

Governor Donald DiFrancesco Interview (August 17, 2022)

Edited by: Kristoffer Shields

Kristoffer Shields: Hello. My name is Kristoffer Shields. I'm an Assistant Research Professor at the Eagleton Institute of Politics and historian at the Eagleton Center on the American Governor. With me is John Weingart, the Associate Director of the Eagleton Institute of Politics and Director of the Center on the American Governor. And we are here today with a longtime former New Jersey assemblyman, senator, legislator and governor, Don DiFrancesco. More specifically, Governor DiFrancesco spent over 25 years in the New Jersey state legislature, mostly in the State Senate including ten years as the State Senate President. In 2001, he became the 51st governor of the State of New Jersey finishing Christine Todd Whitman's term. Governor DiFrancesco, welcome. It's terrific to have you here today.

Donald DiFrancesco: Pleasure to be with all of you.

Kristoffer Shields: We'll talk in a bit about your unusual role serving concurrently as state senate president and governor. But I thought we'd start by getting to know you a little bit. You were born and raised in New Jersey, left to go to [Rutgers' Big Ten rival] Penn State for college, which we will forgive for today.

Donald DiFrancesco: Right, right.

<laughter>

Kristoffer Shields: But then you came back to New Jersey to go to law school. So why don't you tell us a little bit about growing up in New Jersey and then especially about that decision to go to law school whether it was always your plan to be a lawyer or how that happened.

Donald DiFrancesco: Well, I was born in Scotch Plains actually, born in a house in Scotch Plains. Youngest of five and my parents were immigrants from the same town in Italy as were a lot of other locals in Scotch Plains from the same town, it just happened to be that's the way things worked out in those days. So I had lots of relatives in Scotch Plains and I went to the local schools, went to Catholic school until eighth grade and then Scotch Plains-Fanwood Public School. And applied to Penn State. A lot of my relatives were Rutgers people but I wanted to go out of state, so I went to Penn State and had a great time there. And while I was a senior my father encouraged me to think about law school and I applied. I was lucky

enough to get into Seton Hall at the time and commuted, lived at home and commuted. I got married during that time. Diane was a Penn State graduate but lived in Philadelphia. So we got married, actually, after my first year in law school, got an apartment, the usual thing. Got an apartment; she had a job. Had a child a couple of years later and another one after that. But I got out of law school, passed the bar and started working for Judge [Wilfred] Diana from Somerset County who was a judge at that time, later became the assignment judge. Actually, Judge Diana, Wilfred Diana, was a legislative aide to State Senator [Ray Bateman](#) at the time and the Chairman of the SCI [State Commission of Investigation]. Ray had made him Chairman of the SCI.

So I got a smattering of politics from that. And my uncle was the Mayor of Scotch Plains. So I got to know political people because of the couple of relatives that served locally—county committee stuff—but I was just a local lawyer, municipal prosecutor. And Watergate came about in '73 and '74—'73 in New Jersey and '74 in the rest of the country. And the State Assembly, I think they wound up with nine—I think nine people initially, I might be wrong. Maybe nine or thirteen after Watergate and the Senate had nine, too and then they went to thirteen. So it was a dramatic change for the Republican Party nationwide and particularly—and [Brendan Byrne](#) of course was successful in his 1973 race for governor, having beaten Charlie Sandman who beat our [Republican] incumbent governor, Governor Bill Cahill, in the primary. So we were working for Governor Cahill, all of a sudden Sandman, the conservative, beats him, and then gets killed by Brendan Byrne [in the general election] for a variety of reasons. And so a couple of years go by and the Republicans are trying to win seats back and I had never thought about this, but my local chair approached me and said, "Look, you're very popular in Scotch Plains. You're the hometown boy. We have to win this town. You should consider running for the assembly." And to make a long story short, I got the nomination. I was lucky enough to beat Betty Wilson [the incumbent Democrat who went on to be a top official in the Department of Environmental Protection and the Pinelands Commission], who probably should have won the election, but was in a territory that kind of went back to the Republican Party and I was successful. And once you're in it you can't get out, it seemed like. And so I won reelection again in '77.

Kristoffer Shields: So it was 1975 that you first ran?

Donald DiFrancesco: Seventy-five I was first elected, started serving January, '76. Income Tax passed in '76. So we were there all summer. Brendan was the governor. And in '77—by the way [Tom Kean](#) was the minority leader in the assembly at the time, so that's how our relationship started. And so in '77 Kean ran in the primary for governor, but lost to Ray Bateman and Ray then of course lost to Brendan—even though [some bumper stickers that year tried to tag him as] "one-term Byrne." It was not one-term Byrne—and Bateman lost to Brendan. And so I

served [in the assembly] for a couple of years and then Pete McDonough resigned from office in the middle of his term and I served the last two years of his term.

John Weingart: That's Pete McDonough, Sr.

Donald DiFrancesco: Pete McDonough, Sr., yes. He was a state senator for awhile and he survived Watergate by a few votes. And so he decided to quit. In a convention I was able to get the nomination and I won the election that year and went to the senate in '79 when there were 13 of us [Republicans]. And so Tom [Kean] then ran for governor the next time [in '81] and won and we went from 13 [Republicans out of 40 senators] to 18 with a new map—I was on the [redistricting] commission at that time. With a new map, we won a bunch of seats back and got it to be where it probably should have been, 21 [Democrats] to 18 [Republicans]. [Bill] Gormley came over, made it 21-19. Carmen Orechio was the senate president, John Russo was the senate majority leader.

And so I was the minority leader for three years and I had little kids; it was a very difficult job for me. I mean it sounds great, but you really don't have that much power. But I had a good relationship with the governor. So I got out after three years, I said, "I can't do this anymore. I have to devote more time to my practice and more time to my kids." And so the '80s went on in the minority, in the minority, and I thought about getting out at some point because I've been in the minority for a long time. And Jim Courter loses to [Jim Florio](#) [for governor in '89], and that was kind of the down part for me. I mean, I'd had it. I'd been there a long time, in the minority. And while I was still relatively young, I didn't view it that way. And so the next year, [Christine Whitman](#) almost beats Bill Bradley [for U.S. Senate]. Now, you're young, but Bradley was kind of my age, but he was an icon to me. I mean for us, Rhodes Scholar, Princeton, basketball, NBA. How could anybody come close to beating Bill Bradley? So we knew the following year, we would win. We would win. And with a new map we did win. We won 27 seats [in the state senate]; we didn't expect to win 27 seats. So because of Governor Florio, who I have a great deal of respect for and we are close friends, his desire and his people around him, with all of the things they did in the first year, that caused Christine Whitman to almost be able to beat Bill Bradley and it caused us to win the legislature the following year in both houses. And because I had been the minority leader, I went after it and I was lucky enough to be picked to be senate president and was there for ten years. And the tenth year, of course, Governor Whitman seemed to want to leave and President Bush, we talked about that, President Bush, we didn't know if he—we thought he lost.

