

January 17, 1964

LEGISLATIVE HISTORY OF R. S. 45:5A-1 et seq.

(Electrical Contractors Licensing)

Bills to require licensing of electrical contractors were introduced in earlier years:

1954 - A-223 - Introduced March 22, 1954 by Mr. Mosch
May 3 - Passed Assembly
Died in Senate Committee

1955 - A-418 - Introduced March 14, 1955 by Mr. Mosch
May 9 - Assembly passage
Died in Senate Committee

is same with 1954 bill

1956 - A-44 - Introduced January 16, 1956 by Mr. Mosch
June 28 - Lost in Assembly

identical with 1955 bill

1957 - S-210 - Introduced April 22 by Senator Mathis
(Authorizing county freeholders to license)
Died in Committee

1959 - A-460 - Introduced February 16 by Wegner, Kraus and Michnevich
April 13 - Lost in Assembly
May 18 - Lost in ~~Senate~~ Assembly

1960 - S-163 - Introduced March 17 by Dumont and Grossi
May 9 - Passed Senate, amended
May 23 - Passed Assembly
November 10 - hearing held by Governor Meyner:

974.90 Public hearing before Robert B. Meyner
1699 on Senate Bill No. 163 ... electrical
1960 contractors November 10, 1960.

Bill pocket-vetoed by Governor.

1961 - S-194 - Introduced May 8 by Grossi and Dumont
May 31 - Passed Senate, amended
June 2 - 2d reading in Assembly
November 20 - Recommitted

Two bills became law in 1962; the second amended the first.

Laws 1962, Chapter 162 - S-231 - Introduced April 2 by Dumont and Grossi
No statement on bill (copy of bill enclosed).
April 30 - Passed Senate
May 14 - Passed Assembly
August 3 - Governor Hughes made statement:

I am sympathetic to the purposes of Senate Bill 231,
chiefly by reason of its relationship to factors of human
safety which are of increasing public concern.

State licensing, in my opinion, will guarantee to our citizens the widest possible choice of qualified electrical contractors while helping us to avoid the repetitious tragedies commonly thought to be due to incompetent electrical work.

The particular bill before me, however, presents problems as to its scope and as to its impact upon adequately qualified persons who engage in contracting on a part-time basis. The proponents of this bill agree with me that the door of economic opportunity to properly qualified persons should in no way be narrowed.

I have asked proponents of this bill to suggest amendatory language to meet these objectives.

August 30 - Governor Hughes signed into law and made statement:

Senate Bill No.231 -- creates a Board of Examiners of Electrical Contractors and provides for the licensing by the State of persons engaged in the electrical contracting business.

At the time of the signing the Governor stated:

"In an earlier release concerning this bill, I stated that I was sympathetic to the purposes of Senate Bill No. 231 because of its relationship to factors of human safety. Information submitted to me indicates that the three states with the best record as to the least number of electrical fires were states in which electrical contractors are licensed at the state level. In recent weeks, there have been several tragedies which seemed to be directly attributable to faulty electrical installations. These tragedies have highlighted the necessity for prompt action on this legislation.

"As I indicated earlier, however, Senate Bill No. 231 presents certain technical problems which should be rectified. I have therefore consulted with the various interested groups and have reached full agreement on supplementary legislation which will eliminate these technical objections. I intend to submit this amendatory legislation to the Legislature when it returns on November 19. I have been assured of full support of this legislation by the electrical contractors' groups and I hope that the Legislature will act promptly to enact these amendments.

This act was amended later in 1962:

Laws 1962, Chapter 185 - S-310 - Introduced November 19 by Dumont and Grossi
No statement on the bill.

November 19 - Passed Senate
December 3 - Passed Assembly
December 7 - Approved

Our file contains the following newspaper clippings on this legislation: (A. G. - License & permitting)

Weighs Legislation on Electricians - NEWARK NEWS, November 11, 1960

Electrical Contractor Licensing Up to Hughes * TRENTON EVENING TIMES, May 1, 1962

That Old Black Magic of Monopoly - BERGEN RECORD, July 14, 1962

Governor Wants Changes in Electrical Contractor Bill - TRENTON EVENING TIMES, August 5, 1962

Electrician Bill Signed, Licensing Measure to be Revised Later, Hughes says - NEWARK EVENING NEWS, August 31, 1962

Bill Creating Board to License Electrical Contractors is Signed - PHILADELPHIA INQUIRER, August 31, 1962

Electricians Crackle Over Licensing Law - TRENTON EVENING TIMES, September 27, 1963

Electrician Bill Fails - NEWARK EVENING NEWS NEWS - Mar. 30, 1965

We have searched unsuccessfully: New Jersey Municipalities, 1960, 1961, 1962.

HS/jmk

May 24, 1966

ADDENDUM TO
 LEGISLATIVE HISTORY OF R.S. 45:5A-1 et seq
 (Electrical Contractors Licensing
 Law)

Bills introduced since 1962 to amend Electrical Contractors Licensing
 Law:

1964 - S51

Second reading in Senate.
 No further action.

1964 - S326

Died in Business Affairs Committee.

1965 - S120

February 8 - 2d reading in Senate.
 March 22 - Amended
 March 22 - 2d reading - amended.
 March 29 - Laid over.
 No further action.

RS/PC

1966 - S451

June 6 - 2d Reading - Senate

June 13 - Passed Senate

June 13 - To Ass'y Committee on Rev. + Amend of Laws

SENATE, No. 451

STATE OF NEW JERSEY

INTRODUCED JUNE 6, 1966

By Senator KEEGAN

(Without Reference)

AN ACT to amend and supplement "An act concerning electrical contracting, providing for the regulation thereof, establishing a Board of Electrical Examiners and making an appropriation," approved August 30, 1962 (P. L. 1962, c. 162).

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

1 1. Section 2 of chapter 162 of the laws of 1962 is amended to read as
2 follows:

3 2. For the purpose of this act, unless otherwise indicated by the con-
4 text:

5 (a) "Act" means this act and the rules and regulations adopted under
6 it;

7 (b) "Board" means the Board of Examiners of Electrical Contractors
8 created by section 3 of this act;

9 (c) "Department" means the Department of Law and Public Safety;

10 (d) "Electrical contractor" means a person who engages in the business
11 of contracting to install, erect, repair or alter electrical equipment for the
12 generation, transmission or utilization of electrical energy, *but does not in-*
13 *clude the installation, erection, repair, maintenance, connection or alteration*
14 *of conduits or other similar associated or accessory materials;*

15 (e) "Person" means a person, firm, corporation or other legal entity.

1 2. Nothing contained in this act or the act of which this act is amenda-
2 tory and supplementary shall authorize the board to regulate or determine
3 ~~matters relating to trade or craft jurisdiction or to determine whether any~~
4 particular class of employees is entitled to perform any particular work.

1 3. Section 16 of chapter 162 of the laws of 1962 is amended to read as
2 follows:

3 16. The board may suspend, revoke or refuse to renew any license or
4 business permit if the holder has:

5 (a) secured such license or business permit by misrepresentation;

6 (b) failed to maintain the qualifications required by this act or demon-
7 strated a level of competence manifestly inconsistent with retention of the li-
8 cense or business permit in question;

9 (c) engaged in fraudulent business activities or in misleading advertis-
10 ing practices;

11 (d) violated a provision of this act; or

12 (e) committed an act of gross negligence or condoned such an act by an
13 employee of his.

14 Any person may prefer charges as set forth above against any licensee
15 or permit holder. Such charges shall be in writing and shall be sworn to by
16 the person making them and shall be filed with the secretary of the board. All
17 charges unless dismissed by the board as unfounded or trivial *or as relating*
18 *to trade or craft jurisdiction or deemed to be electrical work as defined in sec-*
19 *tion 18 of the act of which this act is amendatory and supplementary* shall be
20 heard by the board after completing any necessary investigation. The time
21 and place for the hearing shall be fixed by the board and a copy of the charges
22 together with a notice of the time and place of hearing shall be personally
23 served on or mailed to the last known address of the licensee at least 30 days
24 before the date fixed for the hearing. At any hearing the accused licensee or
25 permit holder shall have the right to appear personally and by counsel to
26 cross-examine witnesses appearing against him and to produce evidence and

27 witnesses in his own defense. No license or business permit shall be suspended
28 or revoked except upon the agreement of at least 4 members of the board.

29 An applicant whose license or business permit has been revoked may be-
30 come eligible not earlier than 1 year from the date of said revocation for a
31 new license or business permit upon meeting all of the requirements of this
32 act and, in the case of an application for a license, upon the satisfactory com-
33 pletion of an examination as herein provided.

1 4. Section 18 of chapter 162 of the laws of 1962 is amended to read as
2 follows:

3 18. Electrical work or construction which is performed on the follow-
4 ing facilities or which is by or for the following agencies shall not be in-
5 cluded within the business of electrical contracting so as to require the
6 securing of a business permit under this act:

7 (a) Minor repair work such as the replacement of lamps and fuses.

