

40:5-2.10c

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40:5-2.10c

(County and municipal appropriations for hospitals providing community services--allow)

LAWS OF: 1985

CHAPTER: 79

Bill No: A1032

Sponsor(s): Hendrickson

Date Introduced: January 30, 1984

Committee: Assembly: County Government and Regional Authorities

Senate: County and Municipal Government

Amended during passage: Yes Amendments during passage denoted by asterisks

Date of Passage: Assembly: Jun. 28, 1984

Senate: Dec. 17, 1984

Date of Approval: March 14, 1985

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: Yes

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

79 85
3-14-85
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ASSEMBLY, No. 1032

STATE OF NEW JERSEY

INTRODUCED JANUARY 30, 1984

By Assemblyman HENDRICKSON

AN ACT concerning county and municipal expenditures for certain purposes.

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

1 1. The governing body of a county or municipality may make
2 ***[appropriations]*** *voluntary contributions** to a public or private
3 nonprofit ****[agency]**** *hospital*** for any *health related***
4 service contributing to the health, education, welfare, or safety of
5 the community.

1 2. This act shall take effect immediately.

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.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Assembly committee amendments adopted June 18, 1984.**

****—Assembly amendments adopted in accordance with Governor's recommendations February 4, 1985.**

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

1 1. The governing body of a county or municipality may make
2 appropriations to a public or private nonprofit agency for any
3 service contributing to the health, education, welfare, or safety of
4 the community.

1 2. This act shall take effect immediately.

STATEMENT

This bill would permit the governing body of any county or municipality to appropriate funds to a public or private nonprofit agency for any service contributing to the health, education, welfare, or safety of the community.

Increasingly, local governments are finding that in certain instances services can be best provided in conjunction with nonprofit agencies. This bill provides local governments with the flexibility to expend their money in the way they consider most beneficial.

ASSEMBLY COUNTY GOVERNMENT AND
REGIONAL AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1032

with Assembly committee amendment

STATE OF NEW JERSEY

DATED: JUNE 18, 1984

Assembly Bill No. 1032 Aca permits the governing body of any county or municipality to appropriate funds to a public or private nonprofit agency for any service contributing to the health, education, welfare, or safety of the community.

The committee amended the bill to clarify that the governing body may make the appropriation as a voluntary contribution.

Assembly Bill No. 1032 is supported by the League Legislative Committee of the State League of Municipalities and by the New Jersey Association of Counties.

SENATE COUNTY AND MUNICIPAL GOVERNMENT
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 1032

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STATE OF NEW JERSEY

DATED: SEPTEMBER 13, 1984

Assembly Bill No. 1032 OCR would authorize local governing bodies to make voluntary contributions to nonprofit agencies for the performance of certain community services. There is currently no general statutory provision to permit funding assistance by local governments to the broad range of public and private nonprofit agencies which perform services for their communities. Precedent exists in many individually tailored provisions, such as those authorizing limited local funding of volunteer fire companies (N. J. S. 40A:14-34), volunteer ambulance and rescue squads (R. S. 40:5-2), private, nonprofit organizations providing services to runaways or homeless youth and their families (P. L. 1982, c. 56; C. 40:5-2.10b) and private, nonprofit organizations providing burn treatment services (P. L. 1977, c. 14; C. 40:23-8.24).

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

February 4, 1985

ASSEMBLY BILL NO. 1032 (OCR)

To the General Assembly:

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Assembly Bill No. 1032 (OCR) with my recommendations for reconsideration.

This bill would permit the governing body of a county or municipality to make voluntary contributions to a public or private nonprofit agency for any service contributing to the health, education, welfare or safety of the community. I commend Assemblyman Hendrickson for his sponsorship of this bill and recognize the deep interest he and his colleagues have in this area.

My concern with this bill is that it may be overly broad in that it may appear to authorize impermissible contributions to religious organizations, in violation of the First Amendment of the Constitution of the United States. I do not wish to overstep the boundary of what is permissible in this area.

This bill is also overly broad because it might permit public contributions to fraternal or recreational organizations and clubs that contribute to the welfare of the community, even though their primary function may be social. Local officials could be under pressure to appropriate public contributions to these organizations. I wish to make clear, however, that I commend the fine community service activities these organizations perform; I just believe it would be nearly impossible to set permissible guidelines for the appropriation of public contributions to them.

I am informed by the sponsor that his main intent in introducing this bill was to benefit public or private nonprofit hospitals contributing to the health, education, welfare or safety of the community.

I agree with that purpose, and I note that we permit public funds to be spent in New Jersey for such worthwhile activities as the operation of private, nonprofit organizations providing services to runaway or homeless youths and their families. N.J.S.A. 40:5-2.10b. To permit voluntary contributions to public or private nonprofit hospitals for health-related services would seem to be well-defined and consistent with the purposes of statutes now on the books.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

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Therefore, I herewith return Assembly Bill No. 1032 (OCR) and recommend that it be amended as follows:

Page 1, Section 1, line 3: After "nonprofit" omit "agency" insert "hospital"; after "any" insert "health-related"

Respectfully,

/s/ Thomas H. Kean

GOVERNOR

[seal]

Attest:

/s/ W. Cary Edwards

Chief Counsel