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PUBLIC HEARING

before

HIS EXCELLENCY ROBERT B. MEYNER,
GOVERNOR OF THE STATE OF NEW JERSEY

ON

Assembly Bill No. 557 - "An Act
authorizing municipalities to inspect,
and provide for the closing and pre-
vention of the use of, certain buildings
in certain cases."

Held:
Assembly Chamber
State House
Trenton, New Jersey
February 8, 1961

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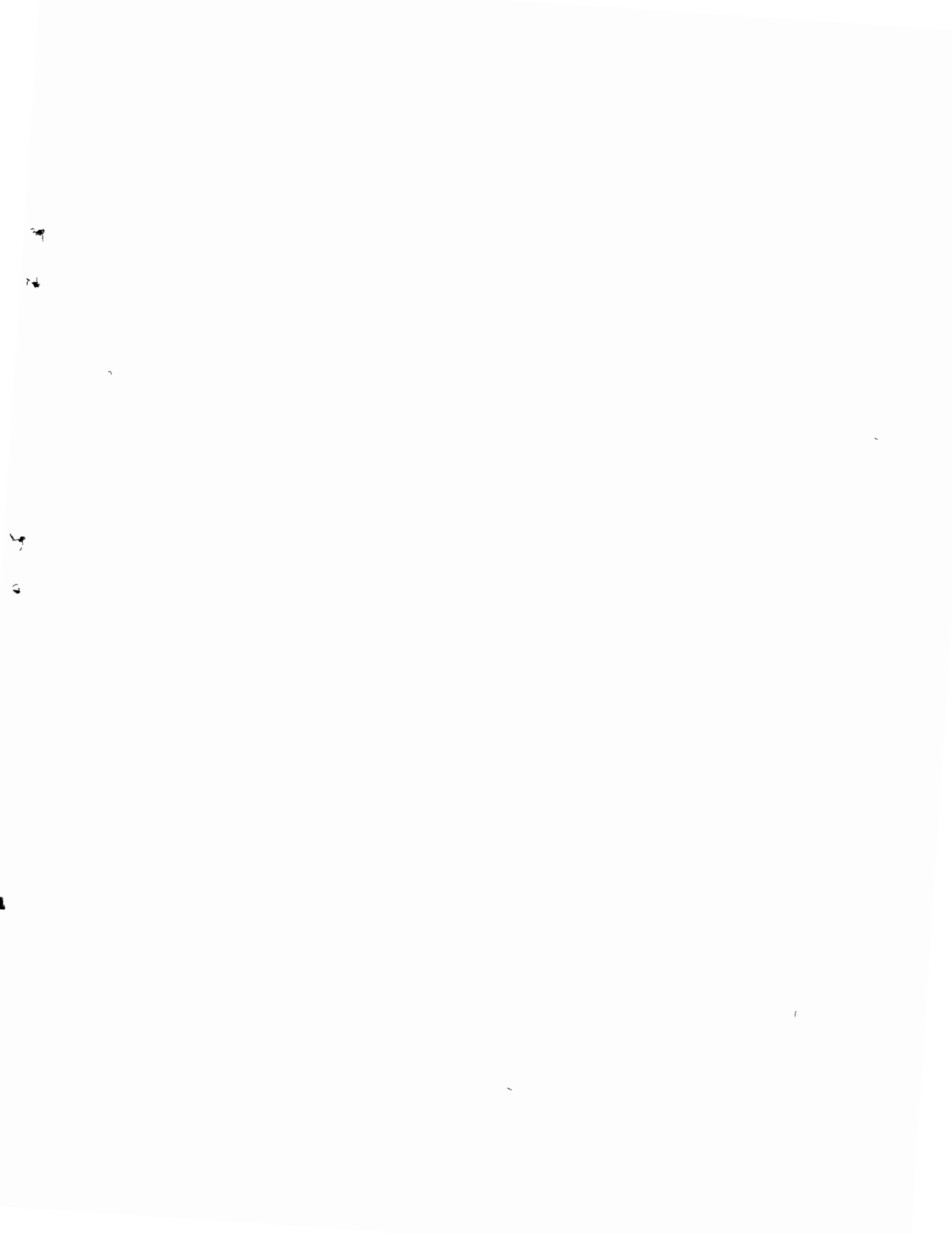
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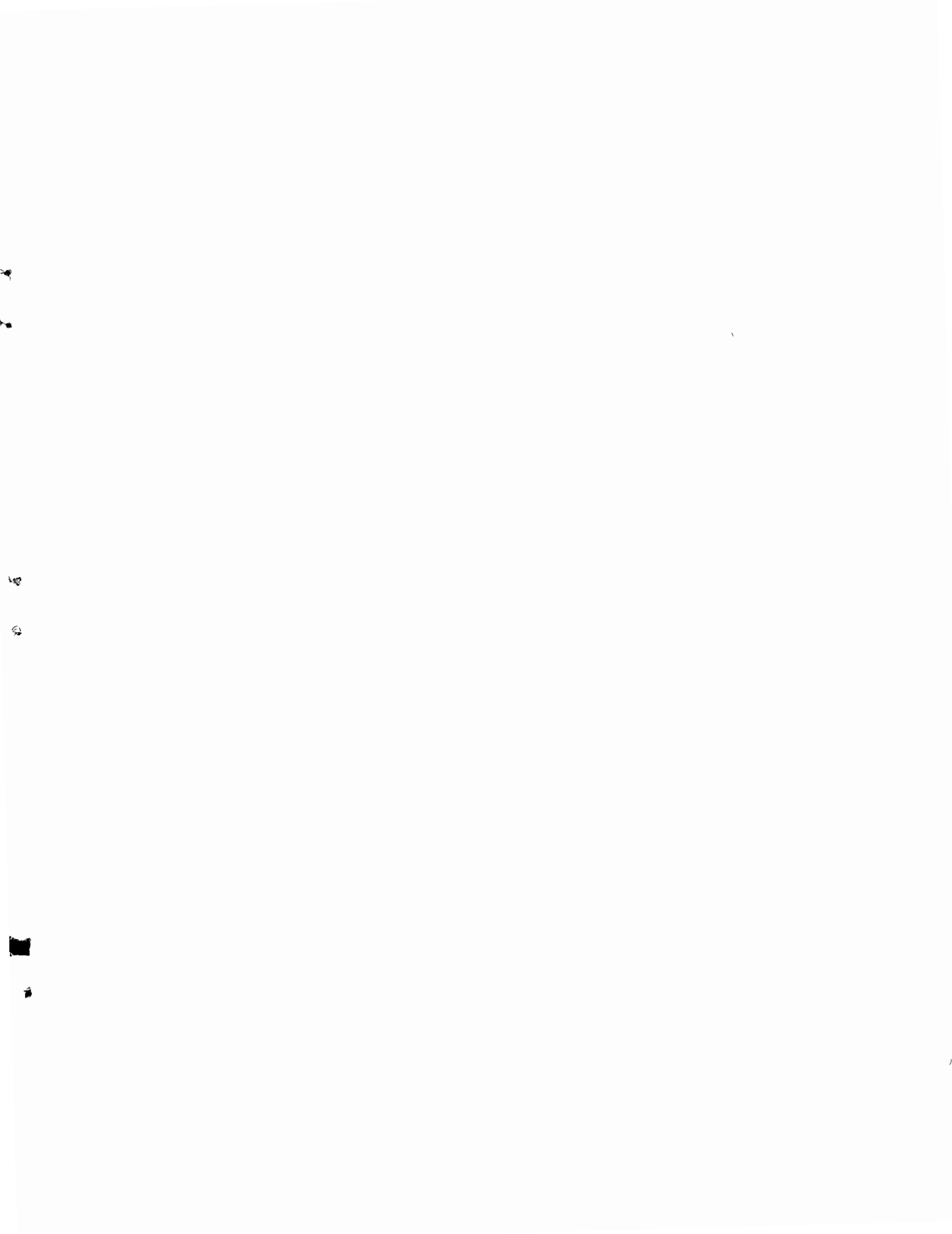
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GOVERNOR ROBERT B. MEYNER: This hearing will please come to order.

Assembly Bill No. 557 has passed both houses and the question is, shall I sign it, conditionally veto it, or veto it. I have asked for this public hearing so that those interested as proponents or opponents can express their views, and so that I might be better informed in making a decision as to the three alternatives I have described to you.

Now I think in fairness I should ask Assemblyman Maraziti to give the opening statement and then I will take the people in this order.

I would hope that all of you would assume that Personal Counsel and myself know the existing law, that we are familiar with how municipal governments operate, and that we do know something about school authorities and paid fire departments and volunteer fire departments, and that you would, of necessity, keep your statements as brief as possible. If you will just try to give us the important points - this is not the place where, I think, oratory will increase our ability to understand. So if you can make your statements, as we call upon you, as succinct as possible, and if someone else has said something before you, you can say that you agree with that statement, so that maybe I can get back to some other things that are pressing. But I am willing to try to give you as full and as fair a hearing so that I will better appreciate the circumstances which require or do not require this legislation.

Assemblyman Maraziti.

ASSEMBLYMAN JOSEPH J. MARAZITI: Your Excellency, Governor Meyner, I certainly appreciate the opportunity, as I know others do, to present their views pro and con on this legislation. I assure you, Governor, that I will be as brief as possible because I know there are a number of people who would like to be heard, Assemblywoman Hughes and other sponsors of the bill and individuals on both sides.

I would like to discuss very briefly some of the background that has been responsible for the initiation of this legislation.

On December 1, 1958, there occurred one of the most disastrous fires in the history of this nation. On that day, on the west side of Chicago, Our Lady of Angels' School burned. As a result of this catastrophe, 93 children and 3 teachers lost their lives. As a result, fire fighting men and officials throughout the nation, as usually happens when there is a major catastrophe, took it upon themselves to look about in their own communities to determine whether or not there were any conditions that could cause a repetition of this disastrous occurrence.

A number of inspections were made in various public buildings and, without going into detail, litigation resulted and a local court held that a fire prevention bureau, first, did not have the power to inspect a public school and if it did have the power it would not have the power to order a closing of the school.

Now, so much for the background. Fire fighting

officials worked on this legislation and requested that it be introduced and processed through the Legislature. It passed, as your Honor knows, the Assembly and the Senate and now is before you.

First let me say that this bill is all-inclusive. It does not apply merely to schools, it does not apply merely to public schools, it applies to public and private schools. It applies to all buildings, theatres and places where large groups of individuals assemble.

Secondly, the bill sets forth in the first paragraph language which provides that it is actually permissive in nature in so far as the local governing body is concerned. In other words, if the governing body regulates the public places that I have mentioned, by ordinance, the use of the places and the exits thereof, then this statute would apply. So you have a degree of local control vested in the governing body.