8 (b) The connection of portable electrical appliances to suitable per-
9 manently installed receptacles.

10 (c) The testing, servicing or repairing of electrical equipment or ap-
11 paratus.

12 (d) Electrical work in mines, on ships, railway cars, elevators, escala-
13 tors or automotive equipment.

14 (e) Municipal plants or any public utility as defined in section 48:2-13
15 of the Revised Statutes organized for the purpose of constructing, main-
16 taining and operating works for the generation, supplying, transmission
17 and distribution of electricity for electric light, heat, or power.

18 (f) A public utility subject to regulation, supervision or control by a
19 Federal regulatory body, or a public utility operating under the authority
20 granted by the State of New Jersey, and engaged in the furnishing of com-
21 munication or signal service, or both, to a public utility, or to the public,
22 as an integral part of a communication or signal system, and any agency
23 associated or affiliated with any public utility and engaged in research and
24 development in the communications field.

25 (g) A railway utility in the exercise of its functions as a utility and
26 located in or on buildings or premises used exclusively by such an agency.

27 (h) Commercial radio and television transmission equipment.

28 (i) Construction by any branch of the Federal Government.

29 (j) Any work with a potential of less than 10 volts.

30 (k) Repair, manufacturing and maintenance work on premises occupied
31 by a firm or corporation, and installation work on existing buildings occu-
32 pied by a firm or corporation and performed by a regular employee who is
33 a qualified journeyman electrician.

34 (l) Installation, repair or maintenance performed by regular employees
35 of the State or of a municipality, county, or school district on the premises
36 or property owned or occupied by the State, a municipality, county, or
37 school district.

38 (m) The maintaining, installing or connecting of automatic oil, gas or
39 coal burning equipment, gasoline or diesel oil dispensing equipment and
40 the lighting in connection therewith to a supply of adequate size at the
41 load side of the distribution board.

42 (n) *The installation, erection, repair, maintenance, connection or altera-*
43 *tion of conduits or other similar associated or accessory materials.*

44 The board may also exempt from the business permit provisions of
45 this act such other electrical activities of like character which in the board's
46 opinion warrant exclusion from the provisions of this act.

1 5. This act shall take effect immediately.

SENATE, No. 163

STATE OF NEW JERSEY

INTRODUCED MARCH 14, 1960

By Senators DUMONT and GROSSI

Referred to Committee on Business Affairs

AN ACT to license electrical contractors by the State of New Jersey and to establish a board of electrical examiners.

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

1 1. A. The words "electrical contractor," as used in this act shall mean a
2 person, firm, corporation or other legal entity whose principal business is
3 contracting to install, erect or repair electrical wire or conductors to be used
4 for the transmission of electric current for electric light, heat or power pur-
5 poses, or mouldings, ducts, raceways or conduits for the reception or protec-
6 tion of such wires or conductors to electrical machinery, apparatus, devices
7 or fixtures to be used for electric light, heat or power purposes.

8 B. The word "board" as used in this act shall mean the Board of Ex-
9 aminers of Electrical Contractors in the Department of Law and Public
10 Safety as created under this act.

1 2. There is created a Board of Examiners of Electrical Contractors in the
2 Department of Law and Public Safety consisting of 7 members. The mem-
3 bers of such board shall be citizens of the State appointed by the Governor,
4 with the advice and consent of the Senate. They shall be appointed initially
5 for the following terms: Three members for terms of 1 year from July 1,
6 1960, 2 members for terms of 2 years from July 1, 1960, and 2 members for
7 terms of three years from July 1, 1960. Thereafter members shall be ap-

8 pointed for terms of 3 years. The Governor shall fill any vacancy in said
9 board for the unexpired portion of the term. No more than 4 members of the
10 board shall be members of the same political party. Three members of the
11 board shall be qualified electrical contractors with not less than 10 years'
12 experience as an electrical contractor, 1 shall be a qualified electrical in-
13 spector, with not less than 5 years' experience as an electrical inspector, 1
14 shall be a qualified journeyman employed in the electrical construction in-
15 dustry for 5 years. One shall be a public member not associated with the
16 electrical industry, and 1 shall be a licensed professional engineer with not
17 less than 5 years' experience in the electrical industry.

1 3. Each member of the board shall receive \$50.00 for each day of actual
2 service in attending meetings of the board at which business is transacted;
3 provided, such compensation in 1 fiscal year shall not exceed \$1,000.00 per
4 member.

1 4. At the meeting for organization after the first apointment of said
2 board the members thereof shall choose a chairman from the members among
3 them who shall preside at all meetings of the board and a secretary. The
4 chairman and secretary shall hold office for 1 year and until their successors
5 are chosen. Vacancies in the office of chairman or secretary between regular
6 appointments shall be filled by the board. The board is authorized to appoint,
7 with the approval of the Attorney General, a director and such clerical as-
8 sistants as may be required and to fix their compensation subject to the civil
9 service laws of the State. The board shall be authorized to incur such other
10 expenses, within available appropriation therefor, as may be required to
11 carry out its purpose and function. All moneys received by said board shall
12 be remitted to the State Treasury.

1 5. The board may adopt and amend all rules and regulations not incon-
2 sistent with the Constitution and laws of this State which may be reason-
3 ably necessary for the proper performance of its duties and the purposes
4 of this act and the regulations of the proceedings before it.

1 6. In carrying into effect the provisions of this act the board under the

2 hand of its chairman and the seal of the board may subpoena witnesses and
3 compel their attendance and it also may require the production of such
4 papers or documents, in any case involving the revocation or suspension of
5 a license. Any member of the board may administer oaths or affirmations
6 to witnesses appearing before the board.

1 7. The Board of Examiners of Electrical Contractors shall keep a rec-
2 ord of its proceedings and a register of all applications for licenses, which
3 register shall show: (a) the name, age and residence of each applicant,
4 (b) the date of the application, (c) the place of business of such applicant,
5 (d) the qualifications of the applicant, (e) whether or not an examination
6 was required, (f) whether the applicant was rejected, (g) whether a license
7 was granted, (h) the date of the action of the board and (i) such other in-
8 formation as may be deemed necessary by the board.

1 8. No person, firm, corporation or other legal entity shall, after Decem-
2 ber 31, 1960, enter into, engage in, or work at the business of installing,
3 erecting or repairing or contracting to install, erect or repair electric wires
4 or conductors to be used for the transmission of electric current for elec-
5 tric light, heat or power purposes or mouldings, ducts, raceways, or con-
6 duits for the reception or protection of such wires or conductors to electrical
7 machinery, apparatus, devices or fixtures to be used for electric light, heat
8 or power purposes for hire as an electrical contractor, unless such person
9 or a representative of the firm or corporation has obtained a license and
10 a certificate therefor granted by the board on payment of the prescribed
11 examination fee and on demonstrating by the prescribed examination his
12 qualifications of electrical contractor. A fee of \$50.00 shall be paid by each
13 applicant for an initial electrical contractors examination, said fee to be
14 forfeited upon failure to qualify. For each subsequent examination a fee
15 of \$15.00 shall be paid, which fee shall be forfeited upon failure to qualify.
16 A period of 6 months shall lapse before re-examination. Except as herein
17 otherwise provided, any person before making application for a license as
18 electrical contractor shall have been employed or engaged at the business

19 of electrical construction and installation for a period of not less than 5 con-
20 secutive years immediately preceding the time of such application, or shall,
21 otherwise establish to the satisfaction of the board that the applicant has
22 the necessary background and experience to satisfactorily qualify as an elec-
23 trical contractor.

24 Every such examination shall be so designed as to establish the com-
25 petence and qualifications of the applicant to perform each and all of the
26 several types of work, for each and all of the several purposes set forth
27 in this section.

1 9. Upon payment of the prescribed fee of \$50.00 any person who has
2 been continuously employed or engaged at the business of electrical construc-
3 tion and installation in this State for a period of 6 years prior to the effec-
4 tive date of this act, at least 2 of which years immediately preceding mak-
5 ing of application as herein provided shall be as an electrical contractor,
6 shall be granted a license without examination; provided application shall
7 be made to the board within 3 months after July 1, 1960; upon presenting
8 satisfactory proof to said board of fitness to conduct such business; and
9 provided such person, firm or corporation has its principal office and place
10 of business in this State.

1 10. The board shall receive all applications for licenses filed by per-
2 sons, partners or representatives of a firm, corporation or other legal en-
3 tity seeking to enter upon or continue in the electrical contracting business
4 as herein defined within this State and upon proper qualification of such
5 applicant shall issue the license applied for.

