

18A: 3-6 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 18A: 3-6 et al (New Jersey Council of County Colleges-- change representation)

LAWS OF: 1989 **CHAPTER:** 141

BILL NO: S2848

SPONSOR(S): Feldman

Date Introduced: September 19, 1988

Committee: **Assembly:** -----
Senate: Education

Amended during passage: Yes Amendments during passage denoted by asterisks.

Date of Passage: **Assembly:** June 19, 1989
Senate: February 19, 1989

Date of Approval: August 3, 1989

Following statements are attached if available:

Sponsor statement:		Yes
Committee statement:	Assembly	No
	Senate	Yes
Fiscal Note:		Yes
Veto Message:		No
Message on Signing:		No

Following were printed:

Reports:	No
Hearings:	No

RDV

[FIRST REPRINT]
SENATE, No. 2848

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 19, 1988

By Senator FELDMAN

1 AN ACT concerning the Council of County Colleges, amending
N.J.S.18A:3-6¹[and],¹ N.J.S.18A:3-7 ¹, N.J.S.64A-26 and
3 N.J.S.18A:64A-27¹ and supplementing chapter 64A of Title
18A of the New Jersey Statutes.

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

1. N.J.S.18A:3-6 is amended to read as follows:

9 18A:3-6. The Board of Higher Education shall be composed of
the Chairman of the Board of Governors of Rutgers, The State
11 University; the Chairman of the Board of Trustees of [Newark
College of Engineering] The New Jersey Institute of Technology;
13 the Chairman of the New Jersey State College Governing Boards
Association; the Chairman of the Board of Trustees of the
15 University of Medicine and Dentistry of New Jersey; [the
Chairman] a representative ¹trustee member¹ of the Council of
17 County Colleges; the President of the State Board of Education; a
representative of the private colleges and universities of New
19 Jersey, to be designated by the Association of Independent
Colleges and Universities in New Jersey, with the approval of the
21 Governor; and nine citizens, residents of the State, of whom at
least two shall be women. The chancellor and the State
23 Commissioner of Education shall ex officio be additional
members but without vote.

25 (cf: P.L.1985, c.161, s.8)

2. N.J.S.18A:3-7 is amended to read as follows:

27 18A:3-7. The chairman of the board of governors at Rutgers,
The State University; the chairman of the board of trustees of
29 The New Jersey Institute of Technology; the chairman of the
[council of State colleges] New Jersey State College Governing
31 Boards Association; chairman of the board of trustees of the
[College] University of Medicine and Dentistry of New Jersey;

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:

¹ Senate SED committee amendments adopted December 8, 1988.

1 the [chairman] representative ¹trustee member¹ of the council of
2 county colleges; the president of the State Board of Education
3 and the [representatives] representative of the private colleges
4 and universities in New Jersey may each designate in writing
5 another member of his board, council or association as an
6 alternate to attend in his absence and vote at the meetings of the
7 [boards] board; provided, however, that such alternate shall be
8 selected from among the membership of the group from which
9 the member's status on the board arises and further that where
10 the member is a lay member of such a group, his alternate must
11 likewise be a lay member of said group.

(cf: P.L.1978, c.101, s.1)

13 ¹³. N.J.S.18A:64A-26 is amended to read as follows:

14 18A:64A-26. There is [hereby] established [in the department
15 of higher education a council of county colleges] a body corporate
16 and politic, with succession, to be known as the New Jersey
17 Council of County Colleges. The county colleges and the county
18 college commissions shall be members of the council.¹

19 (cf: N.J.S.18A:64A-26)

¹⁴. N.J.S.18A:64A-27 is amended to read as follows:

21 18A:64A-27. The council shall consist of the presidents and
22 chairmen of the boards of trustees of the several county
23 community colleges and of the county college commissions. A
24 trustee board chairman may designate another member of the
25 board as an alternate to attend and to vote at council meetings in
26 the chairman's absence. The chancellor shall ex officio be an
27 additional member without vote.

Members shall serve without compensation but shall be entitled
29 to be reimbursed for all reasonable and necessary expenses.¹

(cf: P.L.1985, c.173, s.2)

31 ¹⁵. (New section) The council shall select such officers and
32 make such rules as may be necessary for the transaction of
33 business.

34 6. (New section) The council shall have perpetual succession
35 and shall have the following powers and responsibilities:

36 a. To make, amend and repeal rules, regulations and bylaws for
37 its own government and guidance, not inconsistent with the
38 purposes of the council;

39 b. To adopt an official seal and alter the same at pleasure;

1 c. To maintain an office at such place or places in the State as
it may designate;

3 d. To sue and be sued in its own name;

5 e. To acquire, hold and dispose of real and personal property in
the exercise of its powers and the performance of its duties under
7 this article. All this property shall be exempt from taxation
under chapter 4 of Title 54 of the Revised Statutes;

9 f. To act as an advocate and promote the advancement of the
county community colleges of New Jersey; and

11 g. To promote diversity of development among the county
community colleges in ways which will be responsive to the
13 particular needs of the particular counties, and the state's
diverse population and regions.

15 7. (New section) The council shall employ an executive
director, who shall be responsible for the administration of all the
17 activities of the council including staff services and shall
promote the educational quality of the county community
19 colleges. The executive director shall serve at the pleasure of
the council. The salary of the executive director and all other
21 personnel shall be determined by the council.

