

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"Christie signs 'Showboat law' on college land buys - "Showboat law" will require more oversight of college land purchases," The Press of Atlantic City, March 14, 2017

P.L.2017, CHAPTER 30, *approved March 13, 2017*
Senate, No. 793 (*Second Reprint*)

1 An ACT concerning the purchase of certain ¹real¹ property by public
2 institutions of higher education and supplementing chapter 3B of
3 Title 18A of the New Jersey Statutes.

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

7
8 1. a. The president or any other officer or employee of a public
9 institution of higher education shall not take ²[any] final² action on
10 behalf of the institution for the purchase of ¹real¹ property ²[that is
11 not within a five-mile radius of one of the existing campuses of the
12 institution, including any preliminary action to investigate the
13 availability of the ¹real¹ property for sale or the advisability of the
14 purchase] the cost of which is equal to or greater than the amount
15 set forth in paragraph (1) of subsection b. of section 10 of P.L.2007,
16 c.52 (C.52:15C-10)², unless the president or other officer or
17 employee notifies the governing board of the institution and the
18 general counsel of the institution of the proposed action ²and the
19 governing board approves the final action. Final action shall not
20 include any ministerial of non-substantive changes made to a
21 contract subsequent to the governing board's approval, or any
22 action that falls within the authority previously granted to the
23 president or any other officer or a board trustee by the governing
24 board².

25 b. The ²[governing board of a]² public institution of higher
26 education shall submit a report to the Governor, the Legislature
27 pursuant to ¹section 2 of¹ P.L.1991, c.164 (C.52:14-19.1), the
28 Secretary of Higher Education, and the State Comptroller, on the
29 purchase of ¹real¹ property ²[that is not within a five-mile radius of
30 one of the existing campuses of the institution] the cost of which is
31 equal to or greater than the amount set forth in paragraph (1) of
32 subsection b. of section 10 of P.L.2007, c.52 (C.52:15C-10)². The
33 report shall be filed within five days following the submission of
34 the institution's ²[initial] binding² offer to the seller for the
35 purchase of the ¹real¹ property. ¹The report shall be in addition to
36 any notice of award or notice of the commencement of any
37 procurement process that is required to be provided to the State

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:

¹Senate SHI committee amendments adopted March 7, 2016.

²Senate floor amendments adopted May 9, 2016.

1 Comptroller in accordance with section 10 of P.L.2007,
2 c.52 (C.52:15C-10).

3 c. Nothing in this act shall be construed to compel any action
4 on the part of a public institution of higher education that is
5 governed pursuant to N.J.S.18A:65-1 et seq.¹

6

7 2. This act shall take effect immediately.

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13 Prohibits president or other employee of public institution of
14 higher education from taking final action on purchase of property
15 unless prior notice is provided to institution's governing board and
16 general counsel and board approves action.

SENATE, No. 793

STATE OF NEW JERSEY 217th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2016 SESSION

Sponsored by:

Senator PAUL A. SARLO

District 36 (Bergen and Passaic)

Senator SANDRA B. CUNNINGHAM

District 31 (Hudson)

SYNOPSIS

Requires president or other employee of public institution of higher education to provide prior notice to institution's governing board and general counsel of any action to purchase certain property.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/8/2016)

1 AN ACT concerning the purchase of certain property by public
2 institutions of higher education and supplementing chapter 3B of
3 Title 18A of the New Jersey Statutes.

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

7
8 1. a. The president or any other officer or employee of a public
9 institution of higher education shall not take any action on behalf of
10 the institution for the purchase of property that is not within a five-
11 mile radius of one of the existing campuses of the institution,
12 including any preliminary action to investigate the availability of
13 the property for sale or the advisability of the purchase, unless the
14 president or other officer or employee notifies the governing board
15 of the institution and the general counsel of the institution of the
16 proposed action.

17 b. The governing board of a public institution of higher
18 education shall submit a report to the Governor, the Legislature
19 pursuant to P.L.1991, c.164 (C.52:14-19.1), the Secretary of Higher
20 Education, and the State Comptroller, on the purchase of property
21 that is not within a five-mile radius of one of the existing campuses
22 of the institution. The report shall be filed within five days
23 following the submission of the institution's initial offer to the
24 seller for the purchase of the property.

