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**LEGISLATIVE FISCAL ESTIMATE:** No

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** Yes

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end

P.L.2015, CHAPTER 140, *approved November 9, 2015*  
Assembly, No. 3807 (*Second Reprint*)

1 AN ACT concerning the efficient procurement of goods and services  
2 by certain entities and amending and supplementing P.L.1994,  
3 c.48 <sup>2</sup>, and supplementing P.L.1989, c.141 (C.18A:64A-28.1 et  
4 at.)<sup>2</sup>.

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

8  
9 1. Section 3 of P.L.1994, c.48 (C.18A:3B-3) is amended to  
10 read as follows:

11 3. For the purposes of this act, unless the context clearly  
12 requires a different meaning:

13 "Authority" means the Higher Education Student Assistance  
14 Authority established pursuant to N.J.S.18A:71A-3;

15 "Commission" means the New Jersey Commission on Higher  
16 Education established by this act;

17 "Council" means the New Jersey Presidents' Council established  
18 by this act;

19 <sup>1</sup>"Council of County Colleges" means the New Jersey Council of  
20 County Colleges established pursuant to N.J.S.18A:64A-26.<sup>1</sup>

21 "County college" means an educational institution established by  
22 one or more counties, <sup>1</sup>[offering programs of instruction, extending  
23 not more than two years beyond the high school, which may include  
24 but need not be limited to specialized or comprehensive  
25 curriculums, including college credit transfer courses, terminal  
26 courses in the liberal arts and sciences, and technical institute type  
27 programs; and who are governed by a board of trustees]<sup>1</sup> pursuant  
28 to chapter 64A of Title 18A of the New Jersey Statutes <sup>1</sup>[, or by the  
29 community college commission of a community college agency  
30 established pursuant to P.L.1974, c.89 (C.18A:64A-30 et seq.)]<sup>1</sup>;

31 "Educational research and services corporation" means a  
32 nonprofit corporation whose voting members are public research  
33 universities, State colleges, county colleges, public institutions of  
34 higher education primarily located in the State of New Jersey, and  
35 nonprofit independent institutions of higher education that receive  
36 direct State aid.

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:

<sup>1</sup>Assembly ASL committee amendments adopted October 27, 2014.

<sup>2</sup>Senate SSG committee amendments adopted June 11, 2015.

1 "Programmatic Mission" means all program offerings consistent  
2 within those levels of academic degrees or certificates that the  
3 institution has been authorized to grant by the State Board of  
4 Higher Education prior to the effective date of this act or approved  
5 thereafter by the commission; "Public Research University" means  
6 Rutgers, The State University of New Jersey, Rowan University,  
7 and the New Jersey Institute of Technology;

8 "State college" means any of the State colleges or universities  
9 established pursuant to chapter 64 of Title 18A of the New Jersey  
10 Statutes including any State college designated as a teaching  
11 university.

12 (cf: P.L.2012, c.45, s.67)

13

14 2. (New section) a. <sup>2</sup><sup>1</sup>(1)<sup>1</sup><sup>2</sup> The governing board of a public  
15 research university or a State college may join with other public  
16 research universities, State colleges, county colleges, public  
17 institutions of higher education primarily located in the State of  
18 New Jersey, and nonprofit independent institutions of higher  
19 education that receive direct State aid, to form an educational  
20 research and services corporation to be operated exclusively for  
21 charitable, scientific, and educational purposes, within the meaning  
22 of paragraph (3) of subsection (c) of section 501 of the federal  
23 Internal Revenue Code (26 U.S.C. s.501).

24 <sup>2</sup><sup>1</sup>(2) The Council of County Colleges acting on behalf of  
25 participating county colleges, may form an educational research and  
26 services corporation to be operated exclusively for charitable,  
27 scientific, and educational purposes within the meaning of  
28 paragraph (3) of subsection (c) of section 501 of the Internal  
29 Revenue Code (26 U.S.C. s.501).<sup>1</sup><sup>2</sup>

30 b. (1) An educational research and services corporation may act  
31 as a lead agency or contracting unit for the procurement of goods or  
32 services <sup>2</sup>[by State departments, agencies, authorities, independent  
33 authorities, and commissions] concerning educational technology  
34 systems and related services by those entities comprising the  
35 educational and research services corporation<sup>2</sup>.

36 (2) An educational research and services corporation shall be  
37 deemed a local unit for the purposes of the "Uniform Shared  
38 Services and Consolidation Act," sections 1 through 35 of P.L.2007,  
39 c.63 (C.40A:65-1 through C.40A:65-35) and may act as a lead  
40 agency or contracting unit for the procurement of goods or services  
41 <sup>2</sup>concerning educational technology systems and related services<sup>2</sup>  
42 by municipalities, fire districts, counties, local authorities subject to  
43 the "Local Authorities Fiscal Control Law," P.L.1983, c.313  
44 (C.40A:5A-1 et seq.), school districts, county colleges, State  
45 colleges, public research universities, nonprofit independent  
46 institutions of higher education that receive direct State aid, or any

1 combination of those entities <sup>2</sup>**[**, including entities listed in  
2 paragraph (1) of this subsection**]<sup>2</sup>.**

3 <sup>2</sup>c. An educational research and services corporation formed  
4 under P.L. , c. (pending before the Legislature as this bill), shall  
5 be subject to all applicable requirements under all applicable State  
6 and local procurement laws, including, but not limited to, section 1  
7 of P.L.1977, c.33 (C.52:25-24.2), P.L.2012, c.25 (C.52:32-55 et  
8 seq.), and P.L.2005, c.51 (C.19:44A-20.13 et seq.).<sup>2</sup>

9  
10 <sup>2</sup>3. (New section) The Council of County Colleges may act as  
11 the lead agency for the joint procurement of goods or services by  
12 county colleges pursuant to the “County College Contracts Law”  
13 P.L.1982, c.189 (C.18A:64A-25.1 et seq.).<sup>2</sup>

14  
15 <sup>2</sup>**[3.]** <sup>2</sup>4. This act shall take effect immediately.

