

NEW JERSEY
PUBLIC HEALTH COUNCIL
BYLAWS

Adopted: June 19, 2006

PREAMBLE

Recognizing that the New Jersey Public Health Council (Council) is statutorily authorized to preserve and improve the public health and that this responsibility is shared with the New Jersey Department of Health and Senior Services as a whole; and

Recognizing further that, pursuant Reorganization Plan No. 003-2005, entitled “A Plan for the Transfer of Certain Functions, Powers and Duties of the Public Health Council to the Department of Health and Senior Services” (the Reorganization Plan), published at 37 N.J.R. 2735(a) (June 27, 2005), certain statutory functions, powers and duties of the Council have been transferred to the Department of Health and Senior Services; and

Recognizing further that, as a result of the issuance of the Reorganization Plan, the Council’s bylaws adopted on February 4, 2002, did not accurately reflect the current nature of the Council’s functions, powers and duties;

The Council hereby nullifies its previously adopted bylaws, and establishes these bylaws.

ARTICLE I

Purpose

The purpose of the Council shall be:

1. To consult with and advise the Commissioner of Health and Senior Services (Commissioner) regarding the reasonable protection of the health of the public-at-large;
2. To review, comment on, and recommend action regarding, research projects undertaken by the Department in accordance with N.J.S.A. 1A-37.2;
3. To review from time to time, and consult with the Commissioner regarding, reasonable sanitary regulations called the State Sanitary Code, N.J.S.A. 26:1A-7;

4. To consult with and advise the Commissioner regarding recognized public health activities and minimum standards of performance, N.J.S.A. 26:3A2-13;
5. To consult with and advise the Commissioner regarding the qualifications of health officers, sanitary inspectors, food and drug inspectors, meat inspectors, and public health laboratory technicians;
6. To review the administration of funds under the Public Health Priority Funding Act of 1977 (N.J.S.A. 26:2F-1 et seq.), and recommend to the Commissioner approval of those “standards of performance” which should be considered priority health services under said Act, and consult with the Commissioner regarding grants payable from the “special projects and development fund” also established under said Act;
7. Request from the Commissioner such information, concerning the work of the department, as it may deem necessary;
8. Consider any matter relating to the preservation and improvement of public health, and advise the Commissioner thereon;
9. From time to time submit to the Commissioner any recommendations which it may deem necessary for the proper conduct of the department;
10. Study and investigate the public health activities of the State and report its findings thereon to the Commissioner, Governor and the Legislature;
11. To perform all other duties in such manner as are, or may be, prescribed by law.

ARTICLE II
Membership

Section 1. Composition

As prescribed by law, N.J.S.A. 26:1A-4, the Public Health Council shall consist of ten members appointed by the Governor. Two of such members shall be duly licensed physicians, one member shall be a dentist licensed to practice in the State of New Jersey, one member shall be a person knowledgeable by education or professional experience in health-related aspects of terrorism agents that may be used in acts of terrorism, and one member shall be a public health professional.

Section 2. Conflict of Interest

All members of the Board are subject to those sections of the law pertaining to conflicts of interest (N.J.S.A. 52:13D-1 et seq.), particularly subsections 14, 16, 17, 20, 24 and 25. No member shall discuss or vote upon any issue which vote would place such member in conflict as prescribed by the above cited statute.

ARTICLE III
Officers

Section 1. Officers of the Council

The officers of the Council shall be a chairperson, a vice-chairperson and a secretary.

Section 2. Election of Officers

The officers will be elected at the annual meeting in the month of July.

Section 3. Term of Office

Each officer shall hold office for one year and until his/her respective successor shall be duly elected. No officer shall serve in the same position for more than 3 years in succession, but may be re-appointed after he/she has not held office for 1 year.

Section 4. Vacancies in Office

If any elected office becomes vacant for any reason, the Council shall then proceed to vote on the successor who shall hold office for the unexpired term only.

Section 5. Duties

1. Chairperson
 - a. Shall consult with the Commissioner in the preparation of the agenda and preside at all meetings of the Council;
 - b. Shall appoint all committees and shall be a member ex officio of all committees;
 - c. Shall call special meetings;
 - d. Shall have authority to suspend a regular monthly meeting upon approval of the Council or in consultation with the Commissioner;
 - e. Shall also perform all other duties as prescribed by law.