The second feature of the bill is that it gives a representative of the municipality, appointed by the governing body - either an individual inspector or a group of inspectors or a fire prevention bureau, whatever the situation may be - the authority to inspect these public buildings. Then it grants power to the inspector or the inspectors to require that certain hazardous conditions be corrected within a certain reasonable time limit. And if they are not corrected, then there's power granted to close a particular building until the corrections are made; except, that if the conditions found by the inspector or the inspectors are of

such a hazardous nature and so emergent that there might result a conflagration and there might result loss of life, the inspector has the power to immediately close the structure until the conditions are corrected.

Now I imagine that there would be very few cases of that nature, but there could be cases that would involve that sort of a situation.

Let us take the situation where the condition would be highly emergent, and in all probability it might have nothing at all to do with the structure of the building - it could be a most modern building but you could have a situation where a contract might be let for the painting of the building and the contractor brings in his equipment, brings in his paint, let's say 50 drums of paint and he stores them in the basement, and let's say that he foolishly and recklessly places the drums of paint 15 or 20 feet from an oil burner. Now, if an inspector sees that condition it would appear to me that he might be justified in saying "Remove these drums immediately or school children will not be permitted to enter this school tomorrow morning," assuming the inspection were made late in the afternoon.

Now, take a situation where we have a possibility, and I certainly will admit that, your Honor, where an over-zealous official, feeling that he is guarding the welfare of the children and the community, oversteps the bounds of reasonableness and issues some order that might appear to be ridiculous - he might call for a certain opening or a door in a wall and make the statement that unless this condition is complied with the school will be closed - and let's say

he goes so far as to actually issue the order called for in the bill; Section 5, your Honor, is a safety valve that in my opinion takes care of this situation. Certainly the owner of the building or the board or the official having charge of the building could immediately apply to the court for a temporary restraining order restraining the closing of the institution until the court looked into the matter thoroughly; that is, in most cases, ex parte relief which can be procured without notice. And certainly we have to have faith in the judiciary and assume that they will grant reasonable orders and reasonable restraints.

And if the action of the official is capricious, we must assume that a restraining order will be granted and the school or the building will not be closed. And then on final hearing the matter will be finally determined.

However, if the situation is an emergent one, we must assume that the judiciary will perform its proper function and will enforce the order.

Now, we feel, fire fighting officials and many leaders in the state, that this is a field that requires that legislation. Situations exist throughout the State today as a result of this decision where it is felt that fire inspections cannot be made because there is no right to make them, and if they are made they have no right to issue the necessary suggestions for correction or any orders. So we have today, your Honor, situations where schools and other buildings are not being inspected.

We are not suggesting that this is a perfect statute.

We feel that it will fill the need, at least for the present. The bill has been advocated by many municipalities and many officials throughout the State, and I would like to read a very short letter from the State League of Municipalities dated March 30, 1960, on Assembly Bill 557:

"The League's Legislative Committee endorses the provisions of Assembly 557. This bill would authorize municipalities to inspect certain buildings and close them if they are considered a fire or panic hazard.

"We believe it is a proper amendment to the statute and urge its enactment into law at this session."

I want to thank you for the time you have given me to explain the provisions of this bill.

GOVERNOR MEYNER: We will hear from Assemblywoman Hughes, the co-sponsor.

ASSEMBLYWOMAN MILDRED B. HUGHES: Governor and Counsellors—hearing this, and people who are here to give your views, I am a co-sponsor of this measure even though I do not appear on the bill because I have a similar measure in, A-559. It was just a little less drastic than 557 but this is the bill which the two Houses of the Legislature chose to pass.

I am in favor of it because I think at this time we need a clarification. The lines of authority are blurred in some cases. Here you have two municipal bodies, both working very hard in their own areas and yet in conflict once in a while. It's necessary that we find out who has the right to decide whether these conditions are hazardous within the buildings. There are too many people involved - thousands of school children, the teachers, the people who work in these

buildings - and since this bill includes not only schools but public buildings of all kinds, we should know who has the right to go in and close these buildings and we should know who says just exactly what is hazardous.

I feel that where fire hazards are concerned the people who are working in that area are far better prepared to give us a reasonable and definite decision in this area.

After the hazardous fire which Mr. Maraziti mentioned, I found that the School Building Code was lacking. There were regulations which provided for the inspections and decisions on hazardous conditions in new buildings and in buildings where there were major structural changes, but there were no rules providing for any kind of inspection or any kind of ruling in old buildings.

Now there are hundreds of buildings within the State which are old buildings. I put in a resolution at that time and I am still hoping that the State Board of Education will come out with a new building code. I have not yet seen it. And I have another resolution in this year asking them to please bring forth that code, we need it.

But I also back up the fire companies, where we have not only municipal fire companies but volunteer fire companies. Those people are giving their time to protecting all of us and their authority must not be interfered with.

This bill, I hope, will clarify that blurry area and do away with conflict.

GOVERNOR MEYNER: Mrs. Ruth Page, Executive Secretary, State Federation District Boards of Education.

MRS. RUTH H. PAGE: Governor Meyner, I want to thank you for the opportunity of appearing here this morning and for the opportunity of board members from all over the State, who feel very strongly about this bill, to come.

I feel, after listening to the testimony given by Assemblyman Maraziti and Assemblywoman Hughes, that there is cause for concern because I think some clarification should be given to the Federation's viewpoint on this bill.

We feel very definitely that it presents a danger to local control of the schools. We feel that traditionally local control of the schools has been adhered to for the purpose of keeping the school a separate political entity from that of the municipality. And we are convinced that the Federation must uphold this separateness. This largely, I think, works to keep out any form of political domination of schools which, I think you will agree, does not work to their advantage.

If you were to give another body, other than the schools, permission to close them at any time, you could find situations that would be different all over the State. What might be a violation in one district would not be a violation in another. You would have confusion as to the lines of authority.

I feel that the lines of authority are clear at the present time. The local board derives its authority from the State. It must work within the framework of State law and be guided by the rules and regulations of the State Board of Education which have the force of law. Giving another body in the locality the right to judge the adequacy of these laws

which must be complied with by the local board would certainly create a confusing situation.

We feel that the machinery already exists where there are doubts as to the adequacy of the safety of the schools. If a situation exists and the feeling is among the fire inspection officials that the board is not complying with State Board rule or with local ordinance, where they feel something should be changed, such a local official could have redress to the State Board of Education which could then take measures with regard to the local board..

We ask you to veto this bill conditionally to remove school buildings from the list of buildings that are given because we feel the existing machinery is adequate.

I would like to say on behalf of the Federation that we think it is of utmost importance that there be cooperation at all times between the municipal body and the school board. We have frequent workshops and present articles in our periodicals to this effect, trying to encourage it. It is unfortunate that there are instances where there is not cooperation between these two bodies. However, we do not think the measures of this bill are the means to insure it, we think rather that they would confuse it and cause greater dispute than before.

Thank you.

GOVERNOR MEYNER: Fred Hipp, Executive Secretary,
New Jersey Educators Association.

FRED L. HIPPI: I know there are many people in the field here who have very practical situations to present

that would add to the reasons why you should conditionally veto this bill, and I want to say that we concur in the point of view presented by the State Federation of District Boards of Education in the hope that we will not have more confusion rather than less.

It is our opinion, as Mrs. Page has said, that this bill could lead to greater confusion and less cooperation and perhaps even to more hazardous conditions than now exist in the schools.

We ask that you conditionally veto the bill.

GOVERNOR MEYNER: I might point out that Counsel has called my attention to the fact that this is a 1960 bill and that my choices are only to sign or veto.

DR. HIPPE: We would say that you should veto it.

GOVERNOR MEYNER: Chief Jacob Lewis, New Jersey State Fire Chiefs Association.

JACOB T. LEWIS: Your Excellency, Governor Meyner, I feel very humble but very proud to have been asked to speak as a representative of the New Jersey State Fire Chiefs Association, as the Chief of the Morris County Fire Division, for it was within the ranks of this Division that this bill emanated. It originated in Morris County.

The support that is here in this room from the Firemen's Relief Association, with its 38,000 members from the Exempt Associations represented in this room here today, the State Chiefs Association and the other fire fighting organizations, places me in the spot where in few words I must present to you our feeling and I shall try

to limit the remarks to those of a short and very brief nature.

We are here not to argue about school jurisdiction and under no circumstances to become involved with the domination of either the boards of education or school property, buildings or otherwise. Bill No. 557 is not particularly aimed at any one group or organization, it is aimed at the places where the public, the people meet in mass bodies and wherein they may become endangered if there are such conditions prevailing that panics could result and people not be able to make a ready exit from the building, either because of a conflagration or for any other reason.

The Assemblymen have spoken and have given to you the basic reasons for the presentation of the bill.

I have before me copy of a letter dated January 23, 1961, that was forwarded by the State Department of Education to the Secretaries of the Boards of Education, Local Superintendents of Schools, County Superintendents of Schools and Business Managers. It was from the Commissioner of Education. We are in accord with this letter. It is a good letter but I would like to point out one or two phrases. It starts off: "It is not mere luck that many school districts have enjoyed immunity from serious fires for a long period of time. These good fire records are due to a continuing program of fire safety. However, an additional plan of action should be formulated."

Let me read a portion of another paragraph:

"In order to provide uniformity throughout the State, a course of study is to be developed by the New Jersey Firemen's

Council and the Department of Education. Only competent local firemen will be given the responsibility of such instruction. The State Board of Education and the State Department of Education join in urging every school district to use all of the community's resources to make a worthwhile program of fire safety education on a school round basis."

Your Excellency, I read that because apparently the people in education do realize that these hazards exist and will continue to exist as long as we have public buildings and people occupy these buildings.

Of all of the buildings and all of the people who occupy these buildings, at any time, there is no larger number of people at any one time in public buildings than there is at the time when the children of our state are in the school buildings. And the hazards are many.

This bill provides for inspections by competent people to be appointed at the municipal level, the bases, the grassroots. And our government in this State and throughout this great land of ours is based on government at the grassroots, at the municipal levels. The people who serve on boards of education are elected at that level and serve in their school districts at the municipal levels.

Can't we assume, and shouldn't we assume that the people who elect the representatives to the board of education, when they elect their mayors and their councilmen, will apply the same resourcefulness, the same consideration in choosing mayors and councilmen who will appoint competent people to make the inspections of the schools and public

buildings involved?

We could tell you many stories of inspections through cooperative measures, and we could show you reports that list as many as 87 to 90 violations in a single school - and we're not picking on schools but it is apparently the subject. These have all been resolved, apparently to everyone's satisfaction because the schools haven't been closed, changes have been made and the fire officials have been satisfied. But as a result of the one case that is on record, we must now clarify to our people that someone should be and must be responsible for inspections in public buildings, including schools.

