legislature.

Thank you.

SENATOR GORMLEY: Thank you very much. Excuse me. Senator Kosco would like to make a comment.

SENATOR KOSCO: I just want to make a comment about one of the specific pieces of legislation. To begin with, let me tell you that when I campaigned for the Senate, one of the issues I have always agreed on was a form of Initiative and Referendum. So, in no way, shape, or form do I want you to think that that has changed.

But one of the problems with Initiative and Referendum -- and I am trying to find a way to overcome it -- is exactly what you just heard here. Mr. Trantantoni just totally, totally misinterpreted a piece of legislation. He talked about a piece of legislation that Pat Roma and I sponsored. He said -- if I can remember -- that it would allow teachers to strike and to pay them while they are on strike. That is absolutely not what the legislation does. It is just what someone interpreted.

As a result of the misinterpretation and the distortion of the piece of legislation, that piece of legislation has been withdrawn. It has been withdrawn. But you see, when you tell me that you think you know more than a legislator does, I have to challenge you and say that maybe you think you do, but you don't. I sit there-- One of the fellows before said that I get paid to come up here. This is supposed to be a part-time job, whether you know it or not -- the job of

being a legislator. We probably spend more hours as legislators than the average person does working a full-time job, as we also try to run our lives and take care of our families.

The point is, there is a lot of effort put into these things. Legislation, you have to read it and understand it, and not just take someone else's word for it. This is one of the problems that we run into when we talk about legislation. Someone told you that it allows teachers to go on strike. I would never vote for teachers to go on strike -- never. The NJEA knows that. I would never vote for teachers to go on strike. Yet, someone is saying that I put in a piece of legislation that does just that, and it's wrong. If anyone wants a copy of the legislation, it is available. But it has been pulled; it has been withheld because people do not understand what is going on with it.

I just wanted to make that very clear. That is a problem that has to be worked out with Initiative and Referendum, so that the people get the proper information, not the information that a special interest group -- whatever that is-- You know, when I go to the senior citizens and talk to them, I suppose they are a special interest group. And when I go to the PTA, I guess they are a special interest group. And when I go to the Knights of Columbus, I suppose they are a special interest group, and the veterans' associations are a special interest group. I don't know if they are all bad people, but they are all special interests, aren't they?

SENATOR GORMLEY: Thank you, Senator.

Our next witness will be former Senator James Wallwork. It is a pleasure to have you here today.

J A M E S H. W A L L W O R K: Thank you very much, Mr. Chairman, and members of the Senate Judiciary Committee.

I commend the Senate Judiciary Committee for this hearing on voter Initiative and Referendum. While I was

listening to the other speakers, I couldn't help but note that the pictures on the wall of George Washington and Abraham Lincoln certainly are inspiring to us looking at those pictures. Quite frankly, I think that if they were with us today, they would be supporting Initiative and Referendum. (applause)

Mr. Chairman, and members of the Senate, people feel that they no longer have a say in their government. Too many people have lost the trust and the respect they once had for government officials. They now hold bureaucrats in disdain. There is a wide gap between the working men and women and government officials in this State -- government officials both elected and appointed. Frankly, people feel that government has become arrogant and insensitive to their needs. More and more government rules and regulations are stifling jobs and stifling people's creativity and initiative. People are fed up, and they want to have a legitimate say in how they are to be governed.

Our country was founded on the principle that government derives its power from the consent of the governed. It is time that we return to the basic beliefs and basic values which our Founding Fathers understood are vital to the preservation of our liberty.

SCR-40 and ACR-57 will begin to address these failings of a government out of control. These concurrent resolutions are reasonable, practical, and voter friendly. They have reasonable signature requirements -- 3 percent for laws and 5 percent for constitutional amendments. There are no restrictions on subject matter and no restrictions on the right of all registered voters to sign the Initiative petition. These resolutions also require, as you know, strict election law reporting requirements. These measures give the Legislature a full six months to act on a citizen petition

which has been approved by the voters before the measure is returned to the ballot for final voter approval or rejection.

I urge the members of this Committee for their immediate and unanimous approval of these resolutions, so that we can get on with the business of restoring the hope and confidence of the people in their government.

Thank you very much. (applause)

SENATOR GORMLEY: Thank you. I know you are in the midst of a very hectic schedule, and it is a pleasure to have you here today. When I was in the Assembly and you were in the Senate, you had a reputation for being direct and straightforward. You have maintained that, and I certainly appreciate it. It was a pleasure to have you here today.

MR. WALLWORK: Well, thank you, Senator Gormley, and members of the Senate. I appreciate your courtesies, and I wish you good luck in your deliberations. Thank you.

SENATOR GORMLEY: Thank you.

SENATOR SCOTT: Thank you, Senator.

SENATOR GORMLEY: The next witness will be Bobbie Horowitz, Hands Across New Jersey.

B O B B I E H O R O W I T Z: Thank you, Mr. Chairman, and members of the Committee, for allowing us to provide our comments here today. I do have to express our concern, however. I had to take off-- I took a vacation day, as I have used up all of my vacation days during the last two-and-a-half years, to participate in my government. One of our concerns is that the system does not work for the average person who has a daytime job.

I am a volunteer in an organization that is represented by people throughout the State of New Jersey. Although some have called us, too, a special interest group, we will not financially benefit -- not in our paychecks -- by seeing Initiative and Referendum passed, or even put on the ballot, unlike some of our opponents.

I would like to bring to your attention some of the reasons that I say the system doesn't work, some very, very basic ones which have brought me here today and have kept me involved since July of 1990 in our grass-roots efforts. I first got involved because I went to the legislators in my district through writing and phone calls. It took me six months to get a response, and not until after I had formed a very strong group in their legislative district, had a lot of press media, and sent them copies of that in a certified letter. Finally they agreed to meet with us, and there have been many, many situations since then.

This hearing is a perfect example. I went to my district legislator because I heard through the grapevine that there may be a public hearing. I called Senator Ciesla's office and asked about a hearing on Initiative and Referendum. Senator Ciesla's office has always been responsive. They said they would look into it. On Friday I received a follow-up phone call -- this was a week-and-a-half later -- saying, "We don't know about any such hearing." Fortunately, I knew other channels, and that is why I am here today. But again, I had to give up a day of work to make my comments.

I do not have a formal written presentation for you, but coincidentally Hands Across New Jersey has just sent out to every legislator a letter addressing this issue. If you have not received it, you will be receiving it today. They were mailed over the weekend. For the record, I would like to read that letter. It is short. It really expresses our sentiments without getting very specific. It states:

"The people of New Jersey want, and deserve, the right to petition their government through the Initiative and Referendum process. The electorate simply can no longer be excluded from our system. Throughout the country, and especially in New Jersey, voters are crying out for a change."

That was demonstrated in the last election. A half a million people voted out of either party because they were dissatisfied.

"Although they are crying out for a change, all we get are promises. Far too many people have lost faith in our system" -- as you heard here today -- "and in our representatives. It is time for this Legislature to respond to the people of New Jersey.

"We ask: How can the Legislature believe that they, and they alone, know what is best for seven-and-a-half million residents; residents who must live by, and finance, the laws that the Legislature makes? Far too often, those laws about how our lives are governed have no significant input from the people, because we can't get to you." Even when we reach out, we don't get answers. "And when we are deceived or betrayed by broken promises from the representatives, we have no recourse -- none -- but to vote them out of office. Sooner or later you will have to agree. The good legislators will lose their seats because you have left us, the voters, with no other vehicle by which to express our displeasures."

That's it, and we hear it over and over again. "If you don't like what we're doing, vote us out of office." Well, it happened in 1991, although those saying, "Vote us out of office," never believed it would. It happened in '91, and it will happen again unless the people of New Jersey can join the 24 other states in this country by having a true voice in the government.

Today we believe that we have a few legislative allies, but how can these allies really be leaders if they continue to ignore the public; if they cannot get both Houses to address this important Initiative and Referendum issue?

I ask you to keep in mind not only the current group polled -- which, I believe, was conducted by the Republican Party, in which 73 percent from the southwest -- and you always hear that the south is not in favor of I&R -- certainly

did favor it, but the poll that was conducted last summer by the media, in which of those polled, 91 percent agreed that we should have a voice in our government through I&R.

If we truly had a representative government, as our opponents say we do, I would not be here. This discussion would not need to be taking place because you would have listened to the people. You would have heard the mandate. So I ask you now to hear us once again, to place a meaningful voter friendly I&R proposal on the 1993 ballot, and finally let the voters of New Jersey decide.

That is the basis of my letter. I have added a few things. I would like to address a couple of things that I heard here today, because they are not as factual, or, they do not tell the whole story.

First of all, there are now 24 states. As recently as last year, Mississippi joined the ranks of having voter Initiative. When we hear about the pitfalls of I&R and all the problems it causes-- We are still hearing about California, even though the legislation that we are in support of is very unlike California's. Not one of those states has ever asked to give up the right to participate in their government. That should end the argument right there. This is a government of the people, and the people want to be able to participate.

Another thing that I think is very important when we talk about those who come before you to offer comments-- Most of the people you will see during the day, and that you see in Trenton on a regular basis, are paid to be there. We feel so strongly about this that we give up all of our free time. We give up days of-- Actually, we lose days' wages to come to speak before you, and we go one step further. When we come to you, we have talked to our members. We survey our members; we poll our members. Their comments are taken to heart. We have open communication. We have teachers, we have union members

who favor Initiative and Referendum, regardless of the comments you may hear from the NJEA and the New Jersey School Boards Association.

I would like to also address, through the Chair, if I may, a comment made by Senator Scott in response to Sam Perilli's comment about the Constitution not being touched by Initiative and Referendum. You talk about compromise. We are willing to compromise, and we have done so. We have watched. I mean, in history we have seen compromise upon compromise being made in this legislation, and it still doesn't get support from the opponents. It was witnessed right before our eyes last summer in the Assembly. The difference between ACR-1 and ACR-3, which was voted on, was whether or not you could address the Constitution.

Now you suggest that by putting in these restrictions, that you will gather more support for this legislation. However, you got one additional vote. So we see no need to introduce meaningless legislation that will not serve the public, and we will not support it.

I would also like to bring to your attention-- This sort of addresses something that Senator Kosco said. When we hear over and over again that there are very complex issues that the Legislature deals with-- I do not deny that, but there are a lot of people who are not interested, per se, in being representatives of the government, who have very important issues and good ideas. Working through the system, it does not necessarily work. Even if you have a responsive legislator, and your one Senator will take that issue to heart and go forward with it, that is one out of 40. If he is not a popular legislator within the system, his bill, or his proposal, could be ignored completely.

How many good bills have we seen year after year after year tied up in Committee, falling by the wayside, things that the people you represent really would like to see happen?

