

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

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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.