

# 18A:64A-8

## LEGISLATIVE HISTORY CHECKLIST

Compiled by the NJ State Law Library

**LAWS OF:** 2007                    **CHAPTER:** 147

**NJSA:** 18A:64A-8            (Authorizes a county college board of trustees to grant voting rights to the graduating class representative on the board and requires the board chairman to cast deciding vote in the event of a tie under certain circumstances)

**BILL NO:** A497                    (Substituted for S1853)

**SPONSOR(S)** Bateman and Malone

**DATE INTRODUCED:** January 10, 2006

**COMMITTEE:**                    **ASSEMBLY:** Higher Education

**SENATE:** Education

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:**            **ASSEMBLY:** March 16, 2006

**SENATE:** June 18, 2007

**DATE OF APPROVAL:** August 21, 2007

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

[FINAL TEXT OF BILL](#) (Original version of bill enacted)

**A497**

[SPONSOR'S STATEMENT](#): (Begins on page 4 of original bill)                    [Yes](#)

**COMMITTEE STATEMENT:**                    [ASSEMBLY:](#)                    [Yes](#)

[SENATE:](#)                    [Yes](#)

**FLOOR AMENDMENT STATEMENT:**                    No

**LEGISLATIVE FISCAL ESTIMATE:**                    No

**S1853**

[SPONSOR'S STATEMENT](#): (Begins on page 4 of original bill)                    [Yes](#)

**COMMITTEE STATEMENT:**                    **ASSEMBLY:**                    No

[SENATE:](#)                    [Yes](#)

**FLOOR AMENDMENT STATEMENT:**                    No

**LEGISLATIVE FISCAL ESTIMATE:**                    No

**VETO MESSAGE:**                    No

**GOVERNOR'S PRESS RELEASE ON SIGNING:**                    No

**FOLLOWING WERE PRINTED:**

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext. 103 or <mailto:refdesk@njstatelib.org>

**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

IS 4/29/08

P.L. 2007, CHAPTER 147, *approved August 21, 2007*  
Assembly, No. 497

1 AN ACT concerning county colleges and amending N.J.S.18A:64A-  
2 8 and P.L.1982, c.42.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. N.J.S.18A:64A-8 is amended to read as follows:

8 18A:64A-8. For each county college there shall be a board of  
9 trustees, consisting of the county superintendent of schools and 10  
10 persons, eight of whom shall be appointed by the appointing  
11 authority of the county with the advice and consent of the board of  
12 chosen freeholders, at least two of whom shall be women and two  
13 of whom shall be appointed by the Governor, according to criteria  
14 and for such initial terms as shall be established. However, no  
15 trustee shall be appointed after July 1, 1994 who is an employee of  
16 a constituent county. The president of the college shall serve as an  
17 ex officio member of the board of trustees without vote. In  
18 addition, the student body of each county college shall be entitled to  
19 elect from the graduating class one representative to serve as a  
20 **[non-voting]** member on the board of trustees for a term of one  
21 year commencing at the **[next organization]** first meeting of the  
22 board in July following graduation of his class. The student  
23 representative may be granted voting rights by a majority vote of  
24 the members of the board of trustees. If the board of trustees grants  
25 the student representative voting rights and all members of the  
26 board are present at the board meeting and there is a tie vote, the  
27 chairman shall break the tie.

28 The appointing authority of the county shall establish a trustee  
29 search committee of not less than five members who shall be  
30 residents of the county. The members of the trustee search  
31 committee shall not be elected public officials and shall not be  
32 eligible for appointment to the board of trustees for a period of six  
33 months after their service on the trustee search committee. The  
34 trustee search committee shall nominate individuals for  
35 consideration by the appointing authority of the county for  
36 appointment to the board of trustees.

37 When a county college is established by more than one county,  
38 the board of trustees shall be increased by two members for each  
39 additional participating county. The membership of the board of  
40 trustees shall be apportioned by the commission among the several  
41 counties as nearly as may be according to the number of inhabitants  
42 in each county as shown by the last federal census, officially  
43 promulgated in this State. Each apportionment shall continue in  
44 effect until a reapportionment shall become necessary by reason of

**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 the official promulgation of the next federal census or the  
2 enlargement of the board by the admission of one or more  
3 additional counties as provided for in section 18A:64A-24. Each  
4 county shall be entitled to have at least two members and the county  
5 superintendent of the schools of said county on the board of  
6 trustees.