John Weingart: That's President Bush, Jr.

Donald DiFrancesco: Yes, we went through both. And then George W., we thought he lost, but then he won. And I guess Governor Whitman was close to the Bushes, I mean through her father, she had tremendous contacts with the Bushes and the Eisenhowers. She wanted to leave and try to do something in Washington and I guess trusted me enough to know that I wouldn't go crazy that one year. And so she left right after the Super Bowl—the Giants were in the Super Bowl—like the next day and I was sworn in and served until the second Tuesday in January of 2002.

John Weingart: So New Jersey had this unusual provision that as the Senate President you would become Acting Governor if the Governor was not—

Donald DiFrancesco: Right.

John Weingart: Was that something you thought about in becoming senate president? "Some day I might be acting governor?" Or it wasn't on anyone's radar?

Donald DiFrancesco: No, we never dreamed that that would be a possibility.

John Weingart: And it really hadn't happened before.

Donald DiFrancesco: It hadn't happened since Woodrow Wilson.

John Weingart: Right.

Donald DiFrancesco: So no, we didn't think about it that way until that final year when we knew Governor Whitman was really interested in moving on. What I didn't realize was there was case law that said that you have to stay as president of senate. It was kind of weird. And I think the press corps thought it was really weird that now I would still be president of the senate and governor at the same time. They didn't like that and I could understand that. You're controlling two-thirds of the process. But on the other hand, that's what they said I had to do. I think after a month or so, people got used to it, so that issue kind of went by the wayside. But I remember before Governor Whitman actually resigned, President Bush was sworn in, in 2001. And when we went to Washington—she went as a cabinet officer, I went as the governor, even thought it was like a few days off. Governor [John] Engler (R) from Michigan came up to me and said, "You know, I was reading this article in the New York Times"—which I realized then that everybody reads the Sunday Times all over the country, at that time—he said, "You're president of the senate and you're Governor." He said, "Unbelievable." He said, "I wish I could control the senate." That told me that people are following this stuff and of course that theoretically makes you the most powerful state politician in the country by virtue of the fact you have both. So it was—you get used to it. For a couple of

weeks it was like a real high, I went, "Oh my god, this is unbelievable." But you get used to it. I guess you get used to the state troopers. You know, in the beginning it's like, "Oh my god, they're coming to my house every day and they're hanging around here." Well, you get used to that too. And it worked out well. I thought it worked out very well legislatively as well as governmentally. The one year went by very quickly, but it seemed like more than a year once we had the 9/11 issue. But in the beginning, the first January, February, March to April, I mean, I was in a running mode to run for governor, so there was a lot of focus on that and the press corps really felt that I had a huge advantage that I shouldn't have, so we were focused on that. And then when I chose not to run, then I tried to focus strictly on the legislative part of it.

John Weingart: And before it was clear that Governor Whitman was going to Washington, were you thinking about running or planning to run for governor?

Donald DiFrancesco: Yes, we were thinking about it. And so were other people. I think Bob Franks being one of them, Jack Collins, a couple of—Bret Schundler of course. Yes, there were a host of people who were thinking about running. So I had been working on it for a couple of years, traveling all over the state, going to every party, talking to Republicans all over the state for a couple of years. Yes, absolutely.

Kristoffer Shields: You mentioned that you had a sense that Governor Whitman was considering leaving before she did. At what point did it become fairly clear to you that you were going to be taking over for her as governor, was it when President Bush won? Or was it before that?

Donald DiFrancesco: Yes, when he won. Because we thought he wasn't going to win. But prior to that, she did try to run for a short period for U.S. Senate [in 2000] and then she dropped out of that. So when she did that, we knew that she really wanted to try to move on to do something else. I don't know why she didn't stay in that race. I thought she could have won that race, but she chose not to. And then went to Washington in February of 2001.

John Weingart: So what did you—you had your own staff as Senate President, right?

Donald DiFrancesco: Oh yes.

John Weingart: And did they stay your close staff or did you meld the two staffs together or how did that work?

Donald DiFrancesco: Well I let John Bennett and the staff run the Senate, really. Greg Edwards was my executive director and he would come to see me with respect to the operations of it, but I didn't really want to be too hands on there and I didn't want to be at the podium very often either because I thought that looked bad. It looked bad. So once in a while I'd be on the podium to open up the session and then I would leave because I just didn't think it would look good for me to be at the podium time and time again. Because as you said, this hadn't happened since Woodrow Wilson. It happened to [\[Richard\] Codey](#) three years later, but I didn't have that advantage. So I didn't want to be hanging in the senate looking like I'm running the show here and I'm pounding on people and trying to influence them too often, so I stayed away from it actually.

Kristoffer Shields: And how did you balance those two roles? I mean, as senate president, you're posting legislation, which you may have various reasons to post that you might not even support as governor, right? How did you balance that as you were wearing both hats?

