

40:47A-11 et seq.

December 16, 1970

LEGISLATIVE NOTES ON R.S. 40:47A - 11 et seq.
("Local Emergency Aid Act 1969" Amendment and Supplement.)

(1970 amendment)

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L.1970 - Ch.23 - S535.

February 2 - Introduced by Beadleston, Lynch.

No statement (original bill enclosed).

March 12 - Returned by Governor with recommended
amendments (copy enclosed).

March 16 - Amended as recommended - passed Senate.

March 19 - Reenacted In assembly.

RSL/eh

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SENATE, No. 535

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 2, 1970

By Senators BEADLESTON and LYNCH

Referred to Committee on State Government

AN ACT to amend and supplement the "Local Emergency Aid Act of 1969," approved June 20, 1969 (P. L. 1969, c. 94).

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

1 1. As used in this act and in the act of which this act is amenda-
2 tory and supplementary, "emergency" means any unusual con-
3 ditions caused by civil disturbance whereby the safety of the public
4 is endangered or imperiled. The occurrence of such an emergency
5 shall be determined within the sole discretion of the officer, board
6 or official having charge of the police or fire department in any
7 municipality.

1 2. Section 4 of P. L. 1969, chapter 94 (C. 40:47A-4) is amended
2 to read as follows:

3 4. The State House Commission may authorize payments to any
4 municipality out of the Local Emergency Aid Fund for **[(a)]**
5 reimbursement to such municipality of any sums expended by
6 emergency appropriation **[under the provisions of chapter 247 of**
7 **the laws of 1966 (C. 40:27-12.12 et seq.), and]** *for an emergency*
8 *as defined in this act.*

9 **[(b)** Reimbursement to such municipality of any other sums ex-
10 pended by emergency appropriation necessarily arising out of the
11 same emergency for which the aforesaid emergency appropriation
12 was made.]

1 3. Section 5 of P. L. 1969, chapter 94 (C. 40:47A-5) is amended to
2 read as follows:

3 5. Any municipality may make application to the State House
4 Commission, in such form and manner as the commission shall pre-
5 scribe, for payments to be made to such municipality out of the
6 Local Emergency Aid Fund. Such application shall be made within
7 **[1 year]** *2 months* from the effective date of the emergency 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 appropriation for which reimbursement is sought or from the date
9 specified by the State House Commission for formal receipt of such
10 applications, whichever is later. The State House Commission
11 shall review every such application and may cause further investi-
12 gation or inquiry to be made to verify the accuracy of statements
13 made therein and to establish the eligibility of the municipality to
14 receive payment pursuant to the provisions of this act.

1 4. The State House Commission, having verified the accuracy of
2 statements made in the application for reimbursement and estab-
3 lished the eligibility of the municipality to receive payment pur-
4 suant to the provisions of this act, shall:

5 (a) Award reimbursement in an amount equal to 75% of the
6 actual expenditures made by a municipality, pursuant to emergency
7 appropriations adopted in dealing with an emergency within its
8 borders, or

9 (b) Award reimbursement equal to 100% of the expenditures
10 incurred by a sending municipality and provided for by an emer-
11 gency appropriation, in instances where said municipality is asked
12 to provide and render assistance to a neighboring municipality in
13 an emergency by supplying fire and police aid, or both, and does
14 provide such assistance.

1 5. The State House Commission shall issue rules and regulations
2 necessary to implement the administration of the Local Emergency
3 Aid Fund.

1 6. Section 8 of P. L. 1969, chapter 94 is amended to read as
2 as follows:

3 8. This act shall take effect immediately and may be applied to
4 **[emergency appropriations]** *emergencies* occurring on or after
5 January 1, 1969.

SENATE AMENDMENTS TO
SENATE, No. 535

—•—
STATE OF NEW JERSEY
—•—

ADOPTED MARCH 16, 1970

Amend page 2, section 4, after subsection “(b)”, add subsection:

“(c) In the event that the total of eligible requests for reimbursement exceeds the total amount of the fund, the State House Commission shall prorate and distribute the fund on the basis of the total of all eligible requests received.”.

Amend page 2, section 6, line 5, after “January 1, 1969”, delete “.”, and add “and prior to January 1, 1970.”.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

March 12, 1970

SENATE BILL NO. 535

To the Senate:

Pursuant to Article V, Section I, paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 535, with my objections, for reconsideration.

This bill would amend and supplement the "Local Emergency Aid Act of 1969," P.L. 1969, c. 94, to define "emergency" as used in the act to mean any unusual conditions caused by civil disturbance whereby the safety of the public is endangered or imperiled, and to give the State House Commission power to implement the distribution of the Fund.

I am in favor of the purpose of the bill, however, the language should be corrected to carry out what I am sure is the true intent.

I return the bill with the recommendation that the language be corrected as follows:

1. Page 2, Section 4: After subsection "(b)" add subsection "(c) In the event that the total of eligible requests for reimbursement exceeds the total amount of the fund, the State House Commission shall prorate and distribute the fund on the basis of the total of all eligible requests received."

2. Page 2, Section 6, Line 5: After "January 1, 1969" delete "." and add "and prior to January 1, 1970."

Respectfully,

/s/ William T. Cahill

GOVERNOR

[seal]

Attest:

/s/ Jean E. Mulford

Acting Secretary to the Governor

CHAPTER 23 LAWS OF N. J. 19 70

APPROVED 7/3/70

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STATE OF NEW JERSEY

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