7 (cf: P.L.1994, c.48, s.125)

8

9 2. Section 6 of P.L.1982, c.42 (C.18A:64A-55) is amended to  
10 read as follows:

11 6. The board of trustees shall include seven public trustees,  
12 consisting of the county superintendent of schools, four members  
13 appointed by the board of chosen freeholders, and two citizens of  
14 the county appointed by the Governor, and four trustees appointed  
15 by the board of governors from among its members. However, no  
16 trustee shall be appointed after July 1, 1994 who is an employee of  
17 a constituent county. In addition, the student body shall be entitled  
18 to elect from the graduating class one representative to serve as a  
19 **[non voting]** member of the board of trustees for a term of one year  
20 commencing at the **[next organization]** first meeting of the board in  
21 July following graduation of his class. The student representative  
22 may be granted voting rights by a majority vote of the members of  
23 the board of trustees. If the board of trustees grants the student  
24 representative voting rights and all members of the board are  
25 present at the board meeting and there is a tie vote, the chairman  
26 shall break the tie.

27 All appointive members shall be residents of the county for a  
28 period of four years prior to appointment and no elected public  
29 official or employee of the county college shall serve as a voting  
30 member of the board. The terms of office of the appointive  
31 members shall be four years, except for the first appointment.  
32 Terms of those initially appointed by the chairman of the board of  
33 chosen freeholders shall expire, respectively, one, two, three and  
34 four years after appointment. Of those appointed by the Governor,  
35 one person shall be appointed for a term of two years and one for a  
36 term of four years. Of the members appointed by the board of  
37 governors, one person shall be appointed for a term of one year, one  
38 for a term of two years, one for a term of three years, and one for a  
39 term of four years.

40 Each member shall serve until his successor is appointed and  
41 qualified.

42 Vacancies shall be filled in the same manner as the original  
43 appointment for the unexpired term. Upon notice and opportunity  
44 to be heard, an appointee may be removed for cause by the body  
45 originally making the appointment. Members shall serve without  
46 compensation but shall be entitled to be reimbursed for all

1 reasonable and necessary expenses.  
2 (cf: P.L.1994, c.48, s.155)

3

4 3. This act shall take effect immediately and shall apply to  
5 graduating class representatives elected following its enactment.

6

7

8

9

10 Authorizes a county college board of trustees to grant voting  
11 rights to the graduating class representative on the board and  
12 requires the board chairman to cast deciding vote in the event of a  
13 tie under certain circumstances.

**ASSEMBLY, No. 497**

---

**STATE OF NEW JERSEY**

**212th LEGISLATURE**

---

PRE-FILED FOR INTRODUCTION IN THE 2006 SESSION

**Sponsored by:**

**Assemblyman CHRISTOPHER "KIP" BATEMAN**

**District 16 (Morris and Somerset)**

**Assemblyman JOSEPH R. MALONE, III**

**District 30 (Burlington, Mercer, Monmouth and Ocean)**

**Co-Sponsored by:**

**Assemblyman Fisher and Assemblywoman Greenstein**

**SYNOPSIS**

Authorizes a county college board of trustees to grant voting rights to the graduating class representative on the board and requires the board chairman to cast deciding vote in the event of a tie under certain circumstances.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel



1 AN ACT concerning county colleges and amending N.J.S.18A:64A-  
2 8 and P.L.1982, c.42.

3

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

6

7 1. N.J.S.18A:64A-8 is amended to read as follows:

8 18A:64A-8. For each county college there shall be a board of  
9 trustees, consisting of the county superintendent of schools and 10  
10 persons, eight of whom shall be appointed by the appointing  
11 authority of the county with the advice and consent of the board of  
12 chosen freeholders, at least two of whom shall be women and two  
13 of whom shall be appointed by the Governor, according to criteria  
14 and for such initial terms as shall be established. However, no  
15 trustee shall be appointed after July 1, 1994 who is an employee of  
16 a constituent county. The president of the college shall serve as an  
17 ex officio member of the board of trustees without vote. In  
18 addition, the student body of each county college shall be entitled to  
19 elect from the graduating class one representative to serve as a  
20 [non-voting] member on the board of trustees for a term of one year  
21 commencing at the [next organization] first meeting of the board in  
22 July following graduation of his class. The student representative  
23 may be granted voting rights by a majority vote of the members of  
24 the board of trustees. If the board of trustees grants the student  
25 representative voting rights and all members of the board are  
26 present at the board meeting and there is a tie vote, the chairman  
27 shall break the tie.