16  
17  
18  
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20 \_\_\_\_\_  
21 Permits educational research and services corporations to act as  
22 lead procurement agencies for local units and publically supported  
23 educational institutions; permits Council of County Colleges to act  
as lead procurement agency for county colleges.

# ASSEMBLY, No. 3807

## STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED OCTOBER 9, 2014

**Sponsored by:**

**Assemblyman TIMOTHY J. EUSTACE**

**District 38 (Bergen and Passaic)**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Burlington and Camden)**

**SYNOPSIS**

Permits educational research and services corporations to act as lead procurement agencies for State and local units, and publically supported educational institutions.

**CURRENT VERSION OF TEXT**

As introduced.



A3807 EUSTACE, GREENWALD

2

1 AN ACT concerning the efficient procurement of goods and services  
2 by certain entities and amending and supplementing P.L.1994,  
3 c.48.

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

7  
8 1. Section 3 of P.L.1994, c.48 (C.18A:3B-3) is amended to  
9 read as follows:

10 3. For the purposes of this act, unless the context clearly  
11 requires a different meaning:

12 "Authority" means the Higher Education Student Assistance  
13 Authority established pursuant to N.J.S.18A:71A-3;

14 "Commission" means the New Jersey Commission on Higher  
15 Education established by this act;

16 "Council" means the New Jersey Presidents' Council established  
17 by this act;

18 "County college" means an educational institution established by  
19 one or more counties, offering programs of instruction, extending  
20 not more than two years beyond the high school, which may include  
21 but need not be limited to specialized or comprehensive  
22 curriculums, including college credit transfer courses, terminal  
23 courses in the liberal arts and sciences, and technical institute type  
24 programs; and who are governed by a board of trustees pursuant to  
25 chapter 64A of Title 18A of the New Jersey Statutes, or by the  
26 community college commission of a community college agency  
27 established pursuant to P.L.1974, c.89 (C.18A:64A-30 et seq.);

28 "Educational research and services corporation" means a  
29 nonprofit corporation whose voting members are public research  
30 universities, State colleges, county colleges, public institutions of  
31 higher education primarily located in the State of New Jersey, and  
32 nonprofit independent institutions of higher education that receive  
33 direct State aid.

34 "Programmatic Mission" means all program offerings consistent  
35 within those levels of academic degrees or certificates that the  
36 institution has been authorized to grant by the State Board of  
37 Higher Education prior to the effective date of this act or approved  
38 thereafter by the commission;

39 "Public Research University" means Rutgers, The State  
40 University of New Jersey, Rowan University, and the New Jersey  
41 Institute of Technology;

42 "State college" means any of the State colleges or universities  
43 established pursuant to chapter 64 of Title 18A of the New Jersey  
44 Statutes including any State college designated as a teaching  
45 university.

46 (cf: P.L.2012, c.45, s.67)

**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.

1       2. (New section) a. The governing board of a public research  
2 university or a State college may join with other public research  
3 universities, State colleges, county colleges, public institutions of  
4 higher education primarily located in the State of New Jersey, and  
5 nonprofit independent institutions of higher education that receive  
6 direct State aid, to form an educational research and services  
7 corporation to be operated exclusively for charitable, scientific, and  
8 educational purposes, within the meaning of paragraph (3) of  
9 subsection (c) of section 501 of the federal Internal Revenue Code  
10 (26 U.S.C. s.501).

11       b. (1) An educational research and services corporation may act  
12 as a lead agency or contracting unit for the procurement of goods or  
13 services by State departments, agencies, authorities, independent  
14 authorities, and commissions.

15       (2) An educational research and services corporation shall be  
16 deemed a local unit for the purposes of the "Uniform Shared  
17 Services and Consolidation Act," sections 1 through 35 of P.L.2007,  
18 c.63 (C.40A:65-1 through C.40A:65-35) and may act as a lead  
19 agency or contracting unit for the procurement of goods or services  
20 by municipalities, fire districts, counties, local authorities subject to  
21 the "Local Authorities Fiscal Control Law," P.L.1983, c.313  
22 (C.40A:5A-1 et seq.), school districts, county colleges, State  
23 colleges, public research universities, nonprofit independent  
24 institutions of higher education that receive direct State aid, or any  
25 combination of those entities, including entities listed in paragraph  
26 (1) of this subsection.

27

28       3. This act shall take effect immediately.