1 11. The board shall prescribe the conditions of examination of, and sub-
2 ject to the provisions of this act, shall give examinations to all persons who
3 are, under the provisions of this act, required to take such examinations. The
4 scope of such examination shall cover such matters as the provisions of
5 nationally recognized electrical installation safety standards and the theo-
6 retical and practical application of the same encountered in electrical work.
7 It shall hold examinations semiannually in each year in Trenton and at any

8 other time or place within the State at the discretion of the board. Public
9 notice shall be given of the time and place of all examinations. In the con-
10 duct of the examination the board shall prescribe a standard form of ex-
11 amination which may be revised from time to time as circumstances require.
12 Said examinations shall be sufficiently frequent to give ample opportunity
13 for all applicants to be thoroughly and carefully examined, may be written
14 or practical, or both, and shall be supervised by 3 or more of the examiners,
15 but no license shall be granted except by the board.

1 12. Each license issued hereunder shall expire on June 30 following the
2 date of its issuance and shall be renewed by the board upon application of
3 the holder of the license and payment of a renewal fee of \$25.00 at any time
4 within 30 days before the date of such expiration. Licenses may be renewed
5 subsequent to the date of expiration thereof at the discretion of the board
6 but subject to an additional fee not exceeding 10% of the renewal fee. The
7 board may require a re-examination upon failure to apply for a renewal
8 within 30 days of the date of the expiration of said license. Any license ex-
9 piring while the holder thereof is outside the continental limits of the United
10 States in connection with any project undertaken by the Government of the
11 United States, or while in the services of the Armed Forces of the United
12 States shall be renewed without further examination upon payment of the
13 prescribed fee at any time within 4 months after such person's return to the
14 United States or discharged from the armed forces.

1 13. The board may at its discretion grant licenses without examination
2 to applicants, licensed by other States; provided equal reciprocity is obtained
3 from the applicant's State for electrical contractors licensed in this State.

1 14. No firm or corporation or other legal business entity shall be denied
2 the privilege of continuing business as electrical contractor in the event of
3 death, illness, or other physical disability of the representative thereof who
4 qualified the firm, corporation or other business entity for a license for at
5 least 1 year following the date of such death, illness or other physical dis-
6 ability; provided such firm, corporation or other business entity is located

7 in this State and provided further that said business is conducted under
8 such qualified supervision as the board deems adequate.

1 15. No license issued under this act shall be assignable or transferable.

1 16. The Board of Examiners of Electrical Contractors may revoke or
2 suspend the license of any electrical contractor that is found guilty of: (a)
3 the practice of any fraud or deceit in obtaining a license; or (b) any act of
4 willful negligence in the course of his work as an electrical contractor.

5 Any person may prefer charges of fraud, deceit, or willful negligence
6 against any licensed electrical contractor. Such charges shall be in writing
7 and shall be sworn to by the person making them and shall be filed with the
8 secretary of the board. All charges unless dismissed by the board as un-
9 founded or trivial shall be heard by the board within 3 months after the
10 date on which they shall have been preferred. The time and place for the
11 hearing shall be fixed by the board and a copy of the charges together with
12 a notice of the time and place of hearing shall be personally served on or
13 mailed to the last known address of the licensee at least 30 days before the
14 date fixed for the hearing. At any hearing the accused licensee shall have
15 the right to appear personally and by counsel to cross-examine witnesses
16 appearing against him and to produce evidence and witnesses in his own
17 defense. If after such hearing 4 or more members of the board vote in
18 favor of finding the accused guilty the board shall revoke or suspend the
19 license of such licensee.

20 An applicant whose license has been revoked may become eligible not
21 earlier than 1 year from the date of said revocation for a new license upon
22 meeting all of the requirements of this act and upon the satisfactory com-
23 pletion of an examination as herein provided.

1 17. No provision of this act shall be held to affect the power of any mu-
2 nicipality to make and enforce pursuant to ordinance any further regula-
3 tions as to standards or manner in which electrical work shall be done.

1 18. The provisions of this act shall not apply to electrical work or con-
2 struction which is for the following purposes or which is by the following
3 agencies:

- 4 (a) Minor repair work such as the replacement of lamps and fuses.
- 5 (b) The connection of portable electrical appliances to suitable perma-
6 nently installed receptacles.
- 7 (c) The testing, servicing or repairing of electrical equipment or ap-
8 paratus.
- 9 (d) Mines, ships, railway cars or automotive equipment.
- 10 (e) Municipal plants or public utilities operating under due authority
11 granted by the State of New Jersey for the generation, control or distribu-
12 tion of electrical energy.
- 13 (f) A public utility operating under due authority granted by the State
14 of New Jersey in the furnishing of communication or signal service or both
15 to a public utility or to the public as an integral part of a communication
16 or signal system.
- 17 (g) A railway utility in the exercise of its functions as a utility and
18 located in or on buildings or premises used exclusively by such an agency.
- 19 (h) Commercial radio and television transmission equipment.
- 20 (i) Construction by any branch of the Federal Government.
- 21 (j) Any work with a potential of less than 10 volts.
- 22 (k) Repair, manufacturing or maintenance work on premises occupied
23 by a firm or corporation, and installation work on existing buildings occupied
24 by a firm or corporation and performed by a regular employee who is a
25 qualified journeyman electrician.
- 26 (l) Installation, repair or maintenance performed by regular employees
27 of the State or of a municipality, county, or school district on the premises
28 or property owned or occupied by the State, a municipality, county, or school
29 district.
- 30 (m) The maintaining of, installing or connecting automatic oil, gas or
31 coal burning equipment, to a supply of adequate size at the load side of the
32 distribution board.

1 19. Any electrical contractor registered under the provisions of this act
2 shall not undertake to do any electrical work in the State of New Jersey or

3 any political subdivision thereof unless and until he shall have entered into
4 bond in favor of the State of New Jersey in the sum of \$1,000.00, executed by
5 a surety company authorized to transact business in the State of New Jersey,
6 approved by the Department of Banking and Insurance and to be condi-
7 tioned on the faithful performance of the provisions of this act, and of all
8 work in connection with the restoration of sidewalk and street areas to
9 normal conditions, previously excavated or disturbed by reason of the in-
10 stallation of wires, wiring or cable, the laying of conduits and the construc-
11 tion of manholes and appurtenances thereto. The aforesaid bond shall be
12 for the term of 12 months and must be renewed upon expiration for the ensu-
13 ing 12 months.

1 20. Any person, firm or corporation who violates any of the provisions
2 of this act shall be fined not less than \$50.00, nor more than \$100.00 or be im-
3 prisoned for not more than 30 days, or both.

1 21. Any person holding an electrical contractors license or any firm or
2 corporation whose designated representative holds an electrical contractors
3 license issued under the provisions of this act shall be authorized to carry
4 on the business of electrical contractor in any municipality or county in this
5 State, any municipal ordinance or law to the contrary notwithstanding.

1 22. This act shall take effect immediately.

COMM.
SENATE AMENDMENTS TO
SENATE, No. 163

STATE OF NEW JERSEY

ADOPTED APRIL 25, 1960

Amend page 6, section 17, line 2, after "ordinance" insert "not inconsistent with this act".

Amend page 6, section 18, line 2, after "by" insert "or for".

Amend page 7, section 18, delete lines 10 through 16 in their entirety and insert the following:

"(e) Municipal plants or any public utility as defined in section 48:2-13 of the Revised Statutes organized for the purpose of constructing, maintaining and operating works for the generation, supplying, transmission and distribution of electricity for electric light, heat, or power.

(f) A public utility subject to regulation, supervision or control by a Federal regulatory body, or a public utility operating under the authority granted by the State of New Jersey, and engaged in the furnishing of communication or signal service, or both, to a public utility, or to the public, as an integral part of a communication or signal system, and any agency associated or affiliated with any public utility and engaged in research and development in the communications field."

[OFFICIAL COPY REPRINT]

SENATE, No. 163

STATE OF NEW JERSEY

INTRODUCED MARCH 14, 1960

By Senators DUMONT and GROSSI

Referred to Committee on Business Affairs

AN ACT to license electrical contractors by the State of New Jersey and to establish a board of electrical examiners.

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

1 1. A. The words "electrical contractor," as used in this act shall mean a
2 person, firm, corporation or other legal entity whose principal business is
3 contracting to install, erect or repair electrical wire or conductors to be used
4 for the transmission of electric current for electric light, heat or power pur-
5 poses, or mouldings, ducts, raceways or conduits for the reception or protec-
6 tion of such wires or conductors to electrical machinery, apparatus, devices
7 or fixtures to be used for electric light, heat or power purposes.

8 B. The word "board" as used in this act shall mean the Board of Ex-
9 aminers of Electrical Contractors in the Department of Law and Public
10 Safety as created under this act.

