

SENATE, No. 2337

STATE OF NEW JERSEY

INTRODUCED DECEMBER 11, 1997

By Senators LIPMAN and MacInnes

1 AN ACT concerning the governance of higher education and amending
2 P.L.1994, c.48.

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

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7 1. Section 13 of P.L.1994, c.48 (C.18A:3B-13) is amended to
8 read as follows:

9 13. a. There is established the New Jersey Commission on Higher
10 Education which shall consist of nine members: six public members, to
11 be appointed by the Governor with the advice and consent of the
12 Senate without regard for political affiliation, two public members to
13 be appointed by the Governor, one upon the recommendation of the
14 President of the Senate and one upon the recommendation of the
15 Speaker of the General Assembly, and the chairperson of the New
16 Jersey Presidents' Council, ex officio. The public members shall
17 reflect the diversity of the State. Notwithstanding the above, for a
18 period of four years from July 1, 1994 the commission shall consist of
19 15 members, as follows: 10 public members, appointed by the
20 Governor with the advice and consent of the Senate without regard for
21 political affiliation, six of whom shall have experience as a current
22 member of the governing board of an institution of higher education,
23 four public members to be appointed by the Governor, two upon the
24 recommendation of the President of the Senate and two upon the
25 recommendation of the Speaker of the General Assembly, and the
26 chairperson of the New Jersey Presidents' Council, ex officio. The
27 executive director of the commission shall be an ex officio, non-voting
28 member of the commission. In addition, the Governor shall appoint
29 two students in attendance at public or independent institutions of
30 higher education in the State from recommendations submitted by
31 student government associations of New Jersey colleges and
32 universities, who shall serve for a one year term on the commission as
33 [non-]voting members.

34 b. Public members who are not experienced as governing board

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 members shall serve for a term of six years from the date of their
2 appointment and until their successors are appointed and qualified;
3 except that of the initial appointees who are not serving on the
4 governing board of an institution: one shall serve a term of one year;
5 one shall serve a term of two years; one shall serve a term of three
6 years; one shall serve a term of four years; two shall serve a term of
7 five years; and two shall serve a term of six years. A public member
8 who does not have experience as a current member of a governing
9 board shall serve until the member's successor is appointed and
10 qualified.

11 Any vacancy shall be filled in the same manner as the original
12 appointment but only for the balance of the unexpired term. The
13 commission members shall serve without compensation but shall be
14 reimbursed for necessary expenses incurred in the performance of their
15 duties. No commission member shall be appointed for more than two
16 consecutive six-year terms.

17 c. The Governor shall make the necessary appointments within 15
18 days of the effective date of this act. The commission shall hold its
19 first meeting within 30 days of the appointment and qualification in
20 office of its members, at which time the Governor shall appoint, for a
21 two-year term, the chairman of the commission from among those
22 public members not serving on the board of trustees of an institution.
23 Upon the completion of the chairman's term, and every two years
24 thereafter, the commission shall elect, from among those public
25 members who are not serving on the board of trustees of an institution,
26 a chairman who shall serve a two-year term. The chairman may be
27 removed by the Governor for cause after an opportunity to be heard.

28 d. The commission shall be established in the Executive Branch of
29 the State Government and for the purposes of complying with the
30 provisions of Article V, Section IV, paragraph 1 of the New Jersey
31 Constitution, the commission is allocated in but not of the Department
32 of State, but notwithstanding this allocation, the commission shall be
33 independent of any supervision or control by the department or by any
34 board or officer thereof. The commission shall submit its budget
35 request directly to the Division of Budget and Accounting in the
36 Department of the Treasury.

37 e. The commission shall appoint an executive director and such
38 other personnel as may be deemed necessary. The executive director
39 and professional staff shall serve at the commission's pleasure and shall
40 receive such compensation as provided by law.

41 f. The Attorney General shall provide legal representation to the
42 commission.

43 (cf: P.L.1994, c.48, s.13.)

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45 2. This act shall take effect immediately.

1 STATEMENT

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3 This bill grants voting rights to the student members of the
4 Commission on Higher Education. Under current law, the Governor
5 appoints two students to be non-voting members of the commission,
6 each for a one year term, from recommendations submitted by student
7 government associations of New Jersey colleges and universities. The
8 student members, who are enrolled at a State public or private
9 institution serve as advocates for students enrolled in institutions of
10 higher education throughout the State. This bill would grant the same
11 voting rights to the student members of the commission as the other
12 members of the commission currently have thus allowing the student
13 members full participation in commission matters.

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18 Grants voting rights to student members of the Commission on Higher
19 Education.