Donald DiFrancesco: Right. Well, I learned quickly that you had to start saying "no" to legislators because there was not only legislation but there were judgeships, jobs—everybody had their own thing. So I had Jeff Michaels as my chief of staff—former graduate of Eagleton—and he was the "no" guy. But he closely monitored the senate list to make sure that we weren't posting bills that would detrimentally affect the executive department. So it was a tough balance, but it worked out pretty well actually. It worked out very well. There was only one major piece of legislation that we couldn't get passed and I was very close friends with Jim McGreevey for 20 years, but I have to blame him for this—and Bret Schundler. And that was the Nets Devils Group; they called them YankeeNets. And they came to me—rich people who were interested in Newark and really their main interest was the City of Newark, particularly Ray Chambers who grew up in Newark and he didn't care about sports, he cared about Newark. And they had this plan for building this arena for these two teams and moving them out of the other arena so that it would help Newark. And I bought into the plan and of course because I was president of the senate, I could get it passed. The legislation passed in the senate. But then when it went to the assembly, they wanted to hold it until after the election because it affected Bergen County. The other [arena] was in Bergen County, so there were some negative effects in Bergen County, they felt. So once McGreevey won the election, I knew it was going to be a problem because he told me he wanted to do this himself. And my answer to him was, "Jim, you're going to be there when this happens. I'm leaving." But he didn't buy that and so the Democrats wouldn't support the legislation in the assembly. Once I left, the Republicans weren't supporting it in the senate, so he could never get it passed. They did build an arena in a different way for one team because then the YankeeNets got frustrated, they sold the Nets and they went to Brooklyn and the

Devils are still in Newark. So they did get an arena eventually in a different way than we had [planned]. That's probably the only thing I can think of that really failed and I felt bad about that because I really thought, again, Newark is a city that we have to build up because it affects New Jersey dramatically. But otherwise legislatively from April to June 30th, we were very successful, trying to keep everybody happy, budget was okay and it worked out well. Then the summer came and it was kind of slow. I know Chris Christie writes in his book that he came to see me in Wildwood—I was signing a bill in Wildwood—to convince to sign off on his U.S. Attorney position. He exaggerates this in the book, but it is accurate. He exaggerates that, with the phone, I got to call George Bush and blah, blah, blah. But it did work out for him. And then of course September 11th came and that changed everything.

Kristoffer Shields: We'll get to that. Before that, when you realized that you were going to be governor, did you turn to any former governors for advice or what did you learn from the experience of other governors?

Donald DiFrancesco: Well, Governor Whitman left, but basically I had her cabinet. I think it was only perhaps one or two people at the most that left immediately. I think the treasurer was one, but other than that everybody stayed. So I didn't want to upset the apple cart that way. [John Farmer](#) was the attorney general. So I wanted to keep everything in place because I thought that was the right thing to do. Beyond that, I think of course Tom Kean—even as president of the senate, we would meet with Kean once a year. So Tom, we were very close and so I talked to him. Governor Florio, [I was] friends with him because I had served two years as senate president with him and we got to be pretty close. And Brendan would come by a lot. I talked to Brendan Byrne a lot, too. So yes, I always welcomed any advice they gave me because I was like brand new and it was a new thing. Now you're not just a state senator and blaming everybody else; now you're on the spot every day because governor is a totally different situation. When [Jon Corzine](#) told me he was going to run for governor, I said, "You're in the U.S. Senate, I have no idea what you do every day. I'm in an involved politician, I don't know how you vote, but you run for governor and every day the press is going to want to know, 'What are you doing today? Where do you stand on this? Where do you stand on that?'" So that was the big change. Dealing with the press I think was the hardest part for me, the biggest change, because you can't hide. You can't go back to your Scotch Plains district and control it, you're there. So that was a huge adjustment, every day dealing with the press wherever you went. And you get used to it, but it's an adjustment. And so yes, I sought out a lot of people in terms of advice and things like that, lots of different kinds of people, former cabinet officers included.

Kristoffer Shields: Do you think legislative experience is an advantage for a governor?

Donald DiFrancesco: Huge.

Kristoffer Shields: Or does it take a different personality?

Donald DiFrancesco: I think it's a huge advantage. Tom Kean was a long-time legislator. I think it helped him a lot in knowing how to deal with a Democratic legislature. Governor Whitman didn't have that experience, but she had a Republican legislature. Chris Christie did not have a Republican legislature, but he was able to develop a relationship with the senate president, which is what I tell every governor: "Make sure you love your senate president." That worked well for [Christie]; he accomplished a lot while being with a Democratic majority. Brendan Byrne had a big adjustment the first couple of years, a huge adjustment for him coming from the bench to having overwhelming majorities—that actually worked against him, having those overwhelming majorities. And I think by the time I got there, he was better off because they had less of a majority and therefore fewer things you have to do that you don't want to do. So I think it is definitely an advantage to have some legislative experience right off the bat. And the one thing I've watched with Governor Kean, when he first won, if you remember, he did not put campaign people in the front office right away. He knew to keep the campaign people over here, but now you have to run the government, so I'm going to bring in people that are going to help me run the government. And that's what he did and I watched that very closely. I was the minority leader. [Cary Edwards](#) was the Chief of Staff for a while then the Attorney General, Lew [Thurston] was the Chief of Staff for a while, right? So I watched that and I was part of that and you learn a lot in watching Governor Kean, I thought. Governor Florio, who I talked to a lot, he was someone that did his homework all the time. We could not go to him and bluff him in any way on legislation or anything like that. We knew that; we learned that quickly. And we had a good relationship with him those two years that he—the last two years of his term, I was President of the Senate and [Chuck Haytaian](#) was Assembly Speaker and we had a really good time. I would say to him, "You're Italian, could you have smiled a little bit more? 20,000 votes? I mean come on." But he almost won reelection. Florio Free in '93, was it?

John Weingart: Right, '93.

Donald DiFrancesco: He almost won reelection. [He lost by] about 20,000 votes; that's nothing really. And I used to say to him—recently, not then—"If you'd left the gun guys alone until the second term, your second term, you would have won reelection." He hates it when I say that. I just want you to know that, because he believes strongly in that legislation. I got a lot of mail tying me with Governor Florio

because when we took the majority, we had veto proof majorities in the first two years. Chuck Haytaian put the bill up to repeal the assault weapon ban. Comes to my house, my caucus wanted to pass it, we pass it. A couple of months go by, I'm somewhere like in Florida at a conference, he puts the veto, to override the veto, up, because Florio vetoed the bill, right? So he puts the override up and leans on these people, "Pass it." Comes to me. I said, "Oh my god." So I sit on it—and of course people are begging me to sit on it, too. And the longer it went, the harder it was for anybody to get votes for it and so they hated me, the NRA. They hated me at that time. I got terrible mail. Eventually it just went away. But yes, so I got tied to [Florio] for those couple of years. The mail was ugly, unbelievable terrible mail. I guess now it's just emails and stuff. Now it's social media, but then you were getting mail. Crazy mail. So Governor Florio was a big policy guy, but I thought had he just planned a little bit, like, don't do everything, don't do everything. People advise you to do everything your first year, people do advise to do everything in the first year, but he lost because of it, which benefited Governor Whitman and she beat him by 20, 25,000 votes.