28 The appointing authority of the county shall establish a trustee  
29 search committee of not less than five members who shall be  
30 residents of the county. The members of the trustee search  
31 committee shall not be elected public officials and shall not be  
32 eligible for appointment to the board of trustees for a period of six  
33 months after their service on the trustee search committee. The  
34 trustee search committee shall nominate individuals for  
35 consideration by the appointing authority of the county for  
36 appointment to the board of trustees.

37 When a county college is established by more than one county,  
38 the board of trustees shall be increased by two members for each  
39 additional participating county. The membership of the board of  
40 trustees shall be apportioned by the commission among the several  
41 counties as nearly as may be according to the number of inhabitants  
42 in each county as shown by the last federal census, officially  
43 promulgated in this State. Each apportionment shall continue in  
44 effect until a reapportionment shall become necessary by reason of

**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 the official promulgation of the next federal census or the  
2 enlargement of the board by the admission of one or more  
3 additional counties as provided for in section 18A:64A-24. Each  
4 county shall be entitled to have at least two members and the county  
5 superintendent of the schools of said county on the board of  
6 trustees.

7 (cf: P.L.1994, c.48, s.125)

8

9 2. Section 6 of P.L.1982, c.42 (C.18A:64A-55) is amended to  
10 read as follows:

11 6. The board of trustees shall include seven public trustees,  
12 consisting of the county superintendent of schools, four members  
13 appointed by the board of chosen freeholders, and two citizens of  
14 the county appointed by the Governor, and four trustees appointed  
15 by the board of governors from among its members. However, no  
16 trustee shall be appointed after July 1, 1994 who is an employee of  
17 a constituent county. In addition, the student body shall be entitled  
18 to elect from the graduating class one representative to serve as a  
19 [non voting] member of the board of trustees for a term of one year  
20 commencing at the [next organization] first meeting of the board in  
21 July following graduation of his class. The student representative  
22 may be granted voting rights by a majority vote of the members of  
23 the board of trustees. If the board of trustees grants the student  
24 representative voting rights and all members of the board are  
25 present at the board meeting and there is a tie vote, the chairman  
26 shall break the tie.

27 All appointive members shall be residents of the county for a  
28 period of four years prior to appointment and no elected public  
29 official or employee of the county college shall serve as a voting  
30 member of the board. The terms of office of the appointive  
31 members shall be four years, except for the first appointment.  
32 Terms of those initially appointed by the chairman of the board of  
33 chosen freeholders shall expire, respectively, one, two, three and  
34 four years after appointment. Of those appointed by the Governor,  
35 one person shall be appointed for a term of two years and one for a  
36 term of four years. Of the members appointed by the board of  
37 governors, one person shall be appointed for a term of one year, one  
38 for a term of two years, one for a term of three years, and one for a  
39 term of four years.

40 Each member shall serve until his successor is appointed and  
41 qualified.

42 Vacancies shall be filled in the same manner as the original  
43 appointment for the unexpired term. Upon notice and opportunity  
44 to be heard, an appointee may be removed for cause by the body  
45 originally making the appointment. Members shall serve without  
46 compensation but shall be entitled to be reimbursed for all  
47 reasonable and necessary expenses.



1 (cf: P.L.1994, c.48, s.155)

2 3. This act shall take effect immediately and shall apply to  
3 graduating class representatives elected following its enactment.

4

5

6

STATEMENT

7

8 This bill provides that the board of trustees of a county college  
9 may, by a majority vote of the trustees, grant voting rights to the  
10 student representative on the board. Under current law, the  
11 graduating class of a county college is entitled to elect one  
12 graduating student to serve as a non-voting member on the board of  
13 trustees of that college and his appointment is effective at the next  
14 organizational meeting of the board which occurs in November.  
15 Under this bill, the appointment of the student representative would  
16 be effective at the first meeting of the board in July following  
17 graduation of the class.

18 The bill also provides that if a board of trustees grants the  
19 student representative voting rights and all members are present at a  
20 board meeting and there is a tie vote, the chairman of the board  
21 would break the tie.

