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**REPORTS:**

No

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No

**NEWSPAPER ARTICLES:**

No

RWH/CL

§1-C.40:14B-18.1  
§2-C.40:62-104.1  
§3-C40:62-135.1  
§4-C.40A:31-5.1

P.L. 2019, CHAPTER 231, *approved August 9, 2019*  
Assembly, No. 3937 (*First Reprint*)

1 AN ACT concerning local government water system employees <sup>1</sup>**[and]**  
2 <sup>1</sup> supplementing various parts of the statutory law <sup>1</sup>, and amending  
3 P.L.1987, c.441<sup>1</sup>.  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:  
7

8 1. Any <sup>1</sup>ordinance, resolution, rule, regulation, order, or directive  
9 establishing, as may be permitted by law, a residency requirement for  
10 employees of a municipal authority operating a water system that  
11 serves more than one municipality shall provide that any<sup>1</sup> person  
12 employed <sup>1</sup>or to be hired<sup>1</sup> by <sup>1</sup>**[a]** the<sup>1</sup> municipal authority in relation  
13 to the operation of its water system may reside within any municipality  
14 served by the water system <sup>1</sup>, and shall further provide that a non-  
15 resident of the municipalities served by the water system may be hired  
16 if the municipal authority is unable to hire a qualified resident<sup>1</sup>. Any  
17 <sup>1</sup>provision of an<sup>1</sup> ordinance, resolution, rule, regulation, order, or  
18 directive to the contrary shall be void and have no force or effect.

19 <sup>1</sup>Nothing in this section shall be construed as prohibiting a  
20 municipal authority from employing or hiring a non-resident of the  
21 municipalities served by its water system if no residency requirement  
22 is established.<sup>1</sup>  
23

24 2. Any <sup>1</sup>ordinance, resolution, rule, regulation, order, or directive  
25 establishing, as may be permitted by law, a residency requirement for  
26 employees of a municipality operating a water system that serves more  
27 than one municipality shall provide that any<sup>1</sup> person employed <sup>1</sup>or to  
28 be hired<sup>1</sup> by <sup>1</sup>**[a]** the<sup>1</sup> municipality in relation to the operation of its  
29 water system may reside within any municipality served by the water  
30 system <sup>1</sup>, and shall further provide that a non-resident of the  
31 municipalities served by the water system may be hired if the  
32 municipality is unable to hire a qualified resident<sup>1</sup>. Any <sup>1</sup>provision of  
33 an<sup>1</sup> ordinance, resolution, rule, regulation, order, or directive to the  
34 contrary shall be void and have no force or effect.

35 <sup>1</sup>Nothing in this section shall be construed as prohibiting a  
36 municipality from employing or hiring a non-resident of the

**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:

<sup>1</sup>Senate floor amendments adopted February 21, 2019.

1 municipalities served by its water system if no residency requirement  
2 is established.<sup>1</sup>

3  
4 3. Any <sup>1</sup>ordinance, resolution, rule, regulation, order, or directive  
5 establishing, as may be permitted by law, a residency requirement for  
6 employees of a commission operating a water system that serves more  
7 than one municipality shall provide that any<sup>1</sup> person employed <sup>1</sup>or to  
8 be hired<sup>1</sup> by <sup>1</sup>**[a]** the<sup>1</sup> commission may reside within any municipality  
9 served by the water system <sup>1</sup>, and shall further provide that a non-  
10 resident of the municipalities served by the water system may be hired  
11 if the commission is unable to hire a qualified resident<sup>1</sup>. Any  
12 <sup>1</sup>provision of an<sup>1</sup> ordinance, resolution, rule, regulation, order, or  
13 directive to the contrary shall be void and have no force or effect.

14 <sup>1</sup>Nothing in this section shall be construed as prohibiting a  
15 commission from employing or hiring a non-resident of the  
16 municipalities served by its water system if no residency requirement  
17 is established.<sup>1</sup>

18  
19 4. Any <sup>1</sup>ordinance, resolution, rule, regulation, order, or directive  
20 establishing, as may be permitted by law, a residency requirement for  
21 employees of a local unit operating a water system that serves more  
22 than one municipality shall provide that any<sup>1</sup> person employed <sup>1</sup>or to  
23 be hired<sup>1</sup> by <sup>1</sup>**[a]** the<sup>1</sup> local unit in relation to the operation of its  
24 water system may reside within any municipality served by the water  
25 system <sup>1</sup>, and shall further provide that a non-resident of the  
26 municipalities served by the water system may be hired if the local  
27 unit is unable to hire a qualified resident<sup>1</sup>. Any <sup>1</sup>provision of an<sup>1</sup>  
28 ordinance, resolution, rule, regulation, order, or directive to the  
29 contrary shall be void and have no force or effect.