29

30

31

STATEMENT

32

33       This bill would permit an educational research and services  
34 corporation, meaning a non-profit corporation whose voting  
35 membership is comprised of public research universities, State  
36 colleges, county colleges, public institutions of higher education  
37 primarily located in the State of New Jersey, and nonprofit  
38 independent institutions of higher education that receive direct State  
39 aid, to act as the lead agency or lead contracting unit, without  
40 obtaining a waiver from the State, for the procurement of goods and  
41 services used by State departments, agencies, authorities,  
42 independent authorities, commissions, and by municipalities, fire  
43 districts, counties, local authorities subject to the "Local Authorities  
44 Fiscal Control Law," P.L.1983, c.313 (C.40A:5A-1 et seq.), school  
45 districts, county colleges, State colleges, public research  
46 universities, and nonprofit independent institutions of higher  
47 education that receive direct State aid. An example of a non-profit  
48 corporation that would qualify as an educational research and



**A3807 EUSTACE, GREENWALD**

4

1 services corporation is NJEDge.Net, which was established in 2000  
2 following the recommendations of a 1997 Technology Task Force  
3 convened by the Commission on Higher Education. Currently,  
4 NJEDge.Net provides advanced technology services to its members,  
5 including cloud services, high speed Internet access, and digital  
6 learning tools. Providing this type of entity with the authority to act  
7 as a lead procurement agency for various units of State and local  
8 government, and publically supported educational institutions, will  
9 help increase the availability of advanced technology and fast  
10 Internet services to government entities and students of all grade  
11 levels throughout New Jersey.

ASSEMBLY STATE AND LOCAL GOVERNMENT  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 3807**

with committee amendments

**STATE OF NEW JERSEY**

DATED: OCTOBER 27, 2014

The Assembly State and Local Government Committee reports favorably and with committee amendments Assembly Bill No. 3807.

As amended, Assembly Bill No. 3807 permits an educational research and services corporation, to act as the lead agency or lead contracting unit, without obtaining a waiver from the State, for the procurement of goods and services used by State departments, agencies, authorities, independent authorities, commissions, and by municipalities, fire districts, counties, local authorities subject to the "Local Authorities Fiscal Control Law," P.L.1983, c.313 (C.40A:5A-1 et seq.), school districts, county colleges, State colleges, public research universities, and nonprofit independent institutions of higher education that receive direct State aid.

An "educational research and services corporation" is defined as a non-profit corporation whose voting membership is comprised of public research universities, State colleges, county colleges, public institutions of higher education primarily located in the State of New Jersey, and nonprofit independent institutions of higher education that receive direct State aid. The governing board of a public research university or a State college may join with other institutions of higher education to form an educational research and services corporation. The bill, as amended, also permits the New Jersey Council of Colleges to form an educational research and services corporation.

An example of a non-profit corporation that would qualify as an educational research and services corporation is NJEDge.Net, which was established in 2000 following the recommendations of a 1997 Technology Task Force convened by the Commission on Higher Education. Currently, NJEDge.Net provides advanced technology services to its members, including cloud services, high speed Internet access, and digital learning tools. Providing this type of entity with the authority to act as a lead procurement agency for various units of State and local government, and publically supported educational institutions, will help increase the availability of advanced technology

and fast Internet services to government entities and students of all grade levels throughout New Jersey.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- Clarify the definition of “county college” and add a definition of the “Council of County Colleges”; and
- Provide that the New Jersey Council of County Colleges, acting on behalf of participating county colleges, may form an educational research and services corporation.

SENATE STATE GOVERNMENT, WAGERING, TOURISM &  
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

[First Reprint]  
**ASSEMBLY, No. 3807**

with committee amendments

**STATE OF NEW JERSEY**

DATED: JUNE 11, 2015

The Senate State Government, Wagering, Tourism and Historic Preservation Committee reports favorably and with committee amendments Assembly Bill No. 3807 (1R).

As amended by the committee, the bill permits an educational research and services corporation to act as the lead agency or lead contracting unit, without obtaining a waiver from the State, for the procurement of certain goods and services used by entities comprising that corporation, and by municipalities, fire districts, counties, local authorities subject to the "Local Authorities Fiscal Control Law," P.L.1983, c.313 (C.40A:5A-1 et seq.), school districts, county colleges, State colleges, public research universities, and nonprofit independent institutions of higher education that receive direct State aid.

An "educational research and services corporation" is defined as a non-profit corporation whose voting membership is comprised of public research universities, State colleges, county colleges, public institutions of higher education primarily located in the State of New Jersey, and nonprofit independent institutions of higher education that receive direct State aid. The governing board of a public research university or a State college may join with other institutions of higher education to form an educational research and services corporation.

An example of a non-profit corporation that would qualify as an educational research and services corporation is NJEDge.Net, which was established in 2000 following the recommendations of a 1997 Technology Task Force convened by the Commission on Higher Education. Currently, NJEDge.Net provides advanced technology services to its members, including cloud services, high speed Internet access, and digital learning tools. Providing this type of entity with the authority to act as a lead procurement agency for various units of government, and publically supported educational institutions, will help increase the availability of advanced technology and fast Internet

services to government entities and students of all grade levels throughout New Jersey.

As amended by the committee, Assembly Bill No. 3807 (2R) is identical to Senate Bill No. 2619 (1R) which was also reported by the committee on this date.

