

33:1-47.1

LEGISLATIVE HISTORY CHECKLIST

NJSA 33:1-47.1 (Petitions for referenda, frequency of referenda)

Laws of 1949 Chapter 296

Bill No. A378

Sponsor(s) Salsburg

Date Introduced March 7, 1949

Committee: Assembly Alcoholic Beverage Control

Senate -

Amended during passage Yes No Amended in accordance with Governor's recommendations

Date of passage: Assembly June 6

Senate June 9

Date of approval June 14, 1949

Following statements are attached if available:

Sponsor statement Yes No

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto message Yes No Gov. Driscoll's veto messages, p.131-133 enclosed

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

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STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
May 31, 1949.

ASSEMBLY BILL No. 378

To the General Assembly:

I am returning herewith, for reconsideration and with my objections, Assembly Bill No. 378.

This bill would:

1. Amend the five local option sections of our Alcoholic Beverage Law so as to change from 15% to 30% the number of qualified electors' signatures required on petition for referendum.

2. Amend the five local option sections so as to change from three years to five years the prescribed interval between referenda, in the municipality, on *the same Public Question*.

3. Supplement the five local option sections (section 6 of the bill) so as to provide that where a referendum shall have been had in a municipality pursuant to one of the five sections, no referendum shall be had in the municipality *under any other of the five sections* until five years thereafter.

The proposals constitute a two-edged sword that may be wielded, dependent upon the circumstances, by those who are either for or against the sale of alcoholic beverages.

The bill's proposal to change from 15% to 30% the number of qualified electors' signatures required on a referendum petition, appears to me to be objectionable. A 30% requirement, to all intents and purposes, would prevent alcoholic beverage referenda in many of our municipalities. The referenda provisions of Title 33 have served a useful purpose, and by and large worked reasonably well. They should not be substantially repealed by indirection.

I am not in favor of the provisions of section 6 of the bill providing that where a referendum shall have been held under one of the five local option provisions of Title 33, no referendum shall be held until five years thereafter under any of the four other local option provisions. Such

a provision might have disastrous consequences for our licensees, where the citizens of a municipality, having adopted one referendum desire to reconsider, in part, within the five-year period, by the adoption of a referendum under perhaps another section of the bill. For example, in a municipality where a referendum was held at the last general election, under R. S. 33:1-47 ("Shall the sale of alcoholic beverages be permitted on Sundays in this municipality?"), should a referendum be barred for five years under R. S. 33:1-47.1 ("Shall sales of alcoholic beverages be permitted during designated hours on Sundays?"). In my judgment, the prohibition is unwise and contrary to the spirit and general intent of our Alcoholic Beverage Law.

I have no objection to increasing from three to five years the prescribed interval between referenda in the municipality on the same public question.

Accordingly, I return herewith Assembly Bill No. 378 for reconsideration, with the recommendation that the following amendments be made in the bill (Official Copy Reprint):

On page 1, in section 1, line 2, delete the word "thirty" and insert in lieu thereof the word "fifteen".

On page 1, in section 1, line 3, delete "30%" and insert in lieu thereof "15%".

On page 3, in section 2, line 2, delete the word "thirty" and insert in lieu thereof the word "fifteen".

On page 3, in section 2, line 3, delete "30%" and insert in lieu thereof "15%".

On page 5, in section 3, line 3, delete the word "thirty" and insert in lieu thereof the word "fifteen".

On page 5, in section 3, line 4, delete "30%" and insert in lieu thereof "15%".

On page 7, in section 4, line 2, delete the word "thirty" and insert in lieu thereof the word "fifteen".

On page 7, in section 4, line 2½, delete "30%" and insert in lieu thereof "15%".

On page 8, in section 5, line 3, delete the word "thirty" and insert in lieu thereof the word "fifteen".

On page 8, in section 5, line 4, delete "30%" and insert in lieu thereof "15%".

On page 10, delete section 6 in its entirety.

On page 10, change the section number "7" to section number "6".

Respectfully,

ALFRED E. DRISCOLL,

Governor.

[SEAL]
Attest:

RANSFORD J. ABBOTT,

Secretary to the Governor.

STATE OF NEW JERSEY,
EXECUTIVE DEPARTMENT,
May 31, 1949. }

ASSEMBLY BILL No. 508

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 (b) of the State Constitution, I am returning herewith, for reconsideration and with my objections, Assembly Bill No. 508.

This bill would amend certain sections of Chapter 340 of the Laws of 1948, relating to hotel fire safety requirements.

One of the amendments contained in the bill would extend the time when existing hotels would be required to comply with the provisions of Chapter 340, from July 1, 1949, to January 1, 1950. Section 37 of Chapter 340 repeals Chapter One of Title 29, of the Revised Statutes, the statute containing the present hotel fire safety requirements. By present section 40 of Chapter 340 this repealer would take effect on July 1, 1949, provided that hotels which comply with the provisions of Chapter 340 prior to July 1, 1949, would not, between the date of compliance and July 1, 1949, be subject to the provisions of Chapter One of Title 29.

Thus, if this bill were approved, a possible six-month hiatus could occur during which the present hotel fire