30 <sup>1</sup>Nothing in this section shall be construed as prohibiting a local  
31 unit from employing or hiring a non-resident of the municipalities  
32 served by its water system if no residency requirement is established.<sup>1</sup>

33  
34 <sup>1</sup>5 Section 1 of P.L.1987, c.441 (C.40A:9-1.15) is amended to  
35 read as follows:

36 1. Any municipal ordinance which requires that employees of a  
37 municipal water works be municipal residents shall include a provision  
38 which permits the municipality to hire a non-resident if the  
39 municipality is unable to hire a qualified resident. If the municipal  
40 water works serves more than one municipality, the ordinance shall  
41 comply with the provisions of P.L. , c. (C. ) (pending before  
42 the Legislature as this bill).<sup>1</sup>

43 (cf: P.L.1987, c.441, s.1)

44  
45 <sup>1</sup>**[5.] 6.**<sup>1</sup> This act shall take effect immediately.

**A3937 [1R]**

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Allows local government water system employees to reside in all

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municipalities served by water system.

# ASSEMBLY, No. 3937

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MAY 10, 2018

**Sponsored by:**

**Assemblyman WAYNE P. DEANGELO**

**District 14 (Mercer and Middlesex)**

**Assemblywoman VERLINA REYNOLDS-JACKSON**

**District 15 (Hunterdon and Mercer)**

**Co-Sponsored by:**

**Assemblywoman Murphy**

**SYNOPSIS**

Allows local government water system employees to reside in all municipalities served by water system.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 5/25/2018)**

1 AN ACT concerning local government water system employees and  
2 supplementing various parts of the statutory law.

3

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

6

7 1. Any person employed by a municipal authority in relation to  
8 the operation of its water system may reside within any  
9 municipality served by the water system. Any ordinance,  
10 resolution, rule, regulation, order, or directive to the contrary shall  
11 be void and have no force or effect.

12

13 2. Any person employed by a municipality in relation to the  
14 operation of its water system may reside within any municipality  
15 served by the water system. Any ordinance, resolution, rule,  
16 regulation, order, or directive to the contrary shall be void and have  
17 no force or effect.

18

19 3. Any person employed by a commission may reside within  
20 any municipality served by the water system. Any ordinance,  
21 resolution, rule, regulation, order, or directive to the contrary shall  
22 be void and have no force or effect.

23

24 4. Any person employed by a local unit in relation to the  
25 operation of its water system may reside within any municipality  
26 served by the water system. Any ordinance, resolution, rule,  
27 regulation, order, or directive to the contrary shall be void and have  
28 no force or effect.

29

30 5. This act shall take effect immediately.

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#### STATEMENT

34

35 This bill would allow local government water system employees  
36 to reside in any municipality that is served by the water system.  
37 Currently, local governments may make residency in a particular  
38 jurisdiction a condition of employment with its water system. This  
39 is sometimes the case when the local government that established or  
40 operates the water system requires its employees to reside in that  
41 jurisdiction even if other jurisdictions are served by the water  
42 system. The bill would change these residency requirements and  
43 allow local government water system employees to live in any  
44 jurisdiction served by the water system.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3937**

**STATE OF NEW JERSEY**

DATED: MAY 17, 2018

The Assembly Appropriations Committee reports favorably Assembly Bill No. 3937.

This bill would allow local government water system employees to reside in any municipality that is served by the water system. Currently, local governments may make residency in a particular jurisdiction a condition of employment with its water system. This is sometimes the case when the local government that established or operates the water system requires its employees to reside in that jurisdiction even if other jurisdictions are served by the water system. The bill would change these residency requirements and allow local government water system employees to live in any jurisdiction served by the water system.

This bill supplements four statutes that allow municipalities to establish water systems: the “municipal and county utilities authorities law,” P.L.1957, c.183 (C.40:14B-1 et seq.), the “County and Municipal Water Supply Act,” (N.J.S.40A:31-1 et seq.), and two sections of current law regulating water utilities created by a single municipality or two or more municipalities.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.



SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3937**

**STATE OF NEW JERSEY**

DATED: JANUARY 17, 2019

The Senate Community and Urban Affairs Committee reports favorably Assembly Bill No. 3937.

This bill would allow local government water system employees to reside in any municipality that is served by the water system. Currently, a local government operating a water system may make residency in that jurisdiction a condition of employment with its water system. The bill would prohibit these residency requirements and allow local government water system employees to live in any jurisdiction served by the water system.

This bill supplements four laws that allow local governments to establish water systems: the “municipal and county utilities authorities law,” P.L.1957, c.183 (C.40:14B-1 et seq.); the law authorizing municipalities to establish water districts, R.S.40:62-96 et seq.; the law authorizing two or more municipalities to form a waterworks commission, R.S.40:62-108 et seq.; and the “County and Municipal Water Supply Act,” N.J.S.40A:31-1 et seq.

As reported, this bill is identical to Senate Bill No. 2631, as also reported by the committee on this date.

STATEMENT TO  
**ASSEMBLY, No. 3937**

with Senate Floor Amendments  
(Proposed by Senator TURNER)

ADOPTED: FEBRUARY 21, 2019

The floor amendments would provide that a local government water system with a residency requirement may hire a non-resident of the municipalities served by the water system if the system is unable to hire a qualified resident. The amendments also clarify that such a residency requirement, which would have to allow employees to reside in any municipality served by the local government water system under the bill, would apply to both current employees and new hires. The amendments further clarify that a local government water system may continue to employ and hire non-residents of the municipalities served by the water system, without restriction, whenever there is no residency requirement in place.

**SENATE, No. 2631**

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**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

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INTRODUCED JUNE 4, 2018

**Sponsored by:**

**Senator SHIRLEY K. TURNER**

**District 15 (Hunterdon and Mercer)**

**SYNOPSIS**

Allows local government water system employees to reside in all municipalities served by water system.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning local government water system employees and  
2 supplementing various parts of the statutory law.

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

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8 the operation of its water system may reside within any  
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14 operation of its water system may reside within any municipality  
15 served by the water system. Any ordinance, resolution, rule,  
16 regulation, order, or directive to the contrary shall be void and have  
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19 3. Any person employed by a commission may reside within  
20 any municipality served by the water system. Any ordinance,  
21 resolution, rule, regulation, order, or directive to the contrary shall  
22 be void and have no force or effect.

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24 4. Any person employed by a local unit in relation to the  
25 operation of its water system may reside within any municipality  
26 served by the water system. Any ordinance, resolution, rule,  
27 regulation, order, or directive to the contrary shall be void and have  
28 no force or effect.

29

30 5. This act shall take effect immediately.

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#### STATEMENT

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35 This bill would allow local government water system employees  
36 to reside in any municipality that is served by the water system.  
37 Currently, local governments may make residency in a particular  
38 jurisdiction a condition of employment with its water system. This  
39 is sometimes the case when the local government that established or  
40 operates the water system requires its employees to reside in that  
41 jurisdiction even if other jurisdictions are served by the water  
42 system. The bill would change these residency requirements and  
43 allow local government water system employees to live in any  
44 jurisdiction served by the water system.

# SENATE COMMUNITY AND URBAN AFFAIRS COMMITTEE

## STATEMENT TO

### SENATE, No. 2631

# STATE OF NEW JERSEY

DATED: JANUARY 17, 2019

The Senate Community and Urban Affairs Committee reports favorably Senate Bill No. 2631.

This bill would allow local government water system employees to reside in any municipality that is served by the water system. Currently, a local government operating a water system may make residency in that jurisdiction a condition of employment with its water system. The bill would prohibit these residency requirements and allow local government water system employees to live in any jurisdiction served by the water system.

This bill supplements four laws that allow local governments to establish water systems: the “municipal and county utilities authorities law,” P.L.1957, c.183 (C.40:14B-1 et seq.); the law authorizing municipalities to establish water districts, R.S.40:62-96 et seq.; the law authorizing two or more municipalities to form a waterworks commission, R.S.40:62-108 et seq.; and the “County and Municipal Water Supply Act,” N.J.S.40A:31-1 et seq.

As reported, this bill is identical to Assembly Bill No. 3937, as also reported by the committee on this date.