To go one step further, an unidentified legislator was quoted in the Asbury Park Press at the end of the last legislative session, as saying something that was so significant. He said, and I quote: "I am accustomed to voting on bills that I do not understand" -- isn't that frightening? -- "because there were so many bills rushed through at the end of the session." He went on to say, "Now I am asked to vote on bills I haven't even read." And you say that the public can do worse than that? We take our issues very seriously.

I would like to say in closing that for any legislator to deny the voters the right to make their own decision on the issue of participating in government, is to say that you do not respect, or you do not trust the people of New Jersey -- the electorate of New Jersey -- that is until it becomes time for you to seek reelection, and then you ask us to trust and respect you and to return you to office.

We just want to equalize that power. We want to have an opportunity to participate. We are not asking you to give it to us. We are asking you to place it on the ballot for the citizens of New Jersey to make that decision in 1993.

Thank you.

SENATOR GORMLEY: Thank you.

Regina Purcell.

R E G I N A P U R C E L L: Good afternoon. I am Regina Purcell. I am the Associate Director for Social Concerns for the New Jersey Catholic Conference.

Several references have been made this morning to the opposition of various religious organizations to Initiative and Referendum, and I am pleased to be able to speak directly as to why the New Jersey Catholic Conference is opposed to I&R. The Catholic Conference represents the State's Catholic Bishops.

We believe that every proposal, policy, or political platform should be measured by how it advances the common

good. Such thoughtful and measured deliberation takes place in the legislative process, not through campaign advertising or 30-second sound bytes.

Simplistic policy making through I&R is potentially destructive to social justice and human rights. Initiatives are often designed to appeal to the prejudices of the public or their frustrations and fears. They not only can inflict devastating hardship on the poor and vulnerable, but can inflame the divisions that already scar our society. Formulating public policy on serious issues, such as physician-assisted suicide or euthanasia, as recently occurred in several states, without the benefit of thoughtful public debate through the legislative process, is dangerous to our society.

The Catholic Bishops are concerned that I&R will hinder public participation in the political arena because it has developed into a sophisticated and costly process. The level of expenditures in conducting Initiative campaigns is enormous and is far too costly for the average citizen. This would prevent the poor and vulnerable without financial resources from waging a fight against an Initiative which adversely affects them.

We stress here what has already been emphasized by the nation's Catholic Bishops, that we need more, not less, participation in electoral politics, in broader issue advocacy, in legislative networks, and in community organizations which give necessary vitality and substance to public life. As citizens, we are all called upon to become informed, active, and responsible participants in the political process. This is more difficult and challenging for each of us as citizens in the alternative of relying on the simplistic, empty, and potentially polarizing tactics of I&R, but it is necessary if we are to strengthen public life and build a better society.

Thank you.

SENATOR GORMLEY: Are there any questions? (no response) Thank you.

The next witness will be Enid Torok.

E N I D T O R O K: Good afternoon, Mr. Chairman and Committee members. Thank you very much for having me here to give -- I won't use Mr. Perilli's word "testimony," but I will say "comments." I am here today to address you on behalf of the New Jersey Dental Association, the New Jersey Recreation and Parks Association, the New Jersey Association of Public Accountants, the New Jersey School Bus Owners Association and their 15,000 drivers, the New Jersey Podiatric Medical Society, and the New Jersey Optometric Association. I think that if you were to add up all of the members of those Associations and their families, you would find some very, very impressive numbers.

What we would like to tell you, collectively, is that we are all opposed to this legislation. I will be most brief in my comments. I realize that time is a major factor here.

Sometimes I have been before these committees to testify on various versions of I&R -- and there are so many versions running around that you need a scorecard to figure out which one is up today-- In one form or another, they all have the same theme. I say this because no matter which form you put forward, this is the first tear in the fabric structure of the State of New Jersey. This is a type of legislation that is absolutely designed to pit one group of citizens against another group of citizens. And may I say, if you are talking special interests, why does everyone lose sight of the fact that special interests are people? They may be people who have gotten together to collectively -- who have come together for one specific issue or many issues, but we are people. Let us not forget that.

This is a type of legislation that precludes the deliberative process. I am sure you realize that under the

deliberative process we have now, all forms of information can be brought forward, the good and the bad. This is a very important key factor in our form of government. This will be lost in the 30-second sound byte; it will be lost to the bumper-sticker democracy; it will be lost to billboard sloganeering. That is not what makes New Jersey work. What makes New Jersey work is the democratic deliberative form of government that we now have.

I hear people snickering behind me, and you know, it is very interesting. I listened to some of the testimony this morning, and I found it absolutely fascinating that people do not seem to understand the deliberative process in what we are going through today. But it was really, really brought home when Senator Kosco, and you, Senator Gormley, had to sit here and defend your legislation. What do you think will happen when people are involved in the deliberative process and they have to make a decision on somebody's bumper sticker, because that is all the information that 90 percent of the people are going to bother to read? Very interesting.

I also found it rather amusing this morning listening to the people chastise you, the very people who need you to vote on this legislation. They took you to task, saying to you: "We think you have done a lousy job. We don't want you anymore. We want to handle it ourselves." I don't think they have the foggiest idea what it takes to be a legislator. I have not known a finer group of people who work harder in my whole life. I invite these people to come down to the State House and watch just what it is you put into this process. It is not easy; it is not easy at all. But they like to sit here today and tell you how they took a day off, and how they are just going to influence you. I hope you feel properly chastised.

I will go back to my written testimony. As I started to say, what makes New Jersey work is the democratic

deliberative process. And I do wish to say, make no mistake: New Jersey works. It is not California, and I am thrilled that it is not California. Their economy is an absolute shambles. Are you aware that last year there were many schools in California that could not graduate their students because they ran out of money and had to close the schools down? Thank you, Proposition 13; the direct result. Are you aware that at least in New Jersey we don't have to see what it is we breathe? Their environment is floating. They see it; they swallow it; they chew it; they digest it. Not for me.

I don't care what form of I&R, or even-- What you are putting forward today is just Initiative. No matter which form you put forward, the very process that you are putting forward, even indirect, can be used to manipulate it right into the California or Massachusetts form of I&R.

Health care in New Jersey does not belong on any ballot, now or in the future. Very, very complex medical issues cannot be conveyed to people in 30-second sound bytes. They cannot be conveyed to people with bumper stickers. I defy anybody to explain euthanasia in 30 seconds. It cannot be done.

I would also like to see, in a highly emotionally charged state, what people would do with AIDS victims and AIDS research. I imagine they would like to segregate them to some state in the Midwest, anywhere but New Jersey.

Having said all that about health care, and having said all that about the environment, I have to reiterate that these kinds of issues have no place on a ballot. In all of our past looks into the issues of I&R, siting has always been removed from the table. Why? It is a highly charged, emotional issue. Everybody has finally agreed that it doesn't belong on the ballot because it needs a form of deliberative process. One more time.

I realize that the Initiative form of legislation we are looking at today is the indirect form, but I'll tell you:

It makes no difference to the process. What are you going to do when you have very large groups of people standing in front of you hammering at you on an issue? Many of you are not going to vote -- you are going to duck and hide. Fair is fair. You will. But people do not seem to understand the thought processes and the committee processes and the research that goes into making New Jersey work.

I am going to wrap this up with one very, very key statement: Please don't fix what isn't broken. Thank you.

SENATOR GORMLEY: Thank you.

John Budzash.

J O H N B U D Z A S H: Hi. I give you a lot of credit. You have handled this pretty good today. I think you kept kind of a light note on the proceedings, while it is a very serious subject.

Anyway, I am representing the New Jersey Coalition for I&R, which is over 50 organizations that are basic grass-roots citizens' organizations, including the: New Jersey Taxpayers Task Force; New Jersey Business & Industry for Initiative and Referendum, of which we have approximately 1000 members; New Jersey Coalition for Legal Reform; New Jersey Council for Children's Rights; Fathers' Rights Action Committee; Monmouth County Environmental Coalition; Citizens for a Better Environment; New Jersey Hands; Tax Revolt North; Howell Democratic Club; Cinnaminson Republican Club; Coalition to Save the Children; TAXPAC, We The People; and several other groups, including support from Citizens Against Government Waste, the National Taxpayers Union, and the American Constitutional Law Foundation out of Colorado.

I have here a resolution passed in 1990 from the Pascack Valley Mayors' Association. You may have this copy. Actually, I will let you thumb through some of the Business & Industry applications we have here

SENATOR GORMLEY: Okay.

MR. BUDZASH: These are average citizens, you know, who own these businesses.

SENATOR GORMLEY: Excuse me. For the purposes of the record, would you like these materials Xeroxed and added to the record?

MR. BUDZASH: That would be fine.

SENATOR GORMLEY: If you would like that, we would be happy--

MR. BUDZASH: That's fine. If you want, I also have a proclamation from the Governor -- if you want that, too.

SENATOR GORMLEY: Oh, the Governor? Okay.

MR. BUDZASH: You can keep that.

SENATOR GORMLEY: Oh, no, you can keep it.

MR. BUDZASH: We figure it is worthless anyway because the Governor is not involved in the process.

SENATOR GORMLEY: Okay. Here is what we will do: Let's say it is about a quarter of an inch of papers.

MR. BUDZASH: Yes. I only brought a few of them just as a random sampling from some of the businesses around the State.

SENATOR GORMLEY: Just so the record will reflect that these are random samplings that you were nice enough to produce, we will have them Xeroxed, and we will add them to the record so they will become part of the permanent record. Okay?

MR. BUDZASH: Okay.

SENATOR GORMLEY: Thank you.

MR. BUDZASH: Anyway, I am going to kind of try to rebut some of the things that some of the people said here. I will try to be as quick as possible, but I don't think I am going to be, so I'm sorry. I did take a day off from work, and, unfortunately, like most people, I did sacrifice some money. With me it was a little more than with most people because I should have been in bankruptcy court instead of up

here, protecting a \$10,000 investment of mine. However, to me, this was more important.

Except for the reporting of the funds that Christie Whitman was talking about when she was testifying, we disagree with everything that she said about Initiative and Referendum. A fiscal assessment about who is lobbying -- why? We don't need that. It is just more money being spent by the government. Is she proposing to stop questions from going on the ballot if somebody has too much money? You know, it just doesn't make sense.

Questions would go through the Office of Legislative Services first, if the bill is drafted correctly and like most of the prior bills, where the Office of Legislative Services would give their opinion on the constitutionality, if there is a constitutional problem, and the legal ramifications of the question.

The geographic division of signatures: That doesn't work either. You have people who are the special interest groups who are opposing this today, who would be the ones to benefit from something like that. Example: the NJEA. Who is better organized throughout the State than the teachers' union? If they want to put a question on the ballot, it is a snap for them to get all the questions in every municipality. Most citizens' organizations cannot do that.