1 2. There is created a Board of Examiners of Electrical Contractors in the
2 Department of Law and Public Safety consisting of 7 members. The mem-
3 bers of such board shall be citizens of the State appointed by the Governor,
4 with the advice and consent of the Senate. They shall be appointed initially
5 for the following terms: Three members for terms of 1 year from July 1,
6 1960, 2 members for terms of 2 years from July 1, 1960, and 2 members for
7 terms of three years from July 1, 1960. Thereafter members shall be ap-

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

8 pointed for terms of 3 years. The Governor shall fill any vacancy in said
9 board for the unexpired portion of the term. No more than 4 members of the
10 board shall be members of the same political party. Three members of the
11 board shall be qualified electrical contractors with not less than 10 years'
12 experience as an electrical contractor, 1 shall be a qualified electrical in-
13 spector, with not less than 5 years' experience as an electrical inspector, 1
14 shall be a qualified journeyman employed in the electrical construction in-
15 dustry for 5 years. One shall be a public member not associated with the
16 electrical industry, and 1 shall be a licensed professional engineer with not
17 less than 5 years' experience in the electrical industry.

1 3. Each member of the board shall receive \$50.00 for each day of actual
2 service in attending meetings of the board at which business is transacted;
3 provided, such compensation in 1 fiscal year shall not exceed \$1,000.00 per
4 member.

1 4. At the meeting for organization after the first apointment of said
2 board the members thereof shall choose a chairman from the members among
3 them who shall preside at all meetings of the board and a secretary. The
4 chairman and secretary shall hold office for 1 year and until their successors
5 are chosen. Vacancies in the office of chairman or secretary between regular
6 appointments shall be filled by the board. The board is authorized to appoint,
7 with the approval of the Attorney General, a director and such clerical as-
8 sistants as may be required and to fix their compensation subject to the civil
9 service laws of the State. The board shall be authorized to incur such other
10 expenses, within available appropriation therefor, as may be required to
11 carry out its purpose and function. All moneys received by said board shall
12 be remitted to the State Treasury.

1 5. The board may adopt and amend all rules and regulations not incon-
2 sistent with the Constitution and laws of this State which may be reason-
3 ably necessary for the proper performance of its duties and the purposes
4 of this act and the regulations of the proceedings before it.

1 6. In carrying into effect the provisions of this act the board under the

2 hand of its chairman and the seal of the board may subpoena witnesses and
3 compel their attendance and it also may require the production of such
4 papers or documents, in any case involving the revocation or suspension of
5 a license. Any member of the board may administer oaths or affirmations
6 to witnesses appearing before the board.

1 7. The Board of Examiners of Electrical Contractors shall keep a rec-
2 ord of its proceedings and a register of all applications for licenses, which
3 register shall show: (a) the name, age and residence of each applicant,
4 (b) the date of the application, (c) the place of business of such applicant,
5 (d) the qualifications of the applicant, (e) whether or not an examination
6 was required, (f) whether the applicant was rejected, (g) whether a license
7 was granted, (h) the date of the action of the board and (i) such other in-
8 formation as may be deemed necessary by the board.

1 8. No person, firm, corporation or other legal entity shall, after Decem-
2 ber 31, 1960, enter into, engage in, or work at the business of installing,
3 erecting or repairing or contracting to install, erect or repair electric wires
4 or conductors to be used for the transmission of electric current for elec-
5 tric light, heat or power purposes or mouldings, ducts, raceways, or con-
6 duits for the reception or protection of such wires or conductors to electrical
7 machinery, apparatus, devices or fixtures to be used for electric light, heat
8 or power purposes for hire as an electrical contractor, unless such person
9 or a representative of the firm or corporation has obtained a license and
10 a certificate therefor granted by the board on payment of the prescribed
11 examination fee and on demonstrating by the prescribed examination his
12 qualifications of electrical contractor. A fee of \$50.00 shall be paid by each
13 applicant for an initial electrical contractors examination, said fee to be
14 forfeited upon failure to qualify. For each subsequent examination a fee
15 of \$15.00 shall be paid, which fee shall be forfeited upon failure to qualify.
16 A period of 6 months shall lapse before re-examination. Except as herein
17 otherwise provided, any person before making application for a license as
18 electrical contractor shall have been employed or engaged at the business

19 of electrical construction and installation for a period of not less than 5 con-
20 secutive years immediately preceding the time of such application, or shall,
21 otherwise establish to the satisfaction of the board that the applicant has
22 the necessary background and experience to satisfactorily qualify as an elec-
23 trical contractor.

24 Every such examination shall be so designed as to establish the com-
25 petence and qualifications of the applicant to perform each and all of the
26 several types of work, for each and all of the several purposes set forth
27 in this section.

1 9. Upon payment of the prescribed fee of \$50.00 any person who has
2 been continuously employed or engaged at the business of electrical construc-
3 tion and installation in this State for a period of 6 years prior to the effec-
4 tive date of this act, at least 2 of which years immediately preceding mak-
5 ing of application as herein provided shall be as an electrical contractor,
6 shall be granted a license without examination; provided application shall
7 be made to the board within 3 months after July 1, 1960; upon presenting
8 satisfactory proof to said board of fitness to conduct such business; and
9 provided such person, firm or corporation has its principal office and place
10 of business in this State.

1 10. The board shall receive all applications for licenses filed by per-
2 sons, partners or representatives of a firm, corporation or other legal en-
3 tity seeking to enter upon or continue in the electrical contracting business
4 as herein defined within this State and upon proper qualification of such
5 applicant shall issue the license applied for.

1 11. The board shall prescribe the conditions of examination of, and sub-
2 ject to the provisions of this act, shall give examinations to all persons who
3 are, under the provisions of this act, required to take such examinations. The
4 scope of such examination shall cover such matters as the provisions of
5 nationally recognized electrical installation safety standards and the theo-
6 retical and practical application of the same encountered in electrical work.
7 It shall hold examinations semiannually in each year in Trenton and at any

8 other time or place within the State at the discretion of the board. Public
9 notice shall be given of the time and place of all examinations. In the con-
10 duct of the examination the board shall prescribe a standard form of ex-
11 amination which may be revised from time to time as circumstances require.
12 Said examinations shall be sufficiently frequent to give ample opportunity
13 for all applicants to be thoroughly and carefully examined, may be written
14 or practical, or both, and shall be supervised by 3 or more of the examiners,
15 but no license shall be granted except by the board.

1 12. Each license issued hereunder shall expire on June 30 following the
2 date of its issuance and shall be renewed by the board upon application of
3 the holder of the license and payment of a renewal fee of \$25.00 at any time
4 within 30 days before the date of such expiration. Licenses may be renewed
5 subsequent to the date of expiration thereof at the discretion of the board
6 but subject to an additional fee not exceeding 10% of the renewal fee. The
7 board may require a re-examination upon failure to apply for a renewal
8 within 30 days of the date of the expiration of said license. Any license ex-
9 piring while the holder thereof is outside the continental limits of the United
10 States in connection with any project undertaken by the Government of the
11 United States, or while in the services of the Armed Forces of the United
12 States shall be renewed without further examination upon payment of the
13 prescribed fee at any time within 4 months after such person's return to the
14 United States or discharged from the armed forces.

1 13. The board may at its discretion grant licenses without examination
2 to applicants, licensed by other States; provided equal reciprocity is obtained
3 from the applicant's State for electrical contractors licensed in this State.

1 14. No firm or corporation or other legal business entity shall be denied
2 the privilege of continuing business as electrical contractor in the event of
3 death, illness, or other physical disability of the representative thereof who
4 qualified the firm, corporation or other business entity for a license for at
5 least 1 year following the date of such death, illness or other physical dis-
6 ability; provided such firm, corporation or other business entity is located

7 in this State and provided further that said business is conducted under
8 such qualified supervision as the board deems adequate.

1 15. No license issued under this act shall be assignable or transferable.

1 16. The Board of Examiners of Electrical Contractors may revoke or
2 suspend the license of any electrical contractor that is found guilty of: (a)
3 the practice of any fraud or deceit in obtaining a license; or (b) any act of
4 willful negligence in the course of his work as an electrical contractor.

5 Any person may prefer charges of fraud, deceit, or willful negligence
6 against any licensed electrical contractor. Such charges shall be in writing
7 and shall be sworn to by the person making them and shall be filed with the
8 secretary of the board. All charges unless dismissed by the board as un-
9 founded or trivial shall be heard by the board within 3 months after the
10 date on which they shall have been preferred. The time and place for the
11 hearing shall be fixed by the board and a copy of the charges together with
12 a notice of the time and place of hearing shall be personally served on or
13 mailed to the last known address of the licensee at least 30 days before the
14 date fixed for the hearing. At any hearing the accused licensee shall have
15 the right to appear personally and by counsel to cross-examine witnesses
16 appearing against him and to produce evidence and witnesses in his own
17 defense. If after such hearing 4 or more members of the board vote in
18 favor of finding the accused guilty the board shall revoke or suspend the
19 license of such licensee.

