

18A:54-16

LEGISLATIVE HISTORY CHECKLIST

NJSA 18A:54-16 (Optional County Charter Law--1st class--
permit seven-member appointive boards)

LAWS 1980 CHAPTER 16A

Bill No. A1983

Sponsor(s) Adubato and others

Date Introduced July 28, 1980

Committee: Assembly County Government

Senate Education

Amended during passage Yes ~~No~~ ***No Amendments during passage
denoted by asterisks**

Date of Passage: Assembly Oct. 16, 1980

Senate Nov. 24, 1980

Date of approval Dec. 17, 1980

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

6/22/81

APPROVED 12-17-80

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 1983

STATE OF NEW JERSEY

INTRODUCED JULY 28, 1980

By Assemblymen ADUBATO, FORTUNATO, Assemblywoman
GARVIN, Assemblymen McENROE, ZANGARI and THOMPSON

Referred to Committee on County Government

AN ACT concerning boards of education of county vocational schools
and amending N. J. S. 18A :54-16.

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

1 1. N. J. S. 18A :54-16 is amended to read as follows:

2 18A :54-16. For each county system of vocational schools estab-
3 lished in accordance with this chapter, there shall be a board of
4 education consisting of the county superintendent of schools and
5 four persons to be appointed; *provided, however, that a county*
6 *of the first class which has adopted the county executive form of*
7 *government pursuant to the provisions of the "Optional County*
8 *Charter Law" (P. L. 1972, c. 154, C. 40:41A-1 et seq.) may, by*
9 *ordinance, establish a board of education consisting of ***[nine]****
10 **seven* persons to be appointed.*

11 In counties of the first class having the office of county supervisor
12 the four appointive members of such board shall be appointed by
13 the county supervisor. *In counties of the first class having the*
14 *county executive form of government which, by ordinance, have*
15 *established a board consisting of ***[nine]*** *seven* persons to be*
16 *appointed, the ***[nine]*** *seven* appointive members shall be ap-*
17 *pointed by the county executive.* In all other counties of the first
18 class, in all counties of the second class, and in counties of the
19 third and fifth classes having populations in excess of 120,000, the
20 four appointive members of the board shall be appointed by the
21 director of the board of chosen freeholders, with the advice and
22 consent of that board. Not more than two members appointed in
23 any such county of the second, third or fifth class shall be members
24 of the same political party, but no changes for adjustment of party

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.

25 representation shall be made in a board except as vacancies occur.
26 In other counties, the four appointive members of the board shall
27 be appointed by the judge of the county court or in counties where
28 there is more than one judge by a majority of them.

29 In making the first appointments to a board, one person shall be
30 appointed to serve for 1 year, one for 2 years, one for 3 years and
31 one for 4 years from November 1 next succeeding the date of their
32 respective appointments. *In a county of the first class having the*
33 *county executive form of government which, by ordinance, has*
34 *established a board with ***[nine]*** *seven* appointive members, the*
35 *county executive shall make the first appointments to the board in*
36 *the following manner: ***[three]*** *two* shall be appointed to serve*
37 *for 1 year, two for 2 years, two for 3 years, and ***[two]*** *one**
38 *for 4 years from November 1 next succeeding the date of their*
39 *respective appointments. The persons so appointed shall also serve*
40 *from the date of their respective appointments until November 1*
40A *next ensuing.*

41 Annually during the month of October a member *or members,*
42 *as the case may be,* of the board shall be appointed to serve for
43 a term of 4 years, and thereafter until the appointment and qualifi-
44 cation of his *respective* successor, to take the place of the member
45 *or members, as the case may be,* whose term *or terms* shall expire
46 on November 1 then next ensuing.

47 A vacancy in the board caused by the death, resignation or
48 removal of a member, or in any other manner, shall be reported
49 forthwith by the secretary of the board to the county supervisor,
50 *county executive,* director of the board of chosen freeholders, or the
51 judge or judges, as the case may be, who, within 30 days thereafter,
52 and in the manner herein prescribed for making appointments for
53 a full term, shall appoint a person to fill the vacancy for the
54 unexpired term.

1 2. This act shall take effect immediately.

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STATE OF NEW JERSEY

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By Assemblymen ADUBATO, FORTUNATO, Assemblywoman
GARVIN, Assemblymen McENROE, ZANGARI and THOMPSON
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4 education consisting of the county superintendent of schools and
5 four persons to be appointed; *provided, however, that a county*
6 *of the first class which has adopted the county executive form of*
7 *government pursuant to the provisions of the "Optional County*
8 *Charter Law" (P. L. 1972, c. 154, C. 40:41A-1 et seq.) may, by*
9 *ordinance, establish a board of education consisting of nine persons*
10 *to be appointed.*

11 In counties of the first class having the office of county supervisor
12 the four appointive members of such board shall be appointed by
13 the county supervisor. *In counties of the first class having the*
14 *county executive form of government which, by ordinance, have*
15 *established a board consisting of nine persons to be appointed, the*
16 *nine appointive members shall be appointed by the county executive.*
17 In all other counties of the first class, in all counties of the second
18 class, and in counties of the third and fifth classes having popula-
19 tions in excess of 120,000, the four appointive members of the
20 board shall be appointed by the director of the board of chosen
21 freeholders, with the advice and consent of that board. Not more
22 than two members appointed in any such county of the second,
23 third or fifth class shall be members of the same political party,
24 but no changes for adjustment of party representation shall be
25 made in a board except as vacancies occur. In other counties, the
26 four appointive members of the board shall be appointed by the
27 judge of the county court or in counties where there is more than
28 one judge by a majority of them.