STATEMENT TO  
**SENATE, No. 2631**

with Senate Floor Amendments  
(Proposed by Senator TURNER)

ADOPTED: FEBRUARY 21, 2019

The floor amendments would provide that a local government water system with a residency requirement may hire a non-resident of the municipalities served by the water system if the system is unable to hire a qualified resident. The amendments also clarify that such a residency requirement, which would have to allow employees to reside in any municipality served by the local government water system under the bill, would apply to both current employees and new hires. The amendments further clarify that a local government water system may continue to employ and hire non-residents of the municipalities served by the water system, without restriction, whenever there is no residency requirement in place.

# Governor Murphy Takes Action on Legislation

08/9/2019

**TRENTON** - Today, Governor Phil Murphy signed the following bills into law:

**A312 (Pinkin, Conaway, Giblin, Holley, Danielsen, Mukherji, Wimberly/Vitale, Rice)** - Requires certain health care facilities to provide information concerning palliative care and hospice care services.

**A841 (Land, Calabrese/Andrzejczak)** - Provides for establishment of county college certificate programs to meet needs of certain regional employers.

**A1700 (Dancer, Vainieri Huttie, Calabrese/Cruz-Perez, Cunningham)** - Expands eligibility criteria for designating certain areas as being in need of redevelopment.

**A2004 (Karabinchak, Mazzeo, Pinkin, Coughlin/Diegnan)** - Requires municipality to pay certain nonresidential property tax appeal refunds in equal installments over period of three years.

**A3937 (DeAngelo, Reynolds-Jackson, Verrelli/Turner)** - Allows local government water system employees to reside in all municipalities served by water system.

**A4115 (Benson, DeAngelo, Holley/Greenstein)** - Clarifies that certain students are eligible for NJ STARS and NJ STARS II scholarship upon initial enrollment at institution of higher education on part-time basis.

**A4223 (Johnson, Rooney/Weinberg, Lagana)** - Requires State Treasurer to pay county prosecutor's expenses for overseeing certain law enforcement agencies.

**A4938 (Tucker, Pinkin, Vainieri Huttie/Ruiz, Greenstein)** - Requires DOH to establish "My Life, My Plan" program to support women of childbearing age in developing reproductive life plan.

**A5021 (Quijano, Bramnick, Reynolds-Jackson, Pinkin, Downey/Vitale, Kean)** - Requires Medicaid coverage for group prenatal care services under certain circumstances.

**A5322 (Burzichelli, Milam, Houghtaling, Taliaferro/Sweeney, Oroho, Beach, Andrzejczak)** - Establishes program for cultivation, handling, processing, transport, and sale of hemp; repeals New Jersey Industrial Hemp Pilot Program.

**A5392 (Quijano, Murphy/Vitale, Scutari)** - Establishes new liability standards in sexual abuse lawsuits filed against public entities and public employees.

**A5595 (Milam, Houghtaling, Dancer, Wirths/Oroho, Pennacchio)** - Expands eligibility for EDA small business loan program to specifically include certain farming operations and qualified dairy farmers.

**S601 (Smith, Greenstein/Pinkin, McKeon)** - Establishes "New Jersey Solar Panel Recycling Commission."

**S781 (Sarlo, O'Scanlon/Giblin, DiMaso, Handlin)** - Revises penalties for certain violations of law by public movers and warehousemen.

**S984 (Vitale, Singleton/Conaway, Mukherji, Murphy)** - Establishes certain requirements, including allowable fees, for provision of medical records to patients, legally authorized representatives, and authorized third parties.

**S1109 (Ruiz/Munoz, Quijano)** - Renames "Physician Orders for Life-Sustaining Treatment Act" as "Practitioner Orders for Life-Sustaining Treatment Act"; permits physician assistants to sign and modify POLST forms; requires continuing education concerning end-of-life care.

**S1739 (Oroho, Andrzejczak/Land, Space, Milam)** - Renames county corrections officers as county correctional police officers.

**S2807 (Cryan, Cruz-Perez/Pinkin, Moriarty, Zwicker)** - Concerns service of food or refreshments on mortuary premises.

**S2858 (Gopal, Diegnan/Houghtaling, Downey, Johnson)** - Prohibits issuance of certain badges to NJT board members, PANYNJ commissioners, and local and State elected officials.

**S3212 (Ruiz, Rice/Pintor Marin, Holley)** - Permits municipalities to establish temporary supplemental zoning boards of adjustment to address application backlogs.

**S3334 (Diegnan, Vitale/Conaway, Pinkin)** - Exempts certain surgical technologists from general educational and training requirements.