

C.App.A:9-40.1

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2013 **CHAPTER:** 57

NJSA: C.App. A: 9-40.1 (Permits mayors to appoint municipal emergency management coordinators from among residents of municipalities subject to a shared services agreement)

BILL NO: S1536 (Substituted for A2473)

SPONSOR(S) Connors and others

DATE INTRODUCED: February 9, 2012

COMMITTEE: **ASSEMBLY:** Housing and Local Government

SENATE: Community and Urban Affairs

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** March 21, 2013

SENATE: June 25, 2012

DATE OF APPROVAL: May 9, 2013

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Introduced version of bill enacted)

S1536

SPONSOR'S STATEMENT: (Begins on page 3 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

(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: No

LEGISLATIVE FISCAL ESTIMATE: No

A2473

SPONSOR'S STATEMENT: (Begins on page 3 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

LAW/KR

P.L.2013, CHAPTER 57, *approved May 9, 2013*

Senate, No. 1536

1 AN ACT concerning municipal emergency management
2 coordinators and amending P.L.1953, c.438.

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

6
7 1. Section 8 of P.L.1953, c.438 (C.App.A:9-40.1) is amended
8 to read as follows:

9 8. In every municipality of this State the mayor or, in the case
10 of a municipality which has adopted the commission form of
11 government pursuant to the provisions of the "commission form of
12 government law" (R.S.40:70-1 et seq.), the commissioner serving as
13 director of the department to which the responsibility for emergency
14 management has been assigned, shall appoint a municipal
15 emergency management coordinator from among the residents of
16 the municipality. The municipal emergency management
17 coordinator, subject to fulfilling the requirements of this section,
18 shall serve for a term of three years. As a condition of his
19 appointment and his right to continue for the full term of his
20 appointment, each municipal emergency management coordinator
21 shall have successfully completed at the time of his appointment or
22 within one year immediately following his appointment or the
23 effective date of this act, whichever is later, the current approved
24 Home Study Course and the basic Emergency Management
25 workshop. The failure of any municipal emergency management
26 coordinator to fulfill such requirement within the period prescribed
27 shall disqualify the coordinator from continuing in the office of
28 coordinator and thereupon a vacancy in said office shall be deemed
29 to have been created.

30 The provisions of this section shall not bar a municipality from
31 entering into an agreement pursuant to the **["Interlocal Services
32 Act," P.L.1973, c.208 (C.40:8A-1 et seq.)]** "Uniform Shared
33 Services and Consolidation Act," sections 1 through 35 of
34 P.L.2007, c.63 (C.40A:65-1 through C.40A:65-35) to designate (1)
35 a municipal emergency management coordinator to serve two or
36 more municipalities jointly, or (2) the county emergency
37 management coordinator appointed pursuant to section 12 of
38 P.L.1953, c.438 (C.App.A:9-42.1) for the county in which that
39 municipality is located as the municipal emergency management
40 coordinator, subject to approval of the governing body of the
41 county. A municipality entering into such an agreement shall notify

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 the State Emergency Management Coordinator.
2 (cf: P.L.2003, c.53, s.3)

3
4 2. This act shall take effect immediately.

5
6
7
8

STATEMENT

9 The bill permits a mayor or commissioner, as appropriate, to
10 appoint a municipal emergency management coordinator from
11 among the residents of the contiguous municipalities that are
12 subject to a shared services agreement pursuant to the “Uniform
13 Shared Services and Consolidation Act.”

14 Under current law, emergency management coordinators must be
15 appointed from among the residents of the municipality. Prior to
16 2007, emergency management coordinators could have been
17 appointed to serve two or more municipalities under an interlocal
18 services agreement; however, in 2007, the “Interlocal Services
19 Act,” P.L.1973, c.208 (C.40:8A-1 et seq.), was repealed pursuant to
20 section 35 of P.L.2007, c.63 (C.40A:65-35).

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22
23
24



25 Permits mayors to appoint municipal emergency management
26 coordinators from among residents of municipalities subject to a
27 shared services agreement.

