

**LEGISLATIVE HISTORY CHECKLIST**  
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(Higher education--student organizations--  
 allow only positive check-off to add to  
 tuition bills)

**NJSA:** 18A:62-22

**LAWS OF:** 1995 **CHAPTER:** 63

**BILL NO:** A380

**SPONSOR(S):** Kamin and Doria

**DATE INTRODUCED:** Pre-filed

**COMMITTEE:** **ASSEMBLY:** Education  
**SENATE:** State Government

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:** **ASSEMBLY:** March 13, 1995  
**SENATE:** March 20, 1995

**DATE OF APPROVAL:** March 31, 1995

**FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:**

**SPONSOR STATEMENT:** Yes

**COMMITTEE STATEMENT:** **ASSEMBLY:** Yes  
**SENATE:** Yes

**FISCAL NOTE:** No

**VETO MESSAGE:** No

**MESSAGE ON SIGNING:** Yes

**FOLLOWING WERE PRINTED:**

**REPORTS:** No

**HEARINGS:** No

See newspaper clippings--attached:

"Governor tightens controls on fund-raising...", 4-1-95, Star Ledger.

"Whitman signs law restricting consumer group's fund-raising," 4-1-95, Bergen Record.

"NJPIRG loses automatic funds," 4-1-95, Home News.

"Rutgers lobbying in vain, NJPIRG funding revamped," 4-1-95, Asbury Park Press.

KBG:pp

ASSEMBLY, No. 380  
STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1994 SESSION

By Assemblymen KAMIN and DORIA

1 AN ACT concerning tuition bills of public institutions of higher  
2 education and supplementing chapter 62 of Title 18A of the  
3 New Jersey Statutes.

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

7 1. The governing body of any public institution of higher  
8 education shall not allow funds for legislative agents or  
9 organizations as defined in chapter 13C of Title 52 of the New  
10 Jersey Statutes which attempt to influence legislation to be  
11 assessed on student tuition bills, except that optional fees for  
12 non-partisan organizations which employ legislative agents or  
13 attempt to influence legislation shall be collected by the  
14 governing body whenever students at the institution have  
15 authorized an optional fee for such organizations by a majority  
16 vote of those students voting in an official student referendum.  
17 For the purposes of this section "optional fee" shall mean any  
18 amount payable on a student tuition bill, appearing as a  
19 separately assessed item, but not a mandatory charge or a  
20 waivable fee. Optional fees shall be accompanied by a statement  
21 as to the nature of the item, and that the item is not a charge  
22 required to be paid by the student but rather the student may add  
23 the charge to the total amount due, and that the item appears on  
24 the bill at the request of the student body, and does not  
25 necessarily reflect the endorsement of the governing body.

26 2. This act shall take effect immediately, and shall first apply  
27 to tuition bills for the 1992-93 school year.

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STATEMENT

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32 This bill would authorize governing bodies of public institutions  
33 of higher education to include optional fees, but not waivable  
34 fees, on student tuition bills. Currently, fees for organizations  
35 which attempt to influence legislation are included on tuition  
36 bills at some institutions as "negative check-off" fees. This  
37 means the person paying the tuition bill must elect not to include  
38 the organization fee with the tuition bill. This bill would change  
39 that procedure to a positive check-off, so that the person paying  
40 the tuition bill must elect to include the fee with the tuition  
41 payment.

42 A common complaint with the current system which allows a  
43 negative check-off is that it is not obvious to the payor that  
44 these organization fees are waivable. Some parents confuse  
45 these fees with other mandatory student activity fees which are

1 also part of the tuition bill. Mandatory student activity fees for  
2 authorized student groups would not be affected by this bill.

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7 Authorizes only the positive check-off method of collection of  
8 organization fees on student tuition bills.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 380

STATE OF NEW JERSEY

DATED: JANUARY 30, 1995

The Assembly Education Committee favorably reports Assembly Bill No. 380.

This bill would authorize governing bodies of public institutions of higher education to include optional fees, as a "positive check-off" on student tuition bills. Waivable fees, as a "negative check-off" on the tuition bill would be prohibited under the bill.

Currently, fees for organizations which attempt to influence legislation are included on tuition bills at some institutions as "negative check-off" fees. This means the person paying the tuition bill must elect not to include the organization fee with the tuition bill. This bill would change that procedure to a "positive check-off," so that the person paying the tuition bill must elect to include the fee with the tuition payment.

Mandatory student activity fees for authorized student groups would not be affected by this bill.

This bill was prefiled for introduction in the 1994 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

SENATE STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 380

STATE OF NEW JERSEY

DATED: MARCH 20, 1995

The Senate State Government Committee reports without recommendation Assembly, No. 380.

This bill would authorize governing bodies of public institutions of higher education to include optional fees, as a "positive check-off" on student tuition bills. Waivable fees, as a "negative check-off" on the tuition bill would be prohibited under the bill.

Currently, fees for organizations which attempt to influence legislation are included on tuition bills at some institutions as "negative check-off" fees. This means the person paying the tuition bill must elect not to include the organization fee with the tuition bill. This legislation would change that procedure to a "positive check-off," so that the person paying the tuition bill must elect to include the fee with the tuition payment.

Mandatory student activity fees for authorized student groups would not be affected by this bill.

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## OFFICE OF THE GOVERNOR NEWS RELEASE

**CN-001**  
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**TRENTON, N.J. 08625**

**Release: IMMEDIATE**  
MARCH 31, 1995

Gov. Christie Whitman today signed legislation to provide for an affirmative check-off system to collect student fees for the support of organizations involved in programs to influence legislative activity.

The legislation applies to the funding mechanism which has been used to finance the operations of the Public Interest Research Group (PIRG). Under this system, fees are included in tuition bills unless a student elects to withhold permission.

The legislation signed today would require that a student elect to pay the fee.

The bill, A-380, was sponsored by Assemblymen Alex DeCroce, R-Morris, and James Zangari, D-Essex.

A STATEMENT FROM THE GOVERNOR IS ATTACHED

"I urge the Public Interest Research Group to continue its efforts to bring public policy issues to the fore and to actively engage in debate over them.

"Continued involvement in the political and legislative processes by PIRG is both necessary and welcome.

"The support that exists on campus for PIRG is substantial --- as the group itself has pointed out --- and such support should not be eroded in the least by an affirmative check-off procedure.

"Among organizations engaged in similar activities, only PIRG enjoys an automatic funding mechanism. The Legislature has deemed such a funding mechanism to be undesirable and has moved to eliminate it.

"I am confident that neither PIRG's activities nor its fund-raising abilities will suffer as a result of this legislation. In fact, the organization will be able to spread its message in a more intense and concentrated fashion as it carries out its fund-raising activities."