

App.A:9-43.8

LEGISLATIVE HISTORY CHECKLIST

Compiled by the NJ State Law Library

LAWS OF: 2011 **CHAPTER:** 178

NJSA: App.A:9-43.8 (Implements recommendations of the Assembly Coastal New Jersey Evacuation Task Force)

BILL NO: S264 (Substituted for A3224)

SPONSOR(S) Van Drew and others

DATE INTRODUCED: January 12, 2010

COMMITTEE:

ASSEMBLY:	Appropriations
SENATE:	Law and Public Safety Budget and Appropriations

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE:	ASSEMBLY: December 15, 2011
	SENATE: January 9, 2012

DATE OF APPROVAL: January 17, 2012

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Third reprint enacted)

S264

SPONSOR'S STATEMENT: (Begins on page 6 of introduced bill)	Yes	
COMMITTEE STATEMENT:	ASSEMBLY:	Yes Appropriations
	SENATE:	Yes Law and Public Safety Budget and Appropriations

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, **may possibly** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT:	Yes	11-22-10 12-5-11
LEGISLATIVE FISCAL ESTIMATE:	Yes	5-26-11 12-19-11

A3224

SPONSOR'S STATEMENT: (Begins on page 6 of introduced bill)	Yes	
COMMITTEE STATEMENT:	ASSEMBLY:	Yes Homeland Appropriations
	SENATE:	No

(continued)

FLOOR AMENDMENT STATEMENT:	Yes	
LEGISLATIVE FISCAL ESTIMATE:	Yes	5-26-11 12-19-11
VETO MESSAGE:	No	
GOVERNOR'S PRESS RELEASE ON SIGNING:	No	

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS:	Yes
HEARINGS:	Yes
NEWSPAPER ARTICLES:	Yes

Final report / Assembly Coastal New Jersey Evacuation Task Force.
by New Jersey. Legislature. General Assembly. Coastal New Jersey Evacuation Task Force.
Trenton, N.J.: New Jersey Office of Legislative Services, [2008]
[974.90 T764 2008g](#)

Task force meeting of Assembly Coastal New Jersey Evacuation Task Force: discussion of the task force's goals and objectives, as well as the individual needs of each participating county: [May 31, 2007, Cape May, New Jersey] / meeting recorded and transcribed by the Office of Legislative Services, Public Information Office, Hearing Unit.
by New Jersey. Legislature. General Assembly. Coastal New Jersey Evacuation Task Force.
Trenton, N.J.: The Unit, [2007]
[974.90 T764 2007c](#)

Task force meeting of Assembly Coastal New Jersey Evacuation Task Force: meeting to assess current emergency plans for a coordinated evacuation of coastal communities in Cape May and Cumberland counties: [August 6, 2007, Egg Harbor Township, New Jersey]/ meeting recorded and transcribed by the Office of Legislative Services, Public Information Office, Hearing Unit.
by New Jersey. Legislature. General Assembly. Coastal New Jersey Evacuation Task Force.
Trenton, N.J.: The Unit, [2007]
[974.90 T764 2007d](#)

Task force meeting of Assembly Coastal New Jersey Evacuation Task Force: meeting to assess current emergency plans for a coordinated evacuation of coastal communities: [October 4, 2007, Office of Emergency Management, Bridgeton, New Jersey].
by New Jersey. Legislature. General Assembly. Coastal New Jersey Evacuation Task Force.
Trenton, N.J.: New Jersey Office of Legislative Services, Public Information Office, Hearing Unit, [2007]
[974.90 T764 2007e](#)

Task force meeting of Assembly Coastal New Jersey Evacuation Task Force: the task force will meet to assess current emergency plans for a coordinated evacuation of coastal communities: [October 9, 2007, St. Francis Community Center, Long Beach Township, New Jersey].
by New Jersey. Legislature. General Assembly. Coastal New Jersey Evacuation Task Force.
Trenton, N.J.: New Jersey Office of Legislative Services, Public Information Office, Hearing Unit, [2007]
[974.90 T764 2007f](#)

(continued)

Task force meeting of Assembly Coastal New Jersey Evacuation Task Force: the task force will meet to assess current emergency plans for a coordinated evacuation of coastal communities: [December 20, 2007, Monmouth County Library, Manalapan, New Jersey].

by New Jersey. Legislature. General Assembly. Coastal New Jersey Evacuation Task Force.

Trenton, N.J.: New Jersey Office of Legislative Services, Public Information Office, Hearing Unit, [2007]

[974.90 T764 2007g](#)

"New law helps state prepare for next coastal evacuation," The Press, 1-18-12

"Gov. Christie signs legislation to improve state emergency evacuation plans into law," Bridgeton News, 1-18-12

LAW/RWH

P.L.2011, CHAPTER 178, *approved January 17, 2012*
Senate, No. 264 (*Third Reprint*)

1 AN ACT concerning emergency management, supplementing
2 chapter 9 of Appendix A, and amending P.L.1989, c.222.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. (New section) For the purposes of this act:

8 “Alternative emergency power generator” means an electricity-
9 generating installation system that operates to provide the
10 electricity needs of a building or structure if the normal source of
11 electricity is disrupted due to a power outage.

12 “Critical infrastructure” means all buildings or structures in the
13 State that are indispensably necessary for national security,
14 economic stability, and public safety.

15 “Director” means the Director of the State Office of Emergency
16 Management in the Division of State Police.

17 “Emergency” means an emergency or local disaster emergency
18 as defined in section 3 of P.L.1953, c. 438 (C.App.A:9-33.1).

19 “Lane reversal strategy” means an evacuation plan that reverses
20 the flow of traffic in lanes that are normally configured for travel in
21 one direction, resulting in all traffic traveling in the same direction
22 on all lanes of a highway.

23 “Long term emergency shelter” means a building or structure in
24 which a public entity or a private, nonprofit organization provides
25 shelter for a period of time extending longer than six months to
26 individuals and families who have been displaced from their homes
27 due to an emergency.

28 “Special needs” means a physical or mental disability or medical
29 care need of an individual who, after exhausting all other resources
30 still needs assistance for evacuation or sheltering before, during, or
31 after a disaster or emergency.

32 “Temporary emergency shelter” means a building or structure in
33 which a public entity or a private, nonprofit organization provides
34 shelter to individuals and families who have been displaced from
35 their homes due to an emergency until that emergency has ceased.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SBA committee amendments adopted September 13, 2010.

²Senate floor amendments adopted November 22, 2010.

³Assembly floor amendments adopted December 5, 2011.

1 2. (New section) a. The director shall develop and undertake
2 an annual public awareness program to educate the public
3 concerning the State's plan to evacuate New Jersey's coastal areas
4 in a time of emergency. The program ²~~shall~~ may² incorporate the
5 use of ²~~both the~~² broadcast ²~~and~~ media,² print media ², the
6 Internet, or any other available resources².

7 b. The program shall inform the public of:

8 (1) methods by which the State is to notify the public of the
9 initiation of an emergency evacuation of a coastal area;

10 (2) appropriate evacuation routes;

11 (3) alternative methods of evacuation, other than that utilizing a
12 personal motor vehicle;

13 (4) information concerning the preparation and storing of
14 personal evacuation kits;

15 (5) appropriate supplies of food and potable water that
16 individuals and families should have readily available; and

17 (6) information relating to the support of, and care for animals,
18 particularly service animals and pets subject to a coastal evacuation;
19 and

20 (7) any such other matters as the director shall deem appropriate
21 and necessary.

22 c. In developing this plan, and in making any subsequent
23 revisions, the director shall consult with the Emergency
24 Management Offices of the affected counties and municipalities.

25

26 3. (New section) a. The director, in consultation with the
27 Department of Health and Senior Services ¹~~and~~,¹ the Department
28 of Community Affairs, ¹and the Department of Human Services,¹
29 shall appoint a commission comprised of experts from each
30 department ²as well as experts from private nonprofit organizations,
31 which shall include, but not be limited to, the American Red Cross,²
32 that shall be authorized to:

33 (1) identify appropriate elementary and secondary school
34 buildings ¹~~to~~ that may¹ serve as adequate locations for temporary
35 emergency shelter during an emergency;

36 ¹~~(2)~~ identify elementary and secondary schools that do not meet
37 the standards for the licensing of emergency shelters promulgated
38 pursuant to section 5 of P.L.1985, c.48 (C.55:13C-5), and, if
39 needed, allocate funding for the purpose of renovating, repairing, or
40 altering those school buildings so that they may serve as adequate
41 short term emergency shelters;¹ and

42 ¹~~(3)~~ (2)¹ identify ¹~~and reserve~~¹ specific locations ¹~~to~~ that
43 may¹ serve as long term emergency shelters, during an emergency,
44 for the benefit of individuals who have been displaced from their
45 residence for an extended period of time as a result of that
46 emergency or local disaster emergency. ¹~~Locations that meet the~~

1 necessary standards for the licensing of emergency shelters
 2 promulgated pursuant to section 5 of P.L.1985, c.48 (C.55:13C-5)
 3 shall be archived by the commission and may be submitted on an
 4 annual basis to the Governor for approval of acquisition of the
 5 location by the State.]¹

6 b. Following the effective date of this act, all elementary and
 7 secondary school buildings ³[shall be constructed in a manner so
 8 that they may serve as ¹[adequate locations for]¹ temporary
 9 emergency shelters during a declared emergency] to be newly
 10 constructed shall be evaluated during the planning or design phase
 11 and a determination shall be made considering all appropriate
 12 factors including, but not limited to, the suitability, necessity, and
 13 financial feasibility, as to whether that elementary or secondary
 14 school building may serve as a potential location for an emergency
 15 shelter during a declared state of emergency³.

16

17 4. (New section) ¹[a.]¹ The director shall ¹[establish a
 18 coastal operations team composed of experts in emergency
 19 evacuation and emergency shelter management from within the
 20 Division of State Police. The coastal operations team shall review
 21 and assess the evacuation plans of the State's coastal counties, as
 22 well as other surrounding counties that the team determines would
 23 be affected by an evacuation of the coast in the event of an
 24 emergency.

25 b. It shall be the primary responsibility of the coastal
 26 operations team to]¹:

27 ¹[(1)] a.¹ ensure consistency among the ¹[various county]¹
 28 evacuation plans ²and shelter plans² ¹of the State's coastal counties,
 29 and such other counties that the director determines may be affected
 30 by the evacuation of the coast in an emergency¹ , and ¹[to]¹
 31 integrate those plans into a Statewide evacuation plan; ²[and]²

32 ¹[(2)] b.¹ work in coordination with the county offices of
 33 emergency management to revise any evacuation ²or shelter² plan
 34 that, upon review, proves to be inconsistent with the evacuation
 35 plans of other counties, or with the State Emergency Operations
 36 Plan Guidelines ²; and²

37 ¹[c. The coastal operations team shall biannually report its
 38 progress to the Governor with its recommendations for the
 39 improvement and development of county emergency evacuation.]¹

40 ²c. consult with and seek the advice of private nonprofit
 41 organizations when implementing the provisions of this section,
 42 which shall include, but not be limited to, the American Red Cross.²

43

44 5. (New section) The director shall work in conjunction with
 45 the county emergency management coordinator in each county to
 46 locate and identify all critical infrastructures in the State that would

1 need an alternative emergency power generator in the event of a
2 Statewide emergency.

