

GOVERNOR'S PRESS RELEASE ON SIGNING:

Yes

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:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

RH/CL

P.L. 2021, CHAPTER 50, *approved April 19, 2021*

Senate, No. 551

1 AN ACT concerning the appointment of municipal emergency
2 management coordinators in certain municipalities and amending
3 P.L.1953, c.438.

4

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

7

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

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

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

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 municipality entering into such an agreement shall notify the State
2 Emergency Management Coordinator.

3 c. In a municipality with a population of less than 5,000
4 persons according to the most recent federal decennial census, the
5 mayor or commissioner, as applicable, may appoint a nonresident,
6 who is a resident of the county in which the municipality is located,
7 as the municipal emergency management coordinator if a qualified
8 resident of the municipality cannot be recruited.

9 (cf: P.L.2013, c.57, s.1)

10

11 2. This act shall take effect immediately.

12

13

14

15

16 _____
17 Permits appointment of nonresident municipal emergency
18 management coordinators in municipalities with populations under
5,000 persons in certain circumstances.

SENATE, No. 551

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator RICHARD J. CODEY

District 27 (Essex and Morris)

Senator ANTHONY M. BUCCO

District 25 (Morris and Somerset)

SYNOPSIS

Permits appointment of nonresident municipal emergency management coordinators in municipalities with populations under 5,000 persons in certain circumstances.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/24/2020)

1 AN ACT concerning the appointment of municipal emergency
2 management coordinators in certain municipalities and amending
3 P.L.1953, c.438.
4

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

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

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

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

44 c. In a municipality with a population of less than 5,000
45 persons according to the most recent federal decennial census, 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.

1 mayor or commissioner, as applicable, may appoint a nonresident,
2 who is a resident of the county in which the municipality is located,
3 as the municipal emergency management coordinator if a qualified
4 resident of the municipality cannot be recruited.

5 (cf: P.L.2013, c.57, s.1)

6

7 2. This act shall take effect immediately.

8

9

10

STATEMENT

11

12 This bill would allow a municipality with a population under
13 5,000 persons to appoint a nonresident as its municipal emergency
14 management coordinator if a qualified resident cannot be recruited.
15 The appointee would have to be a resident of the applicable county.
16 Current law requires these coordinators to be municipal residents
17 unless the municipality participates in a shared service agreement.
18 In a municipality with a smaller population, however, it may be
19 difficult to recruit a person who is sufficiently qualified to serve
20 effectively in this critical role and entering into a shared service
21 arrangement with another municipality or the applicable county
22 may not present the optimal solution. This bill would provide these
23 municipalities with the flexibility to appoint nonresidents to serve
24 in this capacity if a qualified resident cannot be recruited.

ASSEMBLY HOMELAND SECURITY AND STATE
PREPAREDNESS COMMITTEE

STATEMENT TO

SENATE, No. 551

STATE OF NEW JERSEY

DATED: JANUARY 25, 2021

The Assembly Homeland Security and State Preparedness Committee reports favorably Senate Bill No. 551.

As reported by the committee, Senate Bill No. 551 allows a municipality with a population under 5,000 persons to appoint a nonresident as its municipal emergency management coordinator if a qualified resident cannot be recruited. The appointee is required to be a resident of the county in which the municipality is situated.

Current law requires these coordinators to be municipal residents unless the municipality participates in a shared service agreement. In a municipality with a smaller population, however, it may be difficult to recruit a person who is sufficiently qualified to serve effectively in this critical role and entering into a shared service arrangement with another municipality or the applicable county may not be the optimal solution. This bill provides these municipalities with the flexibility to appoint nonresidents to serve in this capacity if a qualified resident cannot be recruited.

As reported by the committee, Senate Bill No. 551 is identical to Assembly Bill No. 1057, which also was reported by the committee on this date.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 551

STATE OF NEW JERSEY

DATED: FEBRUARY 24, 2020

The Senate Law and Public Safety Committee reports favorably Senate Bill No. 551.

As reported by the committee, this bill allows a municipality with a population under 5,000 persons to appoint a nonresident as its municipal emergency management coordinator if a qualified resident cannot be recruited. The appointee is required to be a resident of the applicable county.

Current law requires these coordinators to be municipal residents unless the municipality participates in a shared service agreement. In a municipality with a smaller population, however, it may be difficult to recruit a person who is sufficiently qualified to serve effectively in this critical role and entering into a shared service arrangement with another municipality or the applicable county may not be the optimal solution. This bill provides these municipalities with the flexibility to appoint nonresidents to serve in this capacity if a qualified resident cannot be recruited.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

ASSEMBLY, No. 1057

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman MILA M. JASEY

District 27 (Essex and Morris)

Assemblyman JOHN F. MCKEON

District 27 (Essex and Morris)

Assemblywoman AURA K. DUNN

District 25 (Morris and Somerset)

SYNOPSIS

Permits appointment of nonresident municipal emergency management coordinators in municipalities with populations under 5,000 persons in certain circumstances.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 5/1/2020)

1 AN ACT concerning the appointment of municipal emergency
2 management coordinators in certain municipalities and amending
3 P.L.1953, c.438.
4

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

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

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

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

44 c. In a municipality with a population of less than 5,000
45 persons according to the most recent federal decennial census, 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.