#### COMMITTEE AMENDMENTS

The committee amendments:

(1) delete language that would have allowed the Council of County Colleges, acting on behalf of participating county colleges, to form an educational research and services corporation to be operated exclusively for charitable, scientific, and educational purposes within the meaning of paragraph (3) of subsection (c) of section 501 of the Internal Revenue Code (26 U.S.C. s.501);

(2) delete language that would have allowed an educational research and services corporation to act as a lead agency or contracting unit for the procurement of goods or services by State departments, agencies, authorities, independent authorities, and commissions; instead, the amendments provide that an educational research and services corporation may act as a lead agency or contracting unit for the procurement of goods or services concerning educational technology systems and related services by those entities comprising the corporation;

(3) specify that an educational research and services corporation would be permitted to act as a lead agency or contracting unit for the procurement of goods or services concerning educational technology systems and related services;

(4) subject an educational research and services corporation formed under the bill to all applicable requirements under all applicable State and local procurement laws; and

(5) allow the Council of County Colleges to act as the lead agency for the joint procurement of goods or services by county colleges pursuant to the "County College Contracts Law" P.L.1982, c.189 (C.18A:64A-25.1 et seq.).

**SENATE, No. 2619**

**STATE OF NEW JERSEY**  
**216th LEGISLATURE**

INTRODUCED DECEMBER 8, 2014

**Sponsored by:**  
**Senator JIM WHELAN**  
**District 2 (Atlantic)**

**SYNOPSIS**

Permits educational research and services corporations to act as lead procurement agencies for State and local units, and publically supported educational institutions.

**CURRENT VERSION OF TEXT**

As introduced.



S2619 WHELAN

2

1 AN ACT concerning the efficient procurement of goods and services  
2 by certain entities and amending and supplementing P.L.1994,  
3 c.48.

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

7  
8 1. Section 3 of P.L.1994, c.48 (C.18A:3B-3) is amended to  
9 read as follows:

10 3. For the purposes of this act, unless the context clearly  
11 requires a different meaning:

12 "Authority" means the Higher Education Student Assistance  
13 Authority established pursuant to N.J.S.18A:71A-3;

14 "Commission" means the New Jersey Commission on Higher  
15 Education established by this act;

16 "Council" means the New Jersey Presidents' Council established  
17 by this act;

18 "Council of County Colleges" means the New Jersey Council of  
19 County Colleges established pursuant to N.J.S.18A:64A-26.

20 "County college" means an educational institution established by  
21 one or more counties, pursuant to chapter 64A of Title 18A of the  
22 New Jersey Statutes;

23 "Educational research and services corporation" means a  
24 nonprofit corporation whose voting members are public research  
25 universities, State colleges, county colleges, public institutions of  
26 higher education primarily located in the State of New Jersey, and  
27 nonprofit independent institutions of higher education that receive  
28 direct State aid.

29 "Programmatic Mission" means all program offerings consistent  
30 within those levels of academic degrees or certificates that the  
31 institution has been authorized to grant by the State Board of  
32 Higher Education prior to the effective date of this act or approved  
33 thereafter by the commission;

34 "Public Research University" means Rutgers, The State  
35 University of New Jersey, Rowan University, and the New Jersey  
36 Institute of Technology;

37 "State college" means any of the State colleges or universities  
38 established pursuant to chapter 64 of Title 18A of the New Jersey  
39 Statutes including any State college designated as a teaching  
40 university.

41 (cf: P.L.2012, c.45, s.67)

42  
43 2. (New section) a. (1) The governing board of a public  
44 research university or a State college may join with other public  
45 research universities, State colleges, county colleges, public

**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.**

1 institutions of higher education primarily located in the State of  
2 New Jersey, and nonprofit independent institutions of higher  
3 education that receive direct State aid, to form an educational  
4 research and services corporation to be operated exclusively for  
5 charitable, scientific, and educational purposes, within the meaning  
6 of paragraph (3) of subsection (c) of section 501 of the federal  
7 Internal Revenue Code (26 U.S.C. s.501).

8 (2) The Council of County Colleges acting on behalf of  
9 participating county colleges, may form an educational research and  
10 services corporation to be operated exclusively for charitable,  
11 scientific, and educational purposes within the meaning of  
12 paragraph (3) of subsection (c) of section 501 of the Internal  
13 Revenue Code (26 U.S.C. s.501).

14 b. (1) An educational research and services corporation may  
15 act as a lead agency or contracting unit for the procurement of  
16 goods or services by State departments, agencies, authorities,  
17 independent authorities, and commissions.

18 (2) An educational research and services corporation shall be  
19 deemed a local unit for the purposes of the "Uniform Shared  
20 Services and Consolidation Act," sections 1 through 35 of P.L.2007,  
21 c.63 (C.40A:65-1 through C.40A:65-35) and may act as a lead  
22 agency or contracting unit for the procurement of goods or services  
23 by municipalities, fire districts, counties, local authorities subject to  
24 the "Local Authorities Fiscal Control Law," P.L.1983, c.313  
25 (C.40A:5A-1 et seq.), school districts, county colleges, State  
26 colleges, public research universities, nonprofit independent  
27 institutions of higher education that receive direct State aid, or any  
28 combination of those entities, including entities listed in paragraph  
29 (1) of this subsection.

30  
31 3. This act shall take effect immediately.  
32  
33

#### 34 STATEMENT

35  
36 The bill permits an educational research and services  
37 corporation, to act as the lead agency or lead contracting unit,  
38 without obtaining a waiver from the State, for the procurement of  
39 goods and services used by State departments, agencies, authorities,  
40 independent authorities, commissions, and by municipalities, fire  
41 districts, counties, local authorities subject to the "Local Authorities  
42 Fiscal Control Law," P.L.1983, c.313 (C.40A:5A-1 et seq.), school  
43 districts, county colleges, State colleges, public research  
44 universities, and nonprofit independent institutions of higher  
45 education that receive direct State aid.

