

12/14/87

18A: 54-16

LEGISLATIVE HISTORY CHECKLIST

NJSA: 18A:54-16 (Schools-- vo-tech board members-- freeholders may appoint)

CHAPTER 163

Laws Of: 1987

Bill No: S2130

Sponsor(s): Hurley and others

Date Introduced: May 12, 1986

Committee: Assembly: County Government

Senate: Education

Amended during passage: Yes Amendments during passage denoted asterisks.

Date of Passage: Assembly: May 21, 1987

Senate: January 22, 1987

Date of Approval: July 7, 1987

Following statements are attached if available:

Sponsor statement: Yes Attached: Senate amendments, adopted 10-20-86 (with statement)

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

7-7-87

[OFFICIAL COPY REPRINT]

SENATE, No. 2130**STATE OF NEW JERSEY**

INTRODUCTD MAY 12, 1986

By Senators HURLEY, DUMONT, DORSEY, EWING, FELDMAN
and DALTON

Referred to Committee on Education

AN ACT concerning the appointment of certain members of certain boards of education of certain 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 a form of government pursuant
7 to the provisions of the "Optional County Charter Law" (P. L.
8 1972, c. 154; C. 40:41A-1 et seq.) may, by ordinance, establish a
9 board of education consisting of seven persons to be appointed.

10 In counties of the first class which, by ordinance, have established
11 a board consisting of seven persons to be appointed, the seven
12 appointive members shall be appointed by the chief elected execu-
13 tive officer of the county. In all other counties ***[of the first class,**
14 **in all counties of the second class, [and] in counties of the third**
15 **and fifth class having populations in excess of 125,000, and in all**
16 **counties of the sixth class]***, the four appointive members of the
17 board shall be appointed by the chief elected executive officer of the
18 county, or the director of the board of chosen freeholders, with the
19 advice and consent of that board, as appropriate to the appoint-
20 ment procedures established by the form of government of the
21 county. Not more than two members appointed in any such county
22 of the second, third **[or]**, fifth *or sixth class* shall be members of the

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 printed in italics thus is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Senate amendments adopted October 20, 1986.

23 same political party, but no changes for adjustment of party repre-
 24 sentation shall be made in a board except as vacancies occur. ***[**In
 25 other counties, the four appointive members of the board shall be
 26 appointed by the judge of the Superior Court sitting therein or in
 27 counties where there is more than one judge by a majority of
 27A them.**]***

28 In making the first appointments to a board, one person shall be
 29 appointed to serve for one year, one for two years, one for three
 30 years and one for four years from November 1 next succeeding the
 31 date of their respective appointments. In a county of the first class
 32 which, by ordinance, has established a board with seven appointive
 33 members, the chief elected executive officer shall make the first ap-
 34 pointments to the board in the following manner: two shall be
 35 appointed to serve for one year, two for two years, two for three
 36 years, and one for four years from November 1 next succeeding the
 37 date of their respective appointments. The persons so appointed
 38 shall also serve from the date of their respective appointments
 39 until November 1 next ensuing.

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

46 A vacancy in the board shall be deemed to exist, and shall be
 47 filled, in the manner prescribed in P. L. 1979, c. 302 (C. 40A :9-12.1).

1 2. This act shall take effect immediately.

EDUCATION—GENERAL

Grants authority to boards of chosen freeholders to appoint boards
 of education of county vocational schools. Eliminates judicial
 appointment of those boards.

SENATE, No. 2130
STATE OF NEW JERSEY

INTRODUCED MAY 12, 1986

By Senators HURLEY, DUMONT, DORSEY, EWING, FELDMAN
and DALTON

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amending N. J. S. 18A:54-16.