3
4 6. (New section) a. Each county in the State may establish a
5 central registry for residents with special needs who require
6 additional assistance provided to them during an emergency. A
7 central registry created pursuant to this section shall be maintained
8 by each county office of emergency management, and shall be
9 composed of information voluntarily provided by each registrant
10 that includes, but is not limited to, the registrant's address,
11 telephone number, and particular condition ¹or assistance needs¹.

12 b. Each county that creates such a registry shall conduct a
13 public awareness campaign ¹, utilizing the Internet and any other
14 available resources,¹ to inform the general public of the importance
15 of identifying ¹and registering¹ individuals with special needs prior
16 to an emergency so that appropriate preparations may be made to
17 ensure that these individuals receive necessary assistance during an
18 evacuation. Information collected ¹for purposes of a central registry
19 created¹ pursuant to this section shall be ¹【treated as confidential
20 but may be forwarded to the State Office of Emergency
21 Management as part of the】 used only by the county office of
22 emergency management that collected the information to prepare
23 for and provide assistance to residents with special needs in an
24 emergency, and shall not otherwise be divulged or made publicly
25 available; provided however, that the director may, at the director's
26 discretion, access and obtain information from a central registry
27 maintained by a county office of emergency management if the
28 information is used directly and exclusively by the director to
29 prepare an¹ Emergency Operations Plan required pursuant to
30 section 19 of P.L.1989, c.222 (C.App.A:9-43.2).

31 ¹c. A central registry maintained by a county office of
32 emergency management and any information contained therein, or
33 accessed and obtained by the director in accordance with subsection
34 b. of this section, shall not be included under materials available to
35 public inspections pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.) or
36 P.L.2001, c.404 (C.47:1A-5 et al.).¹

37
38 7. (New section) a. The Division of State Police shall work in
39 conjunction with ¹the Department of Transportation and¹ county
40 emergency management coordinators to implement a lane reversal
41 strategy on the Atlantic City Expressway ¹【,】 and¹ the Garden State
42 Parkway ¹【, and Route 287 in this State】¹ in preparation for any
43 emergency evacuation.

44 b. The operator of a motor vehicle shall not tow any trailer,
45 semitrailer, or any other type of drawn or towed trailer, including a
46 trailer transporting a boat, on a public highway located in an area

1 where an emergency has been declared and any evacuation plan,
2 including but not limited to a '[reverse]' lane 'reversal' strategy, is
3 in effect. 'The operator of a motor vehicle who violates this
4 prohibition may be charged with failure to obey signals, signs, or
5 directions under emergency conditions with regard to the flow of
6 vehicular traffic, and upon conviction thereof shall be subject to
7 penalties for a violation of section 3 of P.L.1950, c.70 (C.39:4-
8 215).'¹ This prohibition shall not apply to emergency vehicles.

9
10 8. Section 18 of P.L.1989, c.222 (App.A:9-43.1) is amended to
11 read as follows:

12 18. The State Office of Emergency Management shall adopt, no
13 later than 12 months following the effective date of this act, a State
14 Emergency Operations Plan, including rules, regulations, and
15 guidelines, that shall be reviewed and updated at least every two
16 years.

17 a. These plans shall include , but not be limited to,
18 provisions[,] which shall be developed in consultation with:

19 (1) the Department of Agriculture, to support the needs of
20 animals and individuals with an animal under their care, including
21 domestic livestock, a domesticated animal, or a service animal, in a
22 major disaster or emergency; and

23 (2) the Department of Health and Senior Services, to provide for
24 a coordinated Statewide evacuation strategy for all hospitals and
25 other health care facilities in the State, alternative sources of care
26 for evacuated patients, and proposed sites of temporary shelter in
27 the event of an emergency. The Statewide evacuation strategy shall
28 be based on evacuation plans prepared pursuant to section 19 of
29 P.L.1989, c. 222 (C.App.A:9-43.2) and submitted to the State
30 Office of Emergency Management by each county and municipality
31 in the State pursuant to section 21 of P.L.1989, c.222 (C.App.A:9-
32 43.2).

33 b. Each plan shall include provisions that specifically address
34 the '[needs, and facilitate] need for' the safe and timely
35 evacuation'[,.]' of the families and dependents of the emergency
36 responders rendering major disaster or emergency services.

37 c. In addition, the State Office of Emergency Management
38 shall take appropriate steps to educate the public regarding the
39 resources available in the event of an emergency and the importance
40 of emergency preparedness planning.

41 (cf: P.L.2006, c.92, s.1)

42
43 9. Section 19 of P.L.1989, c.222 (App.A:9-43.2) is amended to
44 read as follows:

45 19. Each county and municipality in the State shall prepare a
46 written Emergency Operations Plan with all appropriate annexes
47 necessary to implement the plan. The development of all plans

1 shall be coordinated with the Emergency Operations Plans of the
2 State, county and neighboring municipalities to ensure a regional
3 coordinated response and the efficient use of resources.

4 a. These plans shall include , but not be limited to,
5 provisions[,] which shall be developed in consultation with:

6 (1) the Department of Agriculture, to support the needs of
7 animals and individuals with an animal under their care, including
8 domestic livestock, a domesticated animal, or a service animal, in a
9 major disaster or emergency; and

10 (2) the Department of Health and Senior Services to evaluate the
11 evacuation procedures of hospitals and other health care facilities
12 located in each county and municipality, alternative sources of care
13 for evacuated patients, and proposed sites of temporary shelter in
14 the event of an emergency.

15 b. Each plan shall include provisions that specifically address
16 the '[needs, and facilitate] need for' the safe and timely
17 evacuation'[.,]' of the families and dependents of the emergency
18 responders rendering major disaster or emergency services.

19 c. Each Emergency Operations Plan shall be adopted no later
20 than one year after the State Emergency Planning Guidelines have
21 been adopted by the State Office of Emergency Management and
22 shall be evaluated at such subsequent scheduled review of the State
23 Emergency Operations Plan.

24 (cf: P.L.2006, c.92, s.2)

25

26 10. This act shall take effect on the first day of the thirteenth
27 month following enactment, but the Director of the State Office of
28 Emergency Management may take such anticipatory administrative
29 actions in advance thereof as shall be necessary for the
30 implementation of this act.

31

32

33

34

35 Implements recommendations of the Assembly Coastal New
36 Jersey Evacuation Task Force.

SENATE, No. 264

STATE OF NEW JERSEY 214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

Senator JEFF VAN DREW

District 1 (Cape May, Atlantic and Cumberland)

Senator CHRISTOPHER J. CONNORS

District 9 (Atlantic, Burlington and Ocean)

Senator JOHN A. GIRGENTI

District 35 (Bergen and Passaic)

SYNOPSIS

Implements recommendations of the Assembly Coastal New Jersey Evacuation Task Force.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 7/8/2010)

1 AN ACT concerning emergency management, supplementing
2 chapter 9 of Appendix A, and amending P.L.1989, c.222.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. (New section) For the purposes of this act:

8 “Alternative emergency power generator” means an electricity-
9 generating installation system that operates to provide the
10 electricity needs of a building or structure if the normal source of
11 electricity is disrupted due to a power outage;

12 “Critical infrastructure” means all buildings or structures in the
13 State that are indispensably necessary for national security,
14 economic stability, and public safety;

15 “Director” means the Director of the State Office of Emergency
16 Management in the Division of State Police;

17 “Emergency” means an emergency or local disaster emergency
18 as defined in section 3 of P.L.1953, c. 438 (C.App.A:9-33.1)

19 “Lane reversal strategy” means an evacuation plan that reverses
20 the flow of traffic in lanes that are normally configured for travel in
21 one direction, resulting in all traffic traveling in the same direction
22 on all lanes of a highway;

23 “Long term emergency shelter” means a building or structure in
24 which a public entity or a private, nonprofit organization provides
25 shelter for a period of time extending longer than six months to
26 individuals and families who have been displaced from their homes
27 due to an emergency;

28 “Special needs” means a physical or mental disability or medical
29 care need of an individual who, after exhausting all other resources
30 still needs assistance for evacuation or sheltering before, during, or
31 after a disaster or emergency; and

32 “Temporary emergency shelter” means a building or structure in
33 which a public entity or a private, nonprofit organization provides
34 shelter to individuals and families who have been displaced from
35 their homes due to an emergency until that emergency has ceased.

36

37 2. (New section) a. The director shall develop and undertake an
38 annual public awareness program to educate the public concerning
39 the State’s plan to evacuate New Jersey’s coastal areas in a time of
40 emergency. The program shall incorporate the use of both the
41 broadcast and print media.

42 b. The program shall inform the public of:

43 (1) methods by which the State is to notify the public of the
44 initiation of an emergency evacuation of a coastal area;

45 (2) appropriate evacuation routes;

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

Matter underlined thus is new matter.

1 (3) alternative methods of evacuation, other than that utilizing a
2 personal motor vehicle;

3 (4) information concerning the preparation and storing of
4 personal evacuation kits;

5 (5) appropriate supplies of food and potable water that
6 individuals and families should have readily available; and

7 (6) information relating to the support of, and care for animals,
8 particularly service animals and pets subject to a coastal evacuation;
9 and

10 (7) any such other matters as the director shall deem appropriate
11 and necessary.

12 c. In developing this plan, and in making any subsequent
13 revisions, the director shall consult with the Emergency
14 Management Offices of the affected counties and municipalities.
15

16 3. (New section) a. The director, in consultation with the
17 Department of Health and Senior Services and the Department of
18 Community Affairs, shall appoint a commission comprised of
19 experts from each department that shall be authorized to:

20 (1) identify appropriate elementary and secondary school
21 buildings to serve as adequate locations for temporary emergency
22 shelter during an emergency;

23 (2) identify elementary and secondary schools that do not meet
24 the standards for the licensing of emergency shelters promulgated
25 pursuant to section 5 of P.L.1985, c.48 (C.55:13C-5), and, if
26 needed, allocate funding for the purpose of renovating, repairing, or
27 altering those school buildings so that they may serve as adequate
28 short term emergency shelters; and

29 (3) identify and reserve specific locations to serve as long term
30 emergency shelters, during an emergency, for the benefit of
31 individuals who have been displaced from their residence for an
32 extended period of time as a result of that emergency or local
33 disaster emergency. Locations that meet the necessary standards
34 for the licensing of emergency shelters promulgated pursuant to
35 section 5 of P.L.1985, c.48 (C.55:13C-5) shall be archived by the
36 commission and may be submitted on an annual basis to the
37 Governor for approval of acquisition of the location by the State.

38 b. Following the effective date of this act, all elementary and
39 secondary school buildings shall be constructed in a manner so that
40 they may serve as adequate locations for temporary emergency
41 shelters during a declared emergency.
42

43 4. (New section) a. The director shall establish a coastal
44 operations team composed of experts in emergency evacuation and
45 emergency shelter management from within the Division of State
46 Police. The coastal operations team shall review and assess the
47 evacuation plans of the State's coastal counties, as well as other

1 surrounding counties that the team determines would be affected by
2 an evacuation of the coast in the event of an emergency.