20 An applicant whose license has been revoked may become eligible not
21 earlier than 1 year from the date of said revocation for a new license upon
22 meeting all of the requirements of this act and upon the satisfactory com-
23 pletion of an examination as herein provided.

1 17. No provision of this act shall be held to affect the power of any mu-
2 nicipality to make and enforce pursuant to ordinance *not inconsistent with*
3 *this act* any further regulations as to standards or manner in which electrical
4 work shall be done.

1 18. The provisions of this act shall not apply to electrical work or con-

2 struction which is for the following purposes or which is by *or for* the
3 following agencies:

4 (a) Minor repair work such as the replacement of lamps and fuses.

5 (b) The connection of portable electrical appliances to suitable perma-
6 nently installed receptacles.

7 (c) The testing, servicing or repairing of electrical equipment or ap-
8 paratus.

9 (d) Mines, ships, railway cars or automotive equipment.

10 [(e) Municipal plants or public utilities operating under due authority
11 granted by the State of New Jersey for the generation, control or distribu-
12 tion of electrical energy.

13 (f) A public utility operating under due authority granted by the State
14 of New Jersey in the furnishing of communication or signal service or both
15 to a public utility or to the public as an integral part of a communication
16 or signal system.]

16A (e) *Municipal plants or any public utility as defined in section 48:2-13*
16B *of the Revised Statutes organized for the purpose of constructing, maintain-*
16C *ing and operating works for the generation, supplying, transmission and*
16D *distribution of electricity for electric light, heat, or power.*

16E (f) *A public utility subject to regulation, supervision or control by a*
16F *Federal regulatory body, or a public utility operating under the authority*
16G *granted by the State of New Jersey, and engaged in the furnishing of com-*
16H *munication or signal service, or both, to a public utility, or to the public, as*
16I *an integrad part of a communication or signal system, and any agency*
16J *associated or affiliated with any public utility and engaged in research and*
16K *development in the communications field.*

17 (g) A railway utility in the exercise of its functions as a utility and
18 located in or on buildings or premises used exclusively by such an agency.

19 (h) Commercial radio and television transmission equipment.

20 (i) Construction by any branch of the Federal Government.

21 (j) Any work with a potential of less than 10 volts.

22 (k) Repair, manufacturing or maintenance work on premises occupied

23 by a firm or corporation, and installation work on existing buildings occupied
24 by a firm or corporation and performed by a regular employee who is a
25 qualified journeyman electrician.

26 (l) Installation, repair or maintenance performed by regular employees
27 of the State or of a municipality, county, or school district on the premises
28 or property owned or occupied by the State, a municipality, county, or school
29 district.

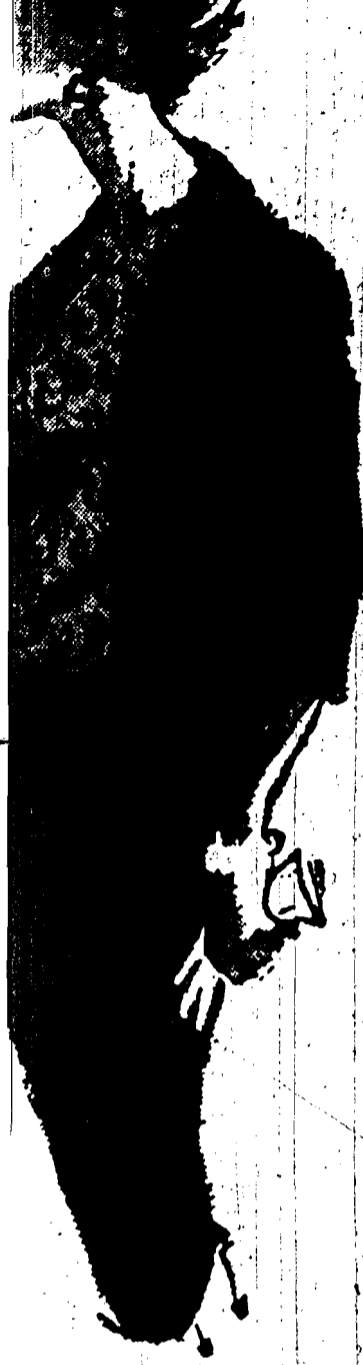
30 (m) The maintaining of, installing or connecting automatic oil, gas or
31 coal burning equipment, to a supply of adequate size at the load side of the
32 distribution board.

1 19. Any electrical contractor registered under the provisions of this act
2 shall not undertake to do any electrical work in the State of New Jersey or
3 any political subdivision thereof unless and until he shall have entered into
4 bond in favor of the State of New Jersey in the sum of \$1,000.00, executed by
5 a surety company authorized to transact business in the State of New Jersey,
6 approved by the Department of Banking and Insurance and to be condi-
7 tioned on the faithful performance of the provisions of this act, and of all
8 work in connection with the restoration of sidewalk and street areas to
9 normal conditions, previously excavated or disturbed by reason of the in-
10 stallation of wires, wiring or cable, the laying of conduits and the construc-
11 tion of manholes and appurtenances thereto. The aforesaid bond shall be
12 for the term of 12 months and must be renewed upon expiration for the ensu-
13 ing 12 months.

1 20. Any person, firm or corporation who violates any of the provisions
2 of this act shall be fined not less than \$50.00, nor more than \$100.00 or be im-
3 prisoned for not more than 30 days, or both.

1 21. Any person holding an electrical contractors license or any firm or
2 corporation whose designated representative holds an electrical contractors
3 license issued under the provisions of this act shall be authorized to carry
4 on the business of electrical contractor in any municipality or county in this
5 State, any municipal ordinance or law to the contrary notwithstanding.

1 22. This act shall take effect immediately.



entry shop dresses, street floor

ties more than a million dollars on cruises around Manhattan Island every year.

Six Circle Line ships make the 35-mile, three-hour cruise daily from March 31 to November 4, giving 4,000 persons each day the kinds of views of the big town they have seen before only in movies.

Since it was organized after the war with surplus vessels, the fleet has logged more than 1.1 million miles. The flagship, once a banker's yacht, was built in 1902 and saw training and patrol duty in World War II.

Most of the vessels are newer. The Circle Line VII, for example, was built for war duty in 1943 and was used in the invasion of

Others among the vessels were used for landings in the Pacific or cadet cruise training ships. One, the Circle Line XI, constructed in 1932, served as a escort vessel for the Presidential yacht Potomac and participated in a daring rescue on the high seas.

Commanding the crews of these ships, which now are fitted out to serve "rubber-necking tourists" who sit on benches lining the decks, are captains who have piloted the Hudson River for as long as 35 to 55 years.

The tourists leave on their cruises from Manhattan's West Side. They sail down the Hudson, past piers lined with freighters and around the Battery, from which they can see the towers of Wall

Brooklyn bridge, past the Brooklyn Navy Yard and the United Nations and finally around the northern tip of Manhattan, back into the Hudson and under the George Washington Bridge.

So popular has the cruise become that it has been attracting the social set as well as tourists. A number of groups have chartered Circle Line vessels for their exclusive use. One of the more recent affairs was a debutante party, for which the ship was decorated in a South Sea motif. A caterer served refreshments and a society orchestra played for dancing.

Other charter parties have been held to celebrate golden wedding anniversaries, bar mitzvahs and graduations. Some people just like to give parties on the Hudson, and the New York and Downtown Athletic Clubs have chartered vessels by the day to sail to Monmouth, N. J., for the races. A charter costs from \$500 to \$800—and up, depending on the size of the vessel and length of the cruise.

Guides are employed for service on the ships used in regular tourist service. They describe landmarks and tell something of the history of New York over public address systems.

Governor Wants Changes In Electrical Contractor Bill

A bill requiring the registration of electrical contractors will have to be modified before Governor Richard J. Hughes will sign it, he said.

Hughes said that while he is sympathetic to the intent of the bill, it "presents problems as to its scope and as to its impact upon adequately qualified persons who engage in contracting on a part-time basis."

"The proponents of this bill agree with me that the door of economic opportunity to properly qualified persons should in no way be narrowed," Hughes added.