46 An "educational research and services corporation" is defined as  
47 a non-profit corporation whose voting membership is comprised of  
48 public research universities, State colleges, county colleges, public



**S2619 WHELAN**

1 institutions of higher education primarily located in the State of  
2 New Jersey, and nonprofit independent institutions of higher  
3 education that receive direct State aid. The governing board of a  
4 public research university or a State college may join with other  
5 institutions of higher education to form an educational research and  
6 services corporation. The bill also permits the New Jersey Council  
7 of Colleges to form an educational research and services  
8 corporation.

9 An example of a non-profit corporation that would qualify as an  
10 educational research and services corporation is NJEDge.Net,  
11 which was established in 2000 following the recommendations of a  
12 1997 Technology Task Force convened by the Commission on  
13 Higher Education. Currently, NJEDge.Net provides advanced  
14 technology services to its members, including cloud services, high  
15 speed Internet access, and digital learning tools. Providing this type  
16 of entity with the authority to act as a lead procurement agency for  
17 various units of State and local government, and publically  
18 supported educational institutions, will help increase the availability  
19 of advanced technology and fast Internet services to government  
20 entities and students of all grade levels throughout New Jersey.

SENATE STATE GOVERNMENT, WAGERING, TOURISM &  
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

**SENATE, No. 2619**

with committee amendments

**STATE OF NEW JERSEY**

DATED: JUNE 11, 2015

The Senate State Government, Wagering, Tourism and Historic Preservation Committee reports favorably and with committee amendments Senate Bill No. 2619.

As amended by the committee, the bill permits an educational research and services corporation to act as the lead agency or lead contracting unit, without obtaining a waiver from the State, for the procurement of certain goods and services used by entities comprising that corporation, and by municipalities, fire districts, counties, local authorities subject to the "Local Authorities Fiscal Control Law," P.L.1983, c.313 (C.40A:5A-1 et seq.), school districts, county colleges, State colleges, public research universities, and nonprofit independent institutions of higher education that receive direct State aid.

An "educational research and services corporation" is defined as a non-profit corporation whose voting membership is comprised of public research universities, State colleges, county colleges, public institutions of higher education primarily located in the State of New Jersey, and nonprofit independent institutions of higher education that receive direct State aid. The governing board of a public research university or a State college may join with other institutions of higher education to form an educational research and services corporation.

An example of a non-profit corporation that would qualify as an educational research and services corporation is NJEDge.Net, which was established in 2000 following the recommendations of a 1997 Technology Task Force convened by the Commission on Higher Education. Currently, NJEDge.Net provides advanced technology services to its members, including cloud services, high speed Internet access, and digital learning tools. Providing this type of entity with the authority to act as a lead procurement agency for various units of government, and publically supported educational institutions, will help increase the availability of advanced technology and fast Internet services to government entities and students of all grade levels throughout New Jersey.

As amended by the committee, Senate Bill No. 2619 (1R) is identical to Assembly Bill No. 3807 (2R) which was also reported by the committee on this date.

#### COMMITTEE AMENDMENTS

The committee amendments:

(1) delete language that would have allowed the Council of County Colleges, acting on behalf of participating county colleges, to form an educational research and services corporation to be operated exclusively for charitable, scientific, and educational purposes within the meaning of paragraph (3) of subsection (c) of section 501 of the Internal Revenue Code (26 U.S.C. s.501);

(2) delete language that would have allowed an educational research and services corporation to act as a lead agency or contracting unit for the procurement of goods or services by State departments, agencies, authorities, independent authorities, and commissions; instead, the amendments provide that an educational research and services corporation may act as a lead agency or contracting unit for the procurement of goods or services concerning educational technology systems and related services by those entities comprising the corporation;

(3) specify that an educational research and services corporation would be permitted to act as a lead agency or contracting unit for the procurement of goods or services concerning educational technology systems and related services;

(4) subject an educational research and services corporation formed under the bill to all applicable requirements under all applicable State and local procurement laws; and

(5) allow the Council of County Colleges to act as the lead agency for the joint procurement of goods or services by county colleges pursuant to the "County College Contracts Law" P.L.1982, c.189 (C.18A:64A-25.1 et seq.).

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# Governor Christie Takes Action On Pending Legislation

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Trenton, NJ – Governor Chris Christie today took action on legislation, including a package of five bills intended to address the fiscal stability of Atlantic City.

Understanding both the immediate and long-term obstacles facing Atlantic City and its stabilization, the Governor has consistently highlighted the need for comprehensive reform efforts to confront the city's challenges – both from State and local leaders. The Governor remains committed to bringing about the necessary reforms to stabilize Atlantic City and continue an effective long-term transition to an economy that is diversified beyond its traditional gaming industry.

Continuing in that effort, Governor Christie conditionally vetoed A-3981, establishing a payment-in-lieu-of-taxes (PILOT) program for casinos operating in the City, A-3984, reallocating revenue derived from the casino investment alternative tax from the Casino Reinvestment Development Authority to the City to pay debt service on municipal bonds, and A-3985, repealing the Atlantic City Alliance.

"While I commend the Legislature for attempting to devise measures to stabilize the City's budget and finances, I am concerned that the bills, in their present form, fail to recognize the true path to economic revitalization and fiscal stability in the City," Governor Christie said. "While these bills represent the bipartisan efforts of many to provide important, near-term support to the City's immediate challenges, I do not believe they meet the goal of setting a course toward renewed, long-term prosperity and economic growth. To achieve these goals, we must continue our work and go further to ensure that the next step leads to that economically vibrant future for Atlantic City."

