

APP A9-40.1

LEGISLATIVE HISTORY CHECKLIST

NJSA App A 9-40.1 (Municipal disaster control directors--appointed by mayor for 3 yr. terms.)

Laws of 1977 Chapter 184

Bill No. A704

Sponsor(s) Schuck and Rand

Date Introduced Pre-filed

Committee: Assembly Municipal Government

Senate County & Municipal Government

Amended during passage Yes No Amendments during passage denoted by asterisks. Substituted for S.13 (attached)

Date of passage: Assembly November 23, 1976

Senate June 20, 1977

Date of approval August 22, 1977

Following statements are attached if available:

Sponsor statement Yes  No  Below

Committee Statement: Assembly ~~Yes~~ Yes

Senate Yes  No

Fiscal Note Yes  No

Veto message Yes  No

Message on signing Yes  No

Following were printed:

Reports Yes  No

Hearings Yes  No

Sponsor's Statement: The purpose of this bill is expressed in its title.

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MAY 1978

10/4/76

[OFFICIAL COPY REPRINT]  
ASSEMBLY, No. 704

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1976 SESSION

By Assemblymen SCHUCK and RAND

AN ACT concerning the appointment and qualification of municipal disaster control directors and amending section 8 of P. L. 1953, c. 438.

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

1 1. Section 8 of P. L. 1953, c. 438 (C. App. A:9-40.1) is amended  
2 to read as follows:

3 8. In every municipality of this State the mayor shall appoint a  
4 municipal disaster control director from among the residents of the  
5 municipality. The municipal disaster control director, *subject to*  
6 *fulfilling the requirements of this section*, shall serve [at the  
7 pleasure of the mayor] for a term of \***[2]**\* \*3\* years. As a condi-  
8 tion of his appointment and his right to continue for the full term of  
9 his appointment, each municipal disaster control director shall have  
10 successfully completed at the time of his appointment or within 1  
11 year immediately following his appointment or the effective date  
12 of this act, whichever is later, the current, approved, Civil Defense  
13 Director-Coordinator Course. The failure of any municipal disaster  
14 control director to fulfill such requirements within the period  
15 prescribed shall disqualify the director from continuing in the  
16 office of director and thereupon a vacancy in said office shall be  
17 deemed to have been created.

1 2. This act shall take effect immediately.

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

ASSEMBLY, No. 704

STATE OF NEW JERSEY

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1 1. Section 8 of P. L. 1953, c. 438 (C. App. A:9-40.1) is amended  
2 to read as follows:

3 8. In every municipality of this State the mayor shall appoint a  
4 municipal disaster control director from among the residents of the  
5 municipality. The municipal disaster control director, *subject to*  
6 *fulfilling the requirements of this section*, shall serve [at the  
7 pleasure of the mayor] *for a term of 2 years. As a condition of*  
8 *his appointment and his right to continue for the full term of his*  
9 *appointment, each municipal disaster control director shall have*  
10 *successfully completed at the time of his appointment or within 1*  
11 *year immediately following his appointment or the effective date*  
12 *of this act, whichever is later, the current, approved, Civil Defense*  
13 *Director-Coordinator Course. The failure of any municipal disaster*  
14 *control director to fulfill such requirements within the period*  
15 *prescribed shall disqualify the director from continuing in the*  
16 *office of director and thereupon a vacancy in said office shall be*  
17 *deemed to have been created.*

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is expressed in its title.

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

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 704

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STATE OF NEW JERSEY

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DATED: MAY 3, 1976

Assembly Bill No. 704 would provide that a municipal disaster control director shall be appointed by the mayor of the municipality to serve a 2-year term. The bill further requires that the municipal disaster control director successfully complete, as a condition of his appointment, either before the appointment or within 1 year of the appointment, the current approved Civil Defense Director-Coordinator Course. The failure of the appointee to complete the course would disqualify him from holding the office.

The law presently requires the mayor of every municipality in the State to appoint a municipal disaster control director to serve at his pleasure. The current law imposes no qualification requirements for the office.

The committee's information is that the Civil Defense Director-Coordinator Course mentioned in the bill is a correspondence course offered by the national office of Civil Defense in Battle Creek, Michigan. The course is tuition free for both the student and the municipality.

The committee received statements indicating strong approval of this bill from the New Jersey Civil Defense and Disaster Control Association and from the Division of Civil Defense and Disaster Control of the State Department of Defense.

The committee believes the bill would do much to upgrade the office of municipal disaster control director.

REFERENCE USE ONLY

SENATE COUNTY AND MUNICIPAL GOVERNMENT  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 704**  
with Senate committee amendment

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**STATE OF NEW JERSEY**

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DATED: MAY 5, 1977

The Assembly committee statement on the bill adequately summarizes the contents and objectives of the bill.

The Senate committee amendment requires that municipal disaster control directors be appointed for 3-year, instead of 2-year terms.