The measure, sponsored by Senators Wayne Dumont Jr., R-Warren, and Anthony J. Grossi, D-Passaic, establishes a Board of Electrical Examiners and provides for the licensing and regulation

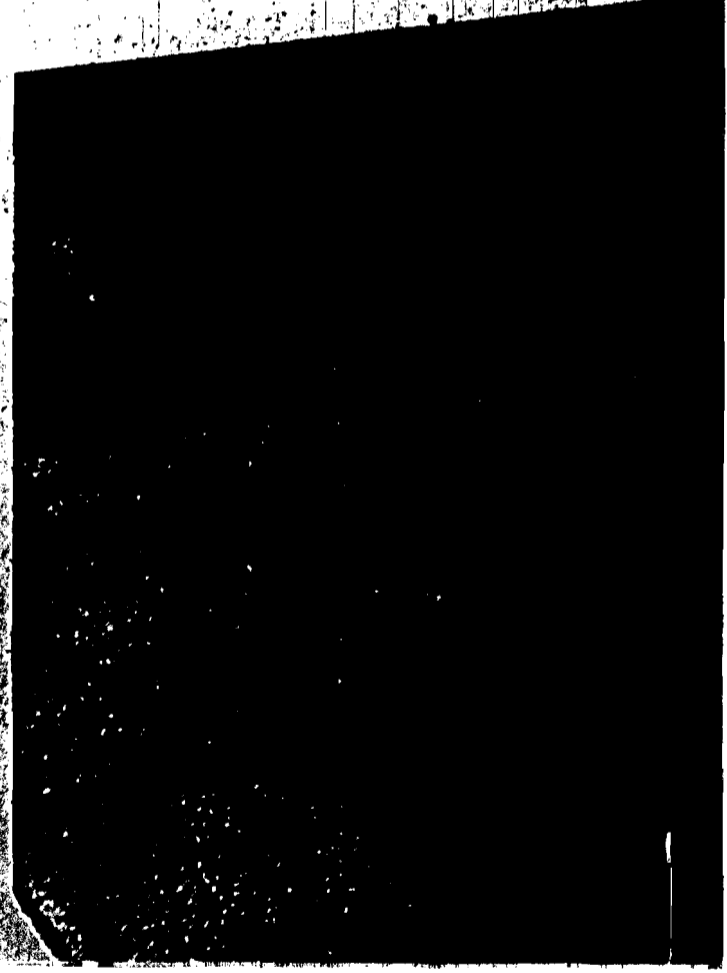
of electrical contractors.

A second bill, fixing the annual salary of the chairman of the governing body of certain cities with populations of more than 20,000 at \$3,000 a year was signed by Hughes. The measure was sponsored by Senators Donal C. Fox, D-Essex, and Dumont.

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Bangor

That Old Black Magic Of Monopoly

Licensing

The Legislature approved this spring a deceptively bland bill establishing a State-wide licensing system for electrical contractors. Under the bill a man wanting to make this kind of contracting his principal business would have to pass an examination and pay an initial 2-year license fee of \$150. Renewal licenses would cost \$50 each.

The first question, of course, is: Why? How come we need yet another State licensing system? We have licenses now for doctors and nurses, accountants and morticians, beauticians and barbers, shorthand reporters and spectacle fitters. Obviously the public health and welfare requires supervision of medical practitioners. But electrical contractors?

State Senate Republican leader Charles W. Sandman Jr. said in the debate on the bill:

If this passes, the next week it'll be the plumbers who'll want licenses, and the week after that it will be the carpenters.

The contractors, who are now pressing Governor Hughes to sign the bill, say State-wide licensing would produce better-qualified contractors and safer electrical installations. This is hard to prove. The contractors have another argument, though:

Licensing of electrical contractors is now left to the municipalities. Some towns do it, and some don't. Of those that do, many issue licenses rather to boost municipal revenue and pay off political debts than to protect the public safety. Some towns make it difficult for outside contractors to obtain licenses. This hinders competition, and forces consumers to pay high prices for contract work.

This is a respectable argument. But there remains unsettled, a basic ambiguity in the bill. Two years ago Governor Meyner was considering similar legislation. He held a public hearing, at which several electricians employed by Public Service and other big firms complained, with some justification, that the bill before him would prevent them from supplementing their income with occasional spare-time contracting work. Mr. Meyner vetoed the bill.

The new bill, apparently to eliminate this cause for complaint, dictates that licenses shall be issued only for persons and firms whose occupation is electrical contracting. Questions: How many hours per day must a man work at contracting before it becomes his principal occupation? When construction work closes down for the winter, may a construction electrician devote 40 hours a week to contracting without getting a license?

A clarifying amendment or two would seem in order. It is further suggested that the initial license fee be cut from \$150 to \$50 or so. This would make it financially feasible for qualified electricians to get a license for part-time work. And it would strengthen competition in this branch of contracting, a free-enterprise kind of operation if there ever was one.

Want better cap! Math next cut off at margin

Weights Legislation On Electricians

TRENTON (AP)—Gov. Meyner must decide if a proposed bill to license electrical contractors would help the public or create a monopoly.

He said yesterday that is the issue between opposing groups of electricians who clashed for two hours at a public hearing attended by 100 persons.

Meyner said he won't act on the bill until next month. In the meantime, he agreed with a proposal that the two groups try to reconcile their views.

Those for the bill said it would save the public money by eliminating the need for separate municipal license fees, and would cut the number of fires due to faulty wiring.

Those against it said mere licensing of contractors would not solve any problems, because the

key to quality work is good inspection at the local level.

Cut in Fees Seen

Two men who called themselves "moonlighters" said the measure would abolish their second jobs as electricians. Other small contractors said it was monopolistic.

James T. Owens, counsel for the N.J. chapter of the National Electrical Contractors Assn. was the lead off witness for the bill. He said both the CIO and State Chamber of Commerce approved the measure.

Owens said 28 municipalities, including Newark, Paterson, Elizabeth, Passaic and Atlantic City, now license electrical contractors with total fees of \$1,660 a year. If there was one statewide fee of \$50, he said, electrical costs to the public could be lowered.

Contractor Antone S. Demoura

of Newark said, "If I have a \$2,000 job in Elizabeth and no license, I have to charge \$3,000." He didn't explain how this was done, but another witness said he himself uses "cover men" who have a license where the job is.

Owens said all municipalities will retain full authority to make and enforce standards for electrical work. "This bill will not disturb the status quo of present practice in any respect," he said.

Against Legislation

The attack on the bill was led by Bernard Schwarz of Union City, lawyer for the New Jersey Electrical Trades Assn.

"I find no emergency, great need or any urgency for this bill," he said. "Is it to control prices? Is this a bill against inspectors? There are no clear standards in the bill."

Anthony J. Di Giovanni, chief electrical inspector for the city of Elizabeth, said, "This bill was written for the express purpose of creating a general monopoly for electrical contractors."

Herbert Susser of Paterson,

speaking for the N.J. Council of Electrical Contractors Assns., said electricians sometimes have to take 10 local examinations in a 50-mile area, and delayed results cause them to lose jobs. He said there should be one state license where all are treated alike.

John Salerno of Nutley, representing independent contractors, said vehemently, "This is a monopolistic bill and nothing else. When you hire a contractor, he doesn't do the work. He hires others. I don't see where the public benefits. Nothing in this bill protects us."

That Old Black Magic Of Monopoly *Bergen Record 7-14-62*

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Electrician Bill Signed AUG 31 1962 Licensing Measure to Be Revised Later.

Hughes Says NEWARK EVENING NEWS

TRENTON (AP)—A bill creating a State Board of Electrical Contractors, empowered to regulate the licensing of all electrical contractors in New Jersey, has been signed into law by Gov. Hughes.

In signing the bill yesterday Hughes said he will call for technical amendments to the measure later this year. He said the changes, which he did not spell out, have the support of both parties and electrical contractors' groups.

The governor said he signed the bill now because "there have been several tragedies which seem directly attributable to faulty electrical installations," in the last few weeks.

Hughes said the three states which have the least number of electrical fires all license electrical contractors at the state level.

The measure was sponsored by Sens. Wayne Dumont Jr., R-Warren, and Anthony J. Grossi, D-Passaic.

Other bills listed by sponsor:

Sens. Fox, D-Essex, and Farely, R-Atlantic—Amends the law covering investments by insurance companies and authorizes investments in property and securities in Puerto Rico.

Assemblymen Keegan, D-Passaic, and Farrington, D-Mercer—Permits a converter of commercial motor vehicles to obtain and use dealer registrations and dealer plates.

Perth Amboy Orders Cat Owners to Buy Tags for Their Pets

87674 **NYT**
Special to The New York Times

PERTH AMBOY, N. J., Aug. 5—The cats of Perth Amboy—like the dogs—must now wear tags.

Aroused by the number of strays prowling the community's streets, the City Commission adopted today an ordinance requiring that cats more than 6 months old be licensed and wear tags, which will cost 50 cents for spayed cats and \$2 for others.

The dog warden, who will also serve as the cat warden, is required to impound all strays. Owners reclaiming their pets will be charged \$1 a day. Those not claimed will be destroyed.

"It's not that we hate cats," explained Thomas De Angelo, the city health officer, "but it isn't fair to the cats or the public to have uncared-for strays wandering around, some of

Mr. De Angelo said there had been little opposition to the measure and considerable support for it. "We had a petition with 300 signatures backing the idea," he said.

The ordinance says that cat owners who violate the law may be fined up to \$200 or sentenced to as much as 90 days in jail.