3 b. It shall be the primary responsibility of the coastal operations
4 team to:

5 (1) ensure consistency among the various county evacuation
6 plans, and to integrate those plans into a Statewide evacuation plan;
7 and

8 (2) work in coordination with the county offices of emergency
9 management to revise any evacuation plan that, upon review,
10 proves to be inconsistent with the evacuation plans of other
11 counties, or with the State Emergency Operations Plan Guidelines.

12 c. The coastal operations team shall biannually report its
13 progress to the Governor with its recommendations for the
14 improvement and development of county emergency evacuation.
15

16 5. (New section) The director shall work in conjunction with
17 the county emergency management coordinator in each county to
18 locate and identify all critical infrastructures in the State that would
19 need an alternative emergency power generator in the event of a
20 Statewide emergency.
21

22 6. (New section) a. Each county in the State may establish a
23 central registry for residents with special needs who require
24 additional assistance provided to them during an emergency. A
25 central registry created pursuant to this section shall be maintained
26 by each county office of emergency management, and shall be
27 composed of information voluntarily provided by each registrant
28 that includes, but is not limited to, the registrant's address,
29 telephone number, and particular condition.

30 b. Each county that creates such a registry shall conduct a public
31 awareness campaign to inform the general public of the importance
32 of identifying individuals with special needs prior to an emergency
33 so that appropriate preparations may be made to ensure that these
34 individuals receive necessary assistance during an evacuation.
35 Information collected pursuant to this section shall be treated as
36 confidential but may be forwarded to the State Office of Emergency
37 Management as part of the Emergency Operations Plan required
38 pursuant to section 19 of P.L.1989, c.222 (C.App.A:9-43.2).
39

40 7. (New section) a. The Division of State Police shall work in
41 conjunction with county emergency management coordinators to
42 implement a lane reversal strategy on the Atlantic City Expressway,
43 the Garden State Parkway, and Route 287 in this State in
44 preparation for any emergency evacuation.

45 b. The operator of a motor vehicle shall not tow any trailer,
46 semitrailer, or any other type of drawn or towed trailer, including a
47 trailer transporting a boat, on a public highway located in an area

1 where an emergency has been declared and any evacuation plan,
2 including but not limited to a reverse lane strategy, is in effect.
3 This prohibition shall not apply to emergency vehicles.
4

5 8. Section 18 of P.L. 1989, c.222 (App.A:9-43.1) is amended to
6 read as follows:

7 18. The State Office of Emergency Management shall adopt, no
8 later than 12 months following the effective date of this act, a State
9 Emergency Operations Plan, including rules, regulations, and
10 guidelines, that shall be reviewed and updated at least every two
11 years.

12 a. These plans shall include , but not be limited to, provisions[,]
13 which shall be developed in consultation with:

14 (1) the Department of Agriculture, to support the needs of
15 animals and individuals with an animal under their care, including
16 domestic livestock, a domesticated animal, or a service animal, in a
17 major disaster or emergency; and

18 (2) the Department of Health and Senior Services, to provide for
19 a coordinated Statewide evacuation strategy for all hospitals and
20 other health care facilities in the State, alternative sources of care
21 for evacuated patients, and proposed sites of temporary shelter in
22 the event of an emergency. The Statewide evacuation strategy shall
23 be based on evacuation plans prepared pursuant to section 19 of
24 P.L.1989, c. 222 (C.App.A:9-43.2) and submitted to the State
25 Office of Emergency Management by each county and municipality
26 in the State pursuant to section 21 of P.L.1989, c.222 (C.App.A:9-
27 43.2).

28 b. Each plan shall include provisions that specifically address
29 the needs, and facilitate the safe and timely evacuation, of the
30 families and dependents of the emergency responders rendering
31 major disaster or emergency services.

32 c. In addition, the State Office of Emergency Management shall
33 take appropriate steps to educate the public regarding the resources
34 available in the event of an emergency and the importance of
35 emergency preparedness planning.

36 (cf: P.L.2006, c.92, s.1)
37

38 9. Section 19 of P.L.1989, c.222 (App.A:9-43.2) is amended to
39 read as follows:

40 19. Each county and municipality in the State shall prepare a
41 written Emergency Operations Plan with all appropriate annexes
42 necessary to implement the plan. The development of all plans
43 shall be coordinated with the Emergency Operations Plans of the
44 State, county and neighboring municipalities to ensure a regional
45 coordinated response and the efficient use of resources.

46 a. These plans shall include , but not be limited to, provisions[,]
47 which shall be developed in consultation with:

1 buildings to serve as temporary shelters during an emergency;
2 allocate funding for the renovation of school buildings that do not
3 meet the standard requirements for adequate sheltering so that they
4 may serve as short term emergency shelters; and identify and
5 reserve specific locations to serve as long term emergency shelters
6 for the benefit of individuals who have been displaced from their
7 residence for a period of greater than six months. Following the
8 enactment of the bill, all schools in the State are to be constructed
9 to serve as adequate shelters.

10 In addition, the bill provides for the creation of a separate State
11 coastal operations team composed of experts from within the
12 Division of State Police assigned to review and assess the county
13 evacuation plans. Under the bill, it is the primary responsibility of
14 the coastal operations team to ensure consistency among the various
15 county evacuation plans, and integrate the county plans into a
16 Statewide evacuation plan. The bill also requires the director of
17 OEM to work in conjunction with the county emergency
18 management coordinator in each county to locate and identify all
19 critical infrastructure in the State that would be in need of an
20 alternative emergency power generator in the event of a Statewide
21 emergency.

22 The bill further provides that the State Police are to work in
23 conjunction with county emergency management coordinators to
24 implement a lane reversal strategy on the Atlantic City Expressway,
25 the Garden State Parkway, and Route 287 in this State in
26 preparation for an evacuation during an emergency. The bill
27 prohibits the towing of trailers, and transportation of boats on
28 public highways while any evacuation plan is in effect.

29 Under the provisions of the bill, each county is to establish a
30 central registry for individuals with special needs who may need
31 additional assistance during an emergency or local disaster
32 emergency. The bill defines “special needs” as a physical or mental
33 disability or medical care need of an individual who, after
34 exhausting all other resources still needs assistance for evacuation
35 or sheltering before, during, or after a disaster or emergency.

36 Finally, the bill amends current law to provide for the expansion
37 of the Emergency Operation Plans on the State, county and
38 municipal level. Current law only requires the State and local
39 Emergency Operation Plans to address the needs of farm animals
40 and service animals during an emergency. The bill provides that
41 these emergency plans are to be expanded in order to support the
42 needs of domestic livestock and domesticated animals.

43 Additionally, each Emergency Operations Plan is to include a
44 provision specifically designed to address the needs and facilitate
45 the safe and timely evacuation of the families and dependents of the
46 emergency responders rendering major disaster or emergency
47 services.

1 The bill further requires the counties and municipalities to
2 include in their respective Emergency Operations Plans provisions
3 that evaluate the evacuation procedures of hospitals and other
4 health care facilities, alternate sources of care for evacuated
5 patients, and proposed sites of temporary shelter in the event of an
6 emergency. Under the bill, the State Office of Emergency
7 Management is required to establish a Statewide evacuation strategy
8 that will be based on evacuation plans submitted by the counties
9 and municipalities.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 264

STATE OF NEW JERSEY

DATED: JULY 19, 2010

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 264.

The provisions of this bill implement certain recommendations of the Final Report of the Assembly Coastal New Jersey Evacuation Task Force, which was submitted to the Speaker of the General Assembly on May 23, 2008. Specifically, the purpose of the bill is to improve the current evacuation plans throughout the State in preparation for a catastrophic event or natural disaster, such as a hurricane or nor'easter.

Under the provisions of the bill, the Director of the State Office of Emergency Management (OEM) is to develop and undertake a number of initiatives. First, the bill requires that the director develop an annual public awareness program to educate the public concerning the State's plan to evacuate New Jersey's coastal areas in times of emergency.

The bill further requires the director to work in consultation with the Department of Health and Senior Services and the Department of Community Affairs, to appoint a commission comprised of experts from each department. The commission would be authorized to identify and reserve elementary and secondary school buildings to serve as temporary shelters during an emergency; allocate funding for the renovation of school buildings that do not meet the standard requirements for adequate sheltering so that they may serve as short term emergency shelters; and identify and reserve specific locations to serve as long term emergency shelters for the benefit of individuals who have been displaced from their residence for a period of greater than six months. Following the enactment of the bill, all schools in the State are to be constructed to serve as adequate shelters.

In addition, the bill provides for the creation of a separate State coastal operations team composed of experts from within the Division of State Police assigned to review and assess the county evacuation plans. Under the bill, it is the primary responsibility of the coastal operations team to ensure consistency among the various county evacuation plans, and integrate the county plans into a Statewide evacuation plan. The bill also requires the director of OEM to work in conjunction with the county emergency management coordinator in each county to locate and identify all critical infrastructure in the State that would be in need of an alternative emergency power generator in the event of a Statewide emergency.

The bill further provides that the State Police are to work in conjunction with county emergency management coordinators to implement a lane reversal strategy on the Atlantic City Expressway, the Garden State Parkway, and Route 287 in this State in preparation for an evacuation during an emergency. The bill prohibits the towing of trailers, and transportation of boats on public highways while any evacuation plan is in effect.

Under the provisions of the bill, each county is to establish a central registry for individuals with special needs who may need additional assistance during an emergency or local disaster emergency. The bill defines “special needs” as a physical or mental disability or medical care need of an individual who, after exhausting all other resources, still needs assistance for evacuation or sheltering before, during, or after a disaster or emergency.

Finally, the bill amends current law to provide for the expansion of the Emergency Operation Plans on the State, county and municipal level. Current law only requires the State and local Emergency Operation Plans to address the needs of farm animals and service animals during an emergency. The bill provides that these emergency plans are to be expanded in order to support the needs of domestic livestock and domesticated animals. Additionally, each Emergency Operations Plan is to include a provision specifically designed to address the needs and facilitate the safe and timely evacuation of the families and dependents of the emergency responders rendering major disaster or emergency services.

The bill further requires the counties and municipalities to include in their respective Emergency Operations Plans provisions that evaluate the evacuation procedures of hospitals and other health care facilities, alternative sources of care for evacuated patients, and proposed sites of temporary shelter in the event of an emergency. Under the bill, the State Office of Emergency Management is required to establish a Statewide evacuation strategy that will be based on evacuation plans submitted by the counties and municipalities.

This bill was pre-filed for introduction in the 2010-2011 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 264

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 13, 2010

The Senate Budget and Appropriations committee reports favorably Senate Bill No. 264, with committee amendments.

The bill, as amended, implements certain recommendations made by the Coastal New Jersey Evacuation Task Force in its final report issued to the Speaker of the General Assembly in accordance with Assembly Resolution No. 146 of 2006. The purpose of the recommendations is to increase public awareness, provide for the assessment of certain needs, coordinate emergency response efforts, and improve the overall level of emergency preparedness in preparation for a catastrophic event or natural disaster.

Specifically, the bill requires the Director of the State Office of Emergency Management (OEM) to undertake an annual public awareness program to educate the public concerning the State's plan to evacuate coastal areas in an emergency. The bill specifies that this program must utilize broadcast and print media, and must, at a minimum, inform the public of: methods by which the State will announce an emergency evacuation of a coastal area; appropriate evacuation routes; alternative methods of evacuation; information concerning personal evacuation kits; appropriate supplies individuals and families should have available; and information relating to the care of certain animals.

