

SENATE, No. 448

STATE OF NEW JERSEY

INTRODUCED JULY 14, 1941

By Mr. HENDRICKSON

(Without Reference)

AN ACT to amend an act entitled "An act to provide for examinations and investigations of any officer, department, board, bureau or commission of the State," approved March fourteenth, one thousand nine hundred and forty-one.

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

1 1. The Governor is authorized at any time, either in person or by one
2 or more persons appointed by him for the purpose, to examine and inves-
3 tigate the management by any State officer of the affairs of any department,
4 board, bureau or commission of the State and to examine and investigate the
5 management and affairs of any department, board, bureau or commission of
6 the State. The Governor and the persons so appointed by him are empow-
7 ered to subpoena and enforce the attendance of witnesses, to administer oaths
8 and examine witnesses under oath and to require the production of any books
9 or papers deemed relevant or material. Whenever any person so appointed
10 shall not be regularly in the service of the State his compensation for such
11 services shall be fixed by the Governor, and said compensation and all neces-
12 sary expenses of such examinations and investigations shall be paid from
13 the treasury out of any appropriations made for the purpose upon the order
14 of the Governor. Whenever any person shall be examined by the Governor
15 or by his duly authorized representative or representatives under the powers

16 contained in this act, either publicly or privately, the officer, department,
17 board, bureau, commission or individual under investigation or scrutiny may
18 through his or its authorized representative or representatives cross-examine
19 any such person on any phase of the matter concerning which he has been
20 examined or questioned, and such officer, department, board, bureau, com-
21 mission or individual may introduce other witnesses and other evidence to
22 explain, enlarge upon, or clarify the matter, situation or condition under
23 investigation or scrutiny to the end that the full details of any such mat-
24 ter, situation or condition may be developed and presented at one and the
25 same time.

1 2. This act shall take effect immediately.

STATEMENT

At the very first hearing held under the provisions of this act, the investi-
gator showed clearly that it was his purpose to conduct star chamber proceed-
ings. It is fundamental in a democratic government that any department or
board under investigation should have the right to explain or clarify any matter
developed before an investigator. This act seeks to accomplish that purpose.

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11 services shall be fixed by the Governor, and said compensation and all neces-
12 sary expenses of such examinations and investigations shall be paid from
13 the treasury out of any appropriations made for the purpose upon the order
14 of the Governor. Investigations and examinations may be made privately
15 or publicly, but it shall be unlawful for any person to divulge the results of

16 any investigation or examination to any person or persons other than the
17 Governor, unless a public hearing shall have first been held. Whenever any
18 person shall be examined by the Governor or by his duly authorized
19 representative or representatives under the powers contained in this act at
20 a public hearing, the officer, department, board, bureau, commission or indi-
21 vidual under investigation or scrutiny may through his or its authorized
22 representative or representatives cross-examine any such person on any
23 phase of the matter concerning which he has been examined or questioned,
24 and such officer, department, board, bureau, commission or individual may
25 introduce other witnesses and other evidence to explain, enlarge upon, or
26 clarify the matter, situation or condition under investigation or scrutiny to
27 the end that the full details of any such matter, situation or condition may be
28 developed and presented at one and the same time.

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NOTATIONS

S 431 Stanger June 19—(Without Reference) Permits freight cars to be attached in rear of passenger cars on trains carrying military or naval personnel and equipment or in the operation of railroads under orders of War Department, Navy Department or Governor.

July 28—Passed in Senate, amended.
July 28—Received in Assembly.
Dec. 22—Read second time.
Dec. 22—Lost in Assembly.

S 432 Stanger June 23 — Appropriates \$50,000 for 1941-42 school year to organize citizenship classes for foreign born residents.

July 21—Passed in Senate.
July 28—Received in Assembly.
July 28—Appropriations Com.

S 433 Bowers June 23—(Without Reference) Prescribes official salute and pledge of allegiance to United States Flag.

June 23—Passed in Senate.
June 23—Received in Assembly.
June 23—Defense Com.
June 30—Reported with com. amend's.
June 30—Read second time.

S 434 Bowers June 23—(Without Reference) Requires public school pupils to salute United States Flag with new official salute prescribed by law.

June 23—Passed in Senate.
June 23—Received in Assembly.
June 23—Judiciary Com.
June 30—Reported with com. amend's.
June 30—Read second time.

S 435 Driscoll June 23—(Without Reference) Prohibits Court of Errors and Appeals Judges to practice law.

June 23—Passed in Senate.
June 30—Passed in Assembly.
July 21—Approved, Chapter 282.

S 436 Stanger and Zink June 30 — Requires all counties not now equipped with voting machines to secure such equipment; fixes dates by which various classifications of counties shall have adopted such devices; provides State House Commission procure such machines for counties failing to do so.

June 30—Elections Com.
July 14—Reported.
July 14—Read second time.
July 28—Amended.
July 28—Laid over.

