

ASSEMBLY, No. 17

STATE OF NEW JERSEY

INTRODUCED JANUARY 16, 1962

By Assemblymen BEADLESTON, BARKALOW, BATEMAN, HIERING, KAY,
DAVIS, HAUSER, KOENIG, FREDERICK and STAMLER

Referred to Committee on Education

AN ACT concerning education, authorizing the establishment of county colleges, providing for their operation and control by a board of trustees, and providing for the method of financing and raising the necessary funds, in any county or counties which by referendum shall authorize the same.

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

1 1. As used in this act:

2 a. "County college" means an educational institution offering programs
3 of instruction, extending not more than 2 years beyond the high school, which
4 may include but need not be limited to specialized or comprehensive curricu-
5 lums, depending upon the needs and desires of the community to be served,
6 including college credit transfer courses, terminal courses in the liberal arts
7 and sciences, and technical institute type programs.

8 b. "State board" means State Board of Education.

9 c. "Commissioner" means Commissioner of Education.

1 2. Whenever the board of chosen freeholders of 1 or more counties and
2 the Commissioner of Education, after study and investigation, shall deem it
3 advisable for such county or counties to establish a county college, the county
4 board or boards of chosen freeholders may petition the State Board of
5 Education for permission to establish and operate a county college, in accord-

6 ance with standards adopted by the State board for the establishment and
7 conduct of county colleges.

8 Upon receipt of such petition, the State board shall determine by resolu-
9 tion whether or not there is need for the establishment of such county
10 college within the State system for higher education, and so notify the board
11 or boards of chosen freeholders. When the State board has determined by
12 resolution that such need exists and a copy of said resolution is transmitted
13 to the board or boards of chosen freeholders, the said board or boards shall
14 proceed to establish such county college, in accordance with rules and regu-
15 lations of the State board, if said board or boards shall be authorized so to
16 do by the voters of the respective county or counties, in the manner provided
17 by this act.

1 3. For each county college there shall be a board of trustees, consisting
2 of the county superintendent of schools and 8 persons to be appointed by
3 the director of the board of chosen freeholders with the advice and con-
4 sent of that board. Not more than 4 members shall be of the same political
5 party. Members shall be citizens, and have been residents of the county for
6 a period of 3 years prior to appointment, and shall serve without remunera-
7 tion. Vacancies shall be filled in the same manner within a period of 30 days
8 after the occurrence of such vacancy.

9 In making the first appointments to the board of trustees, 2 persons
10 shall be appointed to serve for 1 year, 2 for 2 years, 2 for 3 years, and 2 for
11 4 years. Persons appointed to the board may serve from the date of their
12 respective appointments, but the term of office shall begin on November 1
13 following the date of appointment. Thereafter annually, during the month of
14 October, 2 persons shall be appointed to serve for a term of 4 years to take
15 the place of the members whose term shall expire on the following
16 November 1.

1 4. When a county college is established by more than 1 county, the board
2 of trustees shall be increased by 2 members for each such additional county.
3 The membership of the trustees shall be apportioned by the commissioner

4 among the several counties as nearly as may be according to the number of
5 inhabitants in each county as shown by the last Federal Census, officially
6 promulgated in this State. Each county shall have at least 1 member and
7 the county superintendent of schools.

1 5. Each board of trustees of a county college shall organize annually on
2 November 1, unless November 1 shall fall on Sunday, in which case the board
3 shall organize on the following day, by the election of a chairman, vice-chair-
4 man and such other officers as the board shall determine.

1 6. The board of trustees shall be a corporate body and shall be known as
2 "the board of trustees of the county college in the county or counties of
3 " (here insert the name of the county or counties in
4 which such board shall be organized).

5 The board of trustees shall, in accordance with rules and regulations of
6 the State board:

- 7 a. Be responsible for the control of the college.
- 8 b. Determine the educational program of the college.
- 9 c. Appoint and fix the compensation and term of office of a president who
10 shall be the executive officer of the board of trustees.
- 11 d. Grant diplomas or degrees.
- 12 e. Appoint, upon nomination of the executive officer, members of the
13 administration and teaching staff, and fix their compensation and terms of
14 employment.
- 15 f. Employ other necessary personnel and fix their duties, terms and
16 compensation.
- 17 g. Prepare annually the budget for the college.
- 18 h. Deliver to each member of the board of school estimate an itemized
19 statement of the amount of money necessary for the current expense and
20 capital outlay for the school year.
- 21 i. Provide for the physical needs of the college; take and condemn land
22 and other property for college purposes in the manner provided by law reg-

23 ulating the ascertainment and payment of compensation for property con-
24 demned and taken for public use.

