

40:48-5.1

LEGISLATIVE HISTORY CHECKLIST

HJSA 40:48-5.1

LAWS OF 1977

CHAPTER 88 (Allow Municipalities to contract with Dog pounds outside of the city)

Bill No. S184

Sponsor(s) Russo

Date Introduced Pre-filed

Committee: Assembly Municipal Government

Senate County and Municipal Government

Amended during passage Yes No

Date of Passage: Assembly April 25, 1977

Senate March 29, 1976

Date of approval May 14, 1977

Following statements are attached if available:

Sponsor statement Yes No

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto Message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

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SENATE No. 184

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1976 SESSION

By Senator RUSSO

AN ACT concerning municipalities in relation to public pounds, and
amending R. S. 40:48-5.1.

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

1 1. R. S. 40:48-5.1 is amended to read as follows:

2 40:48-5.1. Whenever in any municipality there shall not be
3 established under municipal authority a public pound for the keep-
4 ing of stray dogs, cats or other domestic pets, and there shall exist
5 in the county wherein such municipality is situated *or in any adjoin-*
6 *ing county*, a pound maintained by any humane society or other
7 similar association, not organized for pecuniary profit, which shall
8 have continuously maintained said pound for at least 1 year, such
9 municipality shall enter into negotiations and may contract with
10 such society or association for any period not exceeding 5 years, for
11 collecting, keeping for redemption and destroying all such stray
12 animals found within the municipal limits.

13 Any provision of any law requiring advertisement for bids before
14 the letting of any contract involving the expenditure of money shall
15 not be applicable to the making of any such contract with such
16 society or association.

1 2. This act shall take effect immediately.

STATEMENT

The statute presently allows a municipality to contract for the services of a dog pound without the necessity of bidding but imposes the requirement that said dog pound be located within the county within which said municipality is located. This seems to be an arbitrary physical distinction and many of our communities wish

to enter into such contracts with dog pounds located nearby but across the county line. There seems to be no basis for the requirement that the dog pound be located within the county as is presently required and this amendment would allow a municipality to contract for such services with any dog pound that services any part of the county in which said municipality is located regardless of whether or not the dog pound is actually physically located within such county.