The bill requires the Director of the State OEM, in consultation with the Department of Health and Senior Services, the Department of Community Affairs, and the Department of Human Services, to appoint a commission, comprised of experts from within each department, which is authorized to: identify elementary and secondary school buildings that may serve as adequate locations for temporary shelters during an emergency; and identify specific locations that may serve as long-term emergency shelters for the benefit of individuals displaced from their residence for extended periods as a result of that emergency or local disaster emergency. The bill stipulates that, following the effective date of the bill, all elementary and secondary school buildings must be constructed so they may serve as a temporary emergency shelter during a declared emergency.

The bill requires the Director of the State OEM to ensure consistency among evacuation plans of the State's coastal counties, and such other counties that may, at the determination of the director, be affected by the evacuation of the coast in an emergency, and to integrate those plans into a Statewide evacuation plan. Under the bill, the director must work in coordination with county offices of emergency management to revise any evacuation plan that is inconsistent with the plans of the State or other counties.

Additionally, the bill requires the Director of the State OEM to work in conjunction with county emergency management coordinators to identify critical infrastructures in this State that need alternative emergency power generators in an emergency. For purposes of the bill, "critical infrastructure" includes all buildings or structures that are indispensably necessary for national security, economic stability, and public safety.

The bill permits counties to establish, and promote the awareness of, central registries for individuals with special needs who require assistance during an emergency. The bill specifies that each county registry must be maintained by that county's office of emergency management, and must be comprised of information voluntarily submitted by each registrant, including the registrant's address, telephone number, and particular condition or assistance needs. Information collected as part of a registry is confidential and may only be used by the county office of emergency management that collected the information to prepare for, and provide assistance to, residents with special needs in an emergency, except that the Director of the State OEM may access information maintained in a county registry if it is used by the director to prepare a local Emergency Operations Plan.

The bill directs the State Police to work with the Department of Transportation and county emergency management coordinators to implement a lane reversal strategy on the Atlantic City Expressway and the Garden State Parkway in preparation for an emergency evacuation. As part of that strategy, the bill prohibits the towing of trailers, including trailers with boats in tow, on public highways in areas where an emergency has been declared and an evacuation is in effect. Under the bill, certain penalties may be imposed on persons who violate the prohibition.

The bill makes various changes to current law regarding Emergency Operation Plans required to be made and implemented by the State and each county and municipality. In particular, the bill provides that existing State and local plans must be expanded to include provisions that provide, in consultation with the Department of Health and Senior Services, for the evaluation of evacuation procedures of hospitals and other health care facilities located in their respective jurisdictions, alternative sources of care for evacuated patients, and proposed sites of temporary shelter in an emergency, and

must address the need for the evacuation of families and dependents of emergency responders rendering certain emergency services.

The bill also provides that State and local Emergency Operation Plans must include provisions concerning the needs of domestic livestock and domesticated animals. Specifically, the bill provides that the emergency plans adopted by the State and each county and municipality must include provisions to address the needs of domestic livestock and domesticated animals in a major disaster or emergency.

COMMITTEE AMENDMENTS:

The committee amendments make certain substantive changes to the bill to:

(1) limit, under section 3 of the bill, the duties and responsibilities of the commission to identifying specific locations that may serve as adequate temporary and long-term emergency shelters;

(2) eliminate, under section 4 of the bill, the establishment of a coastal operations team, and reassign the duties and responsibilities allocated to the team to the Director of the State OEM, absent any previous reporting requirements;

(3) permit, under section 6 of the bill, the inclusion of information concerning a registrant's particular special assistance needs;

(4) specify that public awareness campaigns conducted by counties, in accordance with section 6 of the bill, must utilize the Internet and other available resources to inform the public of the need to identify and register individuals with special needs prior to an emergency;

(5) stipulate that information collected for purposes of a special needs registry, in accordance with section 6 of the bill, is to be used only by the county office of emergency management that collected it or the director of the State OEM for purposes of a local Emergency Operations Plan, and that information contained in the registry or accessed by the director is not material subject to inspection under public records laws;

(6) authorize the Department of Transportation to work, under section 7 of the bill, in conjunction with the Division of State Police and county emergency management coordinators to implement a lane reversal strategy in preparation for an evacuation;

(7) remove, under section 7 of the bill, Route 287 as a roadway identified for a lane reversal strategy;

(8) permit, under section 7 of the bill, the imposition of certain penalties on operators of motor vehicles who violate the prohibition on trailers in tow on public highways in an area where an emergency has been declared and an evacuation is in effect; and

(9) clarify, under section 8 and 9 of the bill, that State and local Emergency Operation Plans must address the need for, but not facilitate, the safe and timely evacuation of families and dependents of emergency responders rendering emergency services.

FISCAL IMPACT:

The Office of Legislative Services (OLS) has identified certain State and local costs that may be incurred as a result of this bill. These costs include but are not limited to: (1) the requirement, in section 2 of the bill, that the Director of the State OEM develop and undertake an annual public awareness program to educate the public concerning the State's plan to evacuate coastal areas; (2) the mandate, in section 3 of the bill, that all elementary and secondary school building constructed, after the effective date of the bill, in a manner so they may serve as emergency shelters during a declared emergency; (3) the requirement, in section 5 of the bill, that the Director of the State OEM work with county emergency management coordinators to locate and identify all critical infrastructure that would need an alternative emergency power generator in an emergency; (4) the establishment, in accordance with section 6 of the bill, of registries for residents with special needs who may require additional assistance during an emergency; and (5) the requirement, in section 6 of the bill, that each county establishing a special needs registry conduct a public awareness campaign, utilizing the Internet and any other available resources, to inform the general public of the importance of identifying and registering individuals with special needs prior to an emergency.

STATEMENT TO
[First Reprint]
SENATE, No. 264

with Senate Floor Amendments
(Proposed by Senator VAN DREW)

ADOPTED: NOVEMBER 22, 2010

Senate Bill No. 264 (1R) implements certain recommendations made by the Coastal New Jersey Evacuation Task Force in its final report issued to the Speaker of the General Assembly in accordance with Assembly Resolution No. 146 of 2006. The purpose of the recommendations is to increase public awareness, provide for the assessment of certain needs, coordinate emergency response efforts, and improve the overall level of emergency preparedness in preparation for a catastrophic event or natural disaster.

These floor amendments:

- make the use of broadcast media, print media, the Internet, and any other available resources discretionary when establishing a public awareness program to educate the public concerning the State's plan to evacuate New Jersey's coastal areas in a time of emergency;
- establish that non-profit organizations, including the American Red Cross, be included among experts appointed to a commission charged with identifying emergency shelters;
- require the Director of the State Office of Emergency Management to ensure consistency among shelter plans in the State's coastal counties, in addition to evacuation plans; and
- require the director to consult non-profit organizations, including the American Red Cross, when ensuring consistency among evacuation and shelter plans in the State's coastal counties.

These Senate amendments make this bill identical to the Assembly Bill No. 3224 (1R).

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

SENATE, No. 264

STATE OF NEW JERSEY 214th LEGISLATURE

DATED: MAY 26, 2011

SUMMARY

- Synopsis:** Implements recommendations of the Assembly Coastal New Jersey Evacuation Task Force.
- Type of Impact:** Minimal Expenditure. General Fund.
- Agencies Affected:** Department of Law and Public Safety; Division of State Police; State Office of Emergency Management; Department of Agriculture; Department of Community Affairs; Department of Health and Senior Services; Department of Human Services; Department of Transportation; and County Offices of Emergency Management.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State			
Cost	Minimal Expenditure – See comments below		
Revenue	None – See comments below		
Local			
Cost	Minimal Expenditure – See comments below		
Revenue	None – See comments below		

- The Office of Legislative Services (OLS) finds the cost to implement this bill to be minimal. Although many of the bill's provisions do not have an associated cost, the cost of the following provisions is not clear: 1) construction of new elementary and secondary school buildings that meet the requirements of a temporary emergency shelter; and 2) the creation of a special needs registry for those counties which choose to do so.
- Requires that all new construction of elementary and secondary school buildings meet certain standards so that the buildings may serve as temporary emergency shelters. The estimated cost per building to meet the specifications to qualify as a shelter are unknown at this time.

- Permits county Offices of Emergency Management to create a central registry for those residents with special needs. The cost of the required public awareness campaign in those counties which choose to create a central registry is unknown.

BILL DESCRIPTION

Senate Bill No. 264 (2R) of 2010 implements certain recommendations made by the Coastal New Jersey Evacuation Task Force in its final report issued to the Speaker of the General Assembly in accordance with Assembly Resolution No. 146 of 2006.

The purpose of the recommendations is to increase public awareness, provide for the assessment of certain needs, coordinate emergency response efforts, and improve the overall level of emergency preparedness in preparation for a catastrophic event or natural disaster.

The bill:

- requires the Director of the State Office of Emergency Management in the Division of State Police to undertake an annual public awareness campaign concerning evacuating New Jersey's coastal areas and permits the use of any available resources, including the Internet;
- establishes a commission to identify temporary and long term shelter locations;
- requires that all new construction for elementary and secondary buildings meet standards so that the buildings may serve as temporary emergency shelters;
- requires the director, in consultation with the American Red Cross, to ensure consistency among evacuation and shelter plans in the State's coastal counties;
- requires the director to work with county emergency management coordinators to identify alternative emergency power for all critical infrastructures;
- permits counties to establish a central registry for residents with special needs who may need assistance during an emergency, requires the registry to be maintained and used only by the county office of emergency management, and requires a county public awareness campaign;
- establishes a fine for violating certain lane reversal prohibitions such as towing trailers or boats; and
- expands the State, county, and municipal Emergency Operation Plans by requiring: 1) sheltering plans for certain animals; 2) plans for evacuation of the families and dependents of emergency responders; and 3) plans for the evacuation of health care facilities.

FISCAL ANALYSIS

EXECUTIVE BRANCH

Department of Law and Public Safety

Informal information received from the Office of the Attorney General noted that Assembly Bill No. 3224 (1R) would have no fiscal impact to the Division of State Police or the State Office of Emergency Management. The spokesperson further stated that the majority of the bill's provisions could be undertaken at a nominal cost, if any, to the department.

Other Departments

No comments were provided by the Department of Agriculture, the Department of Community Affairs, the Department of Health and Senior Services, the Department of Human Services, or the Department of Transportation.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds the cost to implement this bill to be minimal. Although many of the bill's provisions do not have an associated cost, the cost of the following provisions is not clear: 1) construction of new elementary and secondary school buildings that meet the requirements of a temporary emergency shelter; and 2) the creation of a special needs registry for those counties which choose to do so.

This bill requires that all new construction of elementary and secondary school buildings meet certain standards so that the buildings may serve as temporary emergency shelters. The cost associated with this requirement is unknown at this time.

The bill permits county Offices of Emergency Management to create a central registry for their residents with special needs. The OLS notes that this provision is not required; however, if a county does create the registry the county is required to conduct a public awareness campaign which may have an associated cost. Further, the bill permits the use of the Internet in the public awareness campaign which may result in a minimal expenditure by the county.