N.J. - Licenses + Permits

Electrician

Bill Signed

AUG 31 1962

Licensing Measure to Be Revised Later,

Hughes Says

NEWARK-EVENING NEWS

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Bill Creating Board To License Electrical Contractors Is Signed

TRENTON, Aug. 30 (AP). — Gov. Richard J. Hughes Thursday signed into law a bill creating a State board of electrical contractors empowered to regulate the licensing of electrical contractors in New Jersey.

Hughes said he signed the bill because the three states with the least number of electrical fires all license electrical contractors at the state level.

CITES RECENT TRAGEDIES

He said he was sympathetic to the purpose of the bill aimed at improved safety and added that in recent weeks "there have been several tragedies which seem to be directly attributable to faulty electrical installations."

These incidents, Hughes said, necessitated prompt action on the bill.

But the Governor said there are still technical problems in the measure and, even though he signed it, he will call for technical amendments late this year.

BIPARTISAN SUPPORT

He said his amendments, which he did not spell out, have the support of electrical contractors' groups and legislators of both parties.

The measure was sponsored by Sens. Wayne Dumont, Jr. (R., Warren), and Anthony J. Grossi (D., Passaic).

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Nutria-Brothers

Electrical Contractor

Licensing Up To Hughes

TRENTON EVENING TIMES 5-1-62
State licensing of electrical contractors is proposed in a bill the Legislature has sent to Governor Hughes. A bill having the same purpose failed to pass last year.

A number of senators spoke against it, claiming an invasion of home rule. Warren Senator Wayne Dumont defended it as

eliminating the necessity of multiple municipal licenses. Republican Leader Charles W. Sandman produced a handful of mail which came he said from contractors opposed to the measure. Dumont counted with an equal volume of correspondence for contractors favoring it.

Predicting the bill would be an opening wedge for state licensing of other trades, Senator William Ozzard of Somerset termed it "lousy" legislation. The Senate roll call showed a bare favorable majority. Mercer Senator Sido L. Ridolfi was not recorded.

SENATE, No. 231

STATE OF NEW JERSEY

INTRODUCED APRIL 2, 1962

By Senators DUMONT and GROSSI

Referred to Committee on Business Affairs

AN ACT concerning electrical contracting, providing for the regulation thereof, establishing a Board of Electrical Examiners and making an appropriation.

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

1 1. This act may be cited as "The Electrical Contractors Licensing Act
2 of 1962."

1 2. The words "electrical contractor," as used in this act shall mean a
2 person, firm, corporation or other legal entity whose principal occupation is
3 contracting to install, erect or repair electrical wire or conductors to be used
4 for the transmission of electric current for electric light, heat or power pur-
5 poses, or mouldings, ducts, raceways or conduits for the reception or pro-
6 tection of such wires or conductors to electrical machinery, apparatus, de-
7 vices or fixtures to be used for electric light, heat or power purposes. An
8 electrical contractor shall be a person having the necessary qualifications,
9 training, experience, and technical knowledge to plan, lay out, and supervise
10 the installation and repair of electrical wiring apparatus and equipment for
11 electric light, heat, and power in accordance with the standard rules and
12 regulations governing such work.

1 3. There is created a Board of Examiners of Electrical Contractors in
2 the Department of Law and Public Safety consisting of 7 members, herein-

3 after referred to as the "board." The members of such board shall be citi-
4 zens of the State appointed by the Governor, with the advice and consent
5 of the Senate. They shall be appointed initially for the following terms:
6 Three members for terms of 1 year from July 1, 1962, 2 members for terms
7 of 2 years from July 1, 1962, and 2 members for terms of 3 years from
8 July 1, 1962. Thereafter members shall be appointed for terms of 3 years
9 and until the appointment and qualification of their successors. The Gov-
10 ernor shall fill any vacancy in said board for the unexpired portion of the
11 term. No more than 4 members of the board shall be members of the same
12 political party. Three members of the board shall be qualified electrical
13 contractors with not less than 10 years experience as an electrical contractor,
14 one shall be a qualified electrical inspector, with not less than 5 years ex-
15 perience as an electrical inspector, one shall be a qualified journeyman em-
16 ployed in the electrical construction industry for 5 years. One shall be a
17 public member not associated with the electrical industry, and one shall be
18 a licensed professional engineer with not less than 5 years experience in the
19 electrical industry.

1 4. Each member of the board shall receive \$25.00 for each day of actual
2 service in attending meetings of the board at which business is transacted;
3 provided, such compensation in one fiscal year shall not exceed \$1,000.00
4 per member.

1 5. At the meeting for organization after the first appointment of said
2 board the members thereof shall choose from among their number a chair-
3 man, who shall preside at all meetings of the board, and a secretary who need
4 not be a member of the board. The chairman and secretary shall hold office
5 for 1 year and until their successors are chosen. Vacancies in the office of
6 chairman or secretary between regular appointments shall be filled by the
7 board. The board is authorized to appoint, with the approval of the At-
8 torney General, a director, and such clerical assistants as may be required
9 and to fix their compensation. The board shall be authorized to incur such
10 other expenses, within available appropriations therefor, as may be required

11 to carry out its purpose and function. All moneys received by said board
12 shall be remitted to the State Treasury.

1 6. The board may adopt and amend all rules and regulations not incon-
2 sistent with the Constitution and laws of this State which may be reason-
3 ably necessary for the proper performance of its duties and the purposes
4 of this act and for the conduct of the proceedings before it.

1 7. In carrying into effect the provisions of this act the board under the
2 hand of its chairman and the seal of the board may subpoena witnesses and
3 compel their attendance and it also may require the production of such papers
4 or documents, in any case involving the revocation or suspension of a license.
5 Any member of the board may administer oaths or affirmations to witnesses
6 appearing before the board.

1 8. The Board of Examiners of Electrical Contractors shall keep a record
2 of its proceedings and a register of all applications for licenses, which reg-
3 ister shall show: (a) the name, age and residence of each applicant, (b) the
4 date of the application, (c) the place of business of such applicant, (d) the
5 qualifications of the applicant, (e) whether or not an examination was
6 required, (f) whether the applicant was rejected, (g) whether a license was
7 granted, (h) the date of the action of the board and (i) such other informa-
8 tion as may be deemed necessary by the board.

1 9. Six months after the passage of this act no person, firm, corporation
2 or other legal entity shall enter into, engage in, or work in business as an
3 electrical contractor for hire, unless such person or a representative of the
4 firm or corporation has obtained a license and a certificate therefor granted
5 by the board on payment of the prescribed fee. A fee of \$25.00 shall be
6 paid by each applicant for an initial electrical contractors examination, said
7 fee to be forfeited upon failure to qualify. For each subsequent examination
8 a fee of \$15.00 shall be paid, which fee shall be forfeited upon failure to
9 qualify. A period of 6 months shall intervene before admission for re-exam-
10 ination. Except as herein otherwise provided, any person before making
11 application for a license as electrical contractor shall have been employed or

12 engaged at the business of electrical construction and installation for a period
13 of not less than 5 years preceding the time of such application, or shall, other-
14 wise establish to the satisfaction of the board that the applicant has the
15 necessary background and experience to satisfactorily qualify as an electri-
16 cal contractor.

17 Every such examination shall be so designed as to establish the com-
18 petence and qualifications of the applicant to perform each and all of the
19 several types of work, for each and all of the several purposes set forth in
20 this section.

1 10. Upon payment of the prescribed fee as hereinafter set forth any
2 person who has been continuously employed or engaged at the business of
3 electrical construction and installation in this State for a period of 6 years
4 prior to the effective date of this act, at least 2 of which years immediately
5 preceding making of application as herein provided shall be as an electrical
6 contractor, shall be granted a license without examination; provided appli-
7 cation shall be made to the board within 6 months after the effective date
8 of this act; upon presenting satisfactory proof to said board of fitness to
9 conduct such business; and provided such person, firm or corporation has
10 its principal office and place of business in this State. The application shall
11 consist of a sworn statement (a) describing the experience of the applicant
12 in the electrical contracting business, (b) listing representative electrical
13 contracts performed by the applicant, (c) such other information as may be
14 required by the board and (d) payment of the initial license fee.

1 11. The board shall receive all applications for license filed by persons,
2 partners or representatives of a firm, corporation or other legal entity seek-
3 ing to enter upon or continue in the electrical contracting business as herein
4 defined within this State and upon proper qualification of such applicant shall
5 issue the license applied for.

1 12. The board shall prescribe the conditions of examination of, and sub-
2 ject to the provisions of this act, shall give examinations to all persons who
3 are, under the provisions of this act, required to take such examinations. The

4 scope of such examination shall cover such matters as the provisions of
5 nationally recognized electrical installation safety standards and the theo-
6 retical and practical application of the same encountered in electrical work.
7 It shall hold a minimum of 4 examinations each year at such time and or
8 place within the State as the board shall designate. Public notice shall be
9 given of the time and place of all examinations. In the conduct of the exami-
10 nation the board shall prescribe a standard form of examination which may
11 be revised from time to time as circumstances require. Said examinations
12 shall give ample opportunity for all applicants to be thoroughly and care-
13 fully examined, may be written or practical, or both, and shall be supervised
14 by 3 or more of the examiners, but no license shall be granted except by the
15 board.