The bill has been passed. Our Legislators have passed it to a man, save one. He probably had very good reasons for his decision. The bill is before you, Mr. Governor. We in the firematic circles, the hundreds of thousands of men who shall have to fight these fires, we whose children sit in the schools that are mentioned, we urge that you pass this bill. We urge that you give it your full support. And on behalf of all of the organizations, on behalf of all of the people who have children in our schools and who want to avoid a catastrophe such as occurred in Chicago, we urge, sir, your signature of approval to Bill No. 557.

Thank you, sir.

GOVERNOR MEYNER: Just a moment. There is nothing in this bill that would guarantee that you would not have an incidence such as occurred in Chicago, is there?

MR. LEWIS: No but isn't it, sir, less likely that

if there were adequate provisions made for inspections at given times by competent people, well versed in this field, that there would be less likelihood of such an occurrence, sir?

GOVERNOR MEYNER: Well this bill only says that you may, doesn't it? It says, you may by ordinance set up a certain method of going ahead with this, doesn't it?

MR. LEWIS: That is right, sir, but at the same time it does give a basis, a foundation for such an action to be taken which basis is not there now.

GOVERNOR MEYNER: Do you make inspections now? You mentioned that you had 60 or 70 violations in one spot. Don't you make inspections now?

MR. LEWIS: When you say, do we make inspections, fire departments and fire companies as individuals in their own municipalities in many cases do make inspections and we --

GOVERNOR MEYNER: Well you have the authority to make inspections now, don't you?

MR. LEWIS: We have the authority to make the inspections but after some of the inspections are made I would question whether or not the authority is -- I know the authority isn't there in most cases -- whether or not the authority is there to compel that the dangerous conditions be corrected, and hearsay is certainly not what you want to hear today. But if I could base my present remarks on hearsay, many inspections have been made where recommendations have been made that have never been carried out and there has been no method of enforcement.

GOVERNOR MEYNER: Well that could be true under this bill, couldn't it?

MR. LEWIS: It could be, sir.

GOVERNOR MEYNER: It always goes to the enforcement, doesn't it?

MR. LEWIS: That's right, sir.

GOVERNOR MEYNER: Well now, as I understand it, at the present time municipalities do have the power to regulate the use of schools to prevent fires, the use of public buildings of all sorts. You can have a municipal ordinance that says that you shall do certain things with reference to schools and public places. Isn't that correct?

MR. LEWIS: That is correct. But we are also told that we cannot enforce -- as a result of the Boonton case we are told that we cannot enforce these requirements.

GOVERNOR MEYNER: You cannot close a school but you can bring proceedings for the violation of a municipal ordinance. And I cite you 40:48-1 of the powers of municipalities generally, which allows the municipality to enact ordinances to regulate the use of theatres, cinema houses, public halls, schools, churches, and other places where numbers of people assemble, and the exits therefrom, so that escape therefrom may be easily and safely made in case of fire or panic, and to regulate any machinery, scenery, lights, wires and other apparatus, equipment or appliances used in all places of public amusement.

And then the municipality has the power to enforce

an ordinance by 90 days in jail or a fine up to, I think, \$250.

Now I want to know what experience you have had with that. Is this being enforced? Do municipalities have such ordinances and are they being enforced now?

MR. LEWIS: Your Excellency, if we were to take the City of Newark, based on the information that I have perused, I would say that in the City of Newark if the Fire Inspection Bureau finds certain violations in any of its schools, even to point of demanding the closing of those schools, the schools would be closed.

On the other hand, in the town of Boonton where this --

GOVERNOR MEYNER: Let's not talk about closing, let's talk about the experience under present law. Do most municipalities have an ordinance pursuant to this existing statute and do they prosecute people for not living up to the ordinance?

MR. LEWIS: Not to my knowledge in most municipalities. I think, sir, that perhaps the Legislators --

GOVERNOR MEYNER: Well what is there about this law that would make municipalities do it more quickly or more efficiently?

MR. LEWIS: Probably they could but to my knowledge and experience these resolutions, these ordinances have not been passed, they do not prevail in the majority of the municipalities in the State of New Jersey. The passage of this bill would bring to the forefront and to the municipal officials the fact that such a law as this, particularly aiming at this procedure, is a law and I can imagine that your fire officials in the municipality would certainly make

every effort to see that some sort of an ordinance was passed.

GOVERNOR MEYNER: Well this law has been on the books since 1917. Why hasn't more effort been made to get ordinances passed?

MR. LEWIS: Your Honor, I don't know why the Judge in Boonton, based on the ordinance that was in existence at the time, made his decision. I can't answer that question because I believe only --

GOVERNOR MEYNER: All I ask is how many municipalities have passed ordinances like this and how much effort has there been to enforce ordinances that have been passed according to this 1917 law? Because the only difference between the '17 law and this proposed law, it seems to me, is a provision with respect to or talking about inspections and also giving the right to an authorized official to close the schools.

MR. LEWIS: Well then, let me reply to that. If we confine this to the authority to close the public buildings, this would make it a different law and one with more teeth in it, with more authority to do the job. This is not included in that other law, as I understand.

GOVERNOR MEYNER: No, but the fact that you can put a fellow in jail for 90 days or impose a fine on him might be somewhat of an incentive to get compliance with the ordinance.

MR. LEWIS: Governor, I've been a fireman for better than 25 years. I've been a fire chief in my municipality at a county level and I'm an officer of the State Association. As a fire official, I would hesitate to put the Superintendent

of Schools in my community in jail for 90 days because --

GOVERNOR MEYNER: Wouldn't that be up to the Judge, really?

MR. LEWIS: Well, I would be making the complaint. I stand corrected. The Judge would confine him to jail for 90 days on my complaint.

I would hesitate to make such a complaint but I certainly wouldn't hesitate to point out the fact that certain conditions exist within the school that are endangering the lives of the children and contrary to good safety practices, and then point them out and as required by law to so notify them in writing and tell them that if they are not complied with within a reasonable time as prescribed that on that basis I would demand that the school be closed.

This is different than putting a man in jail.

GOVERNOR MEYNER: Thank you.

Gilmore Fisher, Superintendent of Principals,
New Jersey School Superintendents Association.

GILMORE J. FISHER: Governor Meyner, I represent the New Jersey School Superintendents Association.

In listening to the discussion to this point, I've heard a great deal about authority and not very much about responsibility.

We object to that part of Assembly Bill 557 which would permit persons designated by the municipality to close a public school building, if in the judgment of such designated inspecting officer said building should be closed.

We object because local boards of education presently have the authority to act immediately on the recommendation of any responsible inspecting agency regarding health hazards or fire hazards in their schools. Over the years they have accepted responsibility, boards of education, for providing for the safety and welfare of their pupils through rigid enforcement of existing laws and through willingness to work with local fire and health officials whenever immediate action was necessary.

Now I would like to emphasize that we have enjoyed very fine relations - and I think that applies to most of the people throughout the state - with local fire officials. In other words, their recommendations are seriously considered and referred immediately to the Board for any action that is mutually thought advisable.

As administrators, we feel that it is essential that we be responsible - and I would like to point out again that regardless of authority the Board of Education has a responsibility in this area. It is essential that we be responsible to that single agency which is in charge of the schools, program and building in our respective communities rather than to several agencies which are primarily concerned with some particular phase of the program.

In other words, we would like to feel that we know the agency we contact in every case of school closing. At the present time that is the Board of Education. And we respectfully ask that you veto this bill, which will continue

that line of responsibility.

GOVERNOR MEYNER: You say under the existing statutes, the local board has the responsibility to close the school if a report indicates that the condition is dangerous. Is that correct?

DR. FISHER: Yes, sir.

GOVERNOR MEYNER: And is there some appeal from that agency to the Commissioner of Education?

DR. FISHER: Yes, sir, there is.

GOVERNOR MEYNER: Of course, there is also this collateral responsibility which could be assumed by the municipality to regulate by ordinance the use of public buildings and schools and an attendant fine or imprisonment for failure to live up to that ordinance. So to that extent, you have a conflict now, do you not?

DR. FISHER: We have a conflict between an ordinance which isn't passed, sir, in many communities as was pointed out.

GOVERNOR MEYNER: Now do you know of very many instances where those ordinances have been passed?

DR. FISHER: No.

GOVERNOR MEYNER: How about your community - does it have such an ordinance?

DR. FISHER: No, it does not.

GOVERNOR MEYNER: And what is your community?

DR. FISHER: Ewing Township, sir. And in our community the School Board is responsible for the safety of the children, fire, health, road conditions, all of the many facets

of safety.

GOVERNOR MEYNER: Do you have your Fire Department coming in and looking over the place?

DR. FISHER: Yes, sir. We solicit and are very grateful for the help of the fire companies.

GOVERNOR MEYNER: And they make suggestions and you try to comply.

DR. FISHER: We certainly try to comply and the Board is informed - and the Board checks the compliance on the part of the school authorities.

GOVERNOR MEYNER: When they seek to comply, what standards do they use - the rules of the State Department of Education or National Fire Underwriters or ---

DR. FISHER: We are interested, Governor Meyner, when we invite firemen into the buildings, in knowing whether they think our buildings are safe for pupils or not. If they don't think they are safe, we are concerned and we do something about it.

GOVERNOR MEYNER: How often do you get an inspection under your present system?

DR. FISHER: At least once, sometimes twice a year. It is not as regular as it should be. Some fire companies are very anxious and very willing. You see we have several volunteer fire companies in our community. In some cases they are much more accessible than others. In fact, a number of our school custodians are firemen and they are available for help and advice.

GOVERNOR MEYNER: Thank you.

DR. FISHER: Thank you very kindly.

GOVERNOR MEYNER: Robert Logan, Alderman, Town of Boonton.

ROBERT T. LOGAN: Your Excellency, in regard to this bill, mention was made of the fact that there are presently state statutes which empower local municipalities to levy fines or for the magistrate to fine if the violation is established. However, there seems to be in the specific case in Boonton a question there as to whether there was not some conflict between state statutes. It seems that in this reference made to this statute here, there is a term used "schools." There seemed to be a doubt as to whether that term includes public schools. I don't know the specific statute, but it seemed there was elsewhere in the state statutes a conflict. There was an area of doubt as to whether this statute held except in the case of public schools and it seemed to be that that was largely the basis for the magistrate's ruling in opposition to the local board of fire prevention in the case of Boonton.

As regards to this question of responsibility and authority, it seems to be definite when a fire occurs it is the responsibility of the Fire Department to account for the safety of the people in the building and to put out the fire. If a person or an organization has a responsibility, it generally logically follows that that organization should also have the authority.