SENATE, No. 1536

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED FEBRUARY 9, 2012

Sponsored by:

Senator CHRISTOPHER J. CONNORS
District 9 (Atlantic, Burlington and Ocean)
Senator BRIAN P. STACK
District 33 (Hudson)
Assemblyman BRIAN E. RUMPF
District 9 (Atlantic, Burlington and Ocean)
Assemblywoman DIANNE C. GOVE
District 9 (Atlantic, Burlington and Ocean)

SYNOPSIS

Permits mayors to appoint municipal emergency management coordinators from among residents of municipalities subject to a shared services agreement.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/22/2013)

S1536 CONNORS, STACK

2

1 AN ACT concerning municipal emergency management
2 coordinators and amending P.L.1953, c.438.

3

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

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

9 8. In every municipality of this State the mayor or, in the case
10 of a municipality which has adopted the commission form of
11 government pursuant to the provisions of the "commission form of
12 government law" (R.S.40:70-1 et seq.), the commissioner serving as
13 director of the department to which the responsibility for emergency
14 management has been assigned, shall appoint a municipal
15 emergency management coordinator from among the residents of
16 the municipality. The municipal emergency management
17 coordinator, subject to fulfilling the requirements of this section,
18 shall serve for a term of three years. As a condition of his
19 appointment and his right to continue for the full term of his
20 appointment, each municipal emergency management coordinator
21 shall have successfully completed at the time of his appointment or
22 within one year immediately following his appointment or the
23 effective date of this act, whichever is later, the current approved
24 Home Study Course and the basic Emergency Management
25 workshop. The failure of any municipal emergency management
26 coordinator to fulfill such requirement within the period prescribed
27 shall disqualify the coordinator from continuing in the office of
28 coordinator and thereupon a vacancy in said office shall be deemed
29 to have been created.

30 The provisions of this section shall not bar a municipality from
31 entering into an agreement pursuant to the ["Interlocal Services
32 Act," P.L.1973, c.208 (C.40:8A-1 et seq.)] "Uniform Shared
33 Services and Consolidation Act," sections 1 through 35 of
34 P.L.2007, c.63 (C.40A:65-1 through C.40A:65-35) to designate (1)
35 a municipal emergency management coordinator to serve two or
36 more municipalities jointly, or (2) the county emergency
37 management coordinator appointed pursuant to section 12 of
38 P.L.1953, c.438 (C.App.A:9-42.1) for the county in which that
39 municipality is located as the municipal emergency management
40 coordinator, subject to approval of the governing body of the
41 county. A municipality entering into such an agreement shall notify
42 the State Emergency Management Coordinator.
43 (cf: P.L.2003, c.53, s.3)

44

45 2. This act shall take effect immediately.

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

Matter underlined thus is new matter.

1 STATEMENT

2

3 The bill permits a mayor or commissioner, as appropriate, to
4 appoint a municipal emergency management coordinator from
5 among the residents of the contiguous municipalities that are
6 subject to a shared services agreement pursuant to the “Uniform
7 Shared Services and Consolidation Act.”

8 Under current law, emergency management coordinators must be
9 appointed from among the residents of the municipality. Prior to
10 2007, emergency management coordinators could have been
11 appointed to serve two or more municipalities under an interlocal
12 services agreement; however, in 2007, the “Interlocal Services
13 Act,” P.L.1973, c.208 (C.40:8A-1 et seq.), was repealed pursuant to
14 section 35 of P.L.2007, c.63 (C.40A:65-35).

SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 1536

STATE OF NEW JERSEY

DATED: JUNE 7, 2012

The Senate Community and Urban Affairs Committee reports favorably Senate Bill No. 1536.

This bill concerns the appointment of a municipal emergency management coordinator when that position is the subject of a shared service agreement.

Current law, section 8 of P.L.1953, c.438 (C.App.A:9-40.1), requires that in every municipality, the mayor or, in the case of a municipality which has adopted the commission form of government pursuant to the provisions of the "commission form of government law" (R.S.40:70-1 et seq.), the commissioner serving as director of the department to which the responsibility for emergency management has been assigned, shall appoint a municipal emergency management coordinator from among the residents of the municipality. The statute also specifically provides for the sharing of the services of a municipal emergency management coordinator pursuant to a shared services agreement. However, the law concerning shared services cited in the bill, the "Interlocal Services Act," P.L.1973, c.208 was repealed by the enactment of the "Uniform Shared Services and Consolidation Act," sections 1 through 35 of P.L.2007, c.63 (C.40A:65-1 through C.40A:65-35).