ASSEMBLY HIGHER EDUCATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 497**

**STATE OF NEW JERSEY**

DATED: FEBRUARY 23, 2006

The Assembly Higher Education Committee reports favorably Assembly Bill No. 497.

This bill provides that the board of trustees of a county college may, by a majority vote of the trustees, grant voting rights to the student representative on the board. Under current law, the graduating class of a county college is entitled to elect one graduating student to serve as a non-voting member on the board of trustees of that college for a one-year term beginning at the next organization of the board following graduation. The organizational meeting occurs in November. Under this bill, the appointment of the student representative would be effective at the first meeting of the board in July following graduation of the class.

The bill also provides that if a board of trustees grants the student representative voting rights and all members are present at a board meeting and there is a tie vote, the chairman of the board would break the tie.

This bill was pre-filed for introduction in the 2006-2007 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE EDUCATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 497**

**STATE OF NEW JERSEY**

DATED: MAY 21, 2007

The Senate Education Committee favorably reports Assembly Bill No. 497.

This bill provides that the board of trustees of a county college may, by a majority vote of the trustees, grant voting rights to the student representative on the board. Under current law, the graduating class of a county college is entitled to elect one graduating student to serve as a non-voting member on the board of trustees of that college for a one-year term beginning at the next organization of the board following graduation. The organizational meeting occurs in November. Under this bill, the appointment of the student representative would be effective at the first meeting of the board in July following graduation of the class.

The bill also provides that if a board of trustees grants the student representative voting rights and all members are present at a board meeting and there is a tie vote, the chairman of the board would break the tie.

As reported by the committee, this bill is identical to Senate Bill No. 1853.

**SENATE, No. 1853**

**STATE OF NEW JERSEY**  
**212th LEGISLATURE**

INTRODUCED MAY 15, 2006

**Sponsored by:**

**Senator WALTER J. KAVANAUGH**

**District 16 (Morris and Somerset)**

**SYNOPSIS**

Authorizes a county college board of trustees to grant voting rights to the graduating class representative on the board and requires the board chairman to cast deciding vote in the event of a tie under certain circumstances.

**CURRENT VERSION OF TEXT**

As introduced.



S1853 KAVANAUGH

2

1 AN ACT concerning county colleges and amending N.J.S.18A:64A-  
2 8 and P.L.1982, c.42.

3

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

6

7 1. N.J.S.18A:64A-8 is amended to read as follows:

8 18A:64A-8. For each county college there shall be a board of  
9 trustees, consisting of the county superintendent of schools and 10  
10 persons, eight of whom shall be appointed by the appointing  
11 authority of the county with the advice and consent of the board of  
12 chosen freeholders, at least two of whom shall be women and two  
13 of whom shall be appointed by the Governor, according to criteria  
14 and for such initial terms as shall be established. However, no  
15 trustee shall be appointed after July 1, 1994 who is an employee of  
16 a constituent county. The president of the college shall serve as an  
17 ex officio member of the board of trustees without vote. In  
18 addition, the student body of each county college shall be entitled to  
19 elect from the graduating class one representative to serve as a  
20 **[non-voting]** member on the board of trustees for a term of one  
21 year commencing at the **[next organization]** first meeting of the  
22 board in July following graduation of his class. The student  
23 representative may be granted voting rights by a majority vote of  
24 the members of the board of trustees. If the board of trustees grants  
25 the student representative voting rights and all members of the  
26 board are present at the board meeting and there is a tie vote, the  
27 chairman shall break the tie.

28 The appointing authority of the county shall establish a trustee  
29 search committee of not less than five members who shall be  
30 residents of the county. The members of the trustee search  
31 committee shall not be elected public officials and shall not be  
32 eligible for appointment to the board of trustees for a period of six  
33 months after their service on the trustee search committee. The  
34 trustee search committee shall nominate individuals for  
35 consideration by the appointing authority of the county for  
36 appointment to the board of trustees.

37 When a county college is established by more than one county,  
38 the board of trustees shall be increased by two members for each  
39 additional participating county. The membership of the board of  
40 trustees shall be apportioned by the commission among the several  
41 counties as nearly as may be according to the number of inhabitants  
42 in each county as shown by the last federal census, officially  
43 promulgated in this State. Each apportionment shall continue in  
44 effect until a reapportionment shall become necessary by reason of  
45 the official promulgation of the next federal census or 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 underlined thus is new matter.