The AFL-CIO-- Again, I am a member of the AFL-CIO. They are very well organized throughout the State. If they wanted to put a question on the ballot, geographic restrictions on a signature on a petition, that is, it would fall right into their hands. They could put whatever they want on the ballot. Average people cannot do that.

As far as addressing constitutional problems, yeah, I think that is mandated. If we can't address constitutional issues with Initiative and Referendum, it is basically worthless. Some of the things that come to mind: term limits;

recall. Senator Kosco, you were misrepresented before -- or misinterpreted, excuse me -- about what your bill had to say. You know, the interpretation was wrong, according to you. Well, that's fine. I believe everything you said. But one of the things that my organization -- the Taxpayers Task Force -- has been pushing for for a few years now, is a plain language amendment to the State Constitution. We can't get it. If there were a plain language requirement here that that bill be written so that everybody could understand it, there would be no misinterpretation.

Now, some people have said -- like the prior speaker -- that we have a system that works quite well now, thank you. Name a problem that any legislator in this State, or in this country, has ever solved. Have they solved the war on crime, drugs, poverty, housing, car insurance, health insurance? Come up with an answer, and I will quit asking for Initiative and Referendum. (applause)

The NJEA, a fine example of my tax dollars being spent out of control. For them to pay a lobbyist to come here and represent me as a taxpayer who pays their salaries, against me, it just drives me crazy. They constantly hide behind, "We have to serve the children." God, I am so sick of hearing that bunch of crap. What they are looking for are raises. That is what the union is for. Let's call a spade a spade; a dime a dime; a rose a rose; a skunk a skunk. (applause)

Now, I do not fault the teachers' union for doing what they're doing. That is what they are supposed to do. They are supposed to negotiate salary increases and benefits. Fine, but don't constantly hide behind the kids and try to tell us that we should not devastate education here in New Jersey, as they did in California.

I know my friend Dave Kehler is here in the audience, and one of the examples that he uses when he speaks against I&R

-- and I think he is going to be speaking, so I will steal this one from him beforehand-- He talks about the California Lottery.

SENATOR GORMLEY: That's a good strategy.

MR. BUDZASH: Well, he will get a chance to rebut me, though, and he will do a good job. I know it. Anyway, he talks about the California Lottery and how an Initiative was placed on the ballot out there by a company that was the only company that printed the correct kind of paper to sell these Lottery tickets. Well, that's fine. The Legislature never makes mistakes like that, or never does things like that? Let's look at the license plates we have here in New Jersey with the reflectorized paint. Who makes the reflectorized paint -- 3M, the only company. So again, we have situations -- the same thing with the Legislature. The Legislature is not entirely evil; they are not entirely inept. I am not trying to say that. But, neither are the people.

SENATOR KOSCO: The Legislature didn't make those license plates.

MR. BUDZASH: Right, they didn't make them, but they passed the law for it, and so on.

SENATOR KOSCO: No, they didn't.

MR. BUDZASH: Who did?

SENATOR KOSCO: It was an administrative decision.

MR. BUDZASH: Oh, it was administrative. Okay, I stand corrected. See, this is another thing, too. There are misinterpretations out there. So, people do make mistakes. But generally the people are right on top of the various issues.

Education in California was devastated. Boy, that is really something. California, right now, is devastated with education. Interpret that correctly to mean that teachers' salaries are not going up. For that matter, teachers in California just take a pay cut. That is why they are talking about education being devastated in California.

In New Jersey, education hasn't improved in the last three years, but how many millions of dollars did Governor Florio funnel into the Quality Education Act? It didn't work. It went toward salaries, administrative costs, and so on and so on. It did not go to "the children."

It is a waste of time -- some of the things that our Legislature does. Some of the things are cute. I was down at the State House when they dedicated the new Chambers, and it was nice to see the little girl come in dressed as a bug -- as a bumble bee. Remember that? That was cute. She came down, and they had a nice ceremony, but the State Legislature spent time to pass a bill making the bumble bee the State bug, and we have a State dinosaur, a State fossil. We have State everything. We have more important issues to be addressed.

Now, I realize everything has to be fun. I like to have fun with what I'm doing, and I realize you guys like to have fun, too. But the point is, we have child abuse problems that are happening here in this State, and in this country. We have poverty that is not being dealt with. We have housing that is not being successfully dealt with. Why don't we let the people, some of us-- You can't tell me that 120 legislators are smarter than, what do we have in New Jersey, eight million people? Someone out there has to have a good idea. We don't have the access to the legislators that the lobbyists and the special interest groups have. We have jobs we have to go to on a daily basis, and most of us who are here speaking for I&R today are strictly volunteers. So, it is rough for us to get the time off to come down here.

The Chamber of Commerce-- Oh, these people are really good, too. We will not become California. Okay? They claim we will become California if we get I&R. Well, so what? California has free beaches. They do not have tolls on the roads. They have free colleges. They are a lot better off than us. Just now, they are about \$2.8 billion in the hole,

whereas we were there three years ago. Now, our \$2.8 billion tax increase, plus the billion-and-a-half dollars in waste that the Audit Committee found, to me, is actually \$4.3 billion that we are up now. Okay? So, as far as I am concerned, California is not something to point back at and say it is a horrible situation.

They claim \$5 million was spent to defeat a bill in Massachusetts. Well, what do they do with the Legislature? They spent \$12 million last year lobbying the Legislature, so instead of putting the money directly into the pockets of the legislators, why not spend money on advertising? Why not spend money in the newspapers? Why not put some money into the economy? Gee, maybe that would boost jobs in this State a little bit.

We have 430 lobbyists, again, who are blowing money directly toward legislators, and it is not going into the system. The person from the Employer Legislative Committees of New Jersey claimed to be rank and file businesses. Well, what I gave you up here was just a very small sampling of the rank and file businesses. By the way, one of the businesses up there, Madison Auto Parts, threw out representatives from the Chamber of Commerce and Business & Industry of New Jersey when they solicited membership, because he knew from me about their anti Initiative and Referendum stand. This is one thing that most people, when they are signing up, don't know about, and number two, they are never polled by any of these organizations whether or not they support, as individual members, Initiative and Referendum. That also holds true with teachers. Sometimes it may sound like I am ragging on the teachers, but in most cases I side with the teachers. Again, they are not polled by the NJEA, because I am dating a teacher, and she has never been questioned by them at all.

Antibusiness: They pointed toward Colorado with an antibusiness attitude -- okay? -- with some of the legislation

that was passed out there. Well, I lived in Colorado for awhile back in, oh, 1970, when I was in the service. It was really amazing, because out there a law was passed, and this is a horrible law. It banned any replacement auto parts, except for original equipment manufacture, which meant Midas muffler, Meineke muffler, Bargain brakes. Any of these organizations that fixed cars now could not do it. If you had a Chevy, you had to go to a Chevy dealer and get it fixed with genuine Chevy parts, or you violated the law. That law was not passed by Initiative and Referendum; it was passed by the state Legislature.

I&R as the simplistic solution to complex problems. Well, again, we look at, you know, housing, health insurance, hospital insurance surcharges. You know, these are complex issues. How are they being solved now? You know, it is stuff that is really out of control. The hospital surcharges on the medical bills are ridiculous. People who can afford to go to a hospital normally are paying enormous surcharges for people who cannot afford to pay their medical bills. What we have to do is actually address health insurance costs and medical insurance and so forth here in the State.

The New Jersey Federation of Sportsmen: These people were really good, too. They claim to have 150,000 members; the NJEA, 150,000 members. The lady who was just up here claimed a phenomenal amount of membership. My God, it was unbelievable. To hear these people, they represent every citizen in the State. Quite simply: Put the question on the ballot. If they have so many supporters, they will vote it down. No problem. We will get off your back. Their members will be happy because they will defeat the issue. No problem. (applause) I say it again: They never asked their members what they wanted. This is why they are afraid of the question going on the ballot.

Again, disaster in California and Arizona. This is the guy who wants to take a gun, go into the woods, and murder

Bambi and Thumper in their home. He is upset because there were antihunting laws in those states put into effect. Now, I sympathize with him, because I think you ought to be able to go into the woods and blow up any animal you want with a semiautomatic weapon. That is up to, you know, your own prerogative. I'm kidding, of course.

The point is: Hunters do have rights; gun owners have rights. It is up to them to present their side of the story. It is up to the antigun people to present their side of the story. I am sympathetic toward the gun issues; I really am. But the point is, it is up to the people who own the State to decide what they want done. It is not up to them; it is not up to you; it is not up to me. It is up to the people to decide. By putting the question on the ballot, that is the fairest, most logical way to do it. After all, we are the taxpayers and the legal owners of the State, and the country.

He wants to require honest and complete reporting in the newspapers. It can be accomplished through an Initiative. In California, teachers' unions have used Initiative and Referendum. They have done it in Massachusetts, also. So, even though they are opposing it, it is not like they are strangers to it; it is not like they haven't used it before.

They claim immediate controls. Many issues-- Again, that is true. The media and money control a lot of issues, but I will give you a quick example, if I may. In Monmouth County they were trying to push an incinerator through. The Monmouth County Republicans wanted this incinerator. They entered into a contract with Westinghouse, with a cancellation clause where we would pay Westinghouse \$850,000 if a Referendum on putting this incinerator up would fail. Now, my question was: Why would we adjourn to a contract with an organization if we weren't getting anything from it? The bills on the incinerator were a million dollars a month until construction was started, and the cancellation clause of \$850,000. There was no benefit

to the Monmouth County residents. While the benefit was with the Republicans giving Westinghouse the \$850,000 for this, Westinghouse now had to guarantee the \$850,000 that they could spend on their pro-incinerator campaign, which is exactly what they did. They spent almost \$850,000 promoting the incinerator with fliers and so forth, and newspaper ads. A little organization called Citizens for Clean Air and Water -- where I was very happy to help out, and Senator John Bennett also helped out -- defeated this. They only spent \$25,000. That shows that money doesn't always buy a response to an issue, and neither does a political party or a group of individual backing or anything. The people are not stupid. We can make decisions.

He was also talking about factual information. Again, one of the things that we defeated when I started Hands Across New Jersey in 1990, was the Affordable Housing Bond Act of 1990. We defeated that. Believe me, that was not interpreted correctly, or even close to accurately on the ballot. Assemblyman -- I can't remember his name -- Schwartz-- Assemblyman Schwartz went on to a press conference when we were opposing this Bond Act. He was quite furious, screaming to the reporters who were there, that this would not affect the taxpayers one bit. Well, what he forgot to say-- He was claiming that this was a very safe Bond Act; it was going to pay for itself.

So, what he forgot to tell the people of this State was that it was backed by tax -- sales tax and income tax and so forth in this State. So, it was backed by tax dollars. When the people found that out -- which is truth in advertising in an honest interpretive statement -- they voted it down.