Section: Law and Public Safety
Analyst: Kristin B. Santos
Senior Fiscal Analyst
Approved: David J. Rosen
Legislative Budget and Finance Officer

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[Second Reprint]
SENATE, No. 264

STATE OF NEW JERSEY

DATED: NOVEMBER 21, 2011

The Assembly Appropriations Committee reports favorably Senate Bill No. 264 (2R).

This bill implements certain recommendations made by the Coastal New Jersey Evacuation Task Force in its final report to the Speaker of the General Assembly in accordance with Assembly Resolution No. 146 of 2006. The recommendations are aimed at increasing public awareness, providing for the assessment of certain needs, coordinating emergency response efforts, and improving the level of emergency preparedness in preparation for a catastrophic event or natural disaster in this State.

The bill requires the Director of the State Office of Emergency Management (OEM) to undertake an annual public awareness program to educate the public concerning the evacuation of coastal areas in an emergency. The bill specifies that this program may utilize broadcast or print media, the Internet, or any other available resources to disseminate information, but must, at a minimum, inform the public of the means by which the State will announce an emergency evacuation of a coastal area, the appropriate routes of evacuation, alternative methods of evacuation, information concerning the preparation and storing of personal evacuation kits, information concerning appropriate supplies individuals and families should have readily available, and information relating to the care of certain animals. The bill requires the director to consult with the emergency management offices of affected counties and municipalities in the development of the program.

The bill requires the Director of the State OEM, in consultation with the Department of Health and Senior Services, the Department of Community Affairs, and the Department of Human Services, to appoint a commission, comprised of certain experts, which is authorized to identify elementary and secondary school buildings that may serve as adequate locations for temporary shelters during an emergency, and to identify locations that may serve as long-term emergency shelters for certain displaced persons during an emergency. The bill specifies that, following the effective date of the bill, all elementary and secondary school buildings must be constructed so that

they may serve as a temporary emergency shelter during a declared emergency.

The bill requires the Director of the State OEM to ensure consistency among the evacuation and shelter plans of the State's coastal counties and such other counties that may be affected by the evacuation of the coast, and to integrate those plans into a Statewide evacuation plan. The bill specifies that the director must work with county offices of emergency management to revise evacuation or shelter plans that are inconsistent with the plans of or other counties or the State Emergency Operations Plan guidelines. The bill specifies that the director must seek the advice of private nonprofit organizations in ensuring consistency among evacuation and shelter plans and in revising inconsistent plans.

The bill requires the Director of the State OEM to work with county emergency management coordinators to identify critical infrastructures in this State that need alternative emergency power generators in an emergency. The bill defines "critical infrastructure" as all buildings or structures indispensably necessary for national security, economic stability, and public safety.

The bill permits counties to establish, and to promote through public campaigns the awareness of, central registries for individuals with special needs who require assistance during an emergency. The bill specifies that each county registry that is created must be maintained by that county's office of emergency management, and must be comprised of certain information voluntarily submitted by each registrant. Information collected as part of a registry is confidential and may only be used by the county office of emergency management that collected the information to prepare for, and provide assistance to, residents with special needs in an emergency, except that the Director of the State OEM may access information maintained in a county registry to prepare a local Emergency Operations Plan.

The bill directs the State Police to work with the Department of Transportation and county emergency management coordinators to implement a lane reversal strategy on the Atlantic City Expressway and the Garden State Parkway for an emergency evacuation. As part of that strategy, the bill prohibits the towing of trailers on public highways in areas where an emergency has been declared and an evacuation is in effect. The bill specifies certain penalties that may be imposed on persons who violate the prohibition.

The bill makes various changes to current law regarding Emergency Operation Plans required to be prepared and implemented by the State and each county and municipality in the State. The bill provides that State and local plans must be modified to include provisions that provide, in consultation with the Department of Health and Senior Services, for the evaluation of evacuation procedures of hospitals and other health care facilities located in their respective

jurisdictions, alternative sources of care for evacuated patients, and proposed sites of temporary shelter in an emergency. The bill provides that State and local plans must be modified to address the need for the evacuation of families and dependents of emergency responders rendering major disaster or emergency services. The bill provides that State and local plans must be modified to include provisions concerning the needs of domestic livestock and domesticated animals during a major disaster or emergency.

As reported, this bill is identical Assembly Bill No. 3224 (1R), as also reported by the committee.

FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates this bill will result in a minimal fiscal impact. Many of the additional requirements imposed by the bill are not expected to produce measurable costs, and certain others that are expected to produce measurable costs may be undertaken in such a way that potential State and local costs will be nominal.

The OLS notes, however, that this assessment excludes two of the bill's provisions that cannot be quantified at this time. It excludes an assessment of the bill's requirement that all new elementary and secondary schools buildings be constructed in manner that allows those buildings to serve as temporary emergency shelters because the estimated cost per building to meet the additional specifications to qualify as a shelter is unknown. Similarly, it excludes an assessment of the bill's authorization that permits county emergency management offices to create and maintain special needs registries because it is unknown which counties, if any, will create a registry and the means by which those counties that do ultimately create a registry do ultimately conduct a public awareness campaign.

STATEMENT TO
[Second Reprint]
SENATE, No. 264

with Assembly Floor Amendments
(Proposed by Assemblyman MILAM)

ADOPTED: DECEMBER 5, 2011

Senate Bill No. 264 (2R) implements certain recommendations made by the Coastal New Jersey Evacuation Task Force in its final report issued to the Speaker of the General Assembly in accordance with Assembly Resolution No. 146 of 2006.

These Assembly amendments replace the requirement that all elementary and secondary schools be constructed in a manner to serve as temporary emergency shelters, with a requirement that all newly constructed elementary and secondary schools be evaluated during the planning or design phase to determine whether the school could serve as a potential location for an emergency shelter. Factors to be considered in making that determination include, but are not limited to, the suitability, necessity, and financial feasibility of that school serving as an emergency shelter during a state of emergency.

These amendments make this bill identical to the Assembly Bill No. 3224 (1R) as amended by the Assembly on this same date.

LEGISLATIVE FISCAL ESTIMATE

[Third Reprint]

SENATE, No. 264

STATE OF NEW JERSEY 214th LEGISLATURE

DATED: DECEMBER 19, 2011

SUMMARY

- Synopsis:** Implements recommendations of the Assembly Coastal New Jersey Evacuation Task Force.
- Type of Impact:** Minimal Expenditure. General Fund.
- Agencies Affected:** Department of Law and Public Safety; Division of State Police; State Office of Emergency Management; Department of Agriculture; Department of Community Affairs; Department of Health and Senior Services; Department of Human Services; Department of Transportation; and County Offices of Emergency Management.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost		Minimal Expenditure.	
State Revenue		None.	
Local Cost		Minimal Expenditure.	
Local Revenue		None.	

- The Office of Legislative Services (OLS) finds the cost to implement this bill to be minimal. Although many of the bill's provisions do not have an associated cost, the cost of the following provisions is not clear: 1) the construction of new elementary and secondary school buildings, which after evaluation, will be constructed to meet requirements of a temporary emergency shelter if deemed appropriate; and 2) the creation of a special needs registry for those counties which choose to do so.
- Requires that all new construction of elementary and secondary school buildings be evaluated during the design and planning phase of construction so that the buildings may serve as temporary emergency shelters if it is indeed feasible and suitable. The estimated

cost per building to meet the specifications to qualify as a shelter is unknown at this time and is based on the final decision of each evaluated new school.

- Permits county Offices of Emergency Management to create a central registry for those residents with special needs. The cost of the required public awareness campaign in those counties which choose to create a central registry is unknown.

BILL DESCRIPTION

Senate Bill No. 264 (3R) of 2010 implements certain recommendations made by the Coastal New Jersey Evacuation Task Force in its final report issued to the Speaker of the General Assembly in accordance with Assembly Resolution No. 146 of 2006.

The purpose of the recommendations is to increase public awareness, provide for the assessment of certain needs, coordinate emergency response efforts, and improve the overall level of emergency preparedness in preparation for a catastrophic event or natural disaster.

The bill:

- requires the Director of the State Office of Emergency Management in the Division of State Police to undertake an annual public awareness campaign concerning evacuating New Jersey's coastal areas and permits the use of any available resources, including the Internet;
- establishes a commission to identify temporary and long term shelter locations;
- requires that all new construction for elementary and secondary buildings be evaluated to best meet standards so that the buildings may serve as temporary emergency shelters if deemed appropriate to do so;
- requires the director, in consultation with the American Red Cross, to ensure consistency among evacuation and shelter plans in the State's coastal counties;
- requires the director to work with county emergency management coordinators to identify alternative emergency power for all critical infrastructures;
- permits counties to establish a central registry for residents with special needs who may need assistance during an emergency, requires the registry to be maintained and used only by the county office of emergency management, and requires a county public awareness campaign;
- establishes a fine for violating certain lane reversal prohibitions such as towing trailers or boats; and
- expands the State, county, and municipal Emergency Operation Plans by requiring: 1) sheltering plans for certain animals; 2) plans for evacuation of the families and dependents of emergency responders; and 3) plans for the evacuation of health care facilities.

FISCAL ANALYSIS

EXECUTIVE BRANCH

Department of Law and Public Safety

A spokesperson in the Office of the Attorney General noted that this bill would have minimal impact to the Division of State Police or the State Office of Emergency Management.

Other Departments

No comments were provided by the Department of Agriculture, the Department of Community Affairs, the Department of Health and Senior Services, the Department of Human Services, or the Department of Transportation.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds the cost to implement this bill to be minimal. Although many of the bill's provisions do not have an associated cost, the cost of the following provisions is not clear: 1) the construction of new elementary and secondary school buildings, which after evaluation, will be constructed to meet requirements of a temporary emergency shelter if deemed appropriate; and 2) the creation of a special needs registry for those counties which choose to do so.

This bill requires that all new construction of elementary and secondary school buildings be evaluated to meet certain standards so that the buildings may serve as temporary emergency shelters if deemed appropriate to do so. The cost associated with this requirement is unknown at this time.

The bill permits county Offices of Emergency Management to create a central registry for their residents with special needs. The OLS notes that this provision is not required; however, if a county does create the registry the county is required to conduct a public awareness campaign which may have an associated cost. Further, the bill permits the use of the Internet in the public awareness campaign which may result in a minimal expenditure by the county.

Section: Law and Public Safety
Analyst: Kristin B. Santos
Senior Fiscal Analyst
Approved: David J. Rosen
Legislative Budget and Finance Officer

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

ASSEMBLY, No. 3224

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED SEPTEMBER 20, 2010

Sponsored by:

Assemblyman MATTHEW W. MILAM
District 1 (Cape May, Atlantic and Cumberland)
Assemblyman NELSON T. ALBANO
District 1 (Cape May, Atlantic and Cumberland)
Assemblyman BRIAN E. RUMPF
District 9 (Atlantic, Burlington and Ocean)
Assemblyman FREDERICK SCALERA
District 36 (Bergen, Essex and Passaic)

Co-Sponsored by:

Assemblywoman Gove

SYNOPSIS

Implements recommendations of the Assembly Coastal New Jersey Evacuation Task Force.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/8/2010)

1 AN ACT concerning emergency management, supplementing
2 chapter 9 of Appendix A, and amending P.L.1989, c.222.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. (New section) For the purposes of this act:

8 “Alternative emergency power generator” means an electricity-
9 generating installation system that operates to provide the
10 electricity needs of a building or structure if the normal source of
11 electricity is disrupted due to a power outage.

