

18A:46-38

LEGISLATIVE HISTORY CHECKLIST
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NJSA: 18A:46-38

(County special
services school
districts)

LAWS OF: 1991

CHAPTER: 293

Bill No: A4452

Sponsor(s): Naples & Cimino

Date Introduced: January 31, 1991

Committee: Assembly: Education

Senate: Education

Amended during passage: No

Date of Passage: Assembly: April 8, 1991

Senate: July 29, 1991

Date of Approval: September 25, 1991

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: Yes

Fiscal Note: No

Veto Message: No

Message on signing: No

Following were printed:

Reports: No

Hearings: No

KBG/SLJ

1 AN ACT concerning county special services school districts and
2 amending P.L.1971, c.271.

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

6 1. Section 10 of P.L.1971, c.271 (C.18A:46-38) is amended to
7 read as follows:

8 10. The board of education provided for herein shall be a body
9 corporate and shall be known as "The Board of Education of the
10 Special Services School District of the county of _____" (here insert
11 the name of the county in which such school shall be located).
12 The board shall organize and operate in the manner provided by
13 law and shall have the power to appoint or employ such officers,
14 agents and employees as may be required to carry out the
15 provisions of P.L.1971, c.271 and to fix and determine their
16 qualifications, duties, compensation, terms of office and all other
17 conditions and terms of employment and retention. In addition,
18 the board shall have all the powers as are now or may hereafter
19 be provided by law and applicable for other school districts,
20 subject to the additional restrictions provided by this act.

21 (cf: P.L.1971, c.271, s.10)

22 2. This act shall take effect immediately.
23

24 STATEMENT

25
26 This bill clarifies the Legislature's intent that county special
27 services school districts possess the same powers of employment
28 as county vocational schools and county community colleges.
29 Recently, there have been administrative rulings placing
30 nonprofessional and noninstructional employees of county special
31 services school districts under Title 11A, The Civil Service Act,
32 based on the fact that the statute covering these school districts
33 did not specify broad employment powers for the boards. This
34 bill would clarify the Legislature's intent that county special
35 services districts have employment powers granted under Title
36 18A, and therefore the provisions of that title govern
37 employment matters of these boards, rather than the provisions
38 of Title 11A.

39
40 EDUCATION

41
42 Clarifies that employment matters of county special services
43 school boards are governed by Title 18A of the New Jersey
44 Statutes.

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.

ASSEMBLY, No. 4452

STATE OF NEW JERSEY

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INTRODUCED JANUARY 31, 1991

By Assemblymen NAPLES and CIMINO

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Matter underlined thus is new matter.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4452
STATE OF NEW JERSEY

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DATED: FEBRUARY 21, 1991

The Assembly Education Committee favorably reports Assembly Bill No. 4452.

This bill amends current law to specifically provide that employment matters of county special services school districts are governed by Title 18A of the New Jersey Statutes and not by the "Civil Service Act" set forth in Title 11A.

A final administrative ruling by the Merit System Board of the Department of Personnel on November 9, 1990 determined that nonprofessional and noninstructional employees of county special services school districts located in counties which have adopted Title 11A of the New Jersey Statutes (the "Civil Service Act") will be governed by the provisions of Title 11A based on the fact that the statute covering these school districts did not specify broad employment powers for the boards. The board distinguished county special services school districts from the county community colleges and county vocational school districts which were specifically granted broad authority over personnel matters in their statutory authorization.

This bill will give the county special services districts the same employment powers under Title 18A as county community colleges and county vocational school districts.

SENATE EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4452

STATE OF NEW JERSEY

DATED: JUNE 27, 1991

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The Senate Education Committee favorably reports Assembly Bill No. 4452.

This bill amends current law to specifically provide that employment matters of county special services school districts are governed by Title 18A of the New Jersey Statutes and not by the "Civil Service Act" set forth in Title 11A.

A final administrative ruling by the Merit System Board of the Department of Personnel on November 9, 1990 determined that nonprofessional and noninstructional employees of county special services school districts located in counties which have adopted Title 11A of the New Jersey Statutes (the "Civil Service Act") will be governed by the provisions of Title 11A based on the fact that the statute covering these school districts did not specify broad employment powers for the boards. The board distinguished county special services school districts from the county community colleges and county vocational school districts which were specifically granted broad authority over personnel matters in their statutory authorization.

This bill will give the county special services districts the same employment powers under Title 18A as county community colleges and county vocational school districts.

This bill is identical to Senate Bill No. 3209 which passed the Senate on February 28, 1991.