John Weingart: So you must have gotten a lot of pressure about appointments, to get rid of some cabinet officers and bring in—

Donald DiFrancesco: Not really. No, we made a decision not to make big changes, yes. And as the year went on cabinet officers would resign to take jobs and stuff, so the assistant treasurer, the assistant DEP commissioner, would all become the acting cabinet officers and by the end of the year it mostly that. Fortunately—we had that anthrax issue, which we'll come to later, but the Commissioner of Health had resigned and we had an epidemiologist who was the assistant, so he knew—I've learned now that no one ever knows everything about anthrax, what was the other one from Africa recently?

Kristoffer Shields: Ebola.

Donald DiFrancesco: Ebola. Everybody thinks that they know everything about it, but they learn there are things you don't know about these things. So even then, the epidemiologists weren't really up to speed on really what anthrax could do or not do.

John Weingart: Let's move to 9/11.

Donald DiFrancesco: Sure.

John Weingart: What was the day like?

Donald DiFrancesco: Well, you know what was interesting to me, a couple of things Right before that—and I had done this a couple of years for Governor Whitman too—but the National Guard—you weren't in the National Guard, were you?

Kristoffer Shields: No.

Donald DiFrancesco: Neither was I. The National Guard, they train and every year they have like a review down in Sea Girt and so you're there as the governor to watch them march and blah, blah, blah. And I said to my wife—I remember it well—it was on the weekend, I said, "You know, what do these people do? There's thousands of them. These are people with jobs and stuff." We're there, it's nice and everything. And then Saturday, right before that Tuesday, this fella who went to the University of Miami from Essex County, he was a friend of mine, he calls me up. I'm down the Shore because we had a little house down the Shore all those years. He calls me and said, "Do you want to go to the Penn State/Miami game?" I said, "Not really." It's the first game of the year. He said, "Well we have a plane, a private plane." I said, "Oh wait, we're going to fly up and see the game then fly back?" He said, "Yes." "Okay, I'll do that." So we go to the game, Penn State gets killed by Miami and we fly back and now it's Sunday and I'm doing stuff. Tuesday comes along and—I had had them appoint Hela Young, whose father was a [Holocaust] survivor. At the time Hela was the lottery person and a former Miss New Jersey. She wanted to be on the—she was on the Holocaust Commission and I made her the chair of the Holocaust Commission. So Tuesday we're at Drumthwacket hosting the Holocaust Commission.

So I'm speaking to the Holocaust Commission members at Drumthwacket and a trooper walks over to me and whispers in my ear, "A plane just crashed into the World Trade Center." That's all she said. She didn't know anything more than that. Okay, geez. And then whenever it was, 20 minutes later, they said, "Another plane just crashed. We better get out of here." And so I announced to everybody and I left and we went to the Emergency Management Headquarters and everybody was there. John Farmer, National Guard—everybody was there but our lines of communication really were in New York at the Trade Center. So we really didn't have any communication on it, so I asked—Buster was there and he wanted to go to New York. So we had a state trooper helicopter go to New York to find out what was going on, like what was the situation. And we sent a lot of people to Liberty State Park to wait. In fact, there was a convention of surgeons nearby and they all went to Liberty State Park to see if people needed help.

When I finally got to Liberty State Park, not that much later in the afternoon, there were vehicles from Delaware, Pennsylvania—emergency vehicles, people who wanted to help—and from all over our state there waiting. But the irony is not very

many people came to Liberty State Park. You either died or you went home as fast as you could. So I went on Brian Williams' show later on that night and I flew back by helicopter to Trenton and that started the—the next day I went to New York with Rudy Giuliani and George Pataki, Governor Pataki, and we went and we sat through Giuliani's meeting and then his press conference. And they had, you know—New York is New York. I mean, he was phenomenal, their people are phenomenal in terms of crisis, and they had what their recovery was going to be under pretty control at that time. And then [Giuliana] had a press conference and as you both know, he became a rock star because of 9/11. That's how I got to know him and I was there a lot for the next few—

John Weingart: Did you have a relationship with Pataki or Giuliani before?

Donald DiFrancesco: Pataki, not so much, no. Not a real relationship. Afterwards, yes; in fact once a year I still see Pataki for dinner. But they felt the impact. We put a family assistance center in Liberty State Park to help the New Jersey people, hoping they would come to us, the families would come to us. So for those next few weeks, I mean, I was there all the time in New York, back and forth and back and forth. And it took most—government was very much involved in the recovery. For a few days we were worried about other things happening. Nothing else did happen, but we were worried about it. I sent the National Guard to the nuclear power plant along the coast. When the Jets played their first game, I had a tremendous amount of firepower surrounding it, just so people would feel safe. I wanted people to feel safe. You knew you couldn't do much about—you'd really not be able to do much, but you wanted people to feel safe in New Jersey.

And so we would deploy all these National Guard people everywhere, to my point from before. The search and rescue team was made up of people who were working regular jobs and they were the first ones on the scene the day after to try to find people who were still alive and there really wasn't anybody [alive], but they were there, our search and rescue team was there first. I called them—and they're made up of a whole variety of people for obvious reasons. You want engineers, you want state police, you want this, you want that. I called them and I said, "I'm coming to say hello to you." And the guy says to me, "You got to bring a flag, bring a flag." So I find them and I hand this fellow the American flag and a New Jersey flag and the guy is crying, he has tears in his eyes. And they move on and they try to help out. They're one of like 30 or 40 search and rescue teams from all over the country that actually came. Because when President Bush came the following week, he and I went to the Javits Center and I had him shake hands with every single member of not only our search and rescue team, but everybody. There were like 30 of them, from Puerto Rico—all over the country. So it was amazing times. It was surreal, really, in a way and it was all about recovery after that, all about recovery. New York was very concerned that we would aggressively try to bring business—their

business—to New Jersey and of course Pataki called me a lot about that and I assured him that we were not going to do anything like that. Wall Street was closed down. They opened up pretty quickly; they were able to open up pretty quickly a few days later. It was amazing times. I mean listen, COVID was a totally much harsher thing because of the length of time it's taken, but at that time, this was an attack and a lot of innocent people [died] and a lot of children growing up without a member of their family. I was just lucky to be there and I was honored to be there.

Kristoffer Shields: Were you coordinating in those days with Governor Pataki, with Rudy Giuliani?