25
26 2. This act shall take effect immediately.

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STATEMENT

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31 This bill provides that the president or any other officer or
32 employee of a public institution of higher education may not take
33 any action on behalf of the institution for the purchase of property
34 that is not within a five-mile radius of one of the existing campuses
35 of the institution, including any preliminary action to investigate the
36 availability of the property for sale or the advisability of the
37 purchase, unless the president or other officer or employee notifies
38 the governing board and general counsel of the institution of the
39 proposed action.

40 The bill also requires the governing board of the public
41 institution of higher education to submit a report to the Governor,
42 the Legislature, the Secretary of Higher Education, and the State
43 Comptroller on the purchase of property that is not within a five-
44 mile radius of one of the existing campuses of the institution. The
45 report must be filed within five days following the submission of
46 the institution's initial offer for the purchase of the property.

ASSEMBLY HIGHER EDUCATION COMMITTEE

STATEMENT TO

[Second Reprint]

SENATE, No. 793

STATE OF NEW JERSEY

DATED: JANUARY 12, 2017

The Assembly Higher Education Committee reports favorably Senate Bill No. 793 (2R).

This bill prohibits the president or any other officer or employee of a public institution of higher education from taking final action on the purchase of real property the cost of which is equal to or greater than the amount established under paragraph (1) of subsection b. of section 10 of P.L.2007, c.52 (C.52:15C-10), the section of law which requires contracting units to inform the State Comptroller of the commencement of any procurement process involving an expenditure of \$10 million or more, unless the president or other officer or employee notifies the governing board and general counsel of the institution of the proposed action and the governing board approves the final action. Final action will not include any ministerial or non-substantive changes made to a contract subsequent to the governing board's approval, or any action that falls within the authority previously granted to the president or any other officer or a board trustee by the governing board.

The bill requires the public institution of higher education to submit a report to the Governor, the Legislature, the Secretary of Higher Education, and the State Comptroller on the purchase of such real property. The report is to be filed within five days following the submission of the institution's binding offer to the seller for the purchase of the real property. The bill specifies that the submission of the report will be in addition to current statutory requirements to provide notice to the State Comptroller in regard to contracts that exceed certain statutory thresholds.

The bill specifies that its provisions are not to be construed to compel any action on the part of Rutgers, The State University.

As reported by the committee, this bill is identical to Assembly Bill No. 4474, which also was reported by the committee on this same date.

SENATE HIGHER EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 793

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 3, 2016

The Senate Higher Education Committee reports favorably Senate Bill No. 793 with committee amendments.

As amended, this bill prohibits the president or any other officer or employee of a public institution of higher education from taking any action on behalf of the institution for the purchase of real property that is not within a five-mile radius of one of the existing campuses of the institution, including any preliminary action to investigate the availability of the real property for sale or the advisability of the purchase, unless the president or other officer or employee notifies the governing board and general counsel of the institution of the proposed action.

The bill also requires the governing board of the public institution of higher education to submit a report to the Governor, the Legislature, the Secretary of Higher Education, and the State Comptroller on the purchase of real property that is not within a five-mile radius of one of the existing campuses of the institution. The bill requires the report to be filed within five days following the submission of the institution's initial offer for the purchase of the real property, and specifies that the submission of the report will be in addition to current requirements to provide notice to the State Comptroller of certain public contracts that exceed certain statutory thresholds. The bill specifies that its provisions may not compel any action on the part of Rutgers, The State University.

The committee amended the bill to clarify that the bill's prohibition on taking any action for the purchase of property is limited to the purchase of *real* property that is not within a five-mile radius of one of the existing campuses of the institution. The amendments also specify that the bill's reporting requirements are in addition to current requirements that mandate notice of certain public contracts that exceed certain statutory thresholds be provided to the State Comptroller. Finally, the amendments provide that the bill's provisions may not be construed to compel any action on the part of Rutgers, The State University.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 793

STATE OF NEW JERSEY

DATED: MARCH 7, 2016

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 793 (1R).

This bill prohibits the president or any other officer or employee of a public institution of higher education from taking any action on behalf of the institution for the purchase of real property that is not within a five-mile radius of one of the existing campuses of the institution, including any preliminary action to investigate the availability of the real property for sale or the advisability of the purchase, unless the president or other officer or employee notifies the governing board and general counsel of the institution of the proposed action.