SENATOR GORMLEY: Excuse me.

MR. BUDZASH: I only have two more to go. I am going to be as quick as possible. That is why I am trying to read so fast.

SENATOR GORMLEY: Okay -- two.

MR. BUDZASH: The Catholic Conference, okay? I am not trying to get down on religion or anything like that, but they started claiming 30-second sound bytes and bumper sticker democracy. God, I am so sick of hearing that crap, too. How did you guys get elected? Did you use 30-second sound bytes? Did you have bumper stickers? Come on, let's get realistic. We are putting our trust in people we are electing on 30-second sound bytes and bumper stickers. My God, you can't get any more simplistic than that. At least if questions are going on the ballot, the people who are truly interested -- the citizens' organizations that are sitting here in this room, the environmental organizations, and so forth -- we can study a bill and we can put forth our viewpoints to the people of the State, get our word out so that people can make an intelligent decision, which is what we have been doing and what we will continue to do. But when it is in the legislators' hands alone-- You have lobbyists. One of the other people said, "Look at how many people are in your face. You have all these citizens trying to affect legislation." How many lobbyists are there in New Jersey? Four hundred and thirty.

SENATOR GORMLEY: I've got five more witnesses and eight more minutes.

MR. BUDZASH: Okay. I am going to be as fast as possible. I'm sorry.

SENATOR GORMLEY: No, no.

MR. BUDZASH: The dental people came down here.

SENATOR GORMLEY: You've got 30 seconds.

MR. BUDZASH: Okay. Again, New Jersey works. This is another good one. We are highest in foreclosures, business failures, and job losses in the country. Why should a legislator have to defend his or her legislation? I am in the State House constantly. I am quite sure you are all familiar with me. I am down there; I know how it works. We are still the highest in unemployment in the country.

A couple of quick things, if I may just-- I will finish up with this. I will ignore rebutting some of the other testimony here. But, why should we trust you, if you don't trust us? That is one of the key questions we have right now. If you can't trust us with Initiatives, why should we trust voting for you again?

SENATOR GORMLEY: Thank you.

MR. BUDZASH: I have just two sentences to read. Is this just a show for the people who are running for office? This is a big question we have right now. Or, is this something that will really pass, or has a chance of passing? We don't want to see something with a simple majority, where people can sit there and say, "Well, I supported I&R. They are campaigning in districts that are a little bit shaky." We want to see major support for this bill.

We are the State of New Jersey. Do not make us into the Confederates and the Yankees. As Mr. Lincoln was pointed out earlier by a previous speaker, he said, "A house divided cannot stand." Don't try to make this into Initiative and Referendum, North and South New Jersey separated, because that is just not true.

Thank you. (applause) Oh, one last quick thing. One of the other reasons--

SENATOR GORMLEY: Wait a second, he's got something else. Now, wait, wait. Hold your applause for one second. Go ahead.

MR. BUDZASH: I forgot my prop. I'm not good. Sam is better with his props than I am.

SENATOR GORMLEY: All right, I apologize. I rushed you, and you forgot.

MR. BUDZASH: We have four-and-a-half pages right here in The Newark Star-Ledger today. Now, this page isn't, but this page, the front page-- These are real estate foreclosures. Okay? This is one of the reasons why we need

I&R. This is one of the reasons Proposition 13 would help us here in New Jersey.

Thank you. (applause)

SENATOR GORMLEY: Excuse me. We are trying to get everybody in. Richard A. Boyle, New Jersey-- I'm sorry, what is the name of your group? Sit down, Mr. Boyle, please.

R I C H A R D A. B O Y L E: New Jersey Corporation for I&R.

SENATOR GORMLEY: Oh, the New Jersey Corporation for I&R.

MR. BOYLE: Right. Thank you for this opportunity, but I will just agree with everything that John Budzash has said, and save some time for someone else.

Thank you.

SENATOR GORMLEY: Well, that is very nice of you. Thank you.

Diana Pearson, Tax Revolt North.

D I A N A P E A R S O N: Gentlemen: Thank you for this opportunity to speak. Although I am signed in as Tax Revolt North, I am here as an individual citizen. I have never spoken before any group, except in my hometown on a school board issue last month. So, I am not a regular speaker. I am here as a concerned voter.

I feel, according to paragraph 2 in the most recently passed, the third Constitution of New Jersey, that all political power is inherent in the people. Government is instituted for the protection, security, and benefit of the people. They have the right, at all times, to alter or reform the same whenever the public good may require it.

I feel that government has become too big. You have heard many examples here today about the fact that people are not getting their wishes, their interests through to government. I&R is a much more direct way for the people to be involved. As far as special interest groups are concerned, it seems to me that the special interest group representatives are

the ones who are speaking out against I&R. They are the ones now who have the power to get to the ear of the legislators through lobbying. If you put I&R on the ballot, people who are interested in their government will become informed on each particular issue they are going to be voting on.

I have another suggestion from just listening to everyone speak today, and from past experience with something I have done on a personal basis. It is important how an issue is worded on the ballot. The wording can really influence the readers' objectivity. Therefore, I might suggest that the legislators who are on either side of a question each be able to put forth simplified, in layman's terms, their way of looking at a question, and have two questions: One on the one hand, one on the other. If that were to become the case, that might alleviate that problem.

Thank you, gentlemen.

SENATOR GORMLEY: Thank you very much.

Frank Minhy.

F R A N K M I N H Y: Thank you very much for allowing me to sit here and get a few things off my chest.

I represent no one but my family, my children's families, and my grandchildren's families. I am a veteran from World War II. I saw the horrors of the War. I came back, and I found out how much I love my country. I love it very much.

I have been a Democrat. I changed to Republican. Now, I am an Independent. (laughter)

SENATOR GORMLEY: There isn't another block left.

MR. MINHY: None at all. I'm looking for new leadership. Do you know of any?

The speakers before me were so eloquent, that they just about covered everything I wanted to say. But there are still a few things that I would like to say.

SENATOR GORMLEY: Go right ahead.

MR. MINHY: I hope I won't bruise anyone's feelings. If I do, I apologize. But I want to bring out the fact that we, the people -- and this is the grass roots -- feel that you boys are doing a very, very poor job as far as running the State is concerned. We feel that a reasonably intelligent man -- or men -- could run the government much better, if they had integrity and honesty in combination with intelligence.

There are so many things that move me. Sunday I was reading in The Star-Ledger where there were so many bankruptcies. One especially moved me. That was when a couple who had lived in their home for 40 years had their house taken away from them. Then, on the day they were being ejected, the husband shot his wife and killed himself. Then, the following day, I read in the paper -- or was it a few days previous? -- I read in the paper where the young lady in charge of transportation gave a party for \$23,000, just to lift up the morale of the people working for her. What about the morale of these people losing their homes? That \$23,000 probably could have saved the lives of those two people. They might be alive today, living in their home.

That's one thing. There are so many things going on. I am not against lobbyists. Everybody is entitled to go up to you gentlemen and speak their thoughts and implore you to vote the way they want you to. As long as they don't give you any money; as long as they don't pay you; as long as you don't accept anything, they are entitled to do it. But I think it is obscene when the gentlemen who represent us accept money, whether it is for -- whatever it may be, for a dinner, for an election. There are other means of doing it.

We don't trust you. We do not trust you men with our futures. I remember a long time ago I heard Khrushchev say that no one will defeat America; America will defeat itself from within. It sure looks like we are headed in that direction. Everything is going wrong. The schools are turning

out children. They are asking for more money to educate them, and the children are coming out worse. There has been a new crime invented -- carjacking. They do it; they have no fear of the cops. They go practically with no punishment. There is no correction. Money is not going to solve the education problem. That is not going to solve it. What we should do with education is cut 50 percent of the education costs, and put it onto the people who are paying taxes. They need the break, not the schools. The schools can do well. If the children want to learn, they will learn. You don't have to throw good money after bad.

Then we have the situation where the criminals are treated better than the victims. We have a Supreme Court that won't even obey the law that was passed by your legislation; the law to put criminals who murder to death.

Then we have Social Security, which is not your problem. But the way things are going-- They say that in 10 to 20 years there will not be enough young people in the country to support the elderly retirees. Yet, they push abortion forward, which would be young people to replace the people who are becoming elderly. It doesn't make sense; it just doesn't make sense.

SENATOR GORMLEY: I would appreciate it if you could-- We are three minutes over, and we have three more witnesses.

MR. MINHY: Okay.

SENATOR GORMLEY: I am not trying to cut you off. You understand.

MR. MINHY: No, of course not. I understand that.

SENATOR GORMLEY: And I do appreciate your sincerity.

MR. MINHY: We all have a time limit. Out of respect for others, I accept that.

I just want to say: I appeal to you men, for the love of your country, to forget what you can get out of the

country. Show respect for the people. Give them what they are entitled to. We need I&R; we need it very badly, because there are things being done that we do not want done. I am not running for office, or anything like that. These are our feelings, not only of my family, but everybody else.

I thank you very much. (applause)

SENATOR GORMLEY: Thank you.

The next witness will be Lee Pacifico, President of the Lyndhurst Taxpayers, and Vice President of the Federation of New Jersey Taxpayers -- two organizations.

LEE PACIFICO: Thank you, gentlemen, for the honor of speaking before you on this old problem; a problem that I hope we will settle this year -- I&R. I do hope you haven't swallowed all the glib flattery by one of the previous speakers, not the last woman, but the woman before her. Remember the adage, "Flattery will get you nowhere" -- I hope.

We who support I&R would not be here again and again if it weren't for the fact that the legislators, our elected public servants, are not doing a good job for the majority of their constituents, but have become bureaucrats, and only support the special -- I call them the "special selfish groups." That is what they are.

The corruption in both the Senate and the Assembly continues, whether they be Democrat or Republican. Florio and his cohorts pushed through his exorbitant tax plan, and now the Republicans have done very little to correct it. Instead, many have drawn up dangerous bills. One is A-1607, binding arbitration, which I am very happy that you removed, Mr. Kosco. I don't know what you were thinking of when you drew up that bill.

Number two, A-1046, a bill to remove the taxpayers' right to vote on the school budget and the referendum, an unheard of thing. Bill No. A-1093, to remove the cap from the school board's budget. All of these bills will raise our taxes

dramatically and send the towns into bankruptcy, but naturally they will support the NJEA and its teachers. That is what they are there for.

One can see that there is no accountability, and yet a few speakers here today worried about accountability from the people who support I&R. Do you wonder why the people want to take the law into their own hands? The legislators cannot be trusted any longer. You are the servants of the people. Never forget that. Yet, you cater only to the special selfish interest groups.

Incidentally, we do have a few good men and women in the Legislature. We are not saying that they are all bad -- John Scott, I want you to listen to this, please -- but only a few are good. Senator John Scott is one of them. Would that we had more legislators such as he. We would not need I&R then.