Donald DiFrancesco: Governor Pataki, Giuliani, the FBI. Governor Whitman was the EPA administrator.

Kristoffer Shields: Oh, right, of course.

Donald DiFrancesco: So, the administration—because we were looking for a lot of help from the administration. President Bush. I went down to see the Speaker—was it [Dennis] Hastert?

John Weingart: Hastert, yes.

Donald DiFrancesco: The Speaker, a lot of senators came up to Liberty State Park. A bunch of them: Joe Biden, Chuck Schumer, of course, Hillary Clinton, of course, being from New York. We hosted a lot of them at Liberty State Park. We had a hearing where we made a pitch for New Jersey.

John Weingart: Did you have to—there are all the emergency procedures that staff people go through to anticipate a disaster that might come. I imagine with something totally unforeseen, those don't end up speaking to the moment very well.

Donald DiFrancesco: Exactly. In fact, 9/11 changed a lot of things that we do, particularly traveling. But the one thing that was glaring was that there was no coordination. No one ever thought about homeland security. It's uncalled for before that at the state level. But now, local, county, state presumably coordinate together on security and coordination of emergency management. Yes. It wasn't the case before.

John Weingart: So, in your situation, who did you rely on to say you should go to Washington as opposed to New York on a particular day, or, "Go visit with this family?" How—

Donald DiFrancesco: Well, I did hire Lillian Borrone, who worked at the Port Authority, to handle the recovery. She was terrific. Ciro Scalera was policy and

planning—Ciro did a lot for me with respect to the recovery and his people arranged for us to do a lot of those things, yes.

Kristoffer Shields: You gave a speech to the New Jersey legislature on October 3rd of 2001. What...

Donald DiFrancesco: Yes. [John Weingart] sent it to me about a year ago.

Kristoffer Shields: Yes. [We have it on the website](#), the video of it, and it's a fascinating speech. It's a terrific speech. What do you remember from that day and what were you trying to accomplish with that address?

Donald DiFrancesco: Well, remember there's a North and South Jersey in this state. I learned that politically. I had never thought about it that way. But this was focused in New York. I wanted everybody in the state to be aware of what really went on and how difficult this was for people in the metropolitan area and how damaging it had been. So, I arranged for the legislators to be there at the site one day and then we decided to make the speech not only to thank some people, but to outline some proposals that we needed to pass in order to get on track, to plan for the future for all of New Jersey. There's a lot of southern legislators. In fact, Jack Collins was the Speaker and he's from Salem County. So, that was the goal of that speech was to just put people at ease, but also let them understand we're in charge. It's working. We're going to work this out. We're going to move forward. We're going to plan to do things differently in the future and we have to have a plan for that. We didn't call it Homeland Security at the time, but we put together a commission, beefed it up to deal with the future and I let Jim McGreevey decide who would chair that. The former FBI director offered to do it. Well, it was a former FBI director under President Clinton [Louis Freeh] offered. He was from Hudson County originally and offered to be it but I think Jim [McGreevey] decided on somebody else.

John Weingart: At this point, this was sort of—

Donald DiFrancesco: We knew we had to beef up that whole—because that had to be an agency that coordinated local and county and state.

John Weingart: And it was sort of when the election was still be held, but the assumption was McGreevey had a strong chance of being the next governor, right?

Donald DiFrancesco: Well, this was after the election that we actually started dealing with this. John Farmer and I talked about it and it was his idea. He came up with the FBI Director's name.

Kristoffer Shields: You mentioned earlier that everything changed on 9/11, which I think is broadly true in a number of ways.

Donald DiFrancesco: Sure.

Kristoffer Shields: How did it change specifically being governor? What was it like being governor before 9/11 versus being governor after 9/11?

Donald DiFrancesco: Well, it changed—perceptually, it changed my whole role as governor. People now looked at me differently, I found, anyway. Perhaps because of the publicity, perhaps because I'm in charge, so to speak, and so it was a whole huge change. I went from being like a lame duck kind of guy to somebody who has a responsibility to do something on behalf of the State of New Jersey. I saw that change pretty quickly, yes. Other governors were calling me, legislators were calling me, and I think they just viewed me differently after that. It seems that way. And while I thought I had done a lot as Governor legislatively—a lot of kids' stuff, a lot of health stuff—that we wanted to get done, everything focused now on me being in charge on 9/11 and that was kind of a legacy thing, even though I'd rather see my whole legislative career as a legacy, but that was kind of—and Jim McGreevey always introduces me that way, as the 9/11 person. So, that changed. That was a big change, is perceptually, now, I'm really Governor of New Jersey and really have a major responsibility, not just sitting back waiting for the next person to come by.

Kristoffer Shields: Now, obviously, at that point, you had long ago made the decision not to run for Governor.

Donald DiFrancesco: Right, like in April.

Kristoffer Shields: Had you also made the decision by then—because that was basically when you left politics, after that. Had you more or less made the decision at that point that you were finished with politics and heading back to law or was this something that helped drive that decision? Did you have any regrets about that decision? Where were you in terms of politics and legacy?

Donald DiFrancesco: Interesting that you say that. We were so focused on running and then when we decided not to run and for the first time in 26 years, the primary comes and I'm not on the ballot. It's a weird feeling. But I had made a decision that this was it. It's either up or out and I'd been there a long time. I thought at 57 I was pretty old because I'd been there 26 years and thought "Well, I shouldn't stay..." at the time, I thought "I shouldn't just stay and sit in the room now back in the Senate having done all of this." After I left, you kind of wish you were still there because you're so part of the action for so many years—the budget, posting bills—that it's a huge adjustment. So, for a while, I thought "Well, maybe I could have run for senate and stayed a couple more years." But I think I made the right decision. I know Dick Codey didn't. He chose to do it differently than I did. He wanted to stay in the legislature. But I thought I'd been there so long. I'd been

minority leader, been senate president, been governor for a year. It's time for me to move on and do something else. I have a family. I have kids. And it's worked out well for me. And I guess it's worked out well for [Codey]. But for my case, I thought it was the right thing to do.

John Weingart: Was there any point in your career you thought about running for Congress and having a Washington focus?

Donald DiFrancesco: Oh, yes. Yes. I guess I can tell these stories, right?

Kristoffer Shields: Of course.