12 “Critical infrastructure” means all buildings or structures in the
13 State that are indispensably necessary for national security,
14 economic stability, and public safety.

15 “Director” means the Director of the State Office of Emergency
16 Management in the Division of State Police.

17 “Emergency” means an emergency or local disaster emergency
18 as defined in section 3 of P.L.1953, c. 438 (C.App.A:9-33.1).

19 “Lane reversal strategy” means an evacuation plan that reverses
20 the flow of traffic in lanes that are normally configured for travel in
21 one direction, resulting in all traffic traveling in the same direction
22 on all lanes of a highway.

23 “Long term emergency shelter” means a building or structure in
24 which a public entity or a private, nonprofit organization provides
25 shelter for a period of time extending longer than six months to
26 individuals and families who have been displaced from their homes
27 due to an emergency.

28 “Special needs” means a physical or mental disability or medical
29 care need of an individual who, after exhausting all other resources
30 still needs assistance for evacuation or sheltering before, during, or
31 after a disaster or emergency.

32 “Temporary emergency shelter” means a building or structure in
33 which a public entity or a private, nonprofit organization provides
34 shelter to individuals and families who have been displaced from
35 their homes due to an emergency until that emergency has ceased.

36

37 2. (New section) a. The director shall develop and undertake
38 an annual public awareness program to educate the public
39 concerning the State’s plan to evacuate New Jersey’s coastal areas
40 in a time of emergency. The program shall incorporate the use of
41 both the broadcast and print media.

42 b. The program shall inform the public of:

43 (1) methods by which the State is to notify the public of the
44 initiation of an emergency evacuation of a coastal area;

45 (2) appropriate evacuation routes;

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

Matter underlined thus is new matter.

- 1 (3) alternative methods of evacuation, other than that utilizing a
2 personal motor vehicle;
- 3 (4) information concerning the preparation and storing of
4 personal evacuation kits;
- 5 (5) appropriate supplies of food and potable water that
6 individuals and families should have readily available; and
- 7 (6) information relating to the support of, and care for animals,
8 particularly service animals and pets subject to a coastal evacuation;
9 and
- 10 (7) any such other matters as the director shall deem appropriate
11 and necessary.

12 c. In developing this plan, and in making any subsequent
13 revisions, the director shall consult with the Emergency
14 Management Offices of the affected counties and municipalities.
15

16 3. (New section) a. The director, in consultation with the
17 Department of Health and Senior Services, the Department of
18 Community Affairs, and the Department of Human Services, shall
19 appoint a commission comprised of experts from each department
20 that shall be authorized to:

- 21 (1) identify appropriate elementary and secondary school
22 buildings that may serve as adequate locations for temporary
23 emergency shelter during an emergency; and
- 24 (2) identify specific locations that may serve as long term
25 emergency shelters, during an emergency, for the benefit of
26 individuals who have been displaced from their residence for an
27 extended period of time as a result of that emergency or local
28 disaster emergency.

29 b. Following the effective date of this act, all elementary and
30 secondary school buildings shall be constructed in a manner so that
31 they may serve as temporary emergency shelters during a declared
32 emergency.
33

34 4. (New section) The director shall:

- 35 a. ensure consistency among the evacuation plans of the State's
36 coastal counties, and such other counties that the director
37 determines may be affected by the evacuation of the coast in an
38 emergency, and integrate those plans into a Statewide evacuation
39 plan; and
- 40 b. work in coordination with the county offices of emergency
41 management to revise any evacuation plan that, upon review,
42 proves to be inconsistent with the evacuation plans of other
43 counties, or with the State Emergency Operations Plan Guidelines.
44

45 5. (New section) The director shall work in conjunction with
46 the county emergency management coordinator in each county to
47 locate and identify all critical infrastructures in the State that would

1 need an alternative emergency power generator in the event of a
2 Statewide emergency.

3
4 6. (New section) a. Each county in the State may establish a
5 central registry for residents with special needs who require
6 additional assistance provided to them during an emergency. A
7 central registry created pursuant to this section shall be maintained
8 by each county office of emergency management, and shall be
9 composed of information voluntarily provided by each registrant
10 that includes, but is not limited to, the registrant's address,
11 telephone number, and particular condition or assistance needs.

12 b. Each county that creates such a registry shall conduct a
13 public awareness campaign, utilizing the Internet and any other
14 available resources, to inform the general public of the importance
15 of identifying and registering individuals with special needs prior to
16 an emergency so that appropriate preparations may be made to
17 ensure that these individuals receive necessary assistance during an
18 evacuation. Information collected for purposes of a central registry
19 created pursuant to this section shall be used only by the county
20 office of emergency management that collected the information to
21 prepare for and provide assistance to residents with special needs in
22 an emergency, and shall not otherwise be divulged or made publicly
23 available; provided however, that the director may, at the director's
24 discretion, access and obtain information from a central registry
25 maintained by a county office of emergency management if the
26 information is used directly and exclusively by the director to
27 prepare an Emergency Operations Plan required pursuant to section
28 19 of P.L.1989, c.222 (C.App.A:9-43.2).

29 c. A central registry maintained by a county office of
30 emergency management and any information contained therein, or
31 accessed and obtained by the director in accordance with subsection
32 b. of this section, shall not be included under materials available to
33 public inspections pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.) or
34 P.L.2001, c.404 (C.47:1A-5 et al.).

35
36 7. (New section) a. The Division of State Police shall work in
37 conjunction with the Department of Transportation and county
38 emergency management coordinators to implement a lane reversal
39 strategy on the Atlantic City Expressway and the Garden State
40 Parkway in preparation for any emergency evacuation.

41 b. The operator of a motor vehicle shall not tow any trailer,
42 semitrailer, or any other type of drawn or towed trailer, including a
43 trailer transporting a boat, on a public highway located in an area
44 where an emergency has been declared and any evacuation plan,
45 including but not limited to a lane reversal strategy, is in effect.
46 The operator of a motor vehicle who violates this prohibition may
47 be charged with failure to obey signals, signs, or directions under
48 emergency conditions with regard to the flow of vehicular traffic,

1 and upon conviction thereof shall be subject to penalties for a
2 violation of section 3 of P.L.1950, c.70 (C.39:4-215). This
3 prohibition shall not apply to emergency vehicles.
4

5 8. Section 18 of P.L.1989, c.222 (App.A:9-43.1) is amended to
6 read as follows:

7 18. The State Office of Emergency Management shall adopt, no
8 later than 12 months following the effective date of this act, a State
9 Emergency Operations Plan, including rules, regulations, and
10 guidelines, that shall be reviewed and updated at least every two
11 years.

12 a. These plans shall include, but not be limited to,
13 provisions[,] which shall be developed in consultation with:

14 (1) the Department of Agriculture, to support the needs of
15 animals and individuals with an animal under their care, including
16 domestic livestock, a domesticated animal, or a service animal, in a
17 major disaster or emergency; and

18 (2) the Department of Health and Senior Services, to provide for
19 a coordinated Statewide evacuation strategy for all hospitals and
20 other health care facilities in the State, alternative sources of care
21 for evacuated patients, and proposed sites of temporary shelter in
22 the event of an emergency. The Statewide evacuation strategy shall
23 be based on evacuation plans prepared pursuant to section 19 of
24 P.L.1989, c.222 (C.App.A:9-43.2) and submitted to the State Office
25 of Emergency Management by each county and municipality in the
26 State pursuant to section 21 of P.L.1989, c.222 (C.App.A:9-43.2).

27 b. Each plan shall include provisions that specifically address
28 the need for the safe and timely evacuation of the families and
29 dependents of the emergency responders rendering major disaster or
30 emergency services.

31 c. In addition, the State Office of Emergency Management
32 shall take appropriate steps to educate the public regarding the
33 resources available in the event of an emergency and the importance
34 of emergency preparedness planning.

35 (cf: P.L.2006, c.92, s.1)
36

37 9. Section 19 of P.L.1989, c.222 (App.A:9-43.2) is amended to
38 read as follows:

39 19. Each county and municipality in the State shall prepare a
40 written Emergency Operations Plan with all appropriate annexes
41 necessary to implement the plan. The development of all plans
42 shall be coordinated with the Emergency Operations Plans of the
43 State, county and neighboring municipalities to ensure a regional
44 coordinated response and the efficient use of resources.

45 a. These plans shall include , but not be limited to,
46 provisions[,] which shall be developed in consultation with:

47 (1) the Department of Agriculture, to support the needs of
48 animals and individuals with an animal under their care, including

1 domestic livestock, a domesticated animal, or a service animal, in a
2 major disaster or emergency; and

3 (2) the Department of Health and Senior Services to evaluate the
4 evacuation procedures of hospitals and other health care facilities
5 located in each county and municipality, alternative sources of care
6 for evacuated patients, and proposed sites of temporary shelter in
7 the event of an emergency.

8 b. Each plan shall include provisions that specifically address
9 the need for the safe and timely evacuation of the families and
10 dependents of the emergency responders rendering major disaster or
11 emergency services.

12 c. Each Emergency Operations Plan shall be adopted no later
13 than one year after the State Emergency Planning Guidelines have
14 been adopted by the State Office of Emergency Management and
15 shall be evaluated at such subsequent scheduled review of the State
16 Emergency Operations Plan.

17 (cf: P.L.2006, c.92, s.2)

18

19 10. This act shall take effect on the first day of the thirteenth
20 month following enactment, but the Director of the State Office of
21 Emergency Management may take such anticipatory administrative
22 actions in advance thereof as shall be necessary for the
23 implementation of this act.

24

25

26

STATEMENT

27

28 The bill, as amended, implements certain recommendations
29 made by the Coastal New Jersey Evacuation Task Force in its final
30 report issued to the Speaker of the General Assembly in accordance
31 with Assembly Resolution No. 146 of 2006. The purpose of the
32 recommendations is to increase public awareness, provide for the
33 assessment of certain needs, coordinate emergency response efforts,
34 and improve the overall level of emergency preparedness in
35 preparation for a catastrophic event or natural disaster.

36 Specifically, the bill requires the Director of the State Office of
37 Emergency Management (OEM) to undertake an annual public
38 awareness program to educate the public concerning the State's
39 plan to evacuate coastal areas in an emergency. The bill specifies
40 that this program must utilize broadcast and print media, and must,
41 at a minimum, inform the public of: methods by which the State
42 will announce an emergency evacuation of a coastal area;
43 appropriate evacuation routes; alternative methods of evacuation;
44 information concerning personal evacuation kits; appropriate
45 supplies individuals and families should have available; and
46 information relating to the care of certain animals.

47 The bill requires the Director of the State OEM, in consultation
48 with the Department of Health and Senior Services, the Department

1 of Community Affairs, and the Department of Human Services, to
2 appoint a commission, comprised of experts from within each
3 department, which is authorized to: identify elementary and
4 secondary school buildings that may serve as adequate locations for
5 temporary shelters during an emergency; and identify specific
6 locations that may serve as long-term emergency shelters for the
7 benefit of individuals displaced from their residence for extended
8 periods as a result of that emergency or local disaster emergency.
9 The bill stipulates that, following the effective date of the bill, all
10 elementary and secondary school buildings must be constructed so
11 they may serve as a temporary emergency shelter during a declared
12 emergency.

