

26:3A2-3

LEGISLATIVE HISTORY CHECKLIST
Compiled by the NJ State Law Library

(Local health officers--part-timers
other employment)

NJSA: 26:3A2-3

LAWS OF: 1993 **CHAPTER:** 64

BILL NO: A1550

SPONSOR(S) Zangari

DATE INTRODUCED: June 4, 1992

COMMITTEE: **ASSEMBLY:** Local Government
SENATE: Community Affairs

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 25, 1992
SENATE: February 18, 1993

DATE OF APPROVAL: March 4, 1993

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

KBG:pp

[FIRST REPRINT]
ASSEMBLY, No. 1550

STATE OF NEW JERSEY

INTRODUCED JUNE 4, 1992

By Assemblymen ZANGARI and ARNONE

1 AN ACT concerning health officers and amending P.L.1975, c.329.

2

3 BE IT ENACTED *by the Senate and General Assembly of the*
4 *State of New Jersey:*

5 1. Section 3 of P.L.1975, c.329 (C.26:3A2-3) is amended to
6 read as follows:

7 3. As used in this act unless otherwise specifically indicated:

8 a. "Local health agency" means any county, regional,
9 municipal or other governmental agency organized for the
10 purpose of providing health services, administered by a
11 [full-time] ¹full-time¹ health officer and conducting a public
12 health program pursuant to law.

13 b. "County health department" means an agency established
14 and organized pursuant to this act by a county board of health for
15 the purpose of providing within its area of jurisdiction, health
16 services required for the protection of the health of citizens and
17 for the enforcement of health ordinances and statutes.

18 c. "County board of health" means a body established pursuant
19 to this act by a county board of freeholders, and empowered to
20 exercise within its area of jurisdiction all the powers of a local
21 board of health pursuant to law.

22 d. "County health advisory commission" or "commission"
23 means the body established by a county board of health pursuant
24 to this act to advise the county health department regarding
25 health problems and measures required to improve health and to
26 control disease and disability in the county.

27 e. "Regional health commission" means an association of
28 boards of health of two or more municipalities formed to furnish
29 such boards with public health services pursuant to P.L.1938, c.67
30 (C.26:3-83 to 26:3-94).

31 f. "Contracting health agency" means a municipality or group
32 of municipalities which enter into contractual agreements with
33 approved health agencies ¹or health agencies pending approval¹
34 for the provision of public health services.

35 g. ["Full-time health] ¹["Health] "Full-time health¹ officer"
36 means a holder of a license as a health officer issued by the State
37 Department of Health ¹[who is employed by a local health
38 agency] to an individual who is a full-time employee of a local
39 health agency or of any unit of government participating in a
40 certified program¹ [to function for that agency, during all the
41 working hours of the regularly scheduled work week of the
42 governmental unit to which the local health agency is attached].

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SCO committee amendments adopted January 25, 1993.

1 h. "Area of jurisdiction" means the geographic area within
2 each of the municipalities which contracts with a county board of
3 health for the provision of health services meeting the "Standards
4 of Performance" .

5 i. "Standards of Performance" means the "Recognized Public
6 Health Activities and Minimum Standards of Performance for
7 Local Boards of Health [Departments] in New Jersey" as
8 prescribed by the Public Health Council of the New Jersey State
9 Department of Health under the authority of P.L.1947, c.177
10 (C.26:1A-1 et seq.).

11 j. "Commissioner" means the State Commissioner of Health or
12 his designee.

13 (cf: P.L.1975, c.329, s.3)

14 2. Section 14 of P.L.1975, c.329 (C.26:3A2-14) is amended to
15 read as follows:

16 14. Every local health agency shall be administered by a
17 [full-time] ¹full-time¹ health officer ¹[who may serve on a
18 part-time basis]¹. The health officer and other personnel
19 employed by a municipality, groups of municipalities or county
20 which shall have adopted, or which shall hereafter adopt, the
21 provisions of [subtitle 3 of Title 11, Civil Service, of the Revised
22 Statutes] the "Civil Service Act," P.L.1986, c.112 (C.11A:1-1 et
23 seq.), shall be appointed in accordance with the ¹[provision]
24 provisions¹ of [said subtitle 3, Title 11 of the Revised Statutes]
25 that act. The health officer shall not be prohibited from
26 simultaneously ¹[holding other municipal, county or State
27 employment] performing other functions or holding other titles
28 within that governmental unit¹.

29 (cf: P.L.1975, c.329, s.14)

30 3. This act shall take effect immediately.

31
32
33
34
35 _____
36 Permits health officer to perform other functions within
governmental unit of employment.

1 health for the provision of health services meeting the "Standards
2 of Performance" .

3 i. "Standards of Performance" means the "Recognized Public
4 Health Activities and Minimum Standards of Performance for
5 Local Boards of Health [Departments] in New Jersey" as
6 prescribed by the Public Health Council of the New Jersey State
7 Department of Health under the authority of P.L.1947, c.177
8 (C.26:1A-1 et seq.).

9 j. "Commissioner" means the State Commissioner of Health or
10 his designee.