John Weingart: It's just us. [Laughter]

Donald DiFrancesco: So, I was in the minority [in the state legislature], right? Matt Rinaldo was my Congressman and my friend and for a short while—whenever we thought he was going to get out, Chuck Hardwick really wanted to run for Congress. But Matt stayed and Chuck left and went back to Pfizer. And so, finally, I'm in the majority and actually not only in the majority but I'm president of the senate in 1992 and in August, he calls me, Matt Rinaldo. And he said "I have to have a cup of coffee with you." Okay. I go have a cup of coffee. And he says to me—he had been there maybe 15 years in Congress—and he said "I'm not going to run for reelection," which would be November '92. And he says "You're my friend. I want you to run for my spot." He said, "You'll never be in the majority." They had been in the minority [in the U.S. House] for 40 years, the Republicans. "You'll never be in the majority, but it's a great job. You travel all over the world. You're doing this—" He gave me all the perks. "You're not going to get any bills passed," that kind of stuff and I knew right that moment, I'm not going to do this. I said "Matt, let me think about it." I call him a week later and I said "Look, I like what I'm doing. I actually can get things done. My wife would go crazy if I decide to run for Congress and go to Washington. I have three daughters. Bob Franks is single. He wants to run. Let's let him run." He wouldn't talk me for months, this guy, Matt, because he thought I should be the guy. So, I really had a big chance then. I would have left and—I guess John Dorsey was the Majority Leader at the time. But I liked what I was doing. It was a great position. It was a great position and Bob ran for Congress and then lost to Corzine [in a 2000 U.S. Senate race] eight years later. So, yes, I could have done it then and I had always thought I would do it while I was in the minority, but then my life had changed so much being president of the senate, I just thought it was a better position for me and my family.

John Weingart: So, the November 2001 election comes and McGreevey wins the governor election.

Donald DiFrancesco: Jim wins, which wasn't a surprise, yes.

John Weingart: What was the next few months like there with the transition?

Donald DiFrancesco: We tried to do as much as we could for him because as I said, we had been friends for 20 years, Jim and I. I mean, I knew him when he was first a staffer in the Assembly. So, we tried to help him as much as we can. I left him a lot of appointments and the only thing I didn't like was what I mentioned before about the Newark thing. But otherwise, I was all in for him and hoped that he would do a great job.

Kristoffer Shields: Was there a sense then—it's easy to forget now because that was November and 9/11 happened in September that it seems like a different time. But at the time, there was still a 9/11 cloud hanging over in November and there was still fear. Did that have any impact on the transition? Was there any fear that—

Donald DiFrancesco: Yes. We continued to work—we had that anthrax issue too.

Kristoffer Shields: Right.

Donald DiFrancesco: We continued to work hard on these issues and Jim did his thing. We didn't involve him too much. We gave him briefings, but we just continued to work hard until the second Tuesday in January. It was chaos because not only was the governorship going Democrat, but so was the legislature, except the Senate was 20-20. So, everybody wanted their bill passed. So, it was cast that way. Everybody wanted their bill passed before the end of the—like the usual. And so now, I'm not only doing the executive stuff, now I've got to deal with these legislators and everybody wanted their judgeships, etc. So, we were really busy those last couple months and it was chaos and I was busy really every day with this stuff until the second Tuesday [Inauguration Day].

Kristoffer Shields: Had you played much of a role in the campaign or did you sort of step out of that?

Donald DiFrancesco: No, I didn't play—which campaign?

Kristoffer Shields: The gubernatorial campaign after you left the race, I mean.

Donald DiFrancesco: The Schundler campaign?

John Weingart: The Schundler campaign, you mean.

Donald DiFrancesco: No, not at all.

Kristoffer Shields: Yes, the Schundler campaign.

Donald DiFrancesco: Not at all. No. I wanted McGreevey to win. I thought he would be the better choice. At least at the time, I thought he'd be a better choice. Brett had criticized me a lot, but I thought McGreevey would be a better choice and he had a lot of great background and I thought he'd be kind of a moderate Democrat. So, no, I didn't involve myself at all. I tried to help legislators. I'd go to their functions, a lot of that. Everybody wanted you to be at their function and I tried to do as much as I could and [the state senate] wound up 20-20. I guess as I joked with a former staffer, I said "I guess if I decided to stay in the Senate, it would have been 21/19 for a couple years, anyway." Two years, because then they lost more seats after the two years—the new map and after two years. But it was very busy November, December, into January and then as I always say, the second Tuesday in January, twelve o'clock, I'm out. I'm out. So, it's a totally different situation. So, we go home and Tom Kean calls me that night. I said "Tom, what's up?" He said, "Just want to see how you're doing. Because I had the same feeling. I had the same situation. You're home, nobody's calling you." [Laughter] So, yes, it's a huge adjustment. But in my case, the second Tuesday, twelve o'clock, [John] Bennett and [Dick] Codey were acting governors.

John Weingart: Because you were no longer president of the senate.

Donald DiFrancesco: Right. My term had ended. My senate term ended. So, that week, that one week—because it's a week before McGreevey is sworn in. They were co-acting Governors, I guess I should say.

John Weingart: And that's how we got to have five governors in eight days.

Donald DiFrancesco: Right.

John Weingart: It will never happen again.

Donald DiFrancesco: No. I guess they decided down the road—after Dick Codey was governor, I guess, that's when they changed the law, right? After he was—

John Weingart: Changed the constitution, yes. I want to go back to something you said before. This might be a whole separate conversation, but you said you're proud of lots of things you accomplished as governor and what people talk about—what we've done—is 9/11. What are some of the areas where—

Donald DiFrancesco: Well, I mean, we did a lot in the health—in the kids' area. I mean, Ciro Scalera was an expert on that and that's why I brought him in for that one year because I wanted to do a lot of good stuff in the area of kids and he had been the executive director of the Association for Children. So, we passed quite a few bills that way. Newborn screening, for example, we expanded that. We had a bill signing at Robert Wood Johnson [Hospital]. We expanded newborn screening

dramatically and it was a big deal. We had insurance for kids, a lot of stuff dealing with kids who grew up in unfortunate circumstances. As an aside, it's not necessarily a big health thing, but Governor Whitman had vetoed the bill to mandate insurance for in vitro fertilization when she was there. I'm assuming insurance, you know, big insurance companies—they lobby and blah, blah, blah, hire lobbyists. We had passed it. She leaves. I'm getting these emotional letters from people about that issue and so we passed it again. Now, of course, I'm president of the senate and governor. So, we pass it easily and I sign it and although the insurance companies didn't like it, I thought it was a good thing to do. After I'm out of office, I would meet people—you'd be shocked. I'd meet people in a mall or something, a guy's pushing twins or something, people—a few different times over the next couple years, people would come to me and say, "If it wasn't for you, I wouldn't have these kids." We tried to do as much in that area as we could because in the other areas of tax and all of that, we had already had ten years of all of that kind of stuff. So we wanted to do something to help people in unfortunate circumstances and we did a lot. Ciro has a big list of things we did.