13 The bill requires the Director of the State OEM to ensure
14 consistency among evacuation plans of the State's coastal counties,
15 and such other counties that may, at the determination of the
16 director, be affected by the evacuation of the coast in an emergency,
17 and to integrate those plans into a Statewide evacuation plan.
18 Under the bill, the director must work in coordination with county
19 offices of emergency management to revise any evacuation plan
20 that is inconsistent with the plans of the State or other counties.

21 Additionally, the bill requires the Director of the State OEM to
22 work in conjunction with county emergency management
23 coordinators to identify critical infrastructures in this State that
24 need alternative emergency power generators in an emergency. For
25 purposes of the bill, "critical infrastructure" includes all buildings
26 or structures that are indispensably necessary for national security,
27 economic stability, and public safety.

28 The bill permits counties to establish, and promote the awareness
29 of, central registries for individuals with special needs who require
30 assistance during an emergency. The bill specifies that each county
31 registry must be maintained by that county's office of emergency
32 management, and must be comprised of information voluntarily
33 submitted by each registrant, including the registrant's address,
34 telephone number, and particular condition or assistance needs.
35 Information collected as part of a registry is confidential and may
36 only be used by the county office of emergency management that
37 collected the information to prepare for, and provide assistance to,
38 residents with special needs in an emergency, except that the
39 Director of the State OEM may access information maintained in a
40 county registry if it is used by the director to prepare a local
41 Emergency Operations Plan.

42 The bill directs the State Police to work with the Department of
43 Transportation and county emergency management coordinators to
44 implement a lane reversal strategy on the Atlantic City Expressway
45 and the Garden State Parkway in preparation for an emergency
46 evacuation. As part of that strategy, the bill prohibits the towing of
47 trailers, including trailers with boats in tow, on public highways in
48 areas where an emergency has been declared and an evacuation is in

1 effect. Under the bill, certain penalties may be imposed on persons
2 who violate the prohibition.

3 The bill makes various changes to current law regarding
4 Emergency Operation Plans required to be made and implemented
5 by the State and each county and municipality. In particular, the bill
6 provides that existing State and local plans must be expanded to
7 include provisions that provide, in consultation with the Department
8 of Health and Senior Services, for the evaluation of evacuation
9 procedures of hospitals and other health care facilities located in
10 their respective jurisdictions, alternative sources of care for
11 evacuated patients, and proposed sites of temporary shelter in an
12 emergency, and must address the need for the evacuation of
13 families and dependents of emergency responders rendering certain
14 emergency services.

15 The bill also provides that State and local Emergency Operation
16 Plans must include provisions concerning the needs of domestic
17 livestock and domesticated animals. Specifically, the bill provides
18 that the emergency plans adopted by the State and each county and
19 municipality must include provisions to address the needs of
20 domestic livestock and domesticated animals in a major disaster or
21 emergency.

ASSEMBLY HOMELAND SECURITY AND STATE
PREPAREDNESS COMMITTEE

STATEMENT TO
ASSEMBLY, No. 3224

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 15, 2010

The Assembly Homeland Security and State Preparedness Committee reports favorably and with committee amendments Assembly Bill No. 3224.

Assembly Bill No. 3224, as amended, implements certain recommendations made by the Coastal New Jersey Evacuation Task Force in its final report issued to the Speaker of the General Assembly in accordance with Assembly Resolution No. 146 of 2006. The purpose of the recommendations is to increase public awareness, provide for the assessment of certain needs, coordinate emergency response efforts, and improve the overall level of emergency preparedness in preparation for a catastrophic event or natural disaster.

Specifically, the Director of the State Office of Emergency Management (OEM) is required to undertake an annual public awareness program to educate the public concerning the State's plan to evacuate coastal areas in an emergency. The amended bill specifies that the program may utilize broadcast media, print media, the Internet, and any other available resources. In addition, the program must, at a minimum, inform the public of: methods by which the State will announce an emergency evacuation of a coastal area; appropriate evacuation routes; alternative methods of evacuation; information concerning personal evacuation kits; appropriate supplies individuals and families should have available; and information relating to the care of certain animals.

The amended bill requires the Director of the State OEM, in consultation with the Department of Health and Senior Services, the Department of Community Affairs, and the Department of Human Services, to appoint a commission comprised of experts from within each department as well as experts from private non-profit groups including the American Red Cross. The commission is authorized to identify elementary and secondary school buildings that may serve as adequate locations for temporary shelters during an emergency, and identify specific locations that may serve as long-term emergency shelters for the benefit of individuals displaced from their residence for

extended periods as a result of that emergency or local disaster emergency. Following the effective date of the bill, all elementary and secondary school buildings must be constructed so they may serve as a temporary emergency shelter during a declared emergency.

The Director of the State OEM is required to ensure consistency among evacuation plans and shelter plans of the State's coastal counties, and such other counties that may be affected by the evacuation of the coast in an emergency, and to integrate those plans into a Statewide evacuation plan. The director must work in coordination with county offices of emergency management, as well as organizations including the American Red Cross, to revise any evacuation plan that is inconsistent with the plans of the State or other counties.

Additionally, the Director of the State OEM is required to work in conjunction with county emergency management coordinators to identify critical infrastructures in this State that need alternative emergency power generators in an emergency. For purposes of the bill, "critical infrastructure" includes all buildings or structures that are indispensably necessary for national security, economic stability, and public safety.

The bill permits counties to establish, and promote the awareness of, central registries for individuals with special needs who require assistance during an emergency. Each county registry must be maintained by that county's office of emergency management, and must be comprised of information voluntarily submitted by each registrant, including the registrant's address, telephone number, and particular condition or assistance needs. Information collected as part of a registry is confidential and may only be used by the county office of emergency management that collected the information to prepare for, and provide assistance to, residents with special needs in an emergency, except that the Director of the State OEM may access information maintained in a county registry if it is used by the director to prepare a local Emergency Operations Plan.

The bill directs the State Police to work with the Department of Transportation and county emergency management coordinators to implement a lane reversal strategy on the Atlantic City Expressway and the Garden State Parkway in preparation for an emergency evacuation. As part of that strategy, the bill prohibits the towing of trailers, including trailers with boats in tow, on public highways in areas where an emergency has been declared and an evacuation is in effect. Certain penalties may be imposed on persons who violate the prohibition.

The bill makes various changes to current law regarding Emergency Operation Plans required to be made and implemented by the State and each county and municipality. In particular, existing State and local plans must be expanded to include provisions that provide, in consultation with the Department of Health and Senior

Services, for the evaluation of evacuation procedures of hospitals and other health care facilities located in their respective jurisdictions, alternative sources of care for evacuated patients, and proposed sites of temporary shelter in an emergency, and must address the need for the evacuation of families and dependents of emergency responders rendering certain emergency services.

Finally, State and local Emergency Operation Plans are required to include provisions concerning the needs of domestic livestock and domesticated animals. Specifically, the emergency plans adopted by the State and each county and municipality are to include provisions to address the needs of domestic livestock and domesticated animals in a major disaster or emergency.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- a. make the use of broadcast media, print media, the Internet, and any other available resources discretionary when establishing a public awareness program to educate the public concerning the State's plan to evacuate New Jersey's coastal areas in a time of emergency;
- b. establish that non-profit organizations, including the American Red Cross, be included among experts appointed to a commission charged with identifying emergency shelters;
- c. requires the Director of the State Office of Emergency Management to ensure consistency among shelter plans in the State's coastal counties, in addition to evacuation plans; and
- d. requires the director to consult non-profit organizations, including the American Red Cross, when ensuring consistency among evacuation and shelter plans in the State's coastal counties.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 3224

STATE OF NEW JERSEY 214th LEGISLATURE

DATED: MAY 26, 2011

SUMMARY

- Synopsis:** Implements recommendations of the Assembly Coastal New Jersey Evacuation Task Force.
- Type of Impact:** Minimal Expenditure. General Fund.
- Agencies Affected:** Department of Law and Public Safety; Division of State Police; State Office of Emergency Management; Department of Agriculture; Department of Community Affairs; Department of Health and Senior Services; Department of Human Services; Department of Transportation; and County Offices of Emergency Management.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State			
Cost	Minimal Expenditure – See comments below		
Revenue	None – See comments below		
Local			
Cost	Minimal Expenditure – See comments below		
Revenue	None – See comments below		

- The Office of Legislative Services (OLS) finds the cost to implement this bill to be minimal. Although many of the bill's provisions do not have an associated cost, the cost of the following provisions is not clear: 1) construction of new elementary and secondary school buildings that meet the requirements of a temporary emergency shelter; and 2) the creation of a special needs registry for those counties which choose to do so.
- Requires that all new construction of elementary and secondary school buildings meet certain standards so that the buildings may serve as temporary emergency shelters. The estimated cost per building to meet the specifications to qualify as a shelter are unknown at this time.

- Permits county Offices of Emergency Management to create a central registry for those residents with special needs. The cost of the required public awareness campaign in those counties which choose to create a central registry is unknown.

BILL DESCRIPTION

Assembly Bill No. 3224 (1R) of 2010 implements certain recommendations made by the Coastal New Jersey Evacuation Task Force in its final report issued to the Speaker of the General Assembly in accordance with Assembly Resolution No. 146 of 2006.

The purpose of the recommendations is to increase public awareness, provide for the assessment of certain needs, coordinate emergency response efforts, and improve the overall level of emergency preparedness in preparation for a catastrophic event or natural disaster.

The bill:

- requires the Director of the State Office of Emergency Management in the Division of State Police to undertake an annual public awareness campaign concerning evacuating New Jersey's coastal areas and permits the use of any available resources, including the Internet;
- establishes a commission to identify temporary and long term shelter locations;
- requires that all new construction for elementary and secondary buildings meet standards so that the buildings may serve as temporary emergency shelters;
- requires the director, in consultation with the American Red Cross, to ensure consistency among evacuation and shelter plans in the State's coastal counties;
- requires the director to work with county emergency management coordinators to identify alternative emergency power for all critical infrastructures;
- permits counties to establish a central registry for residents with special needs who may need assistance during an emergency, requires the registry to be maintained and used only by the county office of emergency management, and requires a county public awareness campaign;
- establishes a fine for violating certain lane reversal prohibitions such as towing trailers or boats; and
- expands the State, county, and municipal Emergency Operation Plans by requiring: 1) sheltering plans for certain animals; 2) plans for evacuation of the families and dependents of emergency responders; and 3) plans for the evacuation of health care facilities.

FISCAL ANALYSIS

EXECUTIVE BRANCH

Department of Law and Public Safety

Informal information received from the Office of the Attorney General noted that Assembly Bill No. 3224 (1R) would have no fiscal impact to the Division of State Police or the State Office of Emergency Management. The spokesperson further stated that the majority of the bill's provisions could be undertaken at a nominal cost, if any, to the department.