The election process has failed us. As for choosing the best men or women in the election process, many times we are presented with candidates through the Democratic and Republican Committees that are not fit to run for dogcatcher. How can we elect good men to office then? Seventy-two percent of New Jersey taxpayers support I&R. Give them what they want, the power of it, and I can promise you that they will prove their mettle and do far better than many of you have done for us for lo these many years. You can rest assured of that.

Please ignore the special interest groups, and put I&R on the ballot. Thank you very much, sir. (applause)

SENATOR GORMLEY: Well, thank you very much for your testimony.

Our final two witnesses, and we will call them together, will be Robert A. Woodford, New Jersey Business & Industry, and Robert J. Pinard, Beer Wholesalers' Association of New Jersey.

R O B E R T A . W O O D F O R D: Thank you, Senators. I am going to be very brief, because I know your time has run out, and my meter has run out.

Speaking on behalf of the members of the New Jersey Business & Industry Association, our contacts with business organizations in other states throughout the country have given us their views of the Initiative process as they have faced it year in and year out. Repeatedly, in states like California, Massachusetts, and Oregon, Initiative and Referendum translates into very expensive defensive actions against unbalanced and economically unsound proposals. The California Campaign Finance Commission made a report on its Initiative process last year. Significant in that, I think, is the fact that of the 18 largest issues in California in terms of expenditures on the ballot proposals, 83 percent of the financing was drawn from business. In their largest, in 1990, of \$110 million spent, two-thirds was spent by business. We do not want New Jersey businesses to move dollars from investment and jobs and plants to ballot questions.

In looking at the process, as we have through involvement over the years in legislation, the tough process of trying to represent our members on essential issues, the process in New Jersey definitely can frustrate many who enter it, because it is intended to make it difficult to pass laws. The process is designed to generate input and involvement, the balancing of interests, and the building of consensus. I&R is to that constitutional process what war is to negotiation. It is the singling out of an issue by a group. It is the noninvolvement of others who should be in the process. It is the nonbalancing of interests.

We urge you not to pursue this proposal. Thank you.

SENATOR GORMLEY: Thank you.

R O B E R T J. P I N A R D, ESQ.: Mr. Chairman, Senators: Thank you for the opportunity. I have attempted to excise my presentation. I hope that at some point in time you might have an opportunity to read it in full, but I will try not to regurgitate information that has already been addressed.

My name is Bob Pinard. I represent the Beer Wholesalers' Association of New Jersey. Those of us in the beer wholesaling business recognize that our business is particularly affected with a public interest because of the product we sell. No State, Federal, or civic agency spends more money than beer wholesalers and their suppliers in attempting to instill the values of responsible use of our product at all times by persons of legal drinking age.

However, our industry is viewed negatively by many vocal segments of society. It is bombarded every day with biased and slanted claims that our product is unhealthy, immoral, and a killer. No medical expert will state that alcohol, in moderation, for a nonpregnant person is harmful. Our product is not immoral under most religious tenets in our society. Our product does not kill. Irrational and inappropriate behaviors cause injury and death. There are hundreds of different forms of negligent and intentional behaviors ranging from inappropriate supervision of children to reckless and wanton criminal activity that kill or injure. Society must stop seeking scapegoats to disguise the individual person's failure to assume his or her responsibility and accountability for their actions.

With national Prohibition as a historical marker, our industry views Initiative and Referendum as a veiled opportunity to foster the disguised agenda of the neoprohibitionists who seek, not good government or a real meaningful national alcohol policy, but rather a return to abolition or piecemeal destruction of our industry through regressive tax increases and even more industry regulation.

One brief, generic, general thought about Initiative and Referendum: Initiative and Referendum, as our Association sees it, is a tool for focused, vocal, myopic issue resolution, and it does not work. It subverts the deliberative legislative

process and precludes, not only meaningful discussion, but it renders necessary revision and compromise on issues impossible.

SENATOR SCOTT: We've got to go.

SENATOR GORMLEY: There you go. I mean, I am not staging this, believe me. This is court.

MR. PINARD: Gentlemen, thank you very much for your--

SENATOR GORMLEY: I want to apologize, but I hope everybody feels at least that we did try to be as balanced as possible in how we alternated witnesses.

I would like to thank Senator Scott.

SENATOR SCOTT: I want to thank you, Senator, for coming up here and spending the time. Thank you.

SENATOR GORMLEY: Thank you.

(HEARING CONCLUDED)

APPENDIX

New Jersey State Library

POSITION STATEMENT

INITIATIVE AND REFERENDUM

The New Jersey Education Association unalterably opposes amending the state constitution to allow for the process known as "initiative and referendum" (I&R).

NJEA questions whose interests would really be served by the enactment of initiative and referendum. Initiative and referendum would undermine New Jersey's system of representative government, threatening it with "all or nothing" proposals written by narrow special interest groups.

NJEA believes that I&R is not representative government by the people, but, in fact, is "irresponsible reform." It panders to those with enough money to hire petition gatherers and pay for big media hits and allows them to then control the public agenda.

It undermines the ability of responsible citizens to reach compromise on proposals. It reduces the opportunities for amendments and meaningful debate among elected officials. Unfortunately, if these I&R bills are passed, rather than an atmosphere of compromise, New Jersey voters will participate in a process that is divisive.

From among the simplistic comments by proponents of I&R comes the question, "Don't you trust the people?" The answer is, "Yes, we trust the people of New Jersey to vote for capable, competent legislators, and refuse to reelect legislators who abuse that public trust. We don't, on the other hand, trust our state and its welfare to anyone simply on the basis of having the financial resources and the public relations possible to mount a preelection blitz on questions vital to the public good."

Consider the real history of initiative and referendum in other states. In California after Proposition 13, and again in Massachusetts after Proposition 2-1/2, the public response was nearly unanimous, "We didn't know it would mean this. We didn't know it would do that."

In Massachusetts, 24,000 jobs have been lost since 1981, 14,000 in teaching alone, with tremendous cutbacks in fire and police protection in municipalities.

(OVER)

In California the horror stories are even worse. Today the State of California carries no surplus budget. In fact, California is financially unable to deal with the aftermath of the recent riots in Los Angeles or the earthquake of San Francisco just a few short years ago. California citizens must rely on the federal government to intercede.

The reason for this is that 92% of California's budget is mandated. California ballot initiatives have limited discretionary spending to 8%. The budget process does not allow for emergencies without federal assistance. Therefore, schools and public facilities in San Francisco and the property damaged in Los Angeles will remain in ruins until federal assistance is forthcoming.

Proponents of I&R call for accountability and cuts in state government. However, an Eagleton Poll conducted in January 1992 showed 75% of that same public does not want any cuts if their services are also cut. Providing more services with less money is an impossible dream. It denies people needed services and weakens their faith in government. Without tax dollars, how will the state provide a thorough and efficient education to all the children, as the constitution of our state demands? How will our state provide the necessary social services to effectively respond to health crises such as AIDS, drug abuse, and crack babies?

In an era of federal budget cutbacks and state government retrenchment, we in New Jersey can no longer afford an attack on our state's tax policies.

Each and every study clearly shows that citizens in certain regional areas in the north could easily disenfranchise voters' rights, socioeconomic freedoms, and economic and educational opportunities in any of the other three regional areas of our state. For these reasons NJEA strongly believes the citizens of the State of New Jersey will not be better served by initiative and referendum. Government should not put before our citizens choices that rightfully deserve analysis, research, and debate.

As representatives of the people of New Jersey, your duty must be to protect all of us from notions -- no matter how noble sounding, no matter how seductive -- that could lead to the destruction of what we have achieved and what we are still striving to achieve.

Please vote "no" on any issue that is called initiative and referendum.

03/23/93

DTC:WD:lp



**NEW JERSEY STATE
CHAMBER OF COMMERCE**
ONE STATE STREET SQUARE
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TRENTON, NEW JERSEY 08608

Testimony
of
William R. Healey
New Jersey State Chamber of Commerce

Public Hearing
of the
Senate Judiciary Committee
Rutherford, New Jersey
March 23, 1993

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In Opposition To:
INITIATIVE AND REFERENDUM



Mr. Chairman and Members of the Senate Judiciary Committee, the New Jersey Chamber of Commerce thanks you for the opportunity to offer comments on the issue of Initiative & Referendum. Few issues that this Legislature will deal with in the course of this two-year session could have as much impact on the future of public policy in our state.

Our organization is made up of both the smallest and largest employers in the state, as well as 110 affiliated local, county and regional chambers of commerce 45,000 businesses in all. Employers and employees alike fear the very negative impact that Initiative & Referendum could have on our system of representative democracy -- a system that has served us well for better than 200 years.

We must disagree in the strongest terms with the advocates of such legislation. We feel the confidence of the voting public in the Legislature as a responsible public institution is not well served by I&R.

The State Chamber has spoken often to various legislative committees on this subject. Last spring and summer, we were one of the most visible opponents of Assembly bills ACR-1 and ACR-3. The "concept" of I&R, in any form, is anathema to representative democracy. There are far better ways the Legislature can respond to the "mandate of the voters".

Let me say unequivocally that we feel the Legislature best fulfills the mandate of the electorate by tackling the many pressing problems of this state. An election is ultimately the yardstick by which you as legislators, or any other elected official for that matter, will be judged.

There are certainly many pressing issues that need addressing, such as health care, our State Budget, regulatory reform, environmental policy, business retention and attraction . . . the list goes on and on.

Some additional comments about how we interpret that word "mandate" are in order.

This session of the Legislature, now nearly a year and a half old, has already made some important strides in addressing some key policy issues. A good example is the bipartisan support that is moving forward changes to our state Environmental Cleanup Responsibility Act Law, and cooperation that has now resulted in a landmark "plant malfunction" bill.

The Legislature can now take control of the reins of the bureaucracy by review of administrative rules and regulations.

Let me take time to review just some other important legislation that our organization has chosen to support. These ought to be priorities for the remainder of the 205th Legislature.

- creation of an additional corporate tax credit to spur creation of research and development jobs

- indexing of our state's taxation rates, for both individuals and business

- additional health care reforms, including medical malpractice reform

These issues and many others are all of great importance to us, because they ultimately mean the expansion of business operations, and more importantly, the creation of new jobs. They are appropriate examples of the very positive influence the Legislature can have on our state.

It's for precisely that reason that the New Jersey Chamber of Commerce is so very much opposed to I&R. Under Initiative & Referendum, the Legislature takes a "back seat" and "punts" during the most crucial formative stage of public policy. Under I&R, the Legislature cedes its policy making role, one that is deliberative and tries to account for the needs of all interests involved.