Also, to prevent a tragedy, it doesn't help much to put people in jail or to fine them. You must have an effective remedy. It would seem that the final remedy is closing a

building where a violation is flagrantly in evidence.

Therefore, it would seem to the best interest of the citizens of this state if you would sign this bill, your Excellency.

GOVERNOR MEYNER: Now apparently this all started in Boonton. What happened in Boonton? I mean, was there a real fire hazard or was there a clash of personalities?

MR. LOGAN: I would be inclined to speak on that subject. I just favor this bill. I will fill you in the best I can. As I understood, there was a recommendation made by the Board of Fire Prevention that a fire escape be erected on the high school of Boonton.

GOVERNOR MEYNER: This was a recommendation by whom?

MR. LOGAN: This was a recommendation - I stand to be corrected on this - but to the best of my knowledge it was a recommendation made by the Chief of the Bureau of Fire Prevention of the Town of Boonton to the Board of Education. It started as a recommendation somewhere - I believe it was three or four years ago and there was no action taken until quite recently on this. Of course, then the Bureau of Fire Prevention finally brought a complaint and the complaint was brought before the magistrate who ruled in favor of the Board of Education.

GOVERNOR MEYNER: Did this go to the Appellate Courts then?

MR. LOGAN: No, just to the municipal level.

GOVERNOR MEYNER: Thank you.

Charles J. McCormick, former Chief of the Boonton Fire Department. Maybe I should have asked you the question.

CHARLES J. MC CORMICK: Your Honor, I am the person, I imagine, who started this whole rigmarole.

GOVERNOR MEYNER: Then maybe I have to put out that fire.

MR. MC CORMICK: This started in 1958 when we inspected the schools. We found 91 violations in the Boonton schools.

GOVERNOR MEYNER: Violations of an ordinance or the National Fire Underwriters or the school code?

MR. MC CORMICK: The Boonton ordinance is based on the Fire Prevention Code of the Underwriters Fire Prevention Code.

GOVERNOR MEYNER: The Fire Underwriters?

MR. MC CORMICK: Yes, sir, this green book.

GOVERNOR MEYNER: This was the high school in Boonton?

MR. MC CORMICK: That's the high school in Boonton.

And as a result, we recommended that fire escapes be put on, which was in December, and we gave six months for the Board of Education to put the fire escapes on. The six months came up in July. We gave the Board of Education of the Town of Boonton from July to the beginning of school because there was no use in taking action in the middle of the summer when no one was in the schools.

In the meantime, they have a \$2,400,000 school budget going up which they very cleverly made fire escapes a part of. Instead of taking any action whatsoever on the fire escapes, they used the fire escapes as a talking point to get the ordinance passed for the \$2,400,000 school.

At the time the 91 violations came up, we did the

Board a favor and never publicized all the violations in the schools because we didn't want to hurt the school program. But as of the day before school opening, I went up to the police headquarters and had a complaint signed for the closing of the school. A hearing was called and during that hearing we based our stand on statute 40:48. There is another statute Mr. Logan explained. I don't know the number of it. But the Board of Education's lawyer based it on another statute in the book which overrules 40:48 as far as public schools go. We were told by the Board's attorney and also by the presiding judge that a fire prevention bureau or fire inspectors from the town may not go into any public school without being requested to by the Board of Education in that town. We have no right to go into any school to make an inspection of any kind and that was based on ---

GOVERNOR MEYNER: Were you ever refused the right to go in and look at the school?

MR. MC CORMICK: No, we never had been up until that time and I wouldn't say what I am going to say now is actually an absolute refusal. Here this last fall -- by the way I might say that after the court made its ruling our local Board of Aldermen practically threw out the code because it was proven in court that our ---

GOVERNOR MEYNER: Do you have an ordinance in Boonton regulating the use of public places?

MR. MC CORMICK: That's right. And the court's decision was that the ordinance was not legal and we have no right to go into any public building without being requested to do so by the

owners. That was part of the decision of the court.

GOVERNOR MEYNER: This is a magistrate in Boonton who made this?

MR. MC CORMICK: Magistrate's Court.

GOVERNOR MEYNER: Was there any appeal taken of this case?

MR. MC CORMICK: Yes, we could appeal. In fact, my fire company wanted to raise \$800 for an appeal, but the Board of Aldermen would not allow an appeal. They didn't want to spend the taxpayer's money to take it any further. That is why we started this legislation going through and contacting other fire departments.

They also said in that hearing -- I lost my train of thought. But the outcome of the hearing was absolutely we had no right -- Oh, I'm sorry. I can go back to it. Here last fall the principal of one of the schools in town requested the new Chief of the Fire Prevention Bureau to go in and make inspections and as a result of this court hearing in the Town of Boonton the Fire Prevention Chief asked the principal to have the Supervisor of Schools request the Fire Prevention Bureau to come in and make inspections. And the answer was that he had no authority to request the Fire Departments to do it.

GOVERNOR MEYNER: Thank you.

John R. Sillick, Boonton Board of Education.

JOHN R. SILLICK: I, of course, would like to express my complete agreement with the three speakers who spoke against this bill and without going into my reasons for it, I think you

probably would be interested in the situation in Boonton.

GOVERNOR MEYNER: Well, apparently Boonton started the whole business.

MR. SILLICK: Well, that seems to be the case.

I came on the Board of Education in February of 1959. Prior to that the existing Board had drawn up a referendum for a new school and I was on the Citizens' Committee that was working for that new school. Included in the referendum was a figure of some \$20,000 for the addition of enclosed stairways or fire escapes, whatever you want to call them, on the old high school, which was to be converted into an elementary school if the referendum passed. So when Chief McCormick says it was strictly a recommendation of the local Fire Department in December of 1958 that is not the case. The Board of Education had already considered the matter and was taking care of it in the referendum.

After the referendum passed, of course, the Board had to go through the usual procedure of getting the architect to draw plans and specifications and submit them to the State Board of Education. After approval, then we had to advertise for bids. Unfortunately, we had difficulty with our bids. I think the first time - I am not sure of my details here - but I think there were maybe three bidders and they were all too high. So we readvertised again and this time there were no bidders. The third time we got our architect to redraw the plans and cut down on the scope of the stairways. One of the purposes of these stairways was to ---

GOVERNOR MEYNER: That's the stairway in the old building?

MR. SILLICK: In the old building. (Continuing) -- was to help in the passage of classes. It had a dual purpose.

We finally got a contractor to give us a bid within the \$21,000. This was just before the opening of school in '59. I think the contract was awarded about September 1st or thereabouts. Then the steel strike hit us and the contractor could get no steel and the thing was just at a standstill.

In the meantime we got this order from Mr. McCormick to close the schools and we just couldn't see doing that under the circumstances.

This situation was not in our opinion -- Let me say first that there is no public building which is absolutely safe. You can always do things to make improvements and in our mind this stairway was an improvement in the school. And so we had this order from Mr. McCormick to close the schools and we couldn't do that. We had a duty, an obligation, to keep the school open to our children - not only of our own town, but of the three sending districts that send their children to us. And the town attorney, Eugene Hillery, had told the Chief of the Fire Prevention Board that he had no right to order the closing of the schools and it seemed to be that everybody understood that, but the Chief just persisted in bringing this case to court and that was the result. And we argued the case strictly on the law and didn't attempt to get into the details of the merit of the case, although we felt that he had no good reason for ordering the schools to be closed.

It is this kind of a chaotic situation which can result when we have a person who is appointed by the mayor - or

I believe he was elected by the members of the Fire Department themselves. He was ordering the schools to be closed. It seems to be that the only real authority for the closing of schools should be the State Board of Education and that he should have appealed to them and if the situation was found to be so hazardous, then certainly the State Board would have done something about it.

I certainly strongly urge you, Governor Meyner, to look this bill over very carefully and I certainly think it deserves your veto.

GOVERNOR MEYNER: Howard D. Morrison, Chairman, State Committee Guide for Schoolhouse Planning and Construction.

HOWARD D. MORRISON: Governor Meyner, ladies and gentlemen: My name is Howard Morrison. I am Superintendent of Schools in neighboring Hamilton Township, Mercer County. But I am here this morning as Chairman of the State Guide Committee on Schoolhouse Planning and Construction.

I don't want to get into this question of the Boonton situation, but it is my understanding that the local fire authorities in the Town of Boonton made the recommendation for the installation of fire escapes after the Division of Building Services, State Department of Education, had inspected the building and had made the recommendation. On the basis of that recommendation, I understand that the Boonton Board of Education put \$20,000 in the bond issue to provide fire escapes on stair towers. I just mention that because the gentleman from Boonton has just spoken.

GOVERNOR MEYNER: You mean the original suggestion

for the stairway came from the State Board of Education.

DR. MORRISON: That is my understanding and there are people here from the Division of Building Service who could give you further information on that point, Governor, if you wish it.

In accordance with your earlier request, I am going to delete much of my notes and simply say in representing the State Guide Committee in favor of your vetoing this bill, we heartily endorse the comments made by Mrs. Ruth Page, Executive Secretary of the State Federation of District Boards of Education; and Dr. Gilmore J. Fisher, Vice President of the New Jersey School Superintendents' Association; and Dr. Frederick Hipp, Executive Secretary of the New Jersey Education Association.

GOVERNOR MEYNER: Will you explain who is the Committee for the Review of the Guide for Schoolhouse Planning and Construction? How it was appointed and how many there are and what your present task is?

DR. MORRISON: Yes, sir. The State Committee on the Guide for Schoolhouse Planning and Construction is appointed by the Commissioner of Education as an advisory body to him and to the State Board of Education in regard to the construction of new buildings and the renovation and maintenance of old buildings. The Committee is composed of approximately twenty members - architects and engineers who have been identified with school construction, board presidents, board secretaries, and board members.

GOVERNOR MEYNER: Do you have any firomatic people on there?

DR. MORRISON: We have the services of the State Fire Marshal, Mr. Hutchinson, who has sat in with us.

GOVERNOR MEYNER: But there is no member of that Committee?

DR. MORRISON: Only as special committees are appointed to study a particular problem.

GOVERNOR MEYNER: Would it be a good idea to have on that Committee some people from firomatic circles?

DR. MORRISON: I think that it would, Governor Meyner.

GOVERNOR MEYNER: Well, make a note and we will suggest that to the Commissioner of Education. That could be enlarged, couldn't it?

DR. MORRISON: Yes. We have just had Mr. Hutchinson on a committee which was appointed to study the use of unit gas-fired heater controls. He served on that committee and served very helpfully. Other members of the committee are county and local superintendents.