So, that was that. The judge thing becomes very difficult. And I know it's difficult now, reading the newspapers, because in these bigger counties, these legislators get so involved in these judges. So, that you have to put these packages together—Bergen, Essex, Hudson, to keep everybody happy. Jim Harkness, who was chief counsel, he was terrific because he had a legislative background, too, because he worked for me ten years. He was terrific. He had spent a lot of time on dealing with legislators and appointments of judges because again, it's the end of the year and everybody wanted their judges. So I worked closely with the Bar Association with respect to that. So, that takes a lot of time too. But going back to the 9/11 thing, Pataki and I in the summertime had signed the leases to Silverstein and Westfield Corporation. That's when they theoretically sold the World Trade Center to these people, but on a 99 [year lease]. We signed them in New York, outside, hot day, blah, blah, blah. And I said to Silverstein "To me, I'm a little guy from Scotch Plains." I said, "You own the World Trade Center. This is unbelievable." And of course, a month later, it was down. It was just surreal. It was just amazing.

Kristoffer Shields: So what have you been doing since 2002 when you left and went home?

Donald DiFrancesco: I went back to the law firm and I was on a couple of boards. I've been chairman of the Park Commission in Somerset County for four years. I did that. I was on the Hospital Board for four years, University Hospital. When they split up, when Chris Christie divided it up, he called me and I said, "Yes, I'll do it." So, that took a lot of my time, those four years. I put a lot of my time and my own money into being the chairman because in the beginning, I was doing everything committee-wise and all of that. I was on every committee, everything. I was there

every day for the four years at University Hospital. So, it was a great experience for me. I learned a lot about hospitals and not for profits and indigents in Newark and interacted with all the Newark people lots of times, particularly the county executive and the legislators. So, that was a great experience for me, the four years there and the four years on the Park Commission. Of course, being on these corporate boards, it's not so exciting, but it's just things I was doing. I have seven grandchildren I didn't have back then. So I spend a lot of time with family.

Kristoffer Shields: Have you ever been tempted or come close to getting back into politics?

Donald DiFrancesco: No. No, not really. Although, a couple people called me when Governor McGreevey announced he was going resign, which shocked me. In fact, I wish I could have called [him to say], "Just to finish out your term." I wanted him to finish his term. He was a friend of mine. And people called because if he resigned right away, you would have an election right away. I think it was in the summer when he announced it.

John Weingart: It was August.

Don DiFrancesco: And of course, if he really resigned then, I think you would have an election in November.

Kristoffer Shields: That's right.

Donald DiFrancesco: But he didn't resign then. I think Ray was telling me he and others talked him into staying until after that and that's—so, therefore that benefitted Senator Codey. And so, he stayed. That was the only time you're like "Should I, shouldn't I. Should I think about this?" But other than that, no, not really.

John Weingart: You mentioned judges. Senatorial courtesy is something—you have a unique set of vantage points on that, of trying to get judges nominated. Both exercising it yourself to block something or get attention and being thwarted, I assume.

Donald DiFrancesco: Right. Senatorial courtesy really benefits the minority, mostly. I had two experiences with it in the Senate when I first was minority leader and I was a kid, really. I didn't realize at the time, but I was like 35 years old and these older guys. Gerry Cardinale chose to hold up Sylvia Pressler, who wrote the rules. I mean, I'm a lawyer, right? She writes the rules. I said "Gerry..." So, he exercised—but the majority overrode, after a few weeks, his senatorial courtesy. You can do that. You can vote to override it. So, that was my first experience with that issue. And then years went by and then I'm president of the senate and John

Dorsey decides to hold up Marianne Espinosa, Michael Murphy's wife. And so, I called him into my office. Remember now, he didn't like me at this point because had become senate president and not him. So, he never talked to me. I call him in the office, said "John, there's bigger fish to fry in this election. I think this is a bad thing. It's a bad present. I've been through this before. I don't think you should do this. We're in the majority. It's not our job to hold up people who are on the bench for tenure because of personal reasons." He dismissed the whole argument. So, I went to the caucus. We had 27, right? So, I'm one of 27 and I asked them to override his courtesy and they wouldn't do it. They wouldn't do it. So, I went to the judge and I talked to her. I said, "Let me put you through without tenure and people won't know. People don't know and get tenure seven years later." She wouldn't do it. So, I was frustrated and Gordon MacInnes decides to run against John and beats him, in a Republican district. So, it benefits me because John is the majority leader and he doesn't talk to me, right? So, Bennett becomes the majority leader now. So, the day we were sworn in, I announced that we would no longer have senatorial courtesy for people who are in office, whether it be a judge—particularly judges, naturally—or someone else in a high position of power who needed to have a second term of Senate confirmation. That was a shock to people, but it really—it was fine. No one ever questioned me about it after that day. So, for the next eight years, I wouldn't allow that ever and it worked out. I think they still do that to this day. So, I fixed it in an unusual way, but I couldn't fix it while John was there. And he lost an election over it.

John Weingart: Right.

Donald DiFrancesco: Gordon was there for four years. You probably didn't know Gordon MacInnes, but he was a really terrific legislator, charming guy, right?

John Weingart: Yes.

Donald DiFrancesco: Four years, he's in the Senate, Morris County. You think he won reelection? No. Next election, the Republican wins, Tony Bucco. I'm not saying Morris County is like that today, but back then—I said to Tony, "Tony, are you kidding? The guy has been four years." I knew Gordon before that. This is Gordon MacInnes. He said "I'm going to run." He won easy. He won easy. Now, that wouldn't happen today because the election results today have changed in Morris County. Where I live in Somerset County, it's totally different. Everything is very competitive everywhere.

