

ASSEMBLY LOCAL GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 840

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 15, 1996

The Assembly Local Government Committee reports favorably Assembly Bill No. 840, with committee amendments.

Assembly Bill No. 840, as amended, revises Titles 24 and 26 of the Revised Statutes to reflect the modern titles and duties of certain health officials and inspectors in the State. The bill eliminates the various grades and classes of inspectors and changes the title of "sanitary inspector first grade" to "registered environmental health specialist." The bill also deletes statutory references to licensing fees and provides, instead, that the fees will be established through regulations adopted by the Commissioner of Health.

Specifically, the change in the license title from "sanitary inspector first grade" to "registered environmental health specialist" is made to reflect the comprehensiveness of the sanitary inspector's responsibilities, which include working with environmental issues and offering occupational safety training programs, as well as inspection of restaurants. The bill also eliminates obsolete health officer titles and licenses, which include: sanitary inspector of the second grade, plumbing inspectors of the first and second grades, food and drug inspector, milk inspector, meat inspector, veterinary meat inspector and public health laboratory technician.

In addition, the amended bill enables the Public Health Council established pursuant to P.L.1947, c.177 (C.26:1A-1 et seq.), to prescribe the qualifications for the licensing of local health officers and registered environmental health specialists, which may include the establishment of continuing education requirements for these officials. The licensure requirements in R.S.26:3-19 (section 9 of the bill) do not apply to persons engaged in the enforcement of laws and regulations governed by the Department of Environmental Protection and Energy.

Finally, the amended bill directs the Commissioner of Health to establish licensing fees which will cover the reasonable costs of administering licensing examinations and carrying out licensing procedures. The current licensing fees, which are established by law, are not adequate to cover the costs of the examination and licensing procedures.

The bill repeals the following statutory provisions:

(1) R.S.26:3-28, concerning the exemption from the requirement that sanitary inspectors wear uniforms in certain cases, as this requirement is now obsolete;

(2) Section 1 of P.L.1971, c.454 (C.26:1A-40.1), concerning the appointment of a physician, notwithstanding his lack of working experience qualifications, as a public health officer, as this exemption is no longer necessary;

(3) Section 44 of P.L.1947, c.177 (C.26:1A-44), concerning Public Health Council hearings on alleged violations, which now may be effectuated through the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.); and

(4) Section 9 of P.L.1968, c.105 (C.24:16B-9), concerning local meat inspectors, as this function is now under the control of the U.S. Department of Agriculture.

The committee amended the bill to retain the Commissioner of Health's authority over the examination of licensed food inspectors but to require the commissioner to act in consultation with the Public Health Council.

Assembly Bill No. 840 was pre-filed for introduction in the 1996-1997 legislative session pending technical review. As reported by the committee, the bill contains the changes required by technical review, which has been performed.