25 j. Fix tuition and other fees to be paid by students.

26 k. Make, amend, and repeal rules, regulations, and by-laws not inconsis-
27 ent with this Title.

28 l. Make an annual report to the Commissioner of Education.

29 The board of trustees of the county college is hereby held to possess the
30 same rights and privileges and subject to the same regulations as the county
31 board of vocational education for the operation of county vocational schools.

1 7. All the teaching staff members and administrative officers other than
2 the president of the county college are hereby held to possess all rights and
3 privileges of teachers of boards of education of districts governed by chapter
4 6 and chapter 7 of Title 18 of the Revised Statutes, and such teaching staff
5 members, administrative officers and the president shall be eligible for
6 membership in the Teachers' Pension and Annuity Fund.

1 8. The board of school estimate of a county college shall consist of 2
2 members of the board of trustees appointed by that board, 2 members of the
3 board of chosen freeholders appointed by that board, and the director of
4 the board of chosen freeholders.

5 The board of school estimate shall fix and determine the amount of
6 money necessary to be appropriated for use of the county college for cur-
7 rent expense and annual capital outlay expenses for the school year, exclu-
8 sive of the amount to be received from the State and other sources.

9 The appointments shall be made annually between January 1 and Jan-
10 uary 15. In case of a vacancy occurring in the board by reason of the resig-
11 nation, death or removal of any appointed member, the vacancy shall be
12 filled immediately by the board which originally appointed the member, by
13 appointing another of its members to fill the vacancy. The secretary of the
14 board of trustees shall be the secretary of the board of school estimate, but
15 shall receive no compensation as such.

15A On or before February 1 in each year, the board of trustees of such
15B county college shall prepare and deliver to each member of the board of school
15C estimate an itemized statement of the amount of money estimated to be nec-
15D essary for operating and capital expenses.

16 Between February 1 and February 15 of each year, the board of school
17 estimate shall fix and determine the amount of money necessary to be
18 appropriated for the use of the college for the ensuing year, exclusive of
19 the amount to be received from the State. The board of school estimate
20 shall, on or before the last named date, make 2 certificates of the amount,
21 signed by at least 3 of its members, 1 of which certificates shall be delivered
22 to the board of trustees of the college, and the other to the board of chosen
23 freeholders of the county. The board of chosen freeholders shall, upon
24 receipt of the certificate, appropriate in the same manner as other appro-
25 priations are made by it, the amount so certified, and the amount shall be
26 assessed, levied and collected in the same manner as moneys appropriated
27 for other purposes in the county are assessed, levied and collected.

28 Whenever the territorial limits of the county college shall include more
29 than 1 county, the board of school estimate shall consist of 1 member of the
30 board of chosen freeholders of each county selected by that board, the
31 director of each board of chosen freeholders, and 2 members of the board
32 of trustees. All certifications shall be made to the boards of chosen free-
33 holders of the respective counties, as provided in this section for a board of
34 school estimate of 1 county.

35 The amounts to be raised for operation and capital outlay shall be ap-
36 portioned upon the basis of apportionment valuations, as defined in section
37 54:4-49 of the Revised Statutes.

1 9. The State board shall formulate annual budget requests for funds
2 for State support of county colleges. Within the limits of funds appropriated
3 to the State board for such purposes and in accordance with rules and regula-
4 tions prescribed by the State board, the board of trustees of a county
5 college may apply to the State board and receive State support:

6 a. For capital projects approved by the State board in amounts not to
7 exceed $\frac{1}{2}$ the cost of said capital projects, and

8 b. For operational costs to the extent of $\frac{1}{3}$ thereof or \$200.00 per equated
9 full-time student, including such students resident in other counties, which-
10 ever is the lesser amount.

11 State support for operational costs of county colleges shall be made only
12 after an annual review and approval by the State board of the financial pro-
13 gram for operation of the county college, including the charges to be made
14 for student tuition and fees and the establishment of the county share of
15 said costs.

1 10. The county board of chosen freeholders in any county not operating
2 a county college may by vote, subject to regulations of the State board, pay
3 tuition for the attendance of any county resident in any county college,
4 such tuition not to exceed the amount determined to be the county share of
5 the per capita cost for pupils attending from the county in which the county
6 college is located.