1 13. Before a license shall issue fees shall be paid for same in the fol-
2 lowing amounts: (a) for initial license—\$150.00, (b) for renewal—\$50.00.

3 Any initial license or renewal thereof shall expire on the first day of the
4 twenty-fifth month following the calendar month in which it was issued. The
5 board, however, may issue initial licenses or renewals thereof which shall
6 expire on a date fixed by it, which date shall not be earlier than 15 months and
7 not later than 30 months after issuance, in which case the fee shall be an
8 amount equal to $1/24$ of the normal fee times the number of whole months be-
9 tween issuance and expiration. Renewal shall be governed by the standards
10 applicable to initial issuance. The board may require a re-examination upon
11 failure to apply for a renewal within 30 days of the date of the expiration of
12 said license. Any license expiring while the holder thereof is outside the con-
13 tinental limits of the United States in connection with any project undertaken
14 by the Government of the United States, or while in the service of the Armed
15 Forces of the United States shall be renewed without further examination
16 upon payment of the prescribed fee at any time within 4 months after such
17 person's return to the United States or discharge from the armed forces.

1 14. No firm or corporation or other legal business entity shall be denied
2 the privilege of continuing business as electrical contractor in the event of

3 death, illness, or other physical disability of the representative thereof who
 4 qualified the firm, corporation or other business entity for a license for at
 5 least 6 months following the date of such death, illness or other physical dis-
 6 ability; provided, the principal office of such firm, corporation or other busi-
 7 ness entity is located in this State and that said business is conducted under
 8 such qualified supervision as the board deems adequate.

1 15. No license issued under this act shall be assignable or transferable.

1 16. The board may suspend, revoke or refuse to renew any license if the
 2 holder has:

3 (a) secured such permit by misrepresentation;

4 (b) failed to maintain the qualifications required by this act;

5 (c) engaged in fraudulent business activities or in misleading advertis-
 6 ing practices;

7 (d) violated a provision of this act; or

8 (e) committed an act of gross negligence.

9 Any person may prefer charges as set forth above against any licensed
 10 electrical contractor. Such charges shall be in writing and shall be sworn to
 11 by the person making them and shall be filed with the secretary of the board.
 12 All charges unless dismissed by the board as unfounded or trivial shall be
 13 heard by the board within 3 months after the date on which they shall have
 14 been preferred. The time and place for the hearing shall be fixed by the
 15 board and a copy of the charges together with a notice of the time and place
 16 of hearing shall be personally served on or mailed to the last known address
 17 of the licensee at least 30 days before the date fixed for the hearing. At any
 18 hearing the accused licensee shall have the right to appear personally and by
 19 counsel to cross-examine witnesses appearing against him and to produce
 20 evidence and witnesses in his own defense. No license shall be suspended or re-
 21 voked except upon the agreement of at least 4 members of the board.

22 An applicant whose license has been revoked may become eligible not
 23 earlier than 1 year from the date of said revocation for a new license upon
 24 meeting all of the requirements of this act and upon the satisfactory com-
 25 pletion of an examination as herein provided.

1 17. (a) This act shall not deny to any municipality the power to in-
2 spect electrical work or equipment or the power to regulate the standards
3 and manner in which electrical work shall be done but no municipality shall
4 require any electrical contractor licensed under this act to obtain a municipi-
5 pal license to engage in the business of electrical contracting in such
6 municipality.

7 (b) Any licensee who willfully fails to comply with any municipal ordi-
8 nance concerning the inspection of electrical work shall be guilty of a violation
9 of this act.

1 18. Electrical work or construction which is performed on the following
2 facilities or which is by or for the following agencies shall not be included
3 within the business of electrical contracting so as to require licensing under
4 this act:

5 (a) Minor repair work such as the replacement of lamps and fuses.

6 (b) The connection of portable electrical appliances to suitable perma-
7 nently installed receptacles.

8 (c) The testing, servicing or repairing of electrical equipment or
9 apparatus.

10 (d) Electrical work in mines, on ships, railway cars or automotive
11 equipment.

12 (e) Municipal plants or any public utility as defined in section 48:2-13
13 of the Revised Statutes organized for the purpose of constructing, maintain-
14 ing and operating works for the generation, supplying, transmission and dis-
15 tribution of electricity for electric light, heat, or power.

16 (f) A public utility subject to regulation, supervision or control by a
17 Federal regulatory body, or a public utility operating under the authority
18 granted by the State of New Jersey, and engaged in the furnishing of com-
19 munication or signal service, or both, to a public utility, or to the public,
20 as an integral part of a communication or signal system, and any agency
21 associated or affiliated with any public utility and engaged in research and
22 development in the communications field.

23 (g) A railway utility in the exercise of its functions as a utility and
24 located in or on buildings or premises used exclusively by such an agency.

25 (h) Commercial radio and television transmission equipment.

26 (i) Construction by any branch of the Federal Government.

27 (j) Any work with a potential of less than 10 volts.

28 (k) Repair, manufacturing and maintenance work on premises occupied
29 by a firm or corporation, and installation work on existing buildings occupied
30 by a firm or corporation and performed by a regular employee who is a qual-
31 ified journeyman electrician.

32 (l) Installation, repair or maintenance performed by regular employees
33 of the State or of a municipality, county, or school district on the premises
34 or property owned or occupied by the State, a municipality, county, or school
35 district.

36 (m) The maintaining of, installing or connecting automatic oil, gas or
37 coal burning equipment, to a supply of adequate size at the load side of the
38 distribution board.

1 19. Any electrical contractor licensed under the provisions of this act
2 shall not undertake to do any electrical work in the State of New Jersey
3 or any political subdivision thereof unless and until he shall have entered
4 into bond in favor of the State of New Jersey in the sum of \$1,000.00, executed
5 by a surety company authorized to transact business in the State of New
6 Jersey, approved by the Department of Banking and Insurance and to be
7 conditioned on the faithful performance of the provisions of this act, and
8 of all work in connection with the restoration of sidewalk and street areas
9 to normal conditions, previously excavated or disturbed by reason of the
10 installation of wires, wiring or cable, the laying of conduits and the construc-
11 tion of manholes and appurtenances thereto. The aforesaid bond shall be
12 for the term of 24 months and must be renewed upon expiration for the
13 ensuing 24 months.

1 20. Any person, firm or corporation violating any provision of this act
2 shall be liable for the first offense to a penalty of not less than \$100.00 or

3 more than \$500.00, for the second and each succeeding offense to a penalty of
4 not less than \$200.00 nor more than \$1,000.00. The penalties shall be col-
5 lected by a civil action in the name of the board to be instituted in the county
6 district court of the county, or in the municipal court of the municipality,
7 where the violation occurred or the defendant resides.

1 21. Any person, firm or corporation engaging in the business of electrical
2 contracting without having a license from the board is a disorderly person.

1 22. There is appropriated to the Department of Law and Public Safety,
2 for the purposes of administering this act until June 30, 1963, the sum of
3 \$35,000.00, or so much thereof as may be necessary.

1 23. This act shall take effect immediately.

FQR IMMEDIATE RELEASE
August 30, 1962

FROM: Office of the Governor

Governor Hughes today signed the following bills:

Assembly Bill No. 476 -- permits a bona-fide converter of commercial motor vehicles to obtain and use dealer registration and registration plates.

Senate Bill No. 238 -- amends the law concerning investments by insurance companies to establish the extent to which such companies can invest in bonds or notes secured by mortgages or trust deeds and to clarify the term for which such investments can be made. The bill also authorizes investments in property and securities in the Commonwealth of Puerto Rico.

Senate Bill No. 231 -- creates a Board of Examiners of Electrical Contractors and provides for the licensing by the State of persons engaging in the electrical contracting business.

At the time of the signing the Governor stated:

"In an earlier release concerning this bill, I stated that I was sympathetic to the purposes of Senate Bill No. 231 because of its relationship to factors of human safety. Information submitted to me indicates that the three states with the best record as to the least number of electrical fires were states in which electrical contractors are licensed at the state level. In recent weeks, there have been several tragedies which seemed to be directly attributable to faulty electrical installations. These tragedies have highlighted the necessity for prompt action on this legislation.

"As I indicated earlier, however, Senate Bill No. 231 presents certain technical problems which should be rectified. I have therefore consulted with the various interested groups and have reached full agreement on supplementary legislation which will eliminate these technical objections. I intend to submit this amendatory legislation to the Legislature when it returns on November 19. I have been assured of full support of this legislation by the electrical contractors' groups and I hope that the Legislature will act promptly to enact these amendments."