S1853 KAVANAUGH

1 enlargement of the board by the admission of one or more  
2 additional counties as provided for in section 18A:64A-24. Each  
3 county shall be entitled to have at least two members and the county  
4 superintendent of the schools of said county on the board of  
5 trustees.

6 (cf: P.L.1994, c.48, s.125)

7

8 2. Section 6 of P.L.1982, c.42 (C.18A:64A-55) is amended to  
9 read as follows:

10 6. The board of trustees shall include seven public trustees,  
11 consisting of the county superintendent of schools, four members  
12 appointed by the board of chosen freeholders, and two citizens of  
13 the county appointed by the Governor, and four trustees appointed  
14 by the board of governors from among its members. However, no  
15 trustee shall be appointed after July 1, 1994 who is an employee of  
16 a constituent county. In addition, the student body shall be entitled  
17 to elect from the graduating class one representative to serve as a  
18 **[non voting]** member of the board of trustees for a term of one year  
19 commencing at the **[next organization]** first meeting of the board in  
20 July following graduation of his class. The student representative  
21 may be granted voting rights by a majority vote of the members of  
22 the board of trustees. If the board of trustees grants the student  
23 representative voting rights and all members of the board are  
24 present at the board meeting and there is a tie vote, the chairman  
25 shall break the tie.

26 All appointive members shall be residents of the county for a  
27 period of four years prior to appointment and no elected public  
28 official or employee of the county college shall serve as a voting  
29 member of the board. The terms of office of the appointive  
30 members shall be four years, except for the first appointment.  
31 Terms of those initially appointed by the chairman of the board of  
32 chosen freeholders shall expire, respectively, one, two, three and  
33 four years after appointment. Of those appointed by the Governor,  
34 one person shall be appointed for a term of two years and one for a  
35 term of four years. Of the members appointed by the board of  
36 governors, one person shall be appointed for a term of one year, one  
37 for a term of two years, one for a term of three years, and one for a  
38 term of four years.

39 Each member shall serve until his successor is appointed and  
40 qualified.

41 Vacancies shall be filled in the same manner as the original  
42 appointment for the unexpired term. Upon notice and opportunity  
43 to be heard, an appointee may be removed for cause by the body  
44 originally making the appointment. Members shall serve without  
45 compensation but shall be entitled to be reimbursed for all  
46 reasonable and necessary expenses.

47 (cf: P.L.1994, c.48, s.155)

**S1853 KAVANAUGH**

1       3. This act shall take effect immediately and shall apply to  
2       graduating class representatives elected following its enactment.

3

4

5

**STATEMENT**

6

7       This bill provides that the board of trustees of a county college  
8       may, by a majority vote of the trustees, grant voting rights to the  
9       student representative on the board. Under current law, the  
10      graduating class of a county college is entitled to elect one  
11      graduating student to serve as a non-voting member on the board of  
12      trustees of that college for a one-year term beginning at the next  
13      organization of the board following graduation. The organizational  
14      meeting occurs in November. Under this bill, the appointment of  
15      the student representative would be effective at the first meeting of  
16      the board in July following graduation of the class.

17      The bill also provides that if a board of trustees grants the  
18      student representative voting rights and all members are present at a  
19      board meeting and there is a tie vote, the chairman of the board  
20      would break the tie.

SENATE EDUCATION COMMITTEE

STATEMENT TO

**SENATE, No. 1853**

**STATE OF NEW JERSEY**

DATED: MAY 21, 2007

The Senate Education Committee favorably reports Senate Bill No. 1853.

This bill provides that the board of trustees of a county college may, by a majority vote of the trustees, grant voting rights to the student representative on the board. Under current law, the graduating class of a county college is entitled to elect one graduating student to serve as a non-voting member on the board of trustees of that college for a one-year term beginning at the next organization of the board following graduation. The organizational meeting occurs in November. Under this bill, the appointment of the student representative would be effective at the first meeting of the board in July following graduation of the class.

The bill also provides that if a board of trustees grants the student representative voting rights and all members are present at a board meeting and there is a tie vote, the chairman of the board would break the tie.

As reported by the committee, this bill is identical to Assembly Bill No. 497.