

52:27D-126.2

LEGISLATIVE HISTORY CHECKLIST

NJSA: 52:27D-126.2

(Subcode officials and municipal engineers - continue as acting code officials)

LAWS OF: 1983

CHAPTER: 35

Bill No.: S1985

Sponsor(s): Caufield

Date Introduced: Dec. 6, 1982

Committee: Assembly: _____

Senate: County and Municipal Government

Amended during passage: // No

Date of Passage: Assembly: Jan. 11, 1983

Senate: Jan. 11, 1983

Date of Approval: Jan. 26, 1983

Following statements are attached if available:

Sponsor statement: Yes //

Committee statement: Assembly // No

Senate Yes //

Fiscal Note: // No

Veto Message: // No

Message on Signing: Yes //

Following were printed:

Reports: // No

Hearings: // No

Regulations referred to in statements:

N.J.A.C. 5:23-4.3 (b) (i) (vi)

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APPROVED Jan. 26, 1983

SENATE, No. 1985

STATE OF NEW JERSEY

INTRODUCED DECEMBER 6, 1982

By Senator CAUFIELD

Referred to Committee on County and Municipal Government

A SUPPLEMENT to the "State Uniform Construction Code Act," approved October 17, 1975 (P. L. 1975, c. 217; C. 52:27D-119 et seq.).

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

1 1. Notwithstanding the provisions of the "State Uniform Con-
2 struction Code Act," P. L. 1975, c. 217 (C. 52:27D-119 et seq.), or
3 any rule or regulation adopted pursuant thereto to the contrary, on
4 or after January 1, 1981, no person who received an appointment
5 as a construction official or a subcode official prior to October 1,
6 1978, shall hold or perform the duties of an office for which a license
7 is required under that act, or represent himself as qualified for
8 that position, use a title denoting that he is so licensed or otherwise
9 represent himself as licensed or authorized to act under the code
10 unless that person possesses the appropriate license; except that
11 a subcode official or municipal engineer appointed prior to October
12 1, 1978, and acting as a construction official on January 1, 1981 or
13 a municipal official appointed prior to October 1, 1978, and acting
14 as a subcode official on January 1, 1981, may continue to act as a
15 construction official or a subcode official, respectively, until March
16 1, 1981, without licensing by the commissioner.

1 2. This act shall take effect immediately and shall be retroactive
2 to January 1, 1981.

STATEMENT

Regulations under the "State Uniform Construction Code Act" are ambiguous as to the status of municipal officials acting as subcode officials or as construction officials on January 1, 1981. It is unclear whether a person who was acting as a construction or subcode official on that date could continue to serve in that capacity for an additional period of 30 consecutive days or 60 calendar days beyond January 1, 1981.

This bill would permit a subcode official or a municipal engineer who was acting as a construction official on January 1, 1981 to continue to act as a construction official, without licensing by the commissioner, until March 1, 1981, and a municipal official who was acting as a subcode official on January 1, 1981, to continue to act as a subcode official, without licensing by the commissioner, until March 1, 1981.

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This bill would permit a subcode official or a municipal engineer who was acting as a construction official on January 1, 1981 to continue to act as a construction official, without licensing by the commissioner, until March 1, 1981, and a municipal official who was acting as a subcode official on January 1, 1981, to continue to act as a subcode official, without licensing by the commissioner, until March 1, 1981.

S1985 (1983)

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO

SENATE, No. 1985

STATE OF NEW JERSEY

DATED: DECEMBER 16, 1982

Senate Bill No. 1985 clarifies the status of subcode officials or municipal engineers who were acting as construction officials under the "State Uniform Construction Code, P. L. 1975, c. 217 (C. 52:27D-119 et seq.) on January 1, 1981. The bill in essence validates their continuance to act in that capacity, without licensing by the Commissioner of Community Affairs, until March 1, 1981. The sponsor states that an ambiguity in construction code regulations in this regard creates a need for legislative action to clarify the status of actions taken by these persons during that time.

OFFICE OF THE GOVERNOR

RELEASE: IMMEDIATELY

CONTACT: KATHERINE BROKAW

WEDNESDAY, JANUARY 26, 1983

Governor Thomas H. Kean today signed the following bills:

S-434, sponsored by Senator Richard Codey (D-Essex), requires that any person who has been convicted of a violent crime and later sells or publishes any account of that crime must pay the royalties to the Violent Crimes Compensation Board for the victims of his crime. The bill is intended to prevent perpetrators of sensational crimes from profiting by their criminal actions.

A-498, sponsored by Assemblyman Richard Van Wagner (D-Monmouth), amends the language of tax statutes to make them consistent with Tax Court legislation.

S-1985, sponsored by Senator John Caufield (D-Essex), removes a \$100 fine imposed on the city engineer of Newark for tardiness in getting his license as a uniform construction code official.

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