I think that I can bring our position most quickly to the attention of yourself and this body if I read this one-page letter which I delivered to your office, Governor Meyner, on Friday afternoon, last, following a meeting of the State Committee the previous Thursday:

(Reading) "Dear Governor Meyner:

"The Advisory Committee for the Review of the Guide for Schoolhouse Planning and Construction in meeting on February 2, 1961, unanimously adopted the following resolution with reference to Assembly Bill No. 557, which is now before you for

consideration.

"Whereas, Assembly Bill No. 557 provides that public schools shall be open to inspection by local municipal officers who may order such buildings closed if local ordinances are violated, and

"Whereas, such delineation of authority is in contradiction to the long and specifically established law that the responsibility for the inspection of public school buildings and the closing of the same, if deemed necessary in the interest of the health and safety of the children and teachers is that of the respective local boards of education and

"Whereas, it is believed that the cause of safety in the public schools can be more effectively and uniformly implemented through a program of education and cooperative action by local boards of education and local municipal officers,

"Therefore, be it resolved that it is the considered opinion of the Committee for the Review of the Guide for Schoolhouse Planning and Construction that any reference to public school buildings in Assembly Bill No. 557 should be deleted.

"Respectfully submitted, Howard D. Morrison"

May I also say, Governor Meyner, that I have in my hand the Guide for Schoolhouse Planning and Construction adopted by the State Board of Education, which is constantly under review and revision, if necessary; that this Guide is basically concerned

with the health, safety and welfare of pupils; that the State Board has adopted this Guide, which has the force and effect of law, in accordance with the statutes 18:1 to 18:4, which gives the State Board of Education general supervision over public education in the state; that this has eight major sections to it, one of which is concerned solely with building safety as it applies to fire safety, structural safety and equipment safety.

May I also say in conclusion, Governor Meyner - and the Vice President of our Board of Education, Mr. Gater is here with me - that it is our practice in Hamilton Township where we have 23 buildings and 11,000 pupils to welcome the inspection by local fire authorities, to ask for it, and to take whatever measures the Board deems necessary to remedy any situations which they call to our attention.

May I also say that it is the customary practice of our Board of Education to call in the Underwriters to inspect our plants and buildings, not only for the sake of informing the Board as to their general condition of safety, but also for the purpose of establishing rates.

I think that I speak the opinion of many superintendents in this state when I say that we welcome this cooperative action and we welcome their help. We do, however, feel that the authority to close the schools should reside with the local board of education.

GOVERNOR MEYNER: Don't you think though it is desirable to have some systematic method by which the local firemen take a "look-see" at the facilities regularly?

DR. MORRISON: That they should be required to do that, you mean?

GOVERNOR MEYNER: Well, that could be done probably by ordinance if that power exists.

DR. MORRISON: To the best of my knowledge, Governor Meyner, we have no ordinance in Hamilton covering this aspect we have been discussing today. But I do agree that regular inspection and not inspection by chance would be desirable.

GOVERNOR MEYNER: Because they have the experience of knowing how current fires are started.

DR. MORRISON: I might also say, Governor Meyner, that the services of Dr. Westby here, the Chief of the Division of Building Services, and his staff in the State Department of Education are available to school districts throughout the state. I don't know whether Dr. Westby wishes to speak on that point or not.

GOVERNOR MEYNER: But they lean more to the engineering and construction side than they do on the hazards that might develop a fire in the use of a building.

DR. MORRISON: Of course, a great deal of their work is the review of plans. That is true. But also a good segment of their work is concerned with the type of inspection which we are discussing this morning. Is that correct, Dr. Westby?

DR. WESTBY: Yes.

GOVERNOR MEYNER: Thank you.

Mr. Walter G. Runyon, Dunellen, New Jersey State Firemen's Advisory Council.

WALTER G. RUNYON: Governor Meyner, the Firemen's Advisory Council, representing 40 county and state firemen's organizations, urges your signature on this bill.

We urge it because there has been a conflict apparently of various legislative measures and it is our feeling that this bill will clarify the position of firemen in the future.

Thank you.

GOVERNOR MEYNER: Mr. King, President of Union and Morris County Firemen's Association.

A. H. KING: As President of Union and Morris, we went on record 100 per cent, Union and Morris County, to have you sign this bill. We think it is a good one. We are lucky up in Roxbury - the President of the Board of Education also is a member of our fire company and also is 100 per cent in favor of this bill. Thank you.

GOVERNOR MEYNER: Mr. Westby, did you want to say something?

CLEVE O. WESTBY: Your Honor, I hadn't intended to speak.

GOVERNOR MEYNER: Mr. Morrison referred to you.

MR. WESTBY: I would say this: We do make a considerable number of inspections of schools every year and that a considerable number of schools have been closed or parts of them have been closed and some schools have been abandoned on the basis of our investigation.

GOVERNOR MEYNER: This is the Department of Education?

MR. WESTBY: That's right.

GOVERNOR MEYNER: And the Bureau of what?

MR. WESTBY: A bureau of the Department of Education.

GOVERNOR MEYNER: What is the name of the bureau?

MR. WESTBY: The Bureau of School Building Services.

I might just express an opinion regarding the bill. I feel that the bill as it is now constituted is not a good one. We believe that through a program of cooperation with local fire officials where we could work together and establish uniform regulations pertaining to what is necessary for safety in the schools would be far better than having possibly 550 different types of ordinances applying to school construction, applying to the conditions which would exist in a school building.

GOVERNOR MEYNER: You would be in favor of a uniform inspection by the local fire officials?

MR. WESTBY: Yes.

GOVERNOR MEYNER: You think this would be desirable.

MR. WESTBY: We believe it would and through the Firemen's Advisory Council with whom we have been working for the last two years, we have been attempting to establish a procedure which would range anywhere from two to four inspections a year by local fire officials who would become thoroughly acquainted with a uniform set of regulations pertaining to school safety.

GOVERNOR MEYNER: Isn't one of your difficulties now that each municipality under the existing law can have a different ordinance?

MR. WESTBY: That's right.

GOVERNOR MEYNER: And then you have different personalities in each locality and you are liable to have inconsistent results.

MR. WESTBY: But different interpretations of the same regulations often.

GOVERNOR MEYNER: How close are we to getting uniform standards for the firemen to apply in each of these municipalities?

MR. WESTBY: We are at the present time working on the bulletin which will be developed by the Department of Education and the Firemen's Advisory Council and we would hope that we could have that out by the end of this present school year.

GOVERNOR MEYNER: Thank you.

Who heads up the Firemen's Advisory Council?

MR. WESTBY: Mr. John Dempster.

MR. RUNYON: I am Vice President of the Advisory Council and am representing them here today.

GOVERNOR MEYNER: And have you been getting along with this Committee in an effort to work out uniform standards?

MR. RUNYON: Yes, sir, we have. We have had several meetings here in Trenton, attended by representatives of the State Department of Education and the Firemen's Advisory Council and the plan is taking shape.

GOVERNOR MEYNER: How soon - I might ask you and Mr. Westby - do you think you can get to the point where you have uniform standards?

MR. WESTBY: I believe that that could be developed within the next -- well, in fact, we are writing on it now and I think, as I said, by the end of the school year we could have the publication ready for distribution.

GOVERNOR MEYNER: Thank you.

Herbert Rogin, Legislative Chairman, State Federation

of School Boards.

HERBERT ROGIN: Governor, I urge that you veto the bill in its present form. The positions have been stated by Mrs. Ruth Page and Dr. Hipp. I would like to elaborate on one comment that you made that really concerns the school boards themselves. You indicated that this bill might have been a result of a clash of personalities. It seems quite evident it is. In the heat at the moment of the personality clashes involved in the budget situations in the local districts, I hope that the Chief might have included the school board members as those whom he would not put in jail as well as the superintendent. At the moment that is questionable.

This opens many areas, Governor, if the bill did go through in the area you mentioned of clash of personalities. A school could be closed at a very poor time, as it happened in Boonton for either election of members or for other situations. I feel that a municipal body having the responsibilities of closing the schools should then also have the responsibilities of providing the moneys for the repairs. If they would be happy to put this item as an expenditure in their budget, I am sure that the school boards would then support it. It is a very, very difficult bill at the moment. I urge that you veto it.

GOVERNOR MEYNER: Robert Kyte, Deputy Chief, Boonton Fire Department. You are not one of these personalities, are you?

ROBERT KYTE: No, sir, I am not. Mr. Governor, I had a few notes here. I feel that it is unfair to use them simply because they are things that have been said here today

regarding our particular situation.

Speaking as an official of our department and also eligible under past service on the Bureau, I ask this question: Responsibility has been mentioned in this room this morning quite readily along with authority. We in the fire departments throughout the state have always taken a pride in what we have done, not in putting out a fire, but in preventing a fire. In fact many of our publications that we have put out locally since 1951 when our National Fire Prevention Code was adopted by our town fathers have emphasized what we have prevented or what we feel we have prevented by the issuance of permits, by inspections which were made and since that time we have found out maybe some of them weren't quite lawful. But we emphasized the fact of what we were preventing because this is a Fire Prevention Code, not telling us how to put it out, but let's stop it before it gets started.

Incidentally I must inject one point here of a question that you asked the gentleman before about who was the originator of the fire escapes. In 1951 when the Fire Prevention Bureau was organized under this code, in that recommendation of that Chief, and purely as a recommendation, it was suggested that year. And we have that in correspondence in our file at home. Unfortunately it is not here that I can show it to you.

Going back to this fire prevention, we felt that we had a code - we had something we could work with - we had something that we could prevent catastrophes, or at least attempt to prevent them. We came through on this particular situation and the only alternative that we had under this code was to close

the building.

Now we could have reverted to state statute which called for fine and imprisonment as has been said before. We didn't want to do this. We didn't want to put public citizens that were elected in jail or have them fined. That wasn't our intent. Our intent was to prevent a catastrophe.

We took the code. The code spelled out that we could close a building.

GOVERNOR MEYNER: When you say "prevent a catastrophe," that is an expression of an opinion, is it not?

MR. KYTE: That's right. Absolutely correct.

GOVERNOR MEYNER: This is one of the difficulties; you get a clash of opinion on that.

MR. KYTE: That's right. There is a decided clash because what we felt was true another group of officials thought was not true.

GOVERNOR MEYNER: Don't you admit that under present conditions with 567 municipalities in the state that you can have 567 standards until such time as you get the code we were talking about?

MR. KYTE: Governor, possibly I will call upon, which is very unethical, the counsel of the Board of Educations; But I believe in their compendium or whatever they use as a standard, do they not refer to the National Code right in their directives?

GOVERNOR MEYNER: Maybe Mr. Westby could help you.

MR. WESTBY: My reference to the National Building Code is included.