11 (cf: P.L.1975, c.329, s.3)

12 2. Section 14 of P.L.1975, c.329 (C.26:3A2-14) is amended to
13 read as follows:

14 14. Every local health agency shall be administered by a
15 [full-time] health officer who may serve on a part-time basis.
16 The health officer and other personnel employed by a
17 municipality, groups of municipalities or county which shall have
18 adopted, or which shall hereafter adopt, the provisions of
19 [subtitle 3 of Title 11, Civil Service, of the Revised Statutes] the
20 "Civil Service Act," P.L.1986, c.112 (C.11A:1-1 et seq.), shall be
21 appointed in accordance with the provision of [said subtitle 3,
22 Title 11 of the Revised Statutes] that act. The health officer
23 shall not be prohibited from simultaneously holding other
24 municipal, county or State employment.

25 (cf: P.L.1975, c.329, s.14)

26 3. This act shall take effect immediately.

27

28

29

STATEMENT

30

31 Present law requires every local health agency to have a
32 full-time health officer to administer the agency. In some cases,
33 however, the full-time health officer works for several small
34 municipalities or in another capacity within the municipality,
35 such as an assistant business administrator. Each municipality is
36 considered to have a "full-time" health officer although the
37 individual works only a few hours a week for each of them.

38 This bill is intended to clarify the law to permit health officers
39 to serve on a part-time basis and to simultaneously hold other
40 municipal, county or State employment. The bill is not intended
41 to lower the requirements which health officers must meet under
42 the law or to reduce the services which must be provided.

43

44

45

46

47 Permits health officer to serve part-time and to hold other
48 municipal, county or State employment.

ASSEMBLY, No. 1550
STATE OF NEW JERSEY

INTRODUCED JUNE 4, 1992

By Assemblymen ZANGARI and ARNONE

1 AN ACT concerning health officers and amending P.L.1975, c.329.

2

3 BE IT ENACTED *by the Senate and General Assembly of the*
4 *State of New Jersey:*

5 1. Section 3 of P.L.1975, c.329 (C.26:3A2-3) is amended to
6 read as follows:

7 3. As used in this act unless otherwise specifically indicated:

8 a. "Local health agency" means any county, regional,
9 municipal or other governmental agency organized for the
10 purpose of providing health services, administered by a
11 [full-time] health officer and conducting a public health program
12 pursuant to law.

13 b. "County health department" means an agency established
14 and organized pursuant to this act by a county board of health for
15 the purpose of providing within its area of jurisdiction, health
16 services required for the protection of the health of citizens and
17 for the enforcement of health ordinances and statutes.

18 c. "County board of health" means a body established pursuant
19 to this act by a county board of freeholders, and empowered to
20 exercise within its area of jurisdiction all the powers of a local
21 board of health pursuant to law.

22 d. "County health advisory commission" or "commission"
23 means the body established by a county board of health pursuant
24 to this act to advise the county health department regarding
25 health problems and measures required to improve health and to
26 control disease and disability in the county.

27 e. "Regional health commission" means an association of
28 boards of health of two or more municipalities formed to furnish
29 such boards with public health services pursuant to P.L.1938, c.67
30 (C.26:3-83 to 26:3-94).

31 f. "Contracting health agency" means a municipality or group
32 of municipalities which enter into contractual agreements with
33 approved health agencies for the provision of public health
34 services.

35 g. ["Full-time health] "Health officer" means a holder of a
36 license as a health officer issued by the State Department of
37 Health who is employed by a local health agency [to function for
38 that agency during all the working hours of the regularly
39 scheduled work week of the governmental unit to which the local
40 health agency is attached].

41 h. "Area of jurisdiction" means the geographic area within
42 each of the municipalities which contracts with a county board of

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.

ASSEMBLY LOCAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1550

STATE OF NEW JERSEY

DATED: JUNE 15, 1992

The Assembly Local Government Committee reports favorably Assembly Bill No. 1550.

Assembly Bill No. 1550 clarifies current law concerning local health officers.

Present law requires every local health agency to have a full-time health officer to administer the agency. In some cases, however, the full-time health officer works for several small municipalities or in another capacity within the municipality, such as an assistant business administrator. Each municipality is considered to have a "full-time" health officer although the individual works only a few hours a week for each of them.

Assembly Bill No. 1550 is intended to clarify the law to permit health officers to serve on a part-time basis and to simultaneously hold other municipal, county or State employment. The bill is not intended to lower the requirements which health officers must meet under the law or to reduce the services which must be provided.

SENATE COMMUNITY AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1550

with Senate committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 25, 1993

The Senate Community Affairs Committee favorably reports Assembly Bill No. 1550 with Senate committee amendments.

Assembly Bill No. 1550, as amended by the committee, amends the definition of "full-time health officer" to mean an individual who is a full-time employee of a local health agency or of any unit of government participating in a certified program. The bill also provides that a health officer shall not be prohibited from simultaneously performing other functions or holding other titles within the governmental unit in which that individual is employed.

As introduced, this bill would have permitted health officers to serve on a part-time basis and to simultaneously hold other municipal, county or State employment.

Current law requires every local health agency to have a full-time health officer to administer the agency. In some cases, however, the full-time health officer works for several small municipalities or in another capacity within the municipality, such as an assistant business administrator. Each municipality is considered to have a "full-time" health officer although the individual works only a few hours a week for each of them.

This bill is intended to clarify the law to permit health officers to serve on a full-time basis and to simultaneously hold other employment within the same governmental unit which employs that individual as a health officer. The bill is not intended to lower the requirements which health officers must meet under the law or to reduce the services which must be provided.

This bill, as amended, is identical to Senate Bill No. 925 Sca, which was also reported by this committee on January 25, 1993.