Instead, we feel that I&R replaces a system of compromise, inherent in the legislative process, with one of sole rule by majority, without consideration for the rights of minorities. Of greatest concern to us and our members is the perception that you as legislators are forsaking responsibilities that voters have asked you to undertake on their behalf; to make informed decisions on complicated and intricate issues that affect their daily lives.

The legislative veto is a new affirmation of the public's view of the Legislature's responsibility and authority.

This state already has enough slogans, pitching both products and political campaigns. Under I&R we're asking the "sloganeers", namely consultants, PR types and others to pitch public policy. We can talk political theory and "power to the people" all we want, yet we fear that is just what an I&R system would become -- a question not of what public policy is best for the state -- but what message best fits on a bumper sticker or a 30-second commercial.

We're going to see enough of that in this gubernatorial election year!

The "give and take" process of the Legislature, the "politics" of the Legislature, has for all its imperfections, ultimately sought to balance the needs of the various regions of our state.

Two years ago, our own state ballot had a nice sounding question on "national health care". We think it says everything about the less than comprehensive nature of I&R as a policy making tool. Remember, that question failed to ask what level of taxation we'd be willing to support to pay for such a policy -- a reasonable question in my mind.

Last Fall, this Legislature found out just how difficult it was to craft such reform; now our President and First Lady are also finding out that health care is something everyone wants, as long as they don't have to pay for it!

Interest groups could craft questions so broad that they could throw such decisions into chaos, or so narrowly position them as to stand to reap the benefits.

Small groups with a special agenda or one narrow, single-minded goal could craft questions. By meeting low signature requirements, they are automatically put in the driver's seat in moving forward policy questions, such as health care.

Yet, there is one even more disturbing facet that is present in at least one of the bills, and it's a fear that we've long held about I&R. For the true horror of the I&R "myth", look to California.

I&R proponents in New Jersey emphatically argue that I&R in New Jersey will not duplicate the process that has paralyzed California. Technically, they are correct. But realistically, the I&R proposals offered in New Jersey merely add a few hurdles to the process. The ability to put narrow, special-interest initiatives on the ballot is the main goal of many I&R proponents in New Jersey. Therefore, we argue, New Jersey's more recent I&R proposals are merely California I&R in a more seductive outfit.

It is fitting to explore some of the problems faced by Californians as a result of their ability to put singularly focused initiatives on the ballot. New Jersey legislators should be aware that the California Legislature controls only 15 percent of its state budget. The remaining 85 percent is dictated through the results of initiatives passed by California voters. When California faced an \$8 billion budget shortfall last year, the Golden State's government for better than a month resorted to issuing IOUs to vendors and state employees. Is that any way for a state government to conduct its business?

Think about some of the major components of our own state budget. How about education spending? Every year in New Jersey, the Legislature and Governor decide how much to spend on education the next year. Although that process is by no means timely and efficient, New Jersey does spend substantially more per pupil than California. The reason? Proposition 13 and other tax-limitation measures that ban local school financing. The result? California has an expanding school age population without a responsible tax base. California will spend approximately \$4,500 per pupil compared to over \$8,000 per pupil for New Jersey.

Nationally syndicated columnist Richard Reeves recently wrote of Proposition 13 in California. He said, "It's been almost 15 years since Californians voted for Prop. 13 to begin the cannibalization of their own

government and its protection in an attempt to give themselves 19th-century taxation. Soon they will have 19th-century government and quality of life, too."

New Jersey's I&R proponents will say, "We don't plan to propose any initiatives that would emulate what happened in California."

Of course they don't, but the professional I&R campaign firms, the paid canvassers, the special interest organizations and others prepared to feed off an I&R "trough" certainly would. They would quickly become the masters of the process, not those who naively argue for I&R as a means of the people "taking control" of the government.

I&R says that this Legislature is willing to create a new class of public policy maker -- the public policy/political mercenary, just as the Hessians were the mercenaries of their time.

Let's not bring any mercenaries back to Trenton. Let's keep the process of lawmaking where it belongs, with you and your colleagues in this Legislature and with the Governor as well.

Our members look forward to working with you to help craft a responsible and reasoned future for our state. I&R says you're willing to cede that responsibility to others, just as the State of California has done.

Let's reject I&R and other threats to our system of representative democracy.

On behalf of the New Jersey State Chamber of Commerce, thank you for the opportunity to speak to this committee today.



EMPLOYER LEGISLATIVE COMMITTEES OF NEW JERSEY

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PHILIP KIRSCHNER, ESQ.
EXECUTIVE DIRECTOR

TESTIMONY ON INITIATIVE AND REFERENDUM

Senate Judiciary Committee—March 23, 1993

I am Philip Kirschner, Executive Director of the Employer Legislative Committees of New Jersey. The Employer Legislative Committees of New Jersey is an independent group of employers with chapters representing all 21 counties. We are comprised of thousands of employers, most of whom are small businesses. It is a grass-roots organization designed to facilitate a dialogue between legislators and business and to speak out on public issues. We vigorously oppose I&R. The ELCs firmly believe because of the experience in other states, that I&R is often used as a vehicle for anti-business proposals that damage the economy. Let us take a look at some of the proposals that were on the ballot in 1992.

- In Michigan, a proposal was on the ballot that would have increased business taxes by \$750,000,000.
- Two initiatives on the Massachusetts ballot were:
 - 1) New excise tax on business.
 - 2) Severe product packaging restrictions.
- In Oregon, petitions are currently being circulated to set business property taxes at twice the level of those of residential taxpayers.

All of these proposals are in states that either have indirect initiative or supposedly have other "safeguards". In New Jersey, therefore, we can reasonably expect that I&R means that questions will be on the ballot which propose higher business taxes, unbalanced environmental regulations, initiatives such as the H.E.L.P. bill of last session, and other anti-competitive bills. Businesses deciding whether to locate or expand in the East will shy away from New Jersey as the only State in the region where one issue, anti-business groups can harm the economy by getting poorly-conceived propositions on the ballot.

The indirect nature of I&R in other states are meaningless as they provide the legislators with no real choice. The Legislature's only choice when considering an I&R proposal is to adopt a "substantially similar" bill or have it go on the ballot. That is no choice at all. For instance, if a proposition is submitted to raise business taxes by 10 percent, the legislators must embrace the concept of higher business taxes. Its only decision is to perhaps lower the rate to 8 or 9 percent. This is no choice at all. The Legislature plays no real role.



There is also no requirement in the various states that the collection of signatures and the actual vote on the proposition not be dominated by a few counties. There is no requirement that a majority of the counties in the state and a majority of the southern counties actually vote to pass an I&R bill.

Also the threshold for the signature requirements are not a problem for well-paid companies to obtain in a densely populated small-sized state like New Jersey. There would be "no problem" in meeting almost any threshold.

Finally, any "safeguard" on I&R can be eliminated by the I&R process itself. So let us dispose once and for all that I&R can have "safeguards" that are vastly different than California. The results will in fact be the same.

Another important point to make is that I&R is not a top public priority. All surveys that we know of, show that the public has very little awareness about what I&R is and does not rate I&R as one of the major issues facing our state. There is no public demand for I&R as the proponents want you to believe.

Furthermore, I&R is not the way to provide solutions to complex public problems. It does not provide needed checks and balances. There is no ability to look at a wide variety of solutions and pick and choose the best parts of various solutions. There is no fiscal analysis, and no economic impact analysis.

Can most people really believe that such complex issues as healthcare, solid waste disposal and education be solved through I&R? It is a simplistic way to solve complex problems. It is a take it or leave it form of government that pits groups in society against each other in a winner take all confrontation. It transforms decision-making on complicated issues into campaigns where slogans, bumper stickers and slick advertising campaigns prevail over reasoned and rational debate.

I&R is also an instrument with tremendous negative potential. It can and has been used to give groups great advantage—majority over minority, North vs. South etc. We saw in 1992 the divisive effects in Colorado over a gay rights initiative.

Contrary to the notion that I&R provides power to the typical voter, it actually makes the lawmaking process so costly that only those with money and access to media can get their initiatives on the ballot. It gives tremendous power, therefore, to one issue groups that have the money and access to the media to get their issues on the ballot.

I&R was vigorously debated and soundly defeated in the Assembly last year and was defeated in the Senate in 1991. No state has adopted it in 21 years and only five states have adopted it since 1918. For all the reasons cited above, we urge you to reject I&R. It is simply a bad idea!

New Jersey State Library



NEW JERSEY STATE FEDERATION OF SPORTSMEN'S CLUBS, INC

State Affiliate of National Wildlife Federation / Organized May 24, 1935 / Serving over 150,000 Members
President - George P. Howard / RD # 1 Box 193 / Pittstown, NJ 08867 / 908-735-5046

POSITION STATEMENT OF THE NEW JERSEY STATE FEDERATION
OF SPORTSMEN'S CLUBS RELATIVE TO INITIATIVE AND REFERENDUM
LEGISLATION IN NEW JERSEY
PUBLIC HEARING - STATE HOUSE, TRENTON - JUNE 17, 1992

My name is George Howard. I am a resident of Pittstown in Hunterdon County and am testifying today as president of the 150,000 member New Jersey State Federation of Sportsmen's Clubs. The Federation has long been on record in opposition to Initiative and Referendum legislation for New Jersey.

The potential for abuse of I&R is substantial and the system practically guarantees the abuse of minority interests by well funded special interest groups. The experience in other states is that I&R is most often used to by-pass the legislative process to get self-serving single issues passed. I&R allows the majority to tyrannize the minority and eliminates the checks and balances inherent in our present system of government. With the elimination of checks and balances, including hearings and amendments, there is no opportunity for reasoned deliberation, debate, compromise or consensus building.

One only has to look to California and Arizona to see the disastrous effects of I&R on the citizens of those states. The millions of dollars now being spent by well financed, special interest groups to foster legislation beneficial to their beliefs, have forced the expenditure of additional millions to counter ill conceived and self-serving interests. I&R has fostered voter apathy, confusion and cynicism in California where some initiatives are being enacted by less than 20% of California's eligible voters. No California initiative has ever received the approval of a majority of California adults. In the 1988 election, voters in San Francisco had to face the ridiculous situation of voting on 57 separate initiative measures, and the 1990 California general election ballot title, short summary and analysis of initiatives, ran to 222 pages.

As sportsmen, we have seen the I&R process being used by animal rights and anti-hunting zealots in Arizona to place Proposition 200 on the ballot which could result in the prohibition of all hunting, fishing and trapping in that state. Millions of dollars are now being raised by wildlife, hunting and conservation groups all over the country to fight this initiative. These are sorely needed monies which would have otherwise been used for wildlife conservation measures.

The concept of using I&R as a method to halt legitimate hunting, fishing and trapping programs as well as all use and management of our wildlife is spreading, and animal rights factions are now using the same strategy in Colorado. Under Colorado I&R, residents may also have the opportunity to override existing game codes and vote on whether the state may conduct traditional hunting and fishing seasons.