John Weingart: But you still have senatorial courtesy for the rest of people. The Supreme Court nominees today—

Donald DiFrancesco: Yes. If you're not in office—for judges, yes, they still have it. They love that. When you get to be governor, you hate it.

John Weingart: Right. It's where you sit.

Donald DiFrancesco: But I controlled the senate, so, it was a little different for me. Christine Whitman, Governor Kean, Governor Florio, they hated it. Naturally, I would hate it too.

Kristoffer Shields: Along those kinds of lines, there are a number of enduring New Jersey policy issues that you had to deal with, certainly in your legislative career, but also specifically in your year as governor. I'm thinking about things like school funding, property taxes, pensions. What is your take—and certainly, we're still talking about those same issues today. Affordable housing. What is your take on those issues at the time and then also how New Jersey has handled it in the years since you've been governor, the state of the state today?

Donald DiFrancesco: Well, we'll start with the affordable housing issue. I thought we were handling it pretty well at the time and previous to that, I thought it was working well. I think the Council on Affordable Housing was a terrific way to deal with it. Take it out of the courts because every judge has a different feeling about this, but bring it to one particular group and that was good. I've always felt a regional contribution arrangement was good because it helped the urban areas. The one thing you have to do in New Jersey, you have to continue to help the urban areas. I think that issue was fine for the period of time that I was president of the senate and governor.

With regard to school funding, Governor Whitman had tried a few things. We did expand to pre-K. We did do that. We just continued the same—we didn't try to make any changes on school funding. We didn't have the time to do something. I never thought that we should be spending to the level of the richest districts in the Abbott districts. I always thought that we should be spending to the average districts. I didn't think that Newark should get what the richest districts spend, but rather the average. But that's been the law and that's not changed at all. So, school funding, I added two Abbott districts, actually. I added Plainfield and I added Neptune. I wanted to add Plainfield because I wanted to help Plainfield. I kind of grew up nearby and the frustrating part to me is today, 20 years later, Plainfield has five or six charter schools and I'm not sure another town in the whole county has one charter school, even Elizabeth. And so I'm frustrated. I put them in an Abbott district because I wanted them to have millions more. They got millions more. It's just not working and so that's a frustrating thing, the whole Abbott thing. And of course some of the towns have changed dramatically, New Brunswick, Hoboken, some of the other towns. It really needs a good look, but we couldn't deal with it.

Tax-wise, we had already—Governor Whitman had reduced the income tax. We had reduced the—Chuck Haytaian and Bob Franks wanted to reduce the sales tax. I

wasn't really for that, but I had to go along with that because they campaigned on that. You wouldn't remember this, but not when I was Governor, but in '91, part of their campaign, the Republican campaign, was to reduce the sales tax. And I said to them, "I was Minority Leader with Tom Kean when we raised the sales tax and the income tax and a lot of our guys voted to raise the sales tax because the budget—we needed money in the budget." And we raised the income tax from two and a half to three and a half and Tom was in first year as governor. And he may not say it, but he was happy. It was more money. And I would always say to people I voted to raise the sales tax and I never got a letter criticizing me for that. Ten years later, we vote to reduce the sales tax and I never got a letter thanking me for doing that because it's something that people—everybody pays. But they had campaigned on that and so we did that. So, from a tax standpoint, we had already done a lot of stuff for business over those ten years. Governor Whitman had reduced the income tax a little bit. We had reduced the sales tax and so, we had done a lot. So, I wasn't focused on that part of it and you mentioned a fourth thing.

Kristoffer Shields: Pensions.

Donald DiFrancesco: Pensions, yes. I did make a change there and Governor Christie, he hated me for that. He didn't hate me, but he criticized it after he got into office. I did enhance the pensions for not only retired people, but for people in the system, the 55 thing. And he criticized that a lot after he became governor. But at the time, it was 2001. That was 9/11. At the time, I would say to people "The people on Wall Street, they get bonuses. They get huge salary increases. The people working in this office, they don't. I want to give them—the end game should be good for these people." So, we made the end game better. I got a lot of—I got criticized a lot for that, but I did. At the time, I thought it was the right thing to do. So, that's pretty much it on the pension end.

John Weingart: Are there things we should have asked you about?

Donald DiFrancesco: I don't know. I think we had a lot of—I had a new respect for people who work in government after 9/11. They work hard. I asked people to do a lot of things that they didn't have to do and it was a great experience and the people that worked around me were terrific people dedicated to making the state better. Jim Harkness, John Farmer, Jeff Michaels, Ciro. Connie Hughes was originally with me and then I put her at the Port of Public Utilities. She was a lifetime person. Jim Hughes' wife. So, Lillian Borrone, Jim McGreevey wanted her to stay, but she said, "If Don's leaving, I'm leaving." So, I had a lot of great people and a lot of great experiences at that time. We didn't have social media. That occurred right after I left. So, that's got to be really hard.

John Weingart: You were there for the dawn of 101.5 and that kind of radio.

Donald DiFrancesco: Well, 101.5—they hated me, too. 101.5 was born because of Governor Florio. That’s what I was trying to say before. It’s like Jim McGreevey, he tried to make change at Rutgers. And he couldn’t. And that fellow from Merck—

John Weingart: Roy Vagelos?

Donald DiFrancesco: Roy was spearheading that because I left Jim a position to appoint on Rutgers board and he appointed Roy Vagelos. And Roy was spearheading the change and they didn’t like the change. He could have waited until the second term for that. There’s things—you have to plan. You can’t do everything right away. Your plan, what’s important that you do now as governor, if you’re governor, because you want a plan for eight years because you hope that you’re there for eight years. And Tom Kean did it, Christine Whitman—when Governor Whitman was first elected, they wanted to privatize everything. They wanted vouchers. I couldn’t get somebody to sponsor a voucher bill. Unions are very powerful in the state and you have to really pick your spots. We did get a charter bill passed, charter school bill passed and kind of forced that, but we knew how to work with the union on that. You have to take baby steps, in my opinion, and that’s what I had hoped to do. A lot of people hoped it would have been nine years, but it was only one. So, should I have stayed? You could debate this. Should I have stayed and put my family through that and hopefully win the primary? Who knew, 9/11, you win the general, but that’s hindsight. But I had a great legislative career. I was lucky and I had a great year and was honored to do it, honored to be there, honored to work with all these wonderful people and I think I finished strong.