

58:16A-100 to 58:16A-101

LEGISLATIVE HISTORY CHECKLIST

NJSA: 58:16A-100 to 58:16A-101

(Flood areas--
early warning
system)

LAWS OF: 1984

CHAPTER: 154

Bill No: A1996

Sponsor(s): Loveys and others

Date Introduced: May 14, 1984

Committee: Assembly: /////

Senate: /////

Amended during passage: Yes
according to Governor's recommendation

Amendments denoted by asterisks

Date of Passage: Assembly: May 21, 1984

Re-enacted 7-30-84

Senate: June 25, 1984

Re-enacted 9-13-84

Date of Approval: Sept. 19, 1984

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly No

Senate No

Fiscal Note: No

Veto Message: Yes

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

See newspaper clipping, "Statewide early warning system proposed," 5-8-84,
Bergen Record--attached.

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9-19-84

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ASSEMBLY, No. 1996

STATE OF NEW JERSEY

INTRODUCED MAY 14, 1984

By Assemblymen LOVEYS, GALLO, GIRGENTI, PELLECCIA,
ZECKER, MILLER, KAVANAUGH, PENN, KLINE, FORTU-
NATO, S. ADUBATO, FRELINGHUYSEN and MEYER

AN ACT concerning flood control, supplementing Title 58 of the
Revised Statutes, and making an appropriation.

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

1 1. a. The Commissioner of the Department of Environmental
2 Protection shall, in consultation with the United States Army
3 Corps of Engineers and in coordination with the Office of Emer-
4 gency Management in the Division of State Police, develop a flood
5 early warning system.

6 b. The flood early warning system shall consist of weather, rain-
7 fall and stream data collection devices required to enable the
8 ***[department]*** *National Weather Service** to predict with reason-
9 able accuracy what areas are likely to flood, at what levels, and the
10 specific locations of overflow.

1 2. a. ***[The department shall notify the Office of Emergency**
2 **Management as]*** *As** soon as the flood early warning system
3 indicates *and the Office of Emergency Management has been noti-*
4 *fied by the National Weather Service** that an area is in danger of
5 flooding***[. The]*** *, the** Office of Emergency Management shall
6 notify the emergency management organizations in the counties,
6A which shall then notify the local police department or the municipal
6B emergency management organization, as appropriate.

7 b. Once the determination is made to evacuate persons in the
8 flood area, the Office of Emergency Management shall request that

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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Assembly amendments adopted in accordance with Governor's recom-
mendations July 30, 1984.

12 determined that the (body of water)
13 is approaching critical flood stage and the properties adjacent to
14 (streets, roads, avenues, other
15 general addresses or vicinities) in the municipalities of
16 are in danger of flooding at a level
17 of feet. All persons located in those areas should
18 take appropriate action to evacuate the area in an orderly fashion.”

1 3. There is appropriated to the Department of Environmental
2 Protection from the General Fund the sum of \$200,000.00 to be
3 used as the State share of moneys made available by the United
4 States government for flood emergency management.

1 4. This act shall take effect immediately.

STATEMENT

This bill would direct the Department of Environmental Protection, in consultation with the United States Army Corps of Engineers and in coordination with the Office of Emergency Management in the Division of State Police, to establish a flood early warning system. It is envisioned that the system would incorporate all available information into a data base which could be used to predict flood emergencies with greater accuracy and speed. Once having determined a flood emergency exists and persons must be evacuated, the bill directs that the news media be requested to issue an advisory warning every quarter hour to the residents of the affected area. The bill appropriates to the Department of Environmental Protection from the General Fund the sum of \$200,000.00 for the State share of federal matching funds for flood emergency management.

A1996 (1984)

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

July 30, 1984

ASSEMBLY BILL No. 1996

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the Constitution, I herewith return Assembly Bill No. 1996 with my objections for reconsideration.

This bill directs the Department of Environmental Protection, in consultation with the U.S. Army Corps of Engineers, and in coordination with the Office of Emergency Management in the Division of State Police, to develop a flood early warning system. The bill also appropriates \$200,000 from the General Fund to the Department of Environmental Protection, to serve as a State match to federal monies made available for flood emergency management.

The Department of Environmental Protection, in coordination with the United States Corp of Army Engineers, is currently developing a new and improved flood early warning system as a component of our interim and long range flood control plans. Pursuant to Title 58 of the Revised Statutes, the State is authorized to serve as non-federal sponsor for flood control projects. In the interest of the safety and well-being of our citizens, this State committed to such non-federal sponsorship on January 26, 1984.

The extensive damage suffered by a substantial number of New Jersey's citizens as the result of recent flooding in the Passaic River Basin reinforced this State's previous commitment to non-federal sponsorship and determination that our existing flood early warning system should be improved as to both accuracy and efficiency.

Thus, I am in full and complete agreement with the intent and purpose of this bill. However, it would appear that the overall efficiency of the flood early warning system would be vastly improved by amendments to certain of its operative terms.

First, the bill, as currently written, would require that the Department of Environmental Protection notify the Office of Emergency Management as soon as the data collection devices which comprise the flood early warning system indicate that an area is in danger of flooding. In fact, predictions as to what areas are likely to flood, at what levels and the specific locations of overflow are currently made by the National Weather Service from the Mid-Atlantic River Forecast Center in Harrisburg, Pennsylvania, and then communicated to the Office of Emergency Management. It is suggested that this procedure, which has

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

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been functioning very smoothly, should be continued with the new, more efficient early warning system in place.

In addition, the second section of the bill, which sets forth the message the local news media shall be requested to broadcast every quarter hour on the quarter hour, implies that the Department of Environmental Protection has initial responsibility for gathering information as to the progress of the flood in the first instance. The bill also provides that, based upon such information, the Department of Environmental Protection has the responsibility for making recommendations as to citizen response. Instead, both responsibilities more properly belong with the Office of Emergency Management which, in fact, gathers information as to the progress of a flood from the National Weather Service. Clearly, the actual source and conduit of this vital information should be included in the content of the message ultimately received by the affected public.

In brief, monitoring, information gathering and notification responsibilities within the context of the overall flood early warning system, are more properly within the purview of the Office of Emergency Management, and it is there they should remain.

Accordingly, I herewith return Senate Bill No. 1996 and recommend that it be amended as follows:

Page 1, Section 1, Line 8:

Delete "department" and insert
"National Weather Service"

Page 1, Section 2, Lines 1-2:

Delete "The department shall
notify the Office of Emergency
Management as" insert "As"
After "indicates" insert "and the
Office of Emergency Management has
been notified by the National Weather
Service"

Page 1, Section 2, Line 3:

Delete ".The" and insert ", the"