

# ASSEMBLY, No. 4468

## STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED DECEMBER 5, 2005

**Sponsored by:**

**Assemblyman ALBIO SIRES**

**District 33 (Hudson)**

**Assemblyman LOUIS MANZO**

**District 31 (Hudson)**

**Co-Sponsored by:**

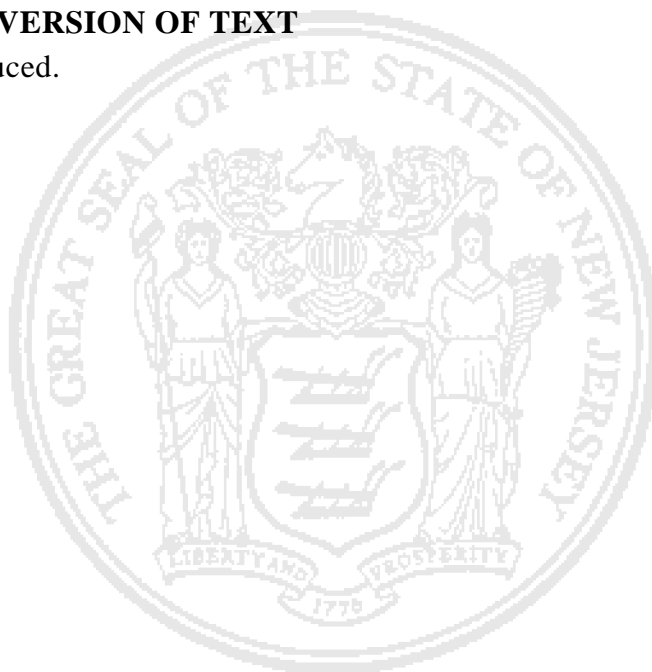
**Senators Doria and Kenny**

**SYNOPSIS**

Authorizes counties to increase the number of appointed board members on county vocational school district boards of education.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 1/10/2006)**

1 AN ACT concerning boards of education of certain county vocational  
2 school districts, amending N.J.S.18A:54-16, and supplementing  
3 chapter 54 of Title 18A of the New Jersey Statutes.

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

7  
8 1. N.J.S.18A:54-16 is amended to read as follows:  
9 18A:54-16. For each county system of vocational schools  
10 established in accordance with this chapter, there shall be a board of  
11 education consisting of the county superintendent of schools and four  
12 persons to be appointed; provided, however, that a county of the first  
13 class which has adopted a form of government pursuant to the  
14 provisions of the "Optional County Charter Law" (P.L.1972, c.154;  
15 C.40:41A-1 et seq.) may, by ordinance, establish a board of education  
16 consisting of six, seven or nine persons to be appointed and any other  
17 county may, by ordinance, establish a board of education consisting of  
18 six persons to be appointed.

19 In counties of the first class which, by ordinance, have established  
20 a board consisting of six, seven or nine persons to be appointed, the  
21 [seven] appointive members shall be appointed by the chief elected  
22 executive officer of the county with the advice and consent of the  
23 board of chosen freeholders. In all other counties, the [four]  
24 appointive members of the board shall be appointed by the chief  
25 elected executive officer of the county, or the director of the board of  
26 chosen freeholders, with the advice and consent of that board, as  
27 appropriate to the appointment procedures established by the form of  
28 government of the county. [Not] On a board with four appointive  
29 members, not more than two members, or in the case of a board with  
30 six appointive members, not more than three members, appointed in  
31 any such county of the second, third, fifth or sixth class shall be  
32 members of the same political party, but no changes for adjustment of  
33 party representation shall be made in a board except as vacancies  
34 occur.

35 In making the first appointments to a board with four appointive  
36 members, one person shall be appointed to serve for one year, one for  
37 two years, one for three years and one for four years from November 1  
38 next succeeding the date of their respective appointments. In a county  
39 of the first class which, by ordinance, has established a board with  
40 seven appointive members, the chief elected executive officer shall  
41 make the first appointments to the board in the following manner: two  
42 shall be appointed to serve for one year, two for two years, two for  
43 three years, and one for four years from November 1 next succeeding

**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 date of their respective appointments. The persons so appointed  
2 shall also serve from the date of their respective appointments until  
3 November 1 next ensuing.