In addition, the Governor signed A- 3983, authorizing supplemental school aid to the Atlantic City school district, and vetoed the fifth bill, A-3982, which would add a costly and unjustified new mandate for casino business operation in the City by requiring each casino, as a condition of licensure, to provide to its full time employees "suitable" health care benefits and "suitable" retirement benefits.

"A-3982 would do nothing to enhance the financial condition of Atlantic City," Governor Christie wrote. "To be sure, this bill would make it more costly for casinos to operate in Atlantic City, thereby impeding the industry's ability to grow and expand."

Governor Christie also vetoed legislation designed to revise certain laws concerning domestic violence and firearms. The Christie Administration has made protecting our most vulnerable residents one of its main priorities and has enacted some of the toughest measures to combat domestic violence. Governor Christie has supported a comprehensive approach to addressing the level of violence within our society and recently signed legislation to further penalize aggravated assault perpetuated against domestic violence victims. This legislation, A-4218 (Mosquera, Greenwald, Lagana, Benson, Lampitt, Vainieri Huttie, Danielsen/Weinberg, Gill, Cruz-Perez), substantially restates New Jersey's existing laws that govern firearms and domestic violence and does not offer new and sensible improvements to those current laws. For that reason, rather than restate existing laws, the Governor is proposing significant amendments that will meaningfully deter future acts of violence.

• **Enhanced Penalties For Domestic Violence.** Governor Christie is proposing enhanced criminal penalties imposed against those who are convicted of domestic violence. To demonstrate society's unconditional condemnation of this conduct, perpetrators would receive the maximum available prison sentence under New Jersey law.

• **Tighter Restrictions On Parole Eligibility For Perpetrators Of Domestic Violence.** The Governor's recommended changes will strengthen penalties for perpetrators of domestic abuse by lengthening periods of parole

ineligibility.

- **Prioritizing Victims Who Seek Firearms For Protection.** The Governor is also recommending an immediate codification in statute of new rules currently being processed, giving expedited processing of firearm license applications for victims of domestic violence so that the victims may better defend themselves against future instances of abuse.

"I urge the Legislature to join with me in a bipartisan manner to broaden this bill's approach to reducing domestic violence while simultaneously empowering victims to protect themselves through lawful means," Governor Christie said. "Together, we can enact a more comprehensive approach and reduce the harm that domestic violence inflicts on victims, families, and our society."

The Governor also took the following action on other pending legislation:

#### BILL SIGNINGS:

**S-2174/A-3364 (Barnes, Holzapfel/Quijano, Mainor, Pinkin)** - Prohibits manufacture, sale, or installation of counterfeit or nonfunctional air bags in motor vehicles

**A-815/S-852 (Coughlin, Ciattarelli, Diegnan, Pinkin, Giblin/Vitale)** - Requires municipalities which license peddlers and solicitors to accept certain background check results from other municipalities

**A-1029/S-274 (Benson, Vainieri Huttie, Jasey, Tucker, Wimberly/Greenstein, Ruiz)** - Requires training program for school bus drivers and school bus aides on interacting with students with special needs, and requires development and use of student information cards

**A-1041/S-2676 (Schaer, Johnson, Vainieri Huttie, Eustace, Mazzeo/Rumana, Gordon, Weinberg)** - Exempts Holocaust reparations payments from legal process, and from estate recovery under Medicaid program

**A-1102/S-1145 (Vainieri Huttie, Sumter, Spencer, Schaer, Wimberly/Weinberg, Cruz-Perez)** - Provides for licensure of dementia care homes by DOH

**ACS for A-1662/S-2856 (Johnson, Lagana, Wimberly/Weinberg)** - Authorizes the court to order the deletion, sealing, labeling, or correction of certain personal information in government records involving certain victims of identity theft

**AS for A-1678/SS for S-1365 (Johnson, Mainor, O'Scanlon, Wilson, Wimberly/Weinberg)** - Authorizes court to order submission of DNA evidence to national database to determine whether evidence matches known individual or DNA profile from an unsolved crime

**AS for ACS for A-2073/SCS for S-712 (Handlin, Space, Garcia, Pintor Marin/Cruz-Perez, Kyrillos, Lesniak)** - Exempts certain offers and sales of securities from registration

**A-2385/S-944 (McKeon, Diegnan, Jasey, Andrzejczak/Smith, Codey)** - Authorizes rural electric cooperative and certain municipalities to establish municipal shared services authority

**ACS for A-2477/SCS for S-1705 (Lampitt, Conaway, Benson, Sumter, Munoz, Pinkin/Vitale, Singer)** - Establishes requirements for pharmacists to dispense biological products

**A-2714/S-1993 (Giblin, Sumter/Barnes)** - Requires continuing education for licensed practicing psychologists

**A-2936/S-1957 (Mosquera, Lampitt, Singleton, Wimberly/Singer, Connors)** - Requires complaint for guardianship of person receiving services from Division of Developmental Disabilities to include one of documents identified in bill

**A-3012/S-2296 (Ciattarelli, Dancer/Bateman)** - Criminalizes bestiality

**A-3079/S-2766 (Jasey, Diegnan, Mainor, Wimberly, Oliver, DeCrose/Turner, Ruiz)** - Prohibits administration of standardized assessments in kindergarten through second grade