The enactment of I&R will force groups such as the New Jersey Sportsmen's Federation to spend much needed and presently non-existent conservation dollars fighting special interest, self-serving I&R legislation to the benefit of no one. In other states, I&R forces groups like ours to raise and spend millions of dollars just to have their position heard by the public.

We recognize I&R not as the voice of the people but the voice of special interest groups with money, and in order to preserve the voice we presently have and the voice guaranteed us by the Constitution, we respectfully request the I&R legislation not be enacted in New Jersey.

Respectfully submitted,



George P. Howard

New Jersey Catholic Conference

211 North Warren Street • Trenton, New Jersey 08618-4894
(609) 599-2110

Most Rev. Theodore E. McCarrick
Archbishop of Newark
President

William F. Bolan, Jr., Esq.
Executive Director

March 23, 1993

TO: Members, Senate Judiciary Committee
FROM: Regina Purcell
Associate Director for Social Concerns
RE: Initiative and Referendum

The New Jersey Catholic Conference is opposed to initiative and referendum (I&R). The Catholic Conference is the public policy arm of the State's Catholic Bishops.

We are opposed to I&R for the following reasons. I&R will eliminate the serious debate over public policy issues because of its reliance on simplistic campaign advertising or 30-second television sound bytes. We believe that every proposal, policy, or political platform should be measured by how it advances the common good. Such thoughtful and measured deliberation takes place in the legislative process, not through campaign advertising.

Simplistic policy making through I&R is potentially destructive to social justice and human rights. Initiatives are often designed to appeal to the prejudices of the public or their frustrations and fears. They not only can inflict devastating hardship on the poor and vulnerable but can inflame the divisions that already scar our society. In 1992, in California, initiatives were put on the ballot to legalize physician-assisted suicide for terminally-ill patients, to repeal all aid to pregnant women, to freeze grants to mothers on Aid to Families with Dependent Children (AFDC) if they have more children, and to eliminate cost of living adjustments for the aged, blind and disabled recipients of Social Security Income. Formulating public policy on these serious issues without the benefit of thoughtful public debate through the legislative process is dangerous to our society.

*Representing the Archdiocese of Newark, Diocese of Camden, Diocese of Metuchen,
Diocese of Paterson, Diocese of Trenton and Byzantine Catholic Diocese of Passaic*

We are concerned that I&R will hinder public participation in the political arena because it has developed into a sophisticated and costly process. The level of expenditures in conducting initiative campaigns is enormous and is far too costly for the average citizen. In California, for example, more money was spent in the 1988 initiative contests (over \$129 million) than was spent in the presidential election that year. The costs of an initiative campaign in New Jersey would be especially high due to the necessity of using two very expensive media markets in Philadelphia and New York. This would prevent the poor and vulnerable without financial resources from waging a fight against an initiative which adversely affects them. In addition, the fact that initiative campaigns can and do hire professional signature gatherers for the necessary petitions is an affront to genuine pluralism in the making of public policy.

We stress here what has already been emphasized by the U.S. Catholic Bishops -- that we need more, not less, participation in electoral politics, in broader issue advocacy, legislative networks and community organizations which give necessary vitality and substance to public life. As citizens, we are all called to become informed, active, and responsible participants in the political process.

We urge all citizens to examine their responsibilities; to register and vote; to analyze issues and to join with others in advocating for important values. We can reinvigorate our political processes and help make them genuine opportunities for informed debate and decisions about the future. This is more difficult and challenging for each of us as citizens than the alternative of relying on the simplistic, empty, and potentially polarizing tactics of I&R. But it is necessary if we are to strengthen public life and build a better society.



NEW JERSEY BUSINESS & INDUSTRY ASSOCIATION

**Statement of
New Jersey Business and Industry Association
to the
Senate Judiciary Committee
on
Initiative and Referendum
March 23, 1993**

The New Jersey Business and Industry Association is opposed to the introduction of an initiative and referendum process into the New Jersey Constitution. Experience in states with initiative and referendum has demonstrated that the process frequently compels businesses to launch costly defenses against unbalanced and economically unsound proposals.

DENIAL OF ACCESS

The initiative process is misrepresented as a means of increasing public involvement in lawmaking. In fact, as THE ECONOMIST recently observed, ballot initiatives "have been turned into the plaything of special interests." Average voters (who learn of an initiative proposal only after it begins to circulate) receive nothing but a "take-it-or-leave-it" choice in exchange for surrendering the opportunities for meaningful input available within the legislative process.

It is far easier for a group with a sound, fair and reasonable proposal to persuade legislators to introduce a bill than to obtain the number of signatures required to submit an initiative proposal. Yet, I&R is the weapon of choice for groups with extremist agendas because those whom they target with their rigid, uncompromising proposals are stripped of any meaningful input or chance of accommodation. Compromise is out of the question. Once a petition circulates, not even its sponsors can correct or amend it. Nor is the Legislature in a strong position to negotiate compromise and improvements. The Legislature would have only the limited choice of enacting the law proposed by petition or a "substantially equivalent" law.

HIGH COST OF DEFENSE

The volume of ballot questions in New Jersey could exceed that in California because Garden State petitioners would have at least 12 months to gather signatures (compared to five months in California) within a state six times more densely populated. In California, initiative spending peaked at \$127 million in 1988. California businesses have been forced to spend enormous amounts when threatened, providing 83 percent of funds spent on the 18 highest spending initiatives and providing two-thirds of the \$110 million spent in 1990. The high cost of reaching New Jersey voters would divert needed funds from capital investment and research.

BADLY DRAFTED LAWS

In its 1992 report on initiatives, the California Commission on Campaign Financing concluded: "Initiatives are too often ambiguous, vague, overreaching, under-inclusive, contradictory and even unconstitutional." California's courts have had to invalidate all or portions of four of every 10 initiatives adopted since 1964.

The I&R process produces unbalanced, incompetently drafted laws because it bypasses every safeguard, check and balance in the legislative system—drafting by professionals; analysis by partisan and non-partisan legislative staffs; review by knowledgeable, specialized committees; open public hearings; floor debate; and multiple opportunities to amend and redesign a proposal. Without such safeguards, there is no possibility that laws will be developed which interrelate well with other public policies and are sensitive to New Jersey's diverse population.

CONFRONTATION AND DIVISION

I&R is to our constitutional system of lawmaking what war is to negotiation. New Jersey's Constitution prescribes a system of lawmaking deliberately designed to make it difficult to enact laws except through consensus-building and compromise. Obtaining majority approval in each house of a bicameral Legislature and approval by the Governor, necessitates the balancing of diverse interests. In comparison, an initiative represents only one group's thinking and could be adopted by far less than a majority of those voting in a general election.

I&R is a confrontational system which permits a majority to dominate or ignore a minority (including business). Lawmaking by such means invites alienation and is unlikely to develop public policies which serve the whole society.

LOSS OF ACCOUNTABILITY

Truth is one of the first victims in an initiative campaign. The California Commission on Campaign Financing concluded that "media campaigns disseminate incorrect and deceptive information," "ballot pamphlets often fail to communicate information accurately and concisely," and "high-spending, one-sided campaigns dominate and distort the electoral process." Although California voters receive a ballot pamphlet, the 222-page November 1990, pamphlet would have taken an average voter 10 hours to read (excluding the actual initiative texts). Most voters are almost entirely dependent on emotional, simplistic and misleading television and radio spots.

When ballot questions are decided, those who produced deceptive and flawed laws fade from the scene. There is no one to hold accountable.

LESS RESPONSIVE GOVERNMENT

For all of the glowing promises of I&R proponents, citizens in I&R states, including California, are no more satisfied with politics and government in their states, nor have they found better solutions to their societal or fiscal woes.

Legislatures in I&R states can and do sidestep important decisions, leaving these to the initiative industry and its clients. "Initiative industry" is a fitting term for the army of political consultants, pollsters, advertising specialists and signature gathering firms who design proposals, seek out clients, and sell proposed laws like laundry soaps. In California, more money is spent lobbying the public on initiatives than is spent lobbying State government. Volunteer signature gatherers have given way to legions of expensive paid circulators. So powerful has the industry become that it operates outside of the checks and balances and consensus-building processes of the Legislature to serve as a major source of public policy. By no stretch of the imagination can this system—dominated by big money and special interest groups—be called more responsive or responsible than the legislative lawmaking system in New Jersey.



Beer Wholesalers' Association Of New Jersey

941 WHITEHORSE-MERCERVILLE ROAD • TRENTON, NJ 08610-1497

PHONE: (609) 585-5900 • FAX: (609) 585-5903

Robert J. Pinard, Esq.
Executive Director

Testimony of the Beer Wholesalers' Association Before the Senate Judiciary Committee On March 23, 1993 At the Rutherford Borough Hall, 176 Park Avenue, Rutherford, NJ Opposing Initiative & Referendum

Those of us in the beer wholesaling business recognize that our business is particularly affected with a public interest because of the product we sell. No State, Federal or civic agency spends more money attempting to instill the values of responsible use of our product at all times by persons of legal drinking age, than beer wholesalers and their suppliers. However, the industry is viewed negatively by certain vocal segments of society, and the product or the billions of dollars in taxes extracted from its sale, are incorrectly labeled in a pejorative sense as a "sin" product or "sin taxes". Alcoholic beverage activity is legal and not immoral. It contributes to the fabric of our society in numerous religious and celebratory events.

Yet our industry is bombarded every day with biased and slanted claims the our product is unhealthy, immoral and a killer. No medical expert will opine that alcohol in moderation for a non-pregnant person is harmful. Our product is not immoral under most religious tenets. Our product doesn't kill. Irrational and inappropriate behaviors cause injury and death, as can hundreds of different forms of negligent or intentional behaviors, ranging from inappropriate supervision of minor children to reckless and wanton criminal activity. Society must stop seeking scapegoats to guise the individuals failure to assume responsibility and accountability.

With National Prohibition as a historical marker, our industry views Initiative and Referendum as a veiled opportunity to foster the disguised agenda of the neoprohibitionists who seek, not good government or a real

meaningful national alcohol policy, but rather, a return to abolition or piecemeal destruction of our industry through regressive tax increases and even more industry regulation.

Initiative and Referendum is a tool for focused, vocal, myopic issue resolution and has not worked in other States. It subverts the deliberative legislative process and precludes, not only meaningful discussion, but it renders necessary revision and compromise on issues impossible. We are a government of representative democracy. We choose through the public election process our governmental representatives to sit in Trenton for very short cycles. We expect, and you have, addressed this responsibility as a representative with unbelievable dedication and sacrifice of your time and talents. As legislators, your ability to see the "forest from the trees" is critical. When you address an issue, your scope is all inclusive and broad based. This is so because of the invariable multifaceted impacts that will flow from resolving supposedly one issue. This thoughtful global view cannot and should not be replaced by a simplistic, sometimes viscerally motivated, question on a ballot worded and slanted to a shortsighted "cure". A "cure" that can be worse than the alleged "illness".