MR. KYTE: Now to answer your question, Governor, and using this as an example, the towns which are adopting fire codes today - to my knowledge I have not heard of a town within the past seven or eight years that has adopted anything but this code because it is written and prevents a tremendous legal expense to a municipality. So they are adopting this code.

GOVERNOR MEYNER: But even in that code you have areas of opinion, do you not? Do the facts I have observed here coincide with the prohibitions set forth in the code?

MR. KYTE: Yes, with standards that are set. Interpretation of those standards, yes, are arbitrary, as they would be in any situation.

GOVERNOR MEYNER: You admit there is a need for uniformity in the inspections?

MR. KYTE: Oh, yes. I definitely do and I feel this code covers it.

GOVERNOR MEYNER: But this is a code which has been adopted by some of the municipalities?

MR. KYTE: Yes, sir. In fact, by all that I know of in the last seven years and I would say I know of very few, maybe fifteen, that have adopted this code, this National Fire Prevention Code.

Now getting back to the thing for which we are here or what has caused this assemblage of people that should be somewhere else doing a day's work, including myself --

GOVERNOR MEYNER: I agree with you.

MR. KYTE: (Continuing) -- we took this code and we said "All right, we are going to enforce the punishment angle by

closing the building." We went to court and our magistrate -- We are not attorneys. We might have one attorney, I think, within our department. But he did not serve as our attorney. We are not attorneys. We took this judge's opinion telling us that "No, you fellows have no jurisdiction in there. You have no right in it," and this is one of the legal men that are telling us as citizens what to do. So we consequently decided "Well, if it was a state statute that said that we don't have this right" - and I again refer to what Alderman Legan referred to and I am sorry I don't have that number - maybe your counsel can come forth with it - but there was a statute quoted by the magistrate that said that no ~~body~~ of individuals, municipal or otherwise, had any jurisdiction on board of education matters. It had something to do with that trend.

GOVERNOR MEYNER: You probably had the alternative of an appeal to one of the regular courts or an appeal to the legislature and you took the latter and that is why we spend our time here today.

MR. KYTE: Well, that could be, and the expense angle came in. As Ex-Chief McCormick mentioned, our particular fire company was willing to finance the appeal, but the town fathers felt that if we started it and we didn't have enough money, they were going to have to pick up the rest of the tab and they wouldn't allow us to go forth.

GOVERNOR MEYNER: They didn't really contemplate the expense of this hearing.

MR. KYTE: Then we drew up what we thought we wanted.

We contacted Assemblyman Maraziti, and as you have already stated, you know the procedure from that point on.

We came to this decision only because a court magistrate told us that we did not have this jurisdiction. We don't want any responsibility. We will put our Advisory Council in the position with this committee from the Board of Education on construction. What we are concerned about is the storage of paint cans on top of a boiler, the storage of waste paper under stairs, the existence of a wooden pair of stairs over a coal bin that had existed for years, but nobody took any action. That particular phase of it was handled beautifully. The Board of Education locally took care of it with no question. This other one was a point of contention coming back to who is right - who read the statement in the code correctly. But what we are looking for are the fire policing of the school, the storage of waste, the janitor/^{who}may not have a fuse and foolishly puts the old penny behind it or something of that sort. That is what we are looking for, the violations that are every day occurrences that are existing in public buildings today. We know that they are, but we are trying to prevent them. That is why this Fire Prevention Code was written, to prevent things that will happen if certain things aren't corrected and that is why we are here today and I certainly thank you for the time and hope that you will sign it.

GOVERNOR MEYNER: Thank you.

I am going to call off the names of the others who have indicated they are here. If they want to speak - I would hope that they would briefly.

W. R. Walsh, New Jersey Association of Public School Business Officials.

W. R. WALSH, JR.: Governor, we have a prepared letter which I won't take the time to read. Our organization which represents the business officials of 583 districts in the state concurs with the State Federation of Superintendents and the other educational groups who have spoken here in urging you to veto the bill in its present form.

I would like to point out one thing and that is that all business officials in the state to my knowledge are definitely interested in the prevention of fires. We are thoroughly familiar with the Los Angeles story, which is the story of the school building which was deliberately burned to learn more about these fires. In fact we had a comprehensive program on that subject at our last convention in Atlantic City.

We take great pains to submit plans for all new buildings or renovations to the F.I.R.O., to the Middle States Association and others not only so that we can obtain for our boards the lowest possible insurance rates, but so that we can see to it that our children are housed in safe buildings.

The only other point I would like to make is that we feel that where conflicting authorities exist, where personality clashes become possible, the only thing that can result is a detriment to the cause of education.

We firmly believe that the right to close the schools should remain with the State Board or its local representative, the local board. Thank you.

GOVERNOR MEYNER: Thomas Cook, Princeton, State

Federation of School Boards, Counsel.

THOMAS P. COOK: Governor Meyner, I very much appreciate an opportunity to make a brief statement on this bill because I would like to speak in two capacities, first, as counsel to the State Federation, and secondly, in my capacity as committeeman from Princeton Township as I can see it from the municipality point of view also.

Now taking the point of view of the municipality first, I think we all agree that fire prevention is of the utmost importance, that the municipality has an interest in protecting all school children, etc., and no one would disagree with the objectives of this bill. Leaving out public schools for the moment, I am certainly generally in favor of its passage. But the real question is not who should inspect the schools, but what unit of government should have the final responsibility for enforcing fire regulations and closing any public schools where necessary to avoid the hazards of fire or explosion.

When we reach this question, I would like to put on my hat as counsel to the Federation and point out, as has already been done here, that the whole legislative scheme in this state has been to place full responsibility for the inspection and maintenance of educational facilities upon the education authorities. This is a matter of such importance that, of course, as we all know our Constitution itself has provided for the maintenance of efficient system of public schools, free public schools.

Now if this bill were enacted in its present form,

it would encroach upon this well-established autonomy of the school authorities in that it would empower someone other than the board of education to close a school. Not only would this be incongruous for one local unit of government to be given such power over another local unit, but it might be the opening wedge for much more legislation of this type, ultimately breaking down completely the independence of the school districts which we have so long cherished.

Furthermore, - I think it has already been mentioned - the State Board of Education has established fire and other safety regulations for all local school districts. And as we have already heard, those regulations probably are in the process now of further refinement. I submit that this type of regulation offers far better protection throughout the state than would result from the regulatory effort of some 500 other municipalities.

Now in order to reconcile the interest of the municipality and the interest of boards of education in this situation, I have given the State Federation an opinion, a written opinion, to the effect that boards of education should submit to and indeed should welcome inspections by local fire officials when they are conducted in a reasonable and helpful manner. The board of education should comply with all local ordinances and regulations which are not in conflict with regulations or rulings of the State Board of Education and which deal with matters not entrusted to the school authorities under Title 18. Furthermore, if the municipal official finds a fire hazard, he should bring the matter to the attention of the school board for corrective action. And if that board fails to remedy the situation, the

municipality could then call upon the State Board of Education to exercise its general powers of supervision and control, which they have over all local school districts.

It seems to me that in this way, by observing the autonomy of the local school district and its duty to cooperate with the municipality in having fire inspections made, our safety objective will be accomplished and at the same time the integrity of the educational system will be preserved.

Now it has already been pointed out that you in this situation do not have authority to conditionally veto this bill. Therefore, I respectfully submit that at this time the only thing that would be proper to do would be to veto it, but then I think it should be reintroduced in the Legislature, this current Legislature, with amendments to take out of the bill the jurisdiction of a municipal official to close the public schools. And with that provision out, then the bill should be passed.

GOVERNOR MEYNER: You didn't mention your third capacity - diplomat or politician.

Edward Lenihan, Associated Boards of Education, Essex County.

EDWARD LENIHAN: Governor Meyner, distinguished officials and citizens: I can add nothing to what already has been said except to urge you to veto the bill, speaking in behalf of the Nutley Board of Education and the Associated Boards of Education of Essex County.

GOVERNOR MEYNER: Wendell W. Collicott, Franklinville, New Jersey - Gloucester County School Boards Association.

WENDELL W. COLLICOTT: Governor Meyner, I will

abbreviate my remarks, but I would like to state that as President of the Gloucester County School Boards Association, we have conducted a survey in a rather limited time of the school boards of Gloucester County. We have not received replies from all school boards, but we have received replies from thirteen, indicating that they are opposed to inclusion of public schools in this Assembly Bill. Therefore, as President and on behalf of the Gloucester County School Boards Association, and also as a member of the Franklin Township Board of Education, I would like to urge that Assembly Bill 557 be amended to omit schools from the list of public buildings included therein. Thank you.

GOVERNOR MEYNER: Howard Morris, Sr., Alloway, New Jersey - Salem County Board for Vocational Education.

HOWARD MORRIS, SR.: Governor Meyner and ladies and gentlemen: It is the wish of the Salem County Board for Vocational Education that I be present today to request that the bill before the assemblage be vetoed.

The thoughts that our Board has have been most ably expressed, I think, by Mr. Cook so I will not add to this.

GOVERNOR MEYNER: Mrs. Ruth T. Stamps, Pleasantville - New Jersey Federation of District Boards of Education - Pleasantville Board of Education.

MRS. RUTH T. STAMPS: Governor Meyner, the reasons that I oppose this bill have already been given and therefore I urge your vetoing it.

GOVERNOR MEYNER: Thank you.

Raymond W. Kershaw, Mount Ephraim - Camden County

Representative, County League of School Boards.

RAYMOND W. KERSHAW: Governor, speaking on behalf of almost all of the school districts of Camden County, fifteen of which I have letters from, some are copies of the originals that were sent to you, we respectfully request that you veto this bill inasmuch as we feel the confliction of authority can only tend to make more problems.

In our county almost all of the school districts do resort to fire inspections periodically. In these letters - for example, one off the top - (Reading) "Our schools are inspected continuously by our own staff and periodically by the fire chief of our township. We schedule fire drills regularly. We conduct regular inspections." These are found in almost every one of these letters.

Speaking for my own district, we conduct four inspections annually during the school year. We cooperate during the Fire Prevention Week by having posters about the programs, fire prevention programs, displayed on the school grounds and so on. I believe that all the districts in our county do exactly the same thing.

Once again, sir, we respectfully ask you to veto this bill.

GOVERNOR MEYNER: Mrs. M. Peryl King, Island Heights, New Jersey - Ocean County School Boards Association President.

MRS. M. PERYL KING: Governor Meyner, I am in accord with what the gentleman from Princeton had to say. I would also like to point out that when you have a regional school district, of which I happen to be Vice President of the Central

Regional of Ocean County, you have six different municipalities, six different fire companies. And fortunately for us we have a great deal of cooperation, but I could see that it might not always be that way. So as President of Ocean County School Boards Association and as Vice President of Central Regional, I request that you veto this bill.