Other Departments

No comments were provided by the Department of Agriculture, the Department of Community Affairs, the Department of Health and Senior Services, the Department of Human Services, or the Department of Transportation.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds the cost to implement this bill to be minimal. Although many of the bill's provisions do not have an associated cost, the cost of the following provisions is not clear: 1) construction of new elementary and secondary school buildings that meet the requirements of a temporary emergency shelter; and 2) the creation of a special needs registry for those counties which choose to do so.

This bill requires that all new construction of elementary and secondary school buildings meet certain standards so that the buildings may serve as temporary emergency shelters. The cost associated with this requirement is unknown at this time.

The bill permits county Offices of Emergency Management to create a central registry for their residents with special needs. The OLS notes that this provision is not required; however, if a county does create the registry the county is required to conduct a public awareness campaign which may have an associated cost. Further, the bill permits the use of the Internet in the public awareness campaign which may result in a minimal expenditure by the county.

Section: Law and Public Safety
Analyst: Kristin B. Santos
Senior Fiscal Analyst
Approved: David J. Rosen
Legislative Budget and Finance Officer

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 3224

STATE OF NEW JERSEY

DATED: NOVEMBER 21, 2011

The Assembly Appropriations Committee reports favorably Assembly Bill No. 3224 (1R).

This bill implements certain recommendations made by the Coastal New Jersey Evacuation Task Force in its final report to the Speaker of the General Assembly in accordance with Assembly Resolution No. 146 of 2006. The recommendations are aimed at increasing public awareness, providing for the assessment of certain needs, coordinating emergency response efforts, and improving the level of emergency preparedness in preparation for a catastrophic event or natural disaster in this State.

The bill requires the Director of the State Office of Emergency Management (OEM) to undertake an annual public awareness program to educate the public concerning the evacuation of coastal areas in an emergency. The bill specifies that this program may utilize broadcast or print media, the Internet, or any other available resources to disseminate information, but must, at a minimum, inform the public of the means by which the State will announce an emergency evacuation of a coastal area, the appropriate routes of evacuation, alternative methods of evacuation, information concerning the preparation and storing of personal evacuation kits, information concerning appropriate supplies individuals and families should have readily available, and information relating to the care of certain animals. The bill requires the director to consult with the emergency management offices of affected counties and municipalities in the development of the program.

The bill requires the Director of the State OEM, in consultation with the Department of Health and Senior Services, the Department of Community Affairs, and the Department of Human Services, to appoint a commission, comprised of certain experts, which is authorized to identify elementary and secondary school buildings that may serve as adequate locations for temporary shelters during an emergency, and to identify locations that may serve as long-term emergency shelters for certain displaced persons during an emergency. The bill specifies that, following the effective date of the bill, all elementary and secondary school buildings must be constructed so that

they may serve as a temporary emergency shelter during a declared emergency.

The bill requires the Director of the State OEM to ensure consistency among the evacuation and shelter plans of the State's coastal counties and such other counties that may be affected by the evacuation of the coast, and to integrate those plans into a Statewide evacuation plan. The bill specifies that the director must work with county offices of emergency management to revise evacuation or shelter plans that are inconsistent with the plans of or other counties or the State Emergency Operations Plan guidelines. The bill specifies that the director must seek the advice of private nonprofit organizations in ensuring consistency among evacuation and shelter plans and in revising inconsistent plans.

The bill requires the Director of the State OEM to work with county emergency management coordinators to identify critical infrastructures in this State that need alternative emergency power generators in an emergency. The bill defines "critical infrastructure" as all buildings or structures indispensably necessary for national security, economic stability, and public safety.

The bill permits counties to establish, and to promote through public campaigns the awareness of, central registries for individuals with special needs who require assistance during an emergency. The bill specifies that each county registry that is created must be maintained by that county's office of emergency management, and must be comprised of certain information voluntarily submitted by each registrant. Information collected as part of a registry is confidential and may only be used by the county office of emergency management that collected the information to prepare for, and provide assistance to, residents with special needs in an emergency, except that the Director of the State OEM may access information maintained in a county registry to prepare a local Emergency Operations Plan.

The bill directs the State Police to work with the Department of Transportation and county emergency management coordinators to implement a lane reversal strategy on the Atlantic City Expressway and the Garden State Parkway for an emergency evacuation. As part of that strategy, the bill prohibits the towing of trailers on public highways in areas where an emergency has been declared and an evacuation is in effect. The bill specifies certain penalties that may be imposed on persons who violate the prohibition.

The bill makes various changes to current law regarding Emergency Operation Plans required to be prepared and implemented by the State and each county and municipality in the State. The bill provides that State and local plans must be modified to include provisions that provide, in consultation with the Department of Health and Senior Services, for the evaluation of evacuation procedures of hospitals and other health care facilities located in their respective

jurisdictions, alternative sources of care for evacuated patients, and proposed sites of temporary shelter in an emergency. The bill provides that State and local plans must be modified to address the need for the evacuation of families and dependents of emergency responders rendering major disaster or emergency services. The bill provides that State and local plans must be modified to include provisions concerning the needs of domestic livestock and domesticated animals during a major disaster or emergency.

As reported, this bill is identical Senate Bill No. 264 (2R), as also reported by the committee.

FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates this bill will result in a minimal fiscal impact. Many of the additional requirements imposed by the bill are not expected to produce measurable costs, and certain others that are expected to produce measurable costs may be undertaken in such a way that potential State and local costs will be nominal.

The OLS notes, however, that this assessment excludes two of the bill's provisions that cannot be quantified at this time. It excludes an assessment of the bill's requirement that all new elementary and secondary schools buildings be constructed in manner that allows those buildings to serve as temporary emergency shelters because the estimated cost per building to meet the additional specifications to qualify as a shelter is unknown. Similarly, it excludes an assessment of the bill's authorization that permits county emergency management offices to create and maintain special needs registries because it is unknown which counties, if any, will create a registry and the means by which those counties that do ultimately create a registry do ultimately conduct a public awareness campaign.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 3224

with Assembly Floor Amendments
(Proposed by Assemblyman MILAM)

ADOPTED: DECEMBER 5, 2011

Assembly Bill No. 3224 (1R) implements certain recommendations made by the Coastal New Jersey Evacuation Task Force in its final report issued to the Speaker of the General Assembly in accordance with Assembly Resolution No. 146 of 2006.

These Assembly amendments replace the requirement that all elementary and secondary schools be constructed in a manner to serve as temporary emergency shelters, with a requirement that all newly constructed elementary and secondary schools be evaluated during the planning or design phase to determine whether the school could serve as a potential location for an emergency shelter. Factors to be considered in making that determination include, but are not limited to, the suitability, necessity, and financial feasibility of that school serving as an emergency shelter during a state of emergency.

These amendments make this bill identical to the Senate Bill No. 264 (2R) as amended by the Assembly on this same date.

LEGISLATIVE FISCAL ESTIMATE

[Second Reprint]

ASSEMBLY, No. 3224

STATE OF NEW JERSEY 214th LEGISLATURE

DATED: DECEMBER 19, 2011

SUMMARY

- Synopsis:** Implements recommendations of the Assembly Coastal New Jersey Evacuation Task Force.
- Type of Impact:** Minimal Expenditure. General Fund.
- Agencies Affected:** Department of Law and Public Safety; Division of State Police; State Office of Emergency Management; Department of Agriculture; Department of Community Affairs; Department of Health and Senior Services; Department of Human Services; Department of Transportation; and County Offices of Emergency Management.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost		Minimal Expenditure.	
State Revenue		None.	
Local Cost		Minimal Expenditure.	
Local Revenue		None.	

- The Office of Legislative Services (OLS) finds the cost to implement this bill to be minimal. Although many of the bill's provisions do not have an associated cost, the cost of the following provisions is not clear: 1) the construction of new elementary and secondary school buildings, which after evaluation, will be constructed to meet requirements of a temporary emergency shelter if deemed appropriate; and 2) the creation of a special needs registry for those counties which choose to do so.
- Requires that all new construction of elementary and secondary school buildings be evaluated during the design and planning phase of construction so that the buildings may serve as temporary emergency shelters if it is indeed feasible and suitable. The estimated cost per building to meet the specifications to qualify as a shelter is unknown at this time and is based on the final decision of each evaluated new school.

- Permits county Offices of Emergency Management to create a central registry for those residents with special needs. The cost of the required public awareness campaign in those counties which choose to create a central registry is unknown.

BILL DESCRIPTION

Assembly Bill No. 3224 (2R) of 2010 implements certain recommendations made by the Coastal New Jersey Evacuation Task Force in its final report issued to the Speaker of the General Assembly in accordance with Assembly Resolution No. 146 of 2006.

The purpose of the recommendations is to increase public awareness, provide for the assessment of certain needs, coordinate emergency response efforts, and improve the overall level of emergency preparedness in preparation for a catastrophic event or natural disaster.

The bill:

- requires the Director of the State Office of Emergency Management in the Division of State Police to undertake an annual public awareness campaign concerning evacuating New Jersey's coastal areas and permits the use of any available resources, including the Internet;
- establishes a commission to identify temporary and long term shelter locations;
- requires that all new construction for elementary and secondary buildings be evaluated to best meet standards so that the buildings may serve as temporary emergency shelters if deemed appropriate to do so;
- requires the director, in consultation with the American Red Cross, to ensure consistency among evacuation and shelter plans in the State's coastal counties;
- requires the director to work with county emergency management coordinators to identify alternative emergency power for all critical infrastructures;
- permits counties to establish a central registry for residents with special needs who may need assistance during an emergency, requires the registry to be maintained and used only by the county office of emergency management, and requires a county public awareness campaign;
- establishes a fine for violating certain lane reversal prohibitions such as towing trailers or boats; and
- expands the State, county, and municipal Emergency Operation Plans by requiring: 1) sheltering plans for certain animals; 2) plans for evacuation of the families and dependents of emergency responders; and 3) plans for the evacuation of health care facilities.

FISCAL ANALYSIS

EXECUTIVE BRANCH

Department of Law and Public Safety

A spokesperson in the Office of the Attorney General noted that the companion legislation Assembly Bill No. 3224 (2R) would have minimal impact to the Division of State Police or the State Office of Emergency Management.

Other Departments

No comments were provided by the Department of Agriculture, the Department of Community Affairs, the Department of Health and Senior Services, the Department of Human Services, or the Department of Transportation.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds the cost to implement this bill to be minimal. Although many of the bill's provisions do not have an associated cost, the cost of the following provisions is not clear: 1) the construction of new elementary and secondary school buildings, which after evaluation, will be constructed to meet requirements of a temporary emergency shelter if deemed appropriate; and 2) the creation of a special needs registry for those counties which choose to do so.

This bill requires that all new construction of elementary and secondary school buildings be evaluated to meet certain standards so that the buildings may serve as temporary emergency shelters if deemed appropriate to do so. The cost associated with this requirement is unknown at this time.

The bill permits county Offices of Emergency Management to create a central registry for their residents with special needs. The OLS notes that this provision is not required; however, if a county does create the registry the county is required to conduct a public awareness campaign which may have an associated cost. Further, the bill permits the use of the Internet in the public awareness campaign which may result in a minimal expenditure by the county.

Section: Law and Public Safety
Analyst: Kristin B. Santos
Senior Fiscal Analyst
Approved: David J. Rosen
Legislative Budget and Finance Officer

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).