Initiative and Referendum is not good government. The ability to chart the course for New Jersey is not a simply task. It mandates professional treatment from 120 dedicated men and women who choose to expose themselves to difficult issues and resolve them in the best interests of 7,000,000 + residents. Legislators are the check and balance on the other branches of government. It reviews, deliberates, mediates, engages in fact findings, studies and proposes comprehensive, well thought out solutions.

Initiative and Referendum is a major structural modification of how we deal with complex issues. It eliminates all of the checks and balances that are critical components of decision making in the Legislative and Executive Branches. It can also hamstring the Judiciary in addressing longstanding and emerging views of the Constitutional principles upon which this Nation was founded. It relegate public policy to a "beauty pageant" type of voting concept. Whose public relations campaign can most trigger an emotional reaction. It will promote a "knee-jerk" philosophy in attempting to deal with society's concerns and will subordinate meaningful discussion on the merits of an issue to "sound bites" on radio and TV, and biased newsprint advertisements from both sides on an issue.

The genesis for the Initiative and Referendum movement in New Jersey clearly demonstrates that negative, reactive retaliation will be the cornerstone of its utilization. Our system of government and its mechanism for problem resolution works. The delegation of trust in our representative form of government to elected officials works every day in Trenton and the local legislative districts. Initiative and Referendum is a selective, parttime panacea that will not work. The citizens of New Jersey have, and have always had, the ability to express to their legislators their concerns and feelings. Well developed concepts will always be assessed and implemented through the full and complete legislative process. Initiative and Referendum is an abdication of that basic principle of government and should not be adopted

I thank you for this opportunity to express the position of the Beer Wholesalers' Association of New Jersey on this issue.

N. J. Business and Industry

Has Your Business Suffered? N
Are High Taxes Killing You? N
Do You Feel Politicians
Really Represent You? N
Is Your Insurance Too High N



Are You Getting More State / Local
Services Now Than 5 Yrs. Ago ? N
Do You Want Better Govt? N
Do You Want To Control
Govt. Spending ? N

For Initiative and Referendum

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Please help us in our fight. No one can force I & R on the people of N.J., and no one should have the right to stop the people from enjoying I & R. Help us get a workable I & R question on the ballot this November so the people of N.J. can decide this very important issue.

We only ask for your support. If you can afford a donation to help defray expenses fine, but it's not necessary. Just fill out below and mail in. No other solicitations will follow. We support the N.J. Tax and Civic Organizations Coalition for I & R.

Name: *Jim Amato*
signature

Title: *Manager*

Company Name: MADISON AUTO SUPPLY
Address: 112 RT 18 OLD BRIDGE NJ
County: MIDDLESEX

Please mail to : N.J. Business and Industry for I & R
151 Hwy. 516 Old Bridge, N.J. 08857

Please attach Business Card or Letterhead if possible
Please make 10 copies and give to other businesses in your area.

N. J. Business and Industry

Has Your Business Suffered Y N

Are High Taxes Killing You? Y N

Do You Feel Politicians

Really Represent You? Y N

Is Your Insurance Too High Y N



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Name: William R. Pusey Title: PRESIDENT
signature

Company Name: ELECTROCAD
Address: ONE EXECUTIVE DRIVE SUITE 290 SOMERSET NJ 08873
County: SOMERSET

Please mail to : N.J. Business and Industry for I & R
151 Hwy. 516 Old Bridge, N.J. 08857

Please attach Business Card or Letterhead if possible
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Name: _____

Thomas J. Talbot
signature

Title: owner

Company Name:

Address:

County:

THOMAS J. TALBOT INSURANCE
79 Route 516 Old Bridge, NJ 08857

Please mail to : N.J. Business and Industry for I & R
151 Hwy. 516 Old Bridge, N.J. 08857

Please attach Business Card or Letterhead if possible.
Please make 10 copies and give to other businesses in your area.

N. J. Business and Industry

Has Your Business Suffered? Y N
 Are High Taxes Killing You? Y N
 Do You Feel Politicians Really Represent You? Y N
 Is Your Insurance Too High? Y N



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LEONARDS HURRY BACK INN

Name: *[Signature]*
signature

Title: *owner*

Company Name: *Henny Back Inn*
 Address: *310 Clockwork Rd.*
 County: *Mercon* (TRENTON)

Please mail to : N.J. Business and Industry for I & R
 151 Hwy. 516 Old Bridge, N.J. 08857

Please attach Business Card or Letterhead if possible
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Name: *Donald H. P.* Title: *owner*
signature

Company Name: *The Book Tree*
Address: *Village Square* *New Providence NJ*
County: *Union*

Please mail to : N.J. Business and Industry for I & R
151 Hwy. 516 Old Bridge, N.J. 08857

Please attach Business Card or Letterhead if possible
Please make 10 copies and give to other businesses in your area.

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Name: Raymond Petrock
signature

Title: PROJECT ENGINEER

Company Name:

Address:

County: HUNDEBTON

Please mail to : N.J. Business and Industry for I & R
151 Hwy. 516 Old Bridge, N.J. 08857

Please attach Business Card or Letterhead if possible

Please make 10 copies and give to other businesses in your area.

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Name: *J.P. Nicholson* Title: *Owner*
signature

Company Name: *N.J. LTD*
Address: *P.O. Box 1, Rocky Hill, NJ 08553*
County: *SOMERSET*

Please mail to : N.J. Business and Industry for I & R
151 Hwy. 516 Old Bridge, N.J. 08857

Please attach Business Card or Letterhead if possible
Please make 10 copies and give to other businesses in your area.

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Name: George Sypas Title: owner/operator
signature

Company Name: Sipos Bakery
Address: 365 Smith St. P.A. NJ 08861
County: Middlesex

Please mail to : N.J. Business and Industry for I & R
151 Hwy. 516 Old Bridge, N.J. 08857

Please attach Business Card or Letterhead if possible
Please make 10 copies and give to other businesses in your area.

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Name: May J. Gule, Pres. Title: PRESIDENT
signature

Company Name: VIDEO PLAYBACK S/D, INC.
Address: 1253 SPRINGFIELD AVE, NEW PROVIDENCE NJ 07974
County: UNION

Please mail to : N.J. Business and Industry for I & R
151 Hwy. 516 Old Bridge, N.J. 08857

Please attach Business Card or Letterhead if possible
Please make 10 copies and give to other businesses in your area.

N. J. Business and Industry

Has Your Business Suffered ? Y N
Are High Taxes Killing You? Y N
Do You Feel Politicians
Really Represent You? Y N
Is Your Insurance Too High Y N



Are You Getting More State / Local
Services Now Than 5 Yrs. Ago ? Y N
Do You Want Better Govt? Y N
Do You Want To Control
Govt. Spending ? Y N

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Name: _____

Anthony P. DiMuro
signature

Title: _____

Owner

Company Name: *DiMuro's Golf*
Address: *200 Rt 9 Howell N.J. 07731*
County: *Monmouth*

Please mail to : N.J. Business and Industry for I & R
151 Hwy. 516 Old Bridge, N.J. 08857

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Name: FRANK L. BARBER Title: Pres
Signature

Company Name: HUB SIGN CO.
Address: 151 RT 516
County: OLD BRIDGE N.J. 08857
908 254 6111

Please mail to : N.J. Business and Industry for I & R
151 Hwy. 516 Old Bridge, N.J. 08857

Please attach Business Card or Letterhead if possible
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N. J. Business and Industry

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Do You Want To Control

Govt. Spending ? Y

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Name: _____

[Handwritten Signature]

signature

Title: _____

Sales Representative

Company Name: *INTRA FILTRATION*
Address: *105 OLD MATAWAN RD. / OLD BRIDGE, NJ*
County: *MIDDLESEX*

Please mail to : N.J. Business and Industry for I & R
151 Hwy. 516 Old Bridge, N.J. 08857

Please attach Business Card or Letterhead if possible
Please make 10 copies and give to other businesses in your area.

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Name: _____


signature

Title: OWNER _____

Company Name: VILLAGE CORNER DELI

Address: 159 - MAIN ST

County: EAST BRUNSWICK 08856

Please mail to : N.J. Business and Industry for I & R
151 Hwy. 516 Old Bridge, N.J. 08857

Please attach Business Card or Letterhead if possible
Please make 10 copies and give to other businesses in your area.

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Name: _____



signature

Title: _____

Bus

Company Name:

Address:

County:

CHIP CHOP SHOP
32 Old Matawan Road
Old Bridge, NJ 08857
(908) 238-7888

Please mail to : N.J. Business and Industry for I & R
151 Hwy. 516 Old Bridge, N.J. 08857

Please attach Business Card or Letterhead if possible

Please make 10 copies and give to other businesses in your area.

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Name: C. A. Haverly Title: Pres.
signature

Company Name: HAVERLY SYSTEMS INC
Address:
County:

Please mail to : N.J. Business and Industry for I & R
151 Hwy. 516 Old Bridge, N.J. 08857

Please attach Business Card or Letterhead if possible
Please make 10 copies and give to other businesses in your area.

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Name: _____

signature

Title: OWNER

Company Name:

Address:

County:

DAVE'S AUTOMOTIVE
27 BORDENTOWN AVENUE
OLD BRIDGE, N.J. 08857

Please mail to : N.J. Business and Industry for I & R
151 Hwy. 516 Old Bridge, N.J. 08857

Please attach Business Card or Letterhead if possible

Please make 10 copies and give to other businesses in your area.

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Name:

Antonette Asabella
signature

Title:

Clerk Typist

Company Name:

INDUPOL FILTRATION ASSOCIATES

Address:

105 OLD MATAWAN RD. / SUITE 2C

County:

OLD BRIDGE, NJ 08857

Please mail to : N.J. Business and Industry for I & R
151 Hwy. 516 Old Bridge, N.J. 08857

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Name: *[Signature]*
signature

Title: *OWNER*

Company Name: *CUSTOM TRENDS*
Address: *EDWARDS INDUSTRIAL CENTER LLOYD RD MATRAWAN*
County: *MONMOUTH*

Please mail to : N.J. Business and Industry for I & R
151 Hwy. 516 Old Bridge, N.J. 08857

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Name: *George J. ...* Title: *Pres.*
signature

Company Name: *Geo. Bee Lawn Mower Service Inc.*
Address: *Sales & Service*
County: *Wfield.* *16 Old Matamoras Rd.*
Old Bridge, NJ 08857

Please mail to : N.J. Business and Industry for I & R
151 Hwy. 516 Old Bridge, N.J. 08857
257-2688

Please attach Business Card or Letterhead if possible
Please make 10 copies and give to other businesses in your area.