SENATE COMMITTEE AMENDMENT TO  
**ASSEMBLY, No. 704**

—◆—  
**STATE OF NEW JERSEY**  
—◆—

ADOPTED MAY 5, 1977

Amend page 1, section 1, line 7, omit "2", insert "3".

SENATE REPRINT  
**ASSEMBLY, No. 704**

with Senate committee amendment adopted May 5, 1977

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**STATE OF NEW JERSEY**

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PRE-FILED FOR INTRODUCTION IN THE 1976 SESSION

By Assemblymen SCHUCK and RAND

AN ACT concerning the appointment and qualification of municipal disaster control directors and amending section 8 of P. L. 1953, c. 438.

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

1 1. Section 8 of P. L. 1953, c. 438 (C. App. A:9-40.1) is amended  
2 to read as follows:

3 8. In every municipality of this State the mayor shall appoint a  
4 municipal disaster control director from among the residents of the  
5 municipality. The municipal disaster control director, *subject to*  
6 *fulfilling the requirements of this section*, shall serve [at the  
7 pleasure of the mayor] *for a term of \***[2]**\* \*3\* years. As a condi-*  
8 *tion of his appointment and his right to continue for the full term of*  
9 *his appointment, each municipal disaster control director shall have*  
10 *successfully completed at the time of his appointment or within 1*  
11 *year immediately following his appointment or the effective date*  
12 *of this act, whichever is later, the current, approved, Civil Defense*  
13 *Director-Coordinator Course. The failure of any municipal disaster*  
14 *control director to fulfill such requirements within the period*  
15 *prescribed shall disqualify the director from continuing in the*  
16 *office of director and thereupon a vacancy in said office shall be*  
17 *deemed to have been created.*

1 2. This act shall take effect immediately.

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

SENATE, No. 13

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1976 SESSION

By Senator DUNN

AN ACT concerning the appointment and qualification of municipal disaster control directors and amending section 8 of P. L. 1953, c. 438.

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

1 1. Section 8 of P. L. 1953, c. 438 (C. App. A:9-40.1) is amended  
2 to read as follows:

3 8. In every municipality of this State the mayor shall appoint,  
4 *with the approval of the governing body*, a municipal disaster  
5 control director from among the residents of the municipality. The  
6 municipal disaster control director, *subject to fulfilling the require-*  
7 *ments of this section*, shall serve **[at the pleasure of the mayor]**  
8 *for a term of 3 years. As a condition of his appointment and his*  
9 *right to continue for the full term of his appointment, each municipi-*  
10 *pal disaster control director shall have successfully completed at*  
11 *the time of his appointment or within 1 year immediately following*  
12 *his appointment or the effective date of this act, whichever is later,*  
13 *the current, approved, Civil Defense Director-Coordinator Course.*  
14 *The failure of any municipal disaster control director to fulfill such*  
15 *requirements within the period prescribed shall disqualify the*  
16 *director from continuing as director and thereupon a vacancy in*  
17 *said office shall be deemed to have been created.*

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to require certain standards for any person appointed to the position of municipal disaster control director.

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



SENATE COUNTY AND MUNICIPAL  
GOVERNMENT COMMITTEE

STATEMENT TO  
**SENATE, No. 13**

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**STATE OF NEW JERSEY**

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DATED: MAY 5, 1977

Senate Bill No. 13 requires:

(1) The municipal disaster control director be appointed for a 3-year term, rather than, as at present, serving at the pleasure of the mayor; and

(2) Said director to complete the Civil Defense Director-Coordinator Course prior to, or within 1 year of appointment, or within 1 year of the effective date of this bill, whichever shall occur later.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

AUGUST 22, 1977

KATHY FORSYTH

Governor Brendan Byrne Monday signed the following bills:

--A-704, which requires that a municipal disaster control director be appointed by the Mayor of every municipality to serve a three-year term. Under present law, the director serves at the pleasure of the Mayor.

The bill also requires that all disaster control directors successfully complete the current approved Civil Defense Director-Coordinator Course as a condition of appointment. The program, a correspondence course offered by the national office of Civil Defense in Battle Creek, Michigan, may be successfully completed either before the appointment or within one year of the appointment.

The bill was sponsored by Assemblyman Ernest F. Schuck (D-Barrington).

S-901, which amends the Local Public Contracts Law to give counties and municipalities the authority, currently delegated under other statutes, to enter into joint agreements with school districts for the purchase of work materials and supplies.

The bill was sponsored by Senate President Matthew Feldman (D-Bergen).

--S-3349, which authorized the Village of South Orange to adopt a new special charter. Among the changes the charter would include is a provision which redesignates the Village of South Orange as the Township of South Orange. This redesignation will make South Orange eligible for additional federal-revenue sharing funds.

The bill was sponsored by Senator Martin Greenberg (D-Essex).

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