This bill corrects the citation in the law to reflect that any agreement for the sharing of the services of a municipal emergency management coordinator shall be accomplished pursuant to the provisions of the "Uniform Shared Services and Consolidation Act."

ASSEMBLY HOUSING AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO

SENATE, No. 1536

STATE OF NEW JERSEY

DATED: DECEMBER 6, 2012

The Assembly Housing and Local Government Committee reports favorably Senate Bill No. 1536.

This bill concerns the appointment of a municipal emergency management coordinator when that position is the subject of a shared service agreement.

Current law, section 8 of P.L.1953, c.438 (C.App.A:9-40.1), requires that in every municipality, the mayor or, in the case of a municipality which has adopted the commission form of government pursuant to the provisions of the "commission form of government law" (R.S.40:70-1 et seq.), the commissioner serving as director of the department to which the responsibility for emergency management has been assigned, shall appoint a municipal emergency management coordinator from among the residents of the municipality. The statute also specifically provides for the sharing of the services of a municipal emergency management coordinator pursuant to a shared services agreement. However, the law concerning shared services cited in the bill, the "Interlocal Services Act," P.L.1973, c.208 was repealed by the enactment of the "Uniform Shared Services and Consolidation Act," sections 1 through 35 of P.L.2007, c.63 (C.40A:65-1 through C.40A:65-35).

This bill corrects the citation in the law to reflect that any agreement for the sharing of the services of a municipal emergency management coordinator shall be accomplished pursuant to the provisions of the "Uniform Shared Services and Consolidation Act."

ASSEMBLY, No. 2473

STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED FEBRUARY 21, 2012

Sponsored by:

Assemblyman BRIAN E. RUMPF

District 9 (Atlantic, Burlington and Ocean)

Assemblywoman DIANNE C. GOVE

District 9 (Atlantic, Burlington and Ocean)

SYNOPSIS

Permits mayors to appoint municipal emergency management coordinators from among residents of municipalities subject to a shared services agreement.

CURRENT VERSION OF TEXT

As introduced.



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2 coordinators and amending P.L.1953, c.438.

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13 director of the department to which the responsibility for emergency
14 management has been assigned, shall appoint a municipal
15 emergency management coordinator from among the residents of
16 the municipality. The municipal emergency management
17 coordinator, subject to fulfilling the requirements of this section,
18 shall serve for a term of three years. As a condition of his
19 appointment and his right to continue for the full term of his
20 appointment, each municipal emergency management coordinator
21 shall have successfully completed at the time of his appointment or
22 within one year immediately following his appointment or the
23 effective date of this act, whichever is later, the current approved
24 Home Study Course and the basic Emergency Management
25 workshop. The failure of any municipal emergency management
26 coordinator to fulfill such requirement within the period prescribed
27 shall disqualify the coordinator from continuing in the office of
28 coordinator and thereupon a vacancy in said office shall be deemed
29 to have been created.

30 The provisions of this section shall not bar a municipality from
31 entering into an agreement pursuant to the **["Interlocal Services
32 Act," P.L.1973, c.208 (C.40:8A-1 et seq.)]** "Uniform Shared
33 Services and Consolidation Act," sections 1 through 35 of
34 P.L.2007, c.63 (C.40A:65-1 through C.40A:65-35) to designate (1)
35 a municipal emergency management coordinator from among the
36 residents of the participating municipalities, to serve two or more
37 contiguous municipalities jointly, or (2) the county emergency
38 management coordinator appointed pursuant to section 12 of
39 P.L.1953, c.438 (C.App.A:9-42.1) for the county in which that
40 municipality is located as the municipal emergency management
41 coordinator, subject to approval of the governing body of the
42 county. A municipality entering into such an agreement shall notify
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12 appointed from among the residents of the municipality. Prior to
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ASSEMBLY HOUSING AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO

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