The bill requires the governing board of the public institution of higher education to submit a report to the Governor, the Legislature, the Secretary of Higher Education, and the State Comptroller on the purchase of real property that is not within a five-mile radius of one of the existing campuses of the institution. The bill requires the report to be filed within five days following the submission of the institution's initial offer for the purchase of the real property, and specifies that the submission of the report will be in addition to current requirements to provide notice to the State Comptroller of certain public contracts that exceed certain statutory thresholds.

The bill specifies that its provisions are not to be construed to compel any action on the part of Rutgers, The State University.

FISCAL IMPACT:

This bill has not been certified as requiring a Fiscal Note.

STATEMENT TO
[First Reprint]
SENATE, No. 793

with Senate Floor Amendments
(Proposed by Senator SARLO)

ADOPTED: MAY 9, 2016

These floor amendments provide that:

1) the notification required to be made under the bill by the president or any other employee of the institution to the governing board and general counsel of the institution will not be required for any action related to the sale of real property, but rather will be required only prior to taking final action on the purchase;

2) final action will not include any ministerial or non-substantive changes made to a contract subsequent to the governing board's approval, or any action that falls within the authority previously granted to the president or any other officer or board trustee by the governing board; and

3) the bill's provisions will be applicable to real property with a cost that equals or exceeds the amount established under paragraph (1) of subsection b. of P.L.2007, c.52 (C.52:15C-10), the section of law which requires contracting units to inform the State Comptroller of the commencement of any procurement process involving an expenditure of \$10 million or more. The bill in its original form is applicable to any real property that is not within a five-mile radius of one of the existing campuses of the institution.

ASSEMBLY, No. 4474

STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED JANUARY 12, 2017

Sponsored by:

Assemblywoman MILA M. JASEY
District 27 (Essex and Morris)

Co-Sponsored by:

Assemblyman Giblin

SYNOPSIS

Prohibits president or other employee of public institution of higher education from taking final action on purchase of property unless prior notice is provided to institution's governing board and general counsel and board approves action.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/20/2017)

1 AN ACT concerning the purchase of certain real property by public
2 institutions of higher education and supplementing chapter 3B of
3 Title 18A of the New Jersey Statutes.

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

7
8 1. a. The president or any other officer or employee of a public
9 institution of higher education shall not take final action on behalf
10 of the institution for the purchase of real property the cost of which
11 is equal to or greater than the amount set forth in paragraph (1) of
12 subsection b. of section 10 of P.L.2007, c.52 (C.52:15C-10), unless
13 the president or other officer or employee notifies the governing
14 board of the institution and the general counsel of the institution of
15 the proposed action and the governing board approves the final
16 action. Final action shall not include any ministerial or non-
17 substantive changes made to a contract subsequent to the governing
18 board's approval, or any action that falls within the authority
19 previously granted to the president or any other officer or a board
20 trustee by the governing board.

21 b. The public institution of higher education shall submit a
22 report to the Governor, the Legislature pursuant to section 2 of
23 P.L.1991, c.164 (C.52:14-19.1), the Secretary of Higher Education,
24 and the State Comptroller, on the purchase of real property the cost
25 of which is equal to or greater than the amount set forth in
26 paragraph (1) of subsection b. of section 10 of P.L.2007, c.52
27 (C.52:15C-10). The report shall be filed within five days following
28 the submission of the institution's binding offer to the seller for the
29 purchase of the real property. The report shall be in addition to any
30 notice of award or notice of the commencement of any procurement
31 process that is required to be provided to the State Comptroller in
32 accordance with section 10 of P.L.2007, c.52 (C.52:15C-10).

33 c. Nothing in this act shall be construed to compel any action
34 on the part of a public institution of higher education that is
35 governed pursuant to N.J.S.18A:65-1 et seq.

36
37 2. This act shall take effect immediately.