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12 appointive members shall be appointed by the chief elected execu-
13 tive officer of the county. In all other counties of the first class,
14 in all counties of the second class, **[and]** in counties of the third
15 and fifth class having populations in excess of 125,000, and *in all*
16 *counties of the sixth class*, the four appointive members of the board
17 shall be appointed by the chief elected executive officer of the county,
18 or the director of the board of chosen freeholders, with the advice
19 and consent of that board, as appropriate to the appointment pro-
20 cedures established by the form of government of the county. Not

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 22 third **[or]**, fifth *or sixth class* shall be members of the same
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 24 tion shall be made in a board except as vacancies occur. In other
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1 2. This act shall take effect immediately.

SPONSORS STATEMENT

The purpose of this bill is to allow boards of chosen freeholders in sixth class counties to appoint members of the board of education of county vocational schools, thus removing from the Judiciary the right to make these appointments as presently prescribed by law. It is felt that the right to make appointments and the responsibility for budgeting and taxation should be allocated to the same persons, i.e., the board of chosen freeholders in sixth class counties.

EDUCATION—GENERAL

Grants authority to boards of chosen freeholders in sixth class counties to appoint members of the board of education of county vocational schools.

ASSEMBLY COUNTY GOVERNMENT COMMITTEE
STATEMENT TO
SENATE, No. 2130
STATE OF NEW JERSEY

DATED: MARCH 9, 1987

The Assembly County Government Committee reports Senate Bill No. 2130 favorably.

Senate Bill No. 2130 provides, in all third and sixth class counties, that members of the board of education of the county vocational school shall be appointed by the chief elected executive officer or the director of the board of chosen freeholders, as appropriate.

Currently, under N. J. S. 18A:54-16, the appropriate board members are appointed by a Superior Court judge in sixth class counties, and in any third class county with a population of less than 125,000. In first class counties, the appointments are made by the chief elected executive officer. In other counties, the appointments are made by such officer or by the director of the board of chosen freeholders, as appropriate to the form of government.

This bill amends N. J. S. 18A:54-16 to provide that, in all third and sixth class counties, members of the board of education of the county vocational school shall be appointed by the chief elected executive officer or the director of the board of chosen freeholders, as appropriate.

This bill is identical to Assembly Bill No. 474 (Aca) of 1986.

SENATE EDUCATION COMMITTEE
STATEMENT TO
SENATE, No. 2130
STATE OF NEW JERSEY

DATED: SEPTEMBER 22, 1986

The Senate Education Committee favorably reports this bill without amendment.

This bill provides that in sixth class counties, the members of the board of education of a county vocational school will be appointed by the chief elected executive officer, or the director of the board of chosen freeholders with the advice and consent of that board, as appropriate to the form of government of the county. Currently, the board members are appointed by the judge of the Superior Court of the county.

There are only two counties in which the judiciary appoints the members of the board of education of a county vocational school district, Cape May county, which is the only sixth class county, and Salem county, a third class county with a population of under 125,000. This bill would only apply to Cape May county.

SENATE Amendments
proposed by Senator Zane

to

SENATE Bill No. 2130
sponsored by Senator Hurley

ADOPTED

OCT 20 1986

Amend:

Page Sec. Line

- 1 1 13 Omit "of the first class,"
- 1 1 14-15 Omit entirely
- 1 1 16 Omit "counties of the sixth class"
- 2 1 24 Omit "In other"
- 2 1 25-27 Omit lines 25-27 entirely.

STATEMENT

Currently, there are only two counties in which the judiciary appoints the members of the board of education of the county vocational school, Cape May County, which is the only sixth class county, and Salem County, a third class county with a population of under 125,000. This bill originally only applied to Cape May County. These amendments would include Salem, so that in every county the members of the board of education of the county vocational school will be appointed by the chief elected executive officer or the director of the board of chosen freeholders with the advice and consent of that board, as appropriate to the county government.

NOTE TO PRINTER

REPLACE SYNOPSIS IN ROMAN AS FOLLOWS:

"Grants authority to boards of chosen freeholders to appoint boards of education of county vocational schools. Eliminates judicial appointment of those boards.