1 mayor or commissioner, as applicable, may appoint a nonresident,
2 who is a resident of the county in which the municipality is located,
3 as the municipal emergency management coordinator if a qualified
4 resident of the municipality cannot be recruited.

5 (cf: P.L.2013, c.57, s.1)

6

7 2. This act shall take effect immediately.

8

9

10

STATEMENT

11

12 This bill would allow a municipality with a population under
13 5,000 persons to appoint a nonresident as its municipal emergency
14 management coordinator if a qualified resident cannot be recruited.

15 The bill requires that the appointee be a resident of the
16 applicable county. Current law requires these coordinators to be
17 municipal residents unless the municipality participates in a shared
18 service agreement.

19 This bill provides these municipalities with the flexibility to
20 appoint nonresidents to serve in this capacity if a qualified resident
21 cannot be recruited.

ASSEMBLY HOMELAND SECURITY AND STATE
PREPAREDNESS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1057

STATE OF NEW JERSEY

DATED: JANUARY 25, 2021

The Assembly Homeland Security and State Preparedness Committee reports favorably Assembly Bill No. 1057.

As reported by the committee, Assembly Bill No. 1057 allows a municipality with a population under 5,000 persons to appoint a nonresident as its municipal emergency management coordinator if a qualified resident cannot be recruited. The appointee is required to be a resident of the county in which the municipality is situated.

Current law requires these coordinators to be municipal residents unless the municipality participates in a shared service agreement. In a municipality with a smaller population, however, it may be difficult to recruit a person who is sufficiently qualified to serve effectively in this critical role and entering into a shared service arrangement with another municipality or the applicable county may not be the optimal solution. This bill provides these municipalities with the flexibility to appoint nonresidents to serve in this capacity if a qualified resident cannot be recruited.

As reported by the committee, Assembly Bill No. 1057 is identical to Senate Bill No. 551, which also was reported by the committee on this date.

This bill was pre-filed for introduction in the 2020-2021 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

Governor Murphy Takes Action on Legislation

04/19/2021

TRENTON - Today, Governor Phil Murphy signed the following bills and resolutions into law:
SJR-93/AJR-180 (Lagana, Cunningham, Pou/Wimberly, Reynolds-Jackson, Quijano) Designates February 14 of each year as Frederick Douglass Day in NJ.

S-275/A-2142 (Kean, Cruz-Perez/Tully, Swain, Dancer) Provides resident tuition rate to certain non-resident dependent children of United States military personnel attending public institutions of higher education.

S-551/A-1057 (Codey, Bucco/Jasey, McKeon, Dunn) Permits appointment of nonresident municipal emergency management coordinators in municipalities with populations under 5,000 persons in certain circumstances.

S-699/A-5245 (Ruiz, Singleton/Sumter, Reynolds-Jackson, Stanley) Requires training for DOE arbitrators to include issues related to cultural diversity and bias.

S-1017/A-2562 (Gopal, Lagana/DeAngelo, Dancer, Chaparro) Provides retirement allowance after 20 years of service regardless of age for current members of PFRS who retire within two years.

S-1851/A-4407 (Ruiz, Cryan/Jasey, Moriarty) Eliminates eligibility of postsecondary students and other individuals for State student assistance, training, and employment services if school or training provider requires student to consent to arbitration agreement or proceeding or to waive certain rights.

S-2323/A-3869 (Gopal, Bucco/Armato, Vainieri Huttle, Verrelli) Requires opioid antidote prescriptions for certain patients.

S-2476/A-3998 (Singleton, Addiego/Murphy, Giblin, Verrelli) Concerns certain workers' compensation supplemental benefits for surviving dependents of essential employees who die in course of employment.

[Copy of Statement](#)

S-2831/A-4783 (Ruiz, Beach/Quijano, Lampitt, Jasey) Requires DOE to establish Alternate Route Interstate Reciprocity Pilot Program

S-2973/A-4895 (Beach/Armato) Creates office of deputy superintendent of elections in counties of fifth class.

S-3004/A-4947 (Sarlo, Pou/Johnson, Wirths, Reynolds-Jackson) Establishes retroactive date for provisions of P.L.2018, c.165, which clarifies provisions of "Predatory Towing Prevention Act."

Governor Murphy vetoed the following bills:

S-347/A-1992 (Smith, Vitale/Stanley, Conaway, Houghtaling) - CONDITIONAL - Establishes "NJ One Health Task Force."

[Copy of Statement](#)

S-619/A-1635 (O'Scanlon/Lampitt, Downey) - CONDITIONAL - Permits use of telemedicine and telehealth to authorize patients for medical cannabis and to issue written instructions for dispensing medical cannabis.

[Copy of Statement](#)

S-2725/A-4473 (Gopal/Houghtaling, Downey) - CONDITIONAL - Concerns assessment of real property in counties operating under "Real Property Assessment Demonstration Program."

Copy of Statement