**A-3153/S-2415 (DeAngelo, Mosquera/Madden, Beach)** - Requires UI employer contribution reports and remittances be submitted to the Division of Revenue

**A-3248/S-2459 (Conaway, Sumter, Pintor Marin/Singer)** - Establishes the Task Force on Chronic Obstructive Pulmonary Disease in DOH

**A-3580/S-2846 (Moriarty, Dancer, Coughlin, Mainor, Pinkin, Munoz, Daniels, Wimberly/Madden, Turner)** - Prohibits sale of powdered alcohol

**A-3636/SCS for S-2393, 2408, 2411 (McKeon, Lagana, Spencer/Scutari, O'Toole, Holzapfel)** - Establishes crime-fraud exception to marital and civil union partnership privilege

**A-3669/S-2655 (Mazzeo, Burzichelli/Whelan)** - Prohibits eligibility for certain sign programs from being conditioned on availability of free drinking water or public telephone

**A-3807/S-2619 (Eustace, Greenwald/Whelan)** - Permits educational research and services corporations to act as lead procurement agencies for local units and publically supported educational institutions; permits Council of County Colleges to act as lead procurement agency for county colleges

**A-3841/S-2540 (Munoz, Gusciora, Angelini, DeCroce/O'Toole, Weinberg)** – Upgrades violation of a stalking restraining order to a crime of the third degree

**A-3843/S-2735 (Caputo, Giblin, Tucker, Johnson, Mainor, Sumter/Rice)** - Permits municipality to enact ordinance allowing voluntary registration of private outdoor video surveillance cameras

**A-3983/S-2574 (Mazzeo, Burzichelli, Giblin/Sweeney, Whelan)** - Authorizes supplemental State aid to school districts in municipality with significant decrease in commercial property valuation; makes appropriation

**A-4008/SCS for S-2334 (Singleton, Mukherji, Pintor Marin, Wimberly, Sumter/Cunningham, Ruiz)** - Requires DOC to make reports containing information concerning treatment and reentry initiative participation; requires AOC to establish program that collects recidivism data and make reports concerning adults sentenced to period of probation

**A-4013/S-2497 (Greenwald, Lagana, Coughlin/Oroho)** - Eliminates mortgage guaranty insurance coverage cap of 25% of outstanding balance of insured loan

**A-4073/S-2687 (Schaer, Prieto, Caride, Lagana, Giblin, Wimberly, Rumana/Sarlo, Gill)** - Requires installation of carbon monoxide detectors in certain structures; designated as "Korman and Park's Law"

**A-4078/S-2686 (Vainieri Huttie, Mosquera, McKeon, Munoz, Benson, Sumter/Pou, Beck)** - "Sexual Assault Survivor Protection Act of 2015"; authorizes the court to issue protective orders for victims of certain nonconsensual sexual conduct

**A-4089/S-2693 (Coughlin, Ciattarelli/Beach, Singer)** - Revises certain provisions of dental service corporation law

**A-4143/S-2514 (Lagana, Spencer, Mukherji, Johnson, Rumana, Rodriguez-Gregg, Gusciora, Mazzeo/Barnes, Addiego)** - Permits holders of certain alcoholic beverage licenses to be issued amusement game license and updates definition of recognized amusement park

**A-4144/S-2755 (Pintor Marin, Spencer, Caride, Quijano, Mukherji/Ruiz, Stack)** – Requires insurance producer licensing examination and registration materials to be offered in English and Spanish, and examination instructional materials to be available in Spanish

**A-4167/S-2751 (Lagana, Mazzeo, Eustace, Andrzejczak, Vainieri Huttie/Barnes)** - Requires DHS to notify enrollees in Programs of All-Inclusive Care for the Elderly of Medicare eligibility

**A-4168/S-2750 (Lagana, Mazzeo, Eustace, Andrzejczak, Vainieri Huttie/Barnes)** - Requires providers to submit to DHS expenditure details of enrollees in Program of All-Inclusive Care for the Elderly

**A-4169/S-2752 (Lagana, Mazzeo, Eustace, Andrzejczak, Vainieri Huttie/Barnes)** - Requires DHS to monitor utilization and billing of services for Medicaid home and community-based long-term care

**A-4333/S-3020 (Singleton, Gill)** - Exempts certain activities of alarm businesses from statutes governing practice of locksmithing

**A-4361/S-2891 (Johnson, A.M. Bucco, Garcia, S. Kean/Barnes, A.R. Bucco)** - Revises definition of all-terrain vehicles

**A-4375/S-3011 (Moriarty, Andrzejczak, Mazzeo, Mosquera, Quijano, Ciattarelli, Wimberly/Van Drew, Bateman)** - Upgrades crimes of false public alarm under certain circumstances and establishes reporting requirements concerning crime

**A-4485/S-2881 (Diegnan, Jasey, Wimberly, McKeon, Lagana/Gill, Turner)** - Prohibits withholding of State school aid based on student participation rate on State assessments

**A-4587/S-3049 (Greenwald, Lampitt, McKeon, Holley/Scutari, Cruz-Perez)** – Requires facilities providing services to persons with developmental disabilities and schools to adopt policies permitting administration of medical marijuana to qualifying patients

**AJR-64/SJR-82 (Schaer, Eustace, Lagana, Spencer, Caride, Mukherji/Pou, Ruiz)** - Declares August 16 of each year as "Dominican Restoration Day" in New Jersey