38

39

40

STATEMENT

41

42 This bill prohibits the president or any other officer or employee
43 of a public institution of higher education from taking final action
44 on the purchase of real property the cost of which is equal to or
45 greater than the amount established under paragraph (1) of
46 subsection b. of section 10 of P.L.2007, c.52 (C.52:15C-10), the
47 section of law which requires contracting units to inform the State
48 Comptroller of the commencement of any procurement process

1 involving an expenditure of \$10 million or more, unless the
2 president or other officer or employee notifies the governing board
3 and general counsel of the institution of the proposed action and the
4 governing board approves the final action. Final action will not
5 include any ministerial or non-substantive changes made to a
6 contract subsequent to the governing board's approval, or any
7 action that falls within the authority previously granted to the
8 president or any other officer or a board trustee by the governing
9 board.

10 The bill requires the public institution of higher education to
11 submit a report to the Governor, the Legislature, the Secretary of
12 Higher Education, and the State Comptroller on the purchase of
13 such real property. The report is to be filed within five days
14 following the submission of the institution's binding offer to the
15 seller for the purchase of the real property. The bill specifies that
16 the submission of the report will be in addition to current statutory
17 requirements to provide notice to the State Comptroller in regard to
18 contracts that exceed certain statutory thresholds.

19 The bill specifies that its provisions are not to be construed to
20 compel any action on the part of Rutgers, The State University.

ASSEMBLY HIGHER EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4474

STATE OF NEW JERSEY

DATED: JANUARY 12, 2017

The Assembly Higher Education Committee reports favorably Assembly Bill No. 4474.

This bill prohibits the president or any other officer or employee of a public institution of higher education from taking final action on the purchase of real property the cost of which is equal to or greater than the amount established under paragraph (1) of subsection b. of section 10 of P.L.2007, c.52 (C.52:15C-10), the section of law which requires contracting units to inform the State Comptroller of the commencement of any procurement process involving an expenditure of \$10 million or more, unless the president or other officer or employee notifies the governing board and general counsel of the institution of the proposed action and the governing board approves the final action. Final action will not include any ministerial or non-substantive changes made to a contract subsequent to the governing board's approval, or any action that falls within the authority previously granted to the president or any other officer or a board trustee by the governing board.

The bill requires the public institution of higher education to submit a report to the Governor, the Legislature, the Secretary of Higher Education, and the State Comptroller on the purchase of such real property. The report is to be filed within five days following the submission of the institution's binding offer to the seller for the purchase of the real property. The bill specifies that the submission of the report will be in addition to current statutory requirements to provide notice to the State Comptroller in regard to contracts that exceed certain statutory thresholds.

The bill specifies that its provisions are not to be construed to compel any action on the part of Rutgers, The State University.

As reported by the committee, this bill is identical to Senate Bill No. 793(2R), which also was reported by the committee on this same date.

Governor Chris Christie Takes Action On Pending Legislation

Monday, March 13, 2017 Tags: [Bill Action](#)



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Trenton, NJ – Governor Chris Christie announced that he has taken action on the following legislation:

BILL SIGNINGS:

S-260/ACS for A-452 (Connors, Van Drew/Mazzeo, Andrzejczak, Jimenez, Vainieri Huttie, Benson, Wimberly, Gove, Rumpf) - Requires reservation of portion of tenant vouchers under State rental assistance program for veterans

S-793/A-4474 (Sarlo, Cunningham/Jasey) - Prohibits president or other employee of public institution of higher education from taking final action on purchase of property unless prior notice is provided to institution's governing board and general counsel and board approves action

S-2375/A-3961 (Sarlo, Kyrillos/Eustace, Kennedy) - Dissolves New Jersey Hall of Fame Advisory Commission and New Jersey Hall of Fame corporation and transfers their functions to Foundation for New Jersey Hall of Fame

A-34/S-2897 (Prieto, Singleton, Benson, Wimberly, Burzichelli, Jasey, Sumter/Sarlo, T. Kean) - Appropriates \$34,293,697 from "Building Our Future Bond Act" and provides for reallocating amount remaining from project grants not awarded, for public and private institutions of higher education

A-1628/S-2777 (Rodriquez-Gregg, Howarth, Holley, Wimberly/Cruz-Perez, Van Drew) - Codifies DEP's New Jersey Recycling Awards Program to annually recognize outstanding recycling achievements

A-4295/S-2852 (Muio, Vainieri Huttie, Quijano/Sweeney, Beach) - Concerns emergency assistance which is repaid by the recipient

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Press Contact:
Brian Murray
609-777-2600