GOVERNOR MEYNER: Mrs. L. Mancuso, Glassboro - Gloucester County School Boards Association.

MRS. L. MANCUSO: Governor Meyner, we would concur with the viewpoint expressed by Mr. Cook and the other members representing the Federation of District Boards of Education.

We would further point out that in our opinion a uniform code, established by safety specialists in the State Department of Education, would be a far superior instrument to insure school safety than would be a group of locally prepared ordinances.

I think the bill in itself does not require municipalities to prepare such ordinances. This in itself would lead one to wonder under what type of regulation would a board of education operate if this bill became law and the local municipality decided not to prepare or enforce such a regulation. We think this bill would seriously affect the responsibility for inspection, maintenance and enforcement of safety standards of local boards of education and its sole authority now to close schools, and would in no way contribute to the continued good safety record in the public schools in New Jersey.

We would therefore request that you veto this bill.

GOVERNOR MEYNER: Mr. John Runnells of Westfield -

Scotch Plains-Fanwood Board of Education.

JOHN RUNNELLS: Governor Meyner, just Scotch Plains-Fanwood, Westfield is just my mailing address.

Our Board has sent me down here to request that you veto this bill because we do face practical problems with a dual responsibility for closing schools. Since we have a volunteer fire department, there is nothing to prevent politically ambitious people getting in that department and causing a furor. We have seen this sort of thing in the past and we fight it continually.

Also we believe that proper training of our school personnel is our best preventive. An inspection once a year certainly will not prevent violations during the rest of the year.

We now have four inspections by insurance companies. We have inspections by the local fire department. We carry six million dollars worth of insurance and this alone is enough to warrant proper practices to reduce the fees. And we have an annual inspection by the Board members themselves. Also the County Superintendent must approve our buildings and if he withholds that approval, we do not get state aid and that's a wonderful weapon to give fullest compliance.

GOVERNOR MEYNER: August Caprio, Springfield, New Jersey, Board of Education member.

AUGUST CAPRIO: Governor Meyner, I am a member of the Springfield Board of Education in Union County. I also come here as an employee of the Union County Regional High School

Board of Education by whom I am employed.

I have nothing further to add except to ask you to veto the bill. I heartily concur with the speakers who preceded me, starting with Mrs. Page and Mr. Cook and the rest of them. Both of these Boards of Education have authorized me to ask you to veto this bill.

GOVERNOR MEYNER: Charles A. Treutel, Oaklyn, New Jersey - Oaklyn Public Schools Superintendent.

CHARLES A. TREUTEL: Governor, since it has already been said that which I would have included in what I would say, why I wish to just state that I endorse the statements of Mrs. Ruth Page, Dr. Gilmore Fisher, Dr. Frederick Hipp, Dr. Howard Morrison and Mr. Cook with reference to requesting a veto of this bill.

GOVERNOR MEYNER: John Bodnarik, Superintendent of Public Schools, Paulsboro.

JOHN BODNARIK, JR.: I have been instructed by the Paulsboro Board to ask you as Governor to veto this bill. Everything has been said.

Also the Board would like to say that we have regular inspections,* we get along fine with the Fire Department, and we have our administration, our teachers, always on the alert for safety hazards. Thank you.

GOVERNOR MEYNER: Lambert De Nooyer, East Paterson Board of Education.

LAMBERT DE NOOYER: Governor Meyner, the East Paterson Board of Education has asked me to respectfully request that you

consider all the aspects of this bill and to veto it.

The East Paterson Board of Education feels that there is a need to cooperate, not a need to legislate. In East Paterson before the schools are opened each September, the Board of Education invites both the Fire Department and the Fire Prevention Bureau to come in and to make an exhaustive examination and study of the school system. Immediately upon the presentation of their recommendations, the Board of Education complies fully with such. As a result in a 60-year-old, multi-storied, wooden structure, we have all the necessary fire prevention techniques as approved and recommended by the Fire Department. In addition to the annual inspections by the Fire Department, we also have a Board of Fire Underwriters submit a regular report based on periodic inspections of the boiler rooms and the entire school system.

We do not feel it is necessary to pass this type of legislation.

GOVERNOR MEYNER: Bruce Mac Donald, East Paterson Board of Education President.

BRUCE MAC DONALD: Honorable Governor Meyner, I think the Secretary to the Board has covered the situation very well and on behalf of the East Paterson Board I ask you, sir, to veto this measure.

GOVERNOR MEYNER: Mrs. Robert J. Armstrong, Ridgewood, New Jersey - Board of Education of Ridgewood.

MRS. ROBERT J. ARMSTRONG: Governor Meyner, as a member of the Board of Education in a town where we had a fire

this fall as some of you may have read in the paper, we feel that this bill as it is now being presented deserves your veto.

In Ridgewood we have had marvelous cooperation with the Fire Department. Our schools have been at least annually inspected, often times more than that. The Board of Education feels a real responsibility to keep their schools in good housekeeping, to do a good job of good housekeeping.

We have some problems in our high school building particularly because of the codes that have been changed over the years. Probably our building would need to be closed because perhaps of a panic hazard, and yet it is something because we must have a school and we must have a building, these things are allowed - the code allows this sort of thing. But we feel that this bill as it is being presented deserves your veto. Thank you.

GOVERNOR MEYNER: Walter Serbe, Chester, New Jersey - Chester Township Board of Education.

WALTER E. SERBE: Governor, the Chester Board objects to this bill as written and I would like to cover two points that I don't think have been mentioned. One, in the first section it gives the power to regulate by ordinance. Nobody has pointed out that this power may be the power to downgrade the safety factors in conflict with the Guide for Better Schools.

The other point is in Section 5 it gives corrective power of injunctive relief for the Board of Education. The courts may grant this immediately or they may not. Further down -- or it says otherwise giving the Board of Education other

means if the injunction is not granted immediately. This may cause possibly undue delay in the opening of schools. So the Chester Board requests a veto of this bill.

GOVERNOR MEYNER: Samuel B. Wyatt, Parsippany-Troy Hills.

SAMUEL B. WYATT: Your Excellency, one point that we feel in our Board, and it hasn't been mentioned today, is that too much arbitrary power is being placed in the hand of one individual in this bill as written. We strongly urge that you veto it. In Parsippany we have a Fire, Safety and Prevention Committee which works with the Board. We feel we have appointed qualified individuals. We have an underwriter, we have insurance men, we have the Chief of the Local Fire Districts - we have six districts in our town. We have six different standards of fire inspection, we have found through experience. The law that you mentioned of standardizing would eliminate this. We have excellent cooperation and we feel that the existing regulations are efficient and should school boards not cooperate, there is always an appeal to the State Board of Education. Thank you.

GOVERNOR MEYNER: Dr. Perkins, Parsippany.

DR. RICHARD B. PERKINS: Mr. Wyatt has spoken.

GOVERNOR MEYNER: John J. Hagen, South Plainfield.

JOHN J. HAGEN: Governor Meyner, as President of the Middlesex County Association of Business Officials and as Secretary and Business Administrator in South Plainfield, there is little that can be added to the testimony that has been given opposing the bill. However, there is one point that I should like to make on behalf of South Plainfield.

We have cooperated with the local authorities and, in

fact, we have cooperation not only from the local people, but from the State Department with our architect, with our insurance adviser, the underwriters, the Middle State Association people, and we have gone through an orderly program to correct the condition that we had existing in a fifty-year-old school. We are proud of our volunteer fire department and we know that we will continue to get the cooperation that we have in the past. They check at least once a year and also in any emergency. For example, in the last three snow storms there were members from the Fire Prevention there checking exits in each building.

The only major point I believe that can be added to this testimony is this: Under the existing setup in the individual schools, the way responsibility is now fixed - and I don't mean money, although basically our largest problem in South Plainfield is money - on our present setup each individual building is manned by a building principal. It is visited by administrators and the custodians are in constant vigilance on these various buildings and we think that anything short of daily checks - and we mean even on weekends before school is opened, particularly in emergency - anything short of that would be shortchanging the children in these public schools. Thank you.

GOVERNOR MEYNER: This is an appropriate interlude - J. Robert Hitchcock, Oaklyn, New Jersey, Board of Education President.

J. ROBERT HITCHCOCK: Thank you, your Honor, but why the interlude?

GOVERNOR MEYNER: I like Hitchcock thrillers.

MR. HITCHCOCK: Good.

An hour and forty-five minutes ago I had never heard of Boonton. Now I am an authority on it.

Actually, there is nothing that can be added. Mrs. Page, Mr. Cook and the others who have asked you to veto this bill have covered it very carefully, I think.

After the Chicago fire almost every school district took a real quick look at their school buildings. They then either called emergency meetings or had regular board meetings and took a real hard look at the schools. In most instances they called in local fire authorities - they called in insurance advisers. And I believe you will find in New Jersey most of us who were conscientious about our jobs did see to improving any deficiencies that may have existed.

I don't feel that this bill as it is now written can do anything but take away from the total education picture. The old saying that a man cannot serve two masters, I am afraid holds true here. Education will not be served if we have two governmental bodies dictating whether schools shall stay open or shall close. Thank you.

GOVERNOR MEYNER: D. B. Cole, Plainfield Board of Education Secretary.

D. B. COLE: Governor Meyner, I don't feel I can add anything particular to the many expressions of opinion urging you to veto this particular piece of legislation.

But I think it is encouraging that we have had some

constructive suggestions for the improvement of the cooperation between boards of education and the local fire authorities or other municipal officers, and that we have had some very constructive suggestions particularly from Mr. Cook for the improvement of the apparent confusion that exists in the present legislation.

GOVERNOR MEYNER: Victor R. King, Plainfield School District, Board Attorney.

VICTOR R. KING: Governor Meyner, our Board many years ago after the adoption of the Fire Code in the City of Plainfield very happily accepted the good offices of our Fire Department and we have some 9,000 students and we are very glad that we do have regular inspections by the Fire Department. We have endeavored to conform to all the requirements of their code. We think that the proper attitude for school boards is to utilize the fire department in this way and as an attorney, I most definitely am happy to agree with what Mr. Cook said, that there is jurisdiction to accomplish this in this way. And we in our own area have attempted to advise the Board in that direction. We have had a good experience with it. This new bill does not solve the problem. The problem is for every municipality to adopt a proper code. I think that this is something that should be done locally because I think that our government needs to have the vitality that solving this at the local level will give it.

I believe too that we must observe the separation of powers here and a bill that permits a fire department to close its schools is not a good bill. So we urge the veto of the

bill too.

GOVERNOR MEYNER: Henry F. Satterthwaite, Trenton - Washington Township Board of Education, Mercer County - attorney.