23 8. (New section) The council shall encourage and aid
movements which it deems necessary for the improvement of
25 county college education and shall, from time to time, make
recommendations to the Board of Higher Education regarding the
27 coordination of the county colleges on matters of mutual interest
and concern.¹

29 ¹[3.] 9.¹ (New section) For the purposes of defraying the
expenses of the Council, the county colleges ¹and county college
31 commissions¹ shall pay the necessary expenses incurred by the
council and shall appropriate annually such sums for dues as may
33 be assessed by the council. The assessment shall be made only
upon a two-thirds vote of the membership present at the meeting
35 after written notice of the proposed vote shall be give to each
county college and county college commissions at least 60 days
37 before the council meeting at which the vote will be taken. Dues
shall be on a graduated scale according to the size of the county
college ¹and county college commissions¹.

¹[4.] 10.¹ This act shall take effect immediately.

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HIGHER EDUCATION
State Officers and Boards

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Reorganizes the Council of County Colleges, changes its representation on the State Board of Higher Education and requires county colleges to pay dues to the council.

1 member of his board, council or association as an alternate to
attend in his absence and vote at the meetings of the [boards]
3 board; provided, however, that such alternate shall be selected
from among the membership of the group from which the
5 member's status on the board arises and further that where the
member is a lay member of such a group, his alternate must
7 likewise be a lay member of said group.

(cf: P.L.1978, c.101, s.1)

9 3. (New section) For the purpose of defraying the expenses of
the council, the county colleges shall pay the necessary expenses
11 incurred by the council and shall appropriate annually such sums
for dues as may be assessed by the council. The assessment shall
13 be made only upon a two-thirds vote of the membership present
at the meeting after written notice of the proposed vote shall be
15 given to each county college at least 60 days before the council
meeting at which the vote will be taken. Dues shall be on a
17 graduated scale according to the size of the county college.

4. This act shall take effect immediately.

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STATEMENT

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This bill changes the composition of the State Board of Higher
23 Education to allow a representative of the Council of County
Colleges to sit on the board as opposed to the chairman of the
25 council. The bill also amends current law to enable the council's
representative to designate an alternate to attend board meetings
27 as a voting member, when it is impossible for the representative
to attend personally. Currently, the chairman of the council
29 must designate the alternate.

The bill also provides that county colleges shall pay the
31 necessary expenses incurred by the Council of County Colleges
and shall annually appropriate dues as may be assessed by the
33 council.

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HIGHER EDUCATION State Officers and Boards

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Changes the representation of the Council of County Colleges on
39 the State Board of Higher Education and requires county colleges
to pay dues to the council.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 2848

with Senate committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 1, 1988

The Senate Education Committee favorably reports this bill with committee amendments.

As amended, this bill reorganizes the New Jersey Council of County Colleges. It authorizes the council to retain an executive director and necessary staff and provides for the financing of its activities through the assessment of dues on all county colleges and county college commissions. The dues would be on a graduated scale according to the size of the county college.

The bill also changes the composition of the State Board of Higher Education to allow a representative of the council to sit on the board as opposed to the chairman of the council, and permits the representative to designate an alternate to attend the board meetings as a voting member when it is impossible for the representative to attend.

Under this bill, the New Jersey Council of County Colleges would have the same status as the New Jersey State College Governing Boards Association. The purpose of this reorganization is to encourage greater participation by the trustees of the member colleges, ensure strong representation on the Board of Higher Education and create effective leadership for the county college sector.

The committee amendments clarify the intent of the legislation that the representative to the Board of Higher Education must be a trustee of a county college. They also change the name of the council to the New Jersey Council of County Colleges and provide for an executive director and staff for the council.

FISCAL NOTE TO

[FIRST REPRINT]

SENATE, No. 2848

STATE OF NEW JERSEY

DATED: May 12, 1989

Senate Bill No. 2848 (1R) of 1988 reorganizes the New Jersey Council of County Colleges. The bill authorizes the council to retain an executive director and necessary staff and provides for the financing of its activities through the assessment of dues on all county colleges and county college commissions. The dues would be on a graduated scale according to the size of the county college.

The bill also changes the composition of the State Board of Higher Education to allow a representative of the council to sit on the board as opposed to the chairman of the council, and permits the representative to designate an alternate to attend the board meetings as a voting member when it is impossible for the representative to attend.

Under the bill, the New Jersey Council of County Colleges would have the same status as the New Jersey State College Governing Boards Association.

The Department of Higher Education estimates that there will be no cost to the State involved in the reorganization of the New Jersey Council of County Colleges.

The Office of Legislative Services concurs but notes that while the reorganization of the New Jersey Council of County Colleges involves no direct State appropriation, there will be local costs to the counties as the council's activities will be financed through an assessment of dues on all county colleges and county college commissions. While it is impossible to predict what those dues might be, by way of comparison, the dues assessed for FY 1989 by the New Jersey State College Governing Boards Association on its member State colleges currently range from a low of \$17,888 for Edison State College to a high of \$94,796 for Montclair State College.

This fiscal note has been prepared pursuant to P.L.1980, c.67.