4 In the case of a board of education with four appointive members  
5 on the effective date of P.L. , c. (C. ) (now pending before  
6 the Legislature as this bill) in a county of the first class or any other  
7 county which determines by ordinance to appoint a board with six  
8 appointive members, in making the initial appointment of the two  
9 additional members, one person shall be appointed to serve for two  
10 years and one person shall be appointed to serve for four years from  
11 November 1 next succeeding the date of their respective appointments.

12 In the case of a board of education with four appointive members  
13 on the effective date of P.L. , c. (C. ) (now pending before the  
14 Legislature as this bill) in a county of the first class which determines  
15 by ordinance to appoint a board with seven appointive members, in  
16 making the initial appointment of the three additional members, one  
17 person shall be appointed to serve for two years, one person shall be  
18 appointed to serve for three years, and one person shall be appointed  
19 to serve for four years from November 1 next succeeding the date of  
20 their respective appointments.

21 In the case of a board of education with four appointive members  
22 on the effective date of P.L. , c. (C. ) (now pending before  
23 the Legislature as this bill) in a county of the first class which  
24 determines by ordinance to appoint a board with nine appointive  
25 members, in making the initial appointment of the five additional  
26 members, one person shall be appointed to serve for one year, one  
27 person shall be appointed to serve for two years, one person shall be  
28 appointed to serve for three years, and two persons shall be appointed  
29 to serve for four years from November 1 next succeeding the date of  
30 their respective appointments.

31 In the case of a board of education with seven appointive members  
32 on the effective date of P.L. , c. (C. ) (now pending before  
33 the Legislature as this bill) in a county of the first class which  
34 determines by ordinance to appoint a board with nine appointive  
35 members, in making the initial appointment of the two additional  
36 members, one person shall be appointed to serve for two years and one  
37 person shall be appointed to serve for four years from November 1  
38 next succeeding the date of their respective appointments.

39 Annually during the month of October a member or members, as the  
40 case may be, of the board shall be appointed to serve for a term of four  
41 years, and thereafter until the appointment and qualification of his  
42 respective successor, to take the place of the member or members, as  
43 the case may be, whose term or terms shall expire on November 1 then  
44 next ensuing.

45 A vacancy in the board shall be deemed to exist, and shall be filled,

1 in the manner prescribed in P.L.1979, c.302 (C.40A:9-12.1).

2 (cf: P.L.1987, c.163, s.1)

3

4 2. (New section) Notwithstanding the provisions of P.L. , c.  
5 (C. )(now pending before the Legislature as this bill) to the  
6 contrary, if a county of the first class which has a county vocational  
7 school board of education with seven members on the effective date  
8 of this act determines by ordinance within six months of the effective  
9 date of this act to appoint a board with nine members, one person shall  
10 be appointed to serve for two years and one person shall be appointed  
11 to serve for four years, which terms shall begin immediately upon  
12 appointment and shall expire on November 1 next succeeding the  
13 completion of the terms.

14

15 3. This act shall take effect immediately.

16

17

#### 18 STATEMENT

19

20 This bill revises the existing law concerning the number of  
21 appointed members of certain county vocational school district boards  
22 of education. Under existing law, the board of education of the  
23 majority of county vocational school districts is composed of the  
24 county superintendent of schools and four appointed members. A  
25 county of the first class which has adopted a form of government  
26 under the "Optional County Charter Law," P.L.1972, c.154, also has  
27 the option to establish, by ordinance, a board of education consisting  
28 of seven appointed members.

29 The bill provides that the board of education of a county vocational  
30 school district established by a county of the first class which operates  
31 under the "Optional County Charter Law" may be comprised of six or  
32 nine appointed members in addition to the current options available  
33 to the district of four or seven appointed members. The bill also  
34 requires those appointments to be made with the advice and consent  
35 of the board of chosen freeholders, a requirement that currently applies  
36 to all other counties.

37 Finally, the bill authorizes counties with four appointed members on  
38 the county vocational school district board of education to increase the  
39 number of appointed members to six upon the adoption of an  
40 ordinance.