HENRY F. SATTERTHWAITE: Governor Meyner, our school board has considered this bill and the only additional point we would like to make in opposition to it is to point out that in our district we are served by fire companies located in three other municipalities and we might well find ourselves subject to three conflicting sets of regulations in the event this bill were to become law and those municipalities adopt ordinances as proposed. We are against the bill as it applies to the public schools.

GOVERNOR MEYNER: Virginia T. Foulk, Watchung Board of Education.

VIRGINIA T. FOULK: Our viewpoints have been covered and paralleled by many people already so I would just like to ask you to veto the bill.

GOVERNOR MEYNER: Now I have covered all of the people who turned in a slip and the slip got to me with a request to speak. I will honor anyone else who wants to say a word or two, even if you just want to say your name and where you stand. I will recognize this lady. Of course, I hope that you are brief.

MRS. JOHN A. HAGGERTY: Thank you. I am Mrs. John A. Haggerty and I represent the New Jersey Congress of Parents and Teachers. I have a very brief statement to read on behalf of the Executive Committee of the New Jersey Congress of Parents and Teachers.

Your Honor, it is a privilege for me to appear here

today to bring to you the results of a study made by the Executive Committee of the New Jersey Congress of Parents and Teachers of Assembly Bill 557. As a Parent-Teacher member you are aware of the interest our members have taken in safety, highway traffic safety, home safety and school safety.

I bring these recommendations:

We like the safety factors of the bill and the fact that action for children's safety might be expedited. However, we feel that A 557 is loosely constructed and that the specific responsibility is not well defined.

We would recommend: Number one, much clearer delegation of responsibility for giving the order to close a building. And, number two, for schools - a provision that the Guide for Schoolhouse Construction requirements be the minimum requirement of any municipal ordinance - in general, a clearer definition for basis of action. Thank you very much.

GOVERNOR MEYNER: Will you announce your name and where you are from, please.

MRS. STANLEY YORTON: Governor Meyner, I am Mrs. Stanley Yorton, member of the State Board of Education. I have been very interested in all the remarks that have been made today and feel that many of them have been most valuable. I think we have learned some points which we can use well.

I would urge you to veto this bill and for us instead to think of better means of cooperation, better means of cooperation so that we can improve the building standards for safety in the schools. We look to the local fire departments. We look

to all interested citizens for suggestions in order to bring about better building standards for safety in the schools. We look to cooperation in inspection of the schools. And so, instead of this bill, it seems to me that we might well work together among all groups for greater cooperation in bringing about the things that we are most interested in, the health, welfare and safety of all our children.

NORMAN W. WRIGHT: I am Norman W. Wright of the New Jersey State Firemen's Association. I heard many things here today and I think the Boards of Education are about the only ones that don't according to law have to have an inspection.

Now I don't see anything wrong. Firemen have brains too even though we are here with these learned people. Our men have some brains too. Now they say we would close a school. Before an inspector would close a school, he would go to the board of education, the authorities in power, to straighten out things. They don't just go in and say "You are condemned." I thought you would give us more credit than that. So they are only trying to save not only reputations of someone -- it's the children that we are worrying about. And if a school is inspected regularly as you men and ladies have stated here, then there is no need for the condemnation because they will find it before it gets that far.

So when they get to the point of condemnation, I think you need a law if you are going to get someone that is not going to improve the situation or take care of it right away. We are thinking of the children. We know you are too. But we have seen dead children and stuff like that and we are

trying to delete the possibility of it. We know about Chicago and Cleveland and those big fire traps and things like that - new buildings with the doors opening the wrong way.

So things like that are what we are fighting for. We are not condemning anything. We wouldn't get where we are if it weren't for you educators.

But I urge the Governor to sign this bill for 50,000 firemen who know the situation I think better than the educators. And if there is anything that happens, we don't want the credit for being the cause of it. Now we are fighting for the children. We know you are too. But I don't see why you are worrying about power - the politics. I think you have politicians in your organization. But very few chiefs are politicians. They go to school, colleges - they learn their business. I can't go up there because I am a friend of somebody's and be a chief. I have to earn that right. I might be the lowest guy on the totem pole. But if I know my fire, I'll get to be chief.

So I don't think you understand our problems too. There are probably firemen among you educators. That is why I am here for the state. You have heard the chiefs, the exempts and those men. They have the experience in it too. So as far as someone taking a little power away from me, I would rather make sure that I have those inspections and I don't think anyone is going to take your jobs or anything or make you look small because I think you men have the brains to be right where you are at and we are trying - we haven't come just because we are trying to earn something and no politician is telling us anything, or most of us, the same as you fellows. That is the part I am

getting to - we are interested in saving the children and no place is going to get far enough into being condemned if they are regularly inspected. Now most of you -- in my location, sure, they let us come in. They never give us an argument. But there are some exceptions and that is what we want this bill in for.

So once again, Mr. Governor, I urge you to sign this bill.

RAYMOND V. SELBY: My name is Raymond Selby, New Brunswick Board of Education. I am speaking now more or less for the record in opposition to the bill.

GOVERNOR MEYNER: You are not going to speak all about it, are you?

MR. SELBY: Oh, no. I asked your aide, Mr. Flood, if he wanted about fifty more school districts - I would have these sent in to you - which are opposed to the bill.

Just for the record, I wanted to remind you that in New Jersey we are operating under the New Jersey school system. You have the framework and setup for that system. So, therefore, when you do veto this bill, we would request that you in your veto message state that in your setup of the educational system, the framework for the school system, that the bill should be referred to the State Board of Education.

GEORGE H. HALLANAN: Mr. Governor, my name is George H. Hallanan, the New Jersey State Volunteer Firemen's Association. I represent 20 counties in the State of New Jersey with over 300 company members.

We have been studying this question and we did have

the very grand pleasure of having Mrs. Hughes before us at one time when this question first came up, but we made no headway on it. Consequently, from the studies that have been made of this bill, also of the introduction of Assembly 15, of which we are still in favor, we are in favor of this bill and would like to go on record as asking you to sign the bill.

We are strongly in favor of inspection by volunteer firemen in schools. Thank you, Governor.

RICHARD J. CLARK: I am Deputy Chief Richard Clark, Morris County Civil Defense Disaster Corps.

Mr. Governor and ladies and gentlemen: I have here a paragraph that our Fire School brought forth last night. I would like to say that I think one of the things that has been toned down pretty much this morning is the actual authority in the inspections that are taken and have been taken and will be taken. The school districts, of course, are conscious of the fire situation. We know they are. We find that since this bill has been put into motion, since the question has been brought up, the schools throughout the state have become very, very conscious of fires and they have done a great deal within the last year to make our schools better places for our children and to do all that they can to make the schools safe. This is something that has happened just recently. It isn't something that has been for a long time. We don't know now that five years from now it won't lapse again and we feel that something very definite should be done to make this a law, a part of the statute that will make the inspections of our school buildings

something that is regular by people who are thoroughly acquainted with firomatic problems.

I should like with your permission to read this. It is simply a paragraph. It says: "The undersigned, members of Morris County Fire School at a regular session of the school, having read and discussed Bill No. A 557, do hereby petition the Governor of the State of New Jersey to sign said bill and thereby make it into a law of our state." It is signed by me as the secretary of the school and by all those members who were in session at the school last night. I should like to give it to you.

GOVERNOR MEYNER: Thank you.

Anyone else what to be heard? (No response.)

I shall take the matter under advisement. I might point out that I am most impressed by the number of people who have appeared, many of whom are serving in a voluntary capacity, receive no salary and render a great deal of service to their community in the way of serving as volunteer firemen, in serving as school board members, in serving as members of voluntary organizations. This is impressive. I think this is the strength of the State of New Jersey and the government it enjoys at local, county and the state level.

I sense here that there has been a good deal of cooperation between local fire companies and the school boards. I feel a bit upset to think that there is so much feeling with reference to this one bill. I think I would welcome any further statistics, real honest-to-goodness facts as to the number of school fires we have had and what caused them. Maybe we could

know a little bit more about the conditions. I haven't heard anything here that would indicate that there are terribly serious situations that are comparable at this moment to the situations that cause great tragedies. But I would be interested in the statistics that anyone could furnish me as to the number of fires we have had in the last ten years in any of our schools or any of our public buildings because apparently this covers all situations, but the argument has been pretty much with reference to public schools.

I would like, of course, to have any statistics as to fire hazards that existed in any spot. I think that would be helpful in deciding whether there is a need.

There are three alternatives, I think, that I can adopt. One is to sign the bill; secondly, to veto the bill; or, thirdly, to try to draft another bill which might be satisfactory to both groups. Perhaps there is a need for having uniform standards. I am very much interested in what this committee is trying to do in cooperation with the fire group and I will certainly instruct the Commissioner of Education that it is my view that on this Committee to study standards, some people from firematic circles be represented so that they can get the viewpoint of hazards that exist apart from the engineering and construction.

I certainly am interested in knowing what will be done with reference to the Advisory Firemen group and the state agency. I would be interested in the need by legislation of a regular inspection system. Apparently most school districts from what I can hear here do have regular, periodic inspections.

But maybe it should be a mandatory requirement so that somebody doesn't get careless. Certainly it is conceivable that out of 567 districts maybe some of them neglect to do their job and it could be because of - oh, administrators in the school system overlooking it and it could be that some of the firemen have other places to look for fire hazards.

In any event, these are some observations I gather from this hearing. The hearing has been most informative. I think you have all held your tempers well. I think you have all been interested in the same thing and you only disagree as to how you are going to get to the objective.

I might say that generally I try to avoid deciding a bill in terms of how many people would sign a petition or how many people when they speak speak for so many people. I am more interested in what is going to be for the benefit of all these youngsters who go to school and all of the people who occupy public places. I will have to make the decision and I will try to make it in terms of what I in my own conscience and judgment believe to be for the best interests of those people.

Thank you for coming. I think we are all a little better off for having heard the other fellow's viewpoint.

There is one gentleman that wants to speak a moment.

HENRY C. WILL: My name is Henry Will and I am Ex-Chief of the Roxbury Township Fire Department. From all that has been said this afternoon - well, it's afternoon now - I'd hate to be in your boots. I'll tell you why. Right now, we firemen, if we had the privilege and - what would you say - authority,

there would be quite a few more school closings right now because right now I know in our own township we would have a sweet job trying to get a fire truck in to our school house! We would have to lay down near a thousand feet of hose in order to get water there.

All I have heard this morning is "personality." We don't want any personality - we don't want our names in the paper "We saved so and so - we done so and so." All we want to do -- I have heard now from the school boards, from all the different presidents and different organizations of school boards, they are cooperating with the firemen. What hurt does it do as long as they cooperate with the firemen? We are not going to close the schools unless we get organized with the school board or our own township fathers.

GOVERNOR MEYNER: Thank you very much.

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