#### **BILLS VETOED:**

**S-929/A-1908 (Sweeney, Madden/Burzichelli, Riley, Moriarty)** – **ABSOLUTE** -Concerns certain workers' compensation supplemental benefits

**A-801/S-861 (Coughlin, Wisniewski, Mazzeo/Vitale, Sacco)** - **CONDITIONAL** - Directs New Jersey Turnpike Authority and South Jersey Transportation Authority to study and report on potential revenue generating services of rest areas and service plazas

**A-947/S-2216 (Singleton, Lagana, Diegnan/Pennacchio, Rice)** – **CONDITIONAL** - Requires release of bid list prior to bid date under "Local Public Contracts Law"

**A-1468/S-2513 (Diegnan, Lampitt, Caride/Barnes, Ruiz)** – **CONDITIONAL** -Establishes Task Force on Engineering Curriculum and Instruction

**A-1726/S-308 (Eustace, Lagana, Mosquera, Vainieri Huttie, Wimberly/Gordon)** – **CONDITIONAL** - Amends "Flood Hazard Area Control Act" to require DEP to take certain actions concerning delineations of flood hazard areas and

floodplains

**A-2579/S-1510 (Mukherji, Pintor Marin, Eustace/Smith, Bateman) – CONDITIONAL** - Authorizes municipalities to facilitate private financing of water conservation, storm shelter construction, and flood and hurricane resistance projects through use of voluntary special assessments

**A-2771/S-452 (Johnson, Burzichelli, Pintor Marin, Mosquera/Ruiz, Cruz-Perez) – CONDITIONAL** - "The New Jersey Social Innovation Act"; establishes social innovation loan pilot program and study commission within EDA

**A-2906/S-2926 (Stender, Pinkin, Mazzeo/Whelan, Scutari) – ABSOLUTE** - Excludes from gross income compensation paid to members of district boards of election for services rendered in elections

**A-3223/S-2056 (Singleton, Lampitt, Quijano, Pintor Marin, Wimberly/Sarlo, Ruiz) – CONDITIONAL** - Requires Division of Local Government Services to include certain property tax information on division's web page

**A-3393/S-2167 (Spencer, Pintor Marin, Caputo, Tucker/Rice, Ruiz) – CONDITIONAL** - Permits Newark to use rental car tax proceeds over three-year period to help reduce its "cash deficit for preceding year" appropriation and operational deficit

**A-3421/S-2220 (Dancer, Mukherji/Singer) – CONDITIONAL** - Revises the "Self-Funded Multiple Employer Welfare Arrangement Regulation Act"

**A-3435/S-2503 (Garcia, Mukherji, Vainieri Huttie, Mainor, Eustace, Mosquera/Stack, Gordon) - CONDITIONAL** - "Boys & Girls Clubs Keystone Law"; permits minors to give consent for behavioral health care

**A-3500/S-1973 (Andrzejczak, Pinkin, Quijano/Van Drew, Beach) – ABSOLUTE** - Requires local recreation departments and youth serving organizations to have defibrillators for youth athletic events

**A-3954/S-2981 (Conaway, Singleton, Spencer, McKeon/Greenstein) – CONDITIONAL** - Requires maximum contaminant level to be established for 1,2,3-trichloropropane in drinking water

**A-3981/S-2572 (Mazzeo, Burzichelli, Andrzejczak/Sweeney, Whelan) - CONDITIONAL** - "Casino Property Taxation Stabilization Act"

**A-3982/S-2573 (Mazzeo, Burzichelli, Andrzejczak/Sweeney, Whelan) – ABSOLUTE** - Requires holder of casino license to provide certain employees with certain health care and retirement benefits

**A-3984/S-2575 (Mazzeo, Burzichelli, Giblin/Sweeney, Whelan) – CONDITIONAL** - Reallocates casino investment alternative tax to Atlantic City to pay debt service on municipal bonds issued

**A-3985/S-2576 (Mazzeo, Burzichelli, Andrzejczak, Giblin/Sweeney, Whelan) – CONDITIONAL** - Removes provisions of law relating to Atlantic City Alliance

**A-4018/S-2843 (Burzichelli, Caputo, Mazzeo/Sarlo, Whelan) – ABSOLUTE** - Authorizes operation of lottery courier services

**A-4218/S-2786 (Mosquera, Greenwald, Lagana, Benson, Lampitt, Vainieri Huttie, Danielsen/Weinberg, Gill, Cruz-Perez) - CONDITIONAL** - Revises certain laws concerning domestic violence and firearms

**A-4265/S-2783 (McKeon, Pintor Marin, Jasey, Caputo, Giblin, Tucker, Spencer, Oliver, Gusciora, Danielson/Codey, Ruiz, Rice) – ABSOLUTE** - Permits municipal, county, and regional police and fire forces to establish five-year residency requirement for police officers and firefighters; allows exceptions to requirement under certain circumstances

**A-4337/S-3008 (Schaer, Danielsen, Dancer, Sumter/Barnes) – ABSOLUTE** - Expands eligibility of inmates for medical parole and requires inmate's enrollment in Medicaid under certain circumstances

**A-4476/S-2876 (Conaway/Codey) - CONDITIONAL** - Requires certain surgical practices and ambulatory care facilities licensed in this State to be owned by hospital or medical school located in the State

**A-4607/S-3106 (Pintor Marin, Schaer, Oliver, Lagana, Johnson, Singleton/Ruiz, Cunningham) – ABSOLUTE** - Makes FY 2016 supplemental appropriations of \$6,500,000 and adds language provision

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