

SENATE, No. 2942

STATE OF NEW JERSEY
211th LEGISLATURE

INTRODUCED DECEMBER 15, 2005

Sponsored by:

Senator JOSEPH V. DORIA, JR.

District 31 (Hudson)

Senator BERNARD F. KENNY, JR.

District 33 (Hudson)

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.



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

4

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

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

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

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

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 appointed shall also serve from the date of their respective appointments until
2 November 1 next ensuing.

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

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

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

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

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

41 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)

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

13

14 3. This act shall take effect immediately.

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17 STATEMENT

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

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

34 Finally, the bill authorizes counties with four appointed members on the
35 county vocational school district board of education to increase the number of
36 appointed members to six upon the adoption of an ordinance.