



Board of County Commissioners

County of Hunterdon
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MEDIA RELEASE

FOR IMMEDIATE RELEASE

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Hunterdon Commissioners Support Bill Limiting Governor's Emergency Powers

Commissioners: S-1200 Restores Checks and Balances

Hunterdon County's Board of Commissioners, at the February 15th Board meeting, endorsed bipartisan legislation pending in the New Jersey Senate (S-1200) that limits emergency declarations by the Governor, and called for the checks and balances established in the Constitution to be restored in Trenton.

Board Director John E. Lanza said, "The state Constitution establishes a system of checks and balances that has been disregarded by the Governor's declarations going on two years now. S-1200, sponsored by Senators Declan O'Scanlon and Vin Gopal corrects that situation.

Lanza noted, "S-1200 does not take away the Governor's ability to declare an emergency when there are floods, hurricanes, blizzards or even pandemics.

What it does is set an appropriate time limit on that authority that requires the Governor to seek legislative approval to continue the emergency – and again for a limited period."

County Commissioner Susan J. Soloway joined Lanza in support of the bill, stating, "People can debate whether the Governor's actions during the pandemic, such as declaring emergencies, mandating vaccinations, closing some businesses, mandating masks in schools, and many other actions, were appropriate or not.

And I for one think not. But what cannot be debated is that the constitution requires checks on gubernatorial power through the legislature.



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Soloway continued, “The Governor cannot be allowed to rule by fiat – there needs to be oversight and a limitation, which is the responsibility of the legislature. I believe it is important for our Board to go on record in support of the legislation.”

Lanza added, “Perhaps back in 2020, if the Governor needed legislative approval to continue his emergency powers, the legislature would have been able to limit his ability to close businesses – which ended up destroying many of them.

Perhaps hard questions would have been asked about how local hardware and jewelry stores had to close, but Walmart and Home Depot could continue to operate and sell those items.

This legislation will ensure that the unrestrained power of the executive branch that occurred in early 2020, and is continuing to happen now, under an emergency declaration, can no longer occur.”

The resolution, which was approved unanimously by the Hunterdon Board, calls for the passage and enactment of S-1200, ‘which will restore the checks and balances established in the New Jersey Constitution, by requiring legislative approval for the continuation of gubernatorial declared states of emergency.’

The resolution also calls for ‘the Legislature to repeal the Governor’s current Public Health Emergency declaration, until such time as legislative approval is granted under the requirements outlined in S-1200.’