29 In making the first appointments to a board, one person shall be
 30 appointed to serve for 1 year, one for 2 years, one for 3 years and
 31 one for 4 years from November 1 next succeeding the date of their
 32 respective appointments. *In a county of the first class having the*
 33 *county executive form of government which, by ordinance, has*
 34 *established a board with nine appointive members, the county*
 35 *executive shall make the first appointments to the board in the*
 36 *following manner: three shall be appointed to serve for 1 year,*
 37 *two for 2 years, two for 3 years, and two for 4 years from*
 38 *November 1 next succeeding the date of their respective appoint-*
 39 *ments.* The persons so appointed shall also serve from the date
 40 of their respective appointments until November 1 next ensuing.

41 Annually during the month of October a member *or members,*
 42 *as the case may be,* of the board shall be appointed to serve for
 43 a term of 4 years, and thereafter until the appointment and qualifi-
 44 cation of his *respective* successor, to take the place of the member
 45 *or members, as the case may be,* whose term *or terms* shall expire
 46 on November 1 then next ensuing.

47 A vacancy in the board caused by the death, resignation or
 48 removal of a member, or in any other manner, shall be reported
 49 forthwith by the secretary of the board to the county supervisor,
 50 *county executive,* director of the board of chosen freeholders, or the
 51 judge or judges, as the case may be, who, within 30 days thereafter,
 52 and in the manner herein prescribed for making appointments for
 53 a full term, shall appoint a person to fill the vacancy for the
 54 unexpired term.

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to permit any county of the first class which has adopted the county executive form of government pursuant to the provisions of the "Optional County Charter Law" (P. L. 1972, c. 154) to establish, by ordinance, a larger board of education for its county vocational school system. Under present law, such boards consist of the county superintendant and four persons to be appointed. This bill would permit counties of the first class having the county executive form of government to establish by ordinance, boards consisting of nine appointive members. The county superintendent would no longer be statutorily included on the board, but could, under this bill, be appointed. The bill provides that the county executive appoint all members of the board.

ASSEMBLY COUNTY GOVERNMENT COMMITTEE
STATEMENT TO
ASSEMBLY, No. 1983
STATE OF NEW JERSEY

DATED: SEPTEMBER 15, 1980

The purpose of this bill is to permit any county of the first class which has adopted the "county executive" form of government, pursuant to the "Optional County Charter Law" (P. L. 1972, c. 154, C. 40:41A-1 et seq.), to provide, for broader participation in its county vocational school system by expanding the membership of its county board of education for vocational schools.

As received by the committee, Assembly Bill No. 1983 provided that a board of education for a county vocational school system established pursuant to this legislation would consist of nine members to be appointed by the county executive. In addition, the boards established pursuant to this bill are not required to include the county superintendent of schools as a member.

The committee, at the sponsor's request, amended the bill to provide that the boards established pursuant to this act consist of seven members.

At present, 18 counties have boards of education for their county vocational schools which consist of the county superintendent and four persons who are appointed; two counties (Warren and Sussex) have nine-member boards; and one (Hudson county) has a seven-member board.

ASSEMBLY COMMITTEE AMENDMENTS TO
ASSEMBLY, No. 1983

STATE OF NEW JERSEY

ADOPTED SEPTEMBER 22, 1980

- Amend page 1, section 1, line 9, omit "nine", insert "seven".
- Amend page 1, section 1, line 15, omit "nine", insert "seven".
- Amend page 1, section 1, line 16, omit "nine", insert "seven".
- Amend page 2, section 1, line 34, omit "nine", insert "seven".
- Amend page 2, section 1, line 36, omit "three", insert "two".
- Amend page 2, section 1, line 37, after "and", omit "two", insert "one".

SENATE EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1983

STATE OF NEW JERSEY

DATED: NOVEMBER 10, 1980

The Senate Education Committee favorably reports this bill and endorses the Assembly County Government Committee Statement which reads as follows:

The purpose of this bill is to permit any county of the first class which has adopted the "county executive" form of government, pursuant to the "Optional County Charter Law" (P. L. 1972, c. 154, C. 40:41A-1 et seq.), to provide, for broader participation in its county vocational school system by expanding the membership of its county board of education for vocational schools.

As received by the committee, Assembly Bill No. 1983 provided that a board of education for a county vocational school system established pursuant to this legislation would consist of nine members to be appointed by the county executive. In addition, the boards established pursuant to this bill are not required to include the county superintendent of schools as a member.

The committee, at the sponsor's request, amended the bill to provide that the boards established pursuant to this act consist of seven members.

At present, 18 counties have boards of education for their county vocational schools which consist of the county superintendent and four persons who are appointed; two counties (Warren and Sussex) have nine-member boards; and one (Hudson county) has a seven-member board.

FROM THE OFFICE OF THE GOVERNOR

R IMMEDIATE RELEASE

FOR FURTHER INFORMATION

CEMBER 19, 1980

PAT SWEENEY

Governor Brendan Byrne has signed A-1983, sponsored by Assemblyman Michael F. Adubato (D-Essex), which will enable a county of the first class with a form of government under the Optional County Charter Law to increase membership to its county vocational school board of education from five to seven members. The only county vocational school board affected by this bill is the one in Essex County.

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