S 437 Hendrickson June 30 — Permits members of State Employees' Retirement System to borrow up to 50 per cent of accumulated contributions.

June 30—Judiciary Com.

S 438 Stanger June 30 — Appropriates \$130,164.60 to Department of Institutions and Agencies to pay certain counties for State's share of cost of maintaining mental and tubercular patients in county institutions during fiscal year 1940-1941.

July 14—Passed in Senate.
July 28—Received in Assembly.

S 439 Hendrickson June 30 — (Without Reference) Provides that persons holding State, county, municipal or school employment entering, with Governor's approval, governmental agencies concerned with State or National Defense be granted leaves of absence for such defense service in the same manner as persons entering military service.

June 30—Passed in Senate.
July 28—Received in Assembly.

S 440 Proctor June 30—Vests in Joseph F. Worth, administrator of estate of Harry R. Candelet, title to property in Upper Freehold Township, Monmouth County, in which State is alleged to have interest.

July 28—Passed in Senate.
Nov. 13—Received in Assembly.
Dec. 22—Read second time.
Dec. 22—Passed in Assembly.
Dec. 23—Delivered to Governor.

S 441 Wilensky June 30—Requires officials of county criminal judicial district being abolished to turn records over to district with which abolished district is being merged.

June 30—Judiciary Com.

S 442 Farley June 30—(Without Reference) Stabilizes compensation received by members of State Police Department; provides total increase of \$840 over nine year period.

June 30—Passed in Senate.
July 14—Passed in Assembly.
July 21—Approved, Chapter 283.

NOTATIONS

S 443 Foran June 23 — Extends present Milk Control Act for one month; appropriates \$10,000; extends all licenses under Milk Control act.

June 23—Passed in Senate.
June 30—Passed in Assembly.
July 3—Filed in State Library.

S 444 Hendrickson June 23 — (Without Reference) Forbids physical connections between approved public potable water supplies and unapproved supplies unless permit is obtained from State Health Department; regulates such connections.

June 30—Passed in Senate.
June 30—Received in Assembly.
June 30—Public Health Com.
July 14—Reported.
July 14—Read second time.

S 445 Bowers July 14 — Appropriates \$50,000 to Governor for investigation of State Highway Department.

July 14—Appropriations Com.

S 446 Farley July 14—Exempts all motor boats from gasoline tax.

July 14—Taxation Com.

S 447 Bowers July 14—(Without Reference) Validates incorporations and acts of rural cemetery associations where such associations have acquired lands in a county other than that where incorporation is recorded or other than in an adjoining county.

July 14—Passed in Senate.
July 28—Passed in Assembly, amended.
July 28—Assemb. amend. passed in Sen.
Aug. 7—Approved, Chapter 362.

S 448 Hendrickson July 14 — (Without Reference) Provides that in investigations of State departments by Governor such departments shall have cross-examination right of persons questioned.

July 21—Passed in Senate, amended.
July 28—Passed in Assembly.
July 31—Approved, Chapter 315.

S 449 Hendrickson July 14 — (Without Reference) Amends section 48:12-13, Revised Statutes, to clarify powers of railroads under charters granted in accordance with general corporation act or under special charters.

July 28—Passed in Senate.
Nov. 13—Received in Assembly.
Dec. 22—Read second time.
Dec. 22—Passed in Assembly.
Dec. 23—Delivered to Governor.

S 450 Mathis July 14—(Without Reference) Appropriates \$30,000 to Board of Commerce and Navigation to build anchorage near Manasquan Inlet.

July 14—Read second time.
July 14—Laid over.

S 451 Driscoll July 14—(Without Reference) Provides that Judges of Criminal Judicial Courts be appointed by Governor with Senate consent and serve until successors are appointed.

July 21—Passed in Senate.
July 28—Lost in Assembly.

S 452 Driscoll July 14—(Without Reference) Fixes seven year terms for Advisory Masters; forbids them to practice before courts.

July 21—Passed in Senate.
July 21—Passed in Assembly.
July 28—Approved, Chapter 307.

S 453 Driscoll July 14—(Without Reference) Rectifies technical defects in Unemployment Compensation Act relative to provisions covering employers' experience ratings.

July 21—Passed in Senate, amended.
Dec. 8—Passed in Assembly.
Dec. 23—Approved, Chapter 388.

S 454 Stanger and Zink July 14—Directs State Treasurer to transfer \$500,000 from motor fuel tax to general State fund.

July 21—Passed in Senate.
July 28—Received in Assembly.

S 455 Proctor July 21—(Without Reference) Exempts boxing and wrestling matches conducted under auspices of U.S.O. from the provisions of Title 5, Chapter 2 of the Revised Statutes, which provides for regulation of athletic contests by State Boxing Commissioner.

July 21—Passed in Senate.
July 28—Received in Assembly.
July 28—Judiciary Com.
Dec. 8—Reported.
Dec. 8—Read second time.