2. Vice-Chairperson

It shall be the duty of the vice-chairperson to preside in the absence of the chairperson, at all meetings of the Council.

3. Secretary

The secretary shall sign the finally approved record of the minutes which copy shall be kept on file in the Department as the permanent record of the Council's activities.

ARTICLE IV
Meetings

Section 1. Annual Meetings

The annual meeting of the Public Health Council shall be the regular meeting in July of each year at which the Council shall elect its officers.

Section 2. Regular Meetings

Regular meetings shall be held in the offices of the Department on the second Monday of each month except that such meetings shall be rescheduled where necessary in order to avoid an official holiday or conflict with another meeting of state or national importance. The Council may by motion and vote select a substitute date providing notice to the public is given in accordance with the Open Public Meetings Act.

Section 3. Special Meetings

Special meetings of the Council may be called upon the request of any two members of the Council, the chairperson, or the Commissioner. Special meetings of any committee may be called at the request of any two members of that committee by the chairperson of that committee, by the chairperson of the Council or by the Commissioner. Five days written notice of each such meeting shall be given except in cases of emergency.

Section 4. Telephone Conference Call

Members of the Council will be allowed to participate in meetings of the Council by means of a land line telephone. The use of such equipment shall be reserved for urgent circumstances, as the membership deems appropriate by a majority vote. Advance notification of a member's need to utilize the conference telephone must be submitted in writing, and provided to the Council office at least 24 hours prior to the meeting. In case of emergency or circumstances beyond the member's control, the provisions for 24-hour notice in writing may be waived by a majority vote of those participating in the meeting. Committees of the Council may meet by conference call provided proper notice is given and all materials are in the member's hands at least 48 hours in advance.

For meetings that are conducted by telephone conference call, a central point telephone shall be utilized to allow for public attendance.

Section 5. Quorum

The presence of ~~a majority of currently serving~~ members of the Council shall constitute a quorum for purposes of amending these by-laws and taking all other action, and all matters requiring action shall be passed by a vote of a majority of the voting members present. A voting member abstaining from a vote shall be counted as present for the purpose of establishing a quorum. A voting member recusing from a vote shall not be counted as present for the purpose of establishing a quorum.

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Section 6. Attendance Requirements

Members will be required to attend all Council meetings unless excused by the chairperson prior to the meeting. Any member who is absent, without reasonable cause, from two consecutive regular meetings on two occasions within a 12-month period, shall have his/her name brought to the attention of the Governor for any action the Governor deems appropriate.

ARTICLE V
Committees

Section 1. Standing Committees

Executive Committee – The Executive Committee shall consist of the chairperson, vice-chairperson, secretary, and a member-at-large from the Council with the Commissioner as an ex-officio member. The Committee shall meet in June of each year to prepare an annual report summarizing the activities of the Council during the preceding year and recommending activities for attention during the forthcoming year.

Section 2. By-laws Committee

The By-laws Committee shall be composed of two Council members selected by the chairman and shall at least annually review and, when deemed advisable, recommend to the Council changes in the by-laws.

Section 3. Other Committees

Other committees may be created from time to time by the Council or by the chairperson with the approval of the Council.

ARTICLE VI
Project Review

The Secretary to the Public Health Council will have the authority to receive and schedule on the agenda requests for the review of research projects delineated in Article I.

ARTICLE VII
Rules and Regulations

The Council shall adopt such rules and regulations as may be necessary for the proper conduct of its work. Such amendments shall become effective when approved by the Council and signed by the Commissioner.

ARTICLE VIII

Amendments

These by-laws may be altered, amended or repealed and new by-laws adopted by motion and vote of the Council at any regular or special meeting of the Council provided notice of the proposed alteration amendment or repeal was contained in the notice of such meeting or given to each member of the Council at a preceding meeting.

ARTICLE IX

Adoption

These by-laws, together with any appended rules and regulations, if adopted at any regular meeting of the Council shall replace any previous by-laws, rules and regulations and shall become effective when approved by the Council.

Approved by the New Jersey Public Health Council on _____.

Chairperson

Commissioner of Health & Senior Services

Secretary