

LEGISLATIVE HISTORY CHECKLIST

NJSA: 26:3-9 (Local boards of health--appointment of alternate members)

LAWS OF: 1986

CHAPTER 78

BILL NO: A255

Sponsor(s): Kavanaugh

Date Introduced: Pre-filed

Committee: Assembly: Municipal Government

Senate: County & Municipal Government

Amended during passage: No Substituted for S198 (not attached since identical to A255)

Date of Passage: **Assembly:** January 30, 1986

Senate: June 30, 1986

Date of Approval: August 6, 1986

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: **Assembly** Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

Recent legislation, referred to in sponsor's statement:
L.1979, c. 216, sec. 13

ASSEMBLY, No. 255
STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION

By Assemblyman KAVANAUGH

AN ACT authorizing townships with populations under 20,000 to enact ordinances providing for the appointment of local boards of health, and amending R. S. 26:3-9.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. R. S. 26:3-9 is amended to read as follows:

2 26:3-9. *a. The local board in every township having a popula-*
3 *tion of not more than 20,000 inhabitants shall be composed of the*
4 *members of the township committee, the township assessor or, if*
5 *the township has a board of assessors, the township clerk, and one*
6 *physician to be appointed by the township committee for a term of*
7 *three years from the time of his appointment and until his suc-*
8 *cessor is appointed***[***but any***]***. The township committee may by*
9 *ordinance provide for the appointment of not more than two alter-*
10 *nate members. Alternate members shall be designated at the time*
11 *of appointment as "Alternate No. 1" and "Alternate No. 2." The*
12 *term of the alternate members shall be for two years, except that*
13 *of the first two alternate members appointed, one shall be appointed*
14 *for a term of one year so that the term of not more than one alter-*
15 *nate member shall expire in any one year. A vacancy occurring*
16 *otherwise than by expiration of term shall be filled by the appoint-*
17 *ing authority for the unexpired term only. Alternate members*
18 *may participate in discussions of the proceedings but may not vote*
19 *except in the absence or disqualification of a regular member. A*
20 *vote shall not be delayed in order that a regular member may vote*
21 *instead of an alternate member. In the event that a choice must be*

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 printed in italics thus is new matter.

22 *made as to which alternate member is to vote, Alternate No. 1*
23 *shall vote.*

24 *b. Any* such township may by ordinance adopt the provisions of
25 subdivision B of this article and thereafter shall be subject to the
26 provisions thereof and shall not be subject to the provisions of this
27 subdivision of this article.

1 2. This act shall take effect immediately.

Local Officers and Employees

Requires two alternate members to be appointed to local health boards in townships with less than 20,000 residents.

ASSEMBLY, No. 255

Introduced Pending Technical Review by Legislative Counsel
PRE-FILED FOR INTRODUCTION IN THE 1986 SESSION
By Assemblyman KAVANAUGH

ASSEMBLY, No. 1862

STATE OF NEW JERSEY

INTRODUCED MAY 7, 1984

By Assemblyman KAVANAUGH

AN ACT authorizing townships with populations under 20,000 to enact ordinances providing for the appointment of local boards of health, and amending R. S. 26:3-9.

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2 *of New Jersey:*

1 1. R. S. 26:3-9 is amended to read as follows:

2 26:3-9. *a.* The local board in every township having a popula-
3 tion of not more than 20,000 inhabitants shall be composed of the
4 members of the township committee, the township assessor or, if
5 the township has a board of assessors, the township clerk, and one
6 physician to be appointed by the township committee for a term of
7 three years from the time of his appointment and until his suc-
8 cessor is appointed, but any. *The township committee may by*
9 *ordinance provide for the appointment of not more than two alter-*
10 *nate members. Alternate members shall be designated at the time*
11 *of appointment as "Alternate No. 1" and "Alternate No. 2." The*
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25 subdivision B of this article and thereafter shall be subject to the
26 provisions thereof and shall not be subject to the provisions of this
27 subdivision of this article.

1 2. This act shall take effect immediately.

STATEMENT

This bill allows townships with populations under 20,000 to enact ordinances providing for the appointment of up to two alternate members to local boards of health. The alternates would act in the absence of a regular member. The bill is similar to recent legislation which authorized the appointment of alternate members of municipal planning and zoning boards. It is intended to assist local boards of health in carrying out their official duties by making it easier for them to meet quorum requirements, and to do without the participation of a regular member when a conflict of interest arises.

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE
STATEMENT TO
ASSEMBLY, No. 255

STATE OF NEW JERSEY

DATED: JANUARY 23, 1986

The Assembly Municipal Government Committee favorably reports Assembly Bill No. 255.

This bill permits townships with populations under 20,000 to enact ordinances providing for the appointment of up to two alternate members to local boards of health. The alternate members shall serve for two year terms and may not vote except in the absence or disqualification of a regular member. Alternate members shall be designated "alternate 1" and "alternate 2", and, in the event that a choice must be made as to which alternate member is to vote, alternate 1 shall vote.

This bill is similar to recent legislation which authorized the appointment of alternate members of municipal planning and zoning boards. It is intended to make it easier for local boards of health to meet quorum requirements, and to do without the participation of a regular member when a conflict of interest arises.

This bill was pre-filed for introduction in the 1986 session pending technical review. Technical review has been completed and all technical corrections have been made.

SENATE COUNTY AND MUNICIPAL GOVERNMENT COMMITTEE

Statement to

ASSEMBLY BILL NO. 255

Dated: June 16, 1986

The Senate County and Municipal Government Committee reports favorably Assembly Bill 255.

Assembly Bill 255 permits townships with populations under 20,000 to enact ordinances providing for the appointment of up to two alternate members to local boards of health.

Currently, R.S. 26:3-9 provides that the board of health in a township with a population under 20,000 shall consist of the township committee members; the township assessor or, if there is a board of assessors, the township clerk; and one physician. There are no provisions for the appointment of alternates.

The bill provides that if alternates are appointed, the alternate members shall serve for two year terms and may not vote except in the absence or disqualification of a regular member. Alternate members shall be designated "alternate 1" and "alternate 2", and, in the event that a choice must be made as to which alternate member is to vote, alternate 1 shall vote.

This bill is similar to recent legislation which authorized the appointment of alternate members of municipal planning and zoning boards. It is intended to make it easier for local boards of health to meet quorum requirements, and to do without the participation of a regular member when a conflict of interest arises.

**SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE**

**STATEMENT TO
ASSEMBLY, No. 255**

STATE OF NEW JERSEY

DATED: JUNE 16, 1986

The Senate County and Municipal Government Committee reports favorably Assembly Bill No. 255.

Assembly Bill No. 255 permits townships with populations under 20,000 to enact ordinances providing for the appointment of up to two alternate members to local boards of health.

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