1 11. The county board of chosen freeholders may transfer any property
2 owned by the board of chosen freeholders to the board of trustees of a county
3 college. The county college may, with the approval of the board of chosen
4 freeholders, transfer any property owned by it to the county vocational board
5 located in the county, or the county vocational board, with the approval of
6 the board of chosen freeholders, may transfer any property owned by them to
7 the county college for college use.

1 12. The State board shall establish rules and regulations for:

2 a. The establishment of county colleges.

3 b. The operation of county colleges which shall include but need not be
4 limited to:

5 (1) accounting system, auditing and other financial controls.

6 (2) determining tuition rates.

7 (3) attendance of nonresident pupils.

8 (4) standards for granting diplomas or degrees.

9 (5) minimum qualifications for professional staff members.

1 13. No such county college shall be established in any county or counties,
 2 unless and until the establishment thereof shall have been authorized by the
 3 legal voters of the county or counties, as the case may be, as hereinafter
 4 provided.

1 14. The question of the authorization of the establishment of any such
 2 county college, in any county or counties, shall be submitted to the legal voters,
 3 of said county or counties, at the next general election to be held in the county
 4 or counties not less than 40 days after the receipt by the board of chosen free-
 5 holders of said county, or of each of said counties, of a copy of the resolution
 6 of the State board that need exists for the establishment of such county col-
 7 lege in said county or counties.

1 15. There shall be printed upon the official ballot to be used at such general
 2 election the following:

3 If you favor the proposition printed below, make a cross (X), plus (+)
 4 or check (V) in the square opposite the word "Yes." If you are opposed
 5 thereto, make a cross (X), plus (+) or check (V) in the square opposite the
 6 word "No."

	Yes.	Shall a county college be established in _____ pursuant to "An act concerning education, authorizing the establishment of county colleges, providing for their operation and con- trol by a board of trustees, and provid- ing for the method of financing and rais- ing the necessary funds in any county or counties, which by referendum shall au- thorize the same," approved ?
	No.	

7 If a county college is to be established, in 1 county, the name of the county,
 8 and if it is to be established in more than 1 county the names of the counties,
 9 should be inserted in the question and the date of approval of this act should
 10 also be inserted in the appropriate blank of said question.

11 In any county in which voting machines are used the question shall be
 12 placed upon the official ballots to be used upon the voting machines without

13 the foregoing instructions to the voters and shall be voted upon by the use of
14 such machines without marking as aforesaid.

1 16. If at such election the majority of all the votes cast for and against
2 said proposition in the county, if the question is submitted in but 1 county, or
3 in all of the counties, if the question is submitted in more than 1 county, shall
4 be cast in favor of the proposition, the board of chosen freeholders of the
5 county, or the boards of chosen freeholders of the counties, as the case may
6 be, shall be authorized to proceed to establish such county college pursuant to
7 the provisions of this act but if at such election the majority of said votes so
8 cast shall be cast against said proposition, the board of chosen freeholders of
9 the county or the boards of chosen freeholders of the counties, as the case may
10 be, shall have no power to establish such a county college.

1 17. This act shall take effect immediately.

CHAPTER 141 LAWS OF N. J. 1962

APPROVED 5-14-62

ASSEMBLY COMMITTEE SUBSTITUTE FOR

ASSEMBLY, N. J. 17

STATE OF NEW JERSEY

ADOPTED APRIL 16, 1962

AN ACT concerning the establishment and operation of county colleges and providing for the method of financing and raising the necessary funds therefor.

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

1 1. As used in this act:

2 (a) "County college" means an educational institution established or to
3 be established by one or more counties, offering programs of instruction, ex-
4 tending not more than 2 years beyond the high school, which may include
5 but need not be limited to specialized or comprehensive curriculums, includ-
6 ing college credit transfer courses, terminal courses in the liberal arts and
7 sciences, and technical institute type programs.

8 (b) "State board" means the State Board of Education.

9 (c) "Commissioner" means the Commissioner of Education.

10 (d) "Capital outlay expense" means those funds devoted to or required
11 for the acquisition, landscaping or improvement of land; the acquisition,
12 construction, reconstruction, improvement, remodeling, alteration, addition or
13 enlargement of buildings or other structures; and the purchase of furniture,
14 apparatus and other equipment.

15 (e) "Operation expense" means those funds devoted to or required for
16 the regular or ordinary expenses of the college, including administrative,
17 maintenance and salary expenses but excluding capital outlay expenses.

18 (f) "Local Bond Law" means the Local Bond Law of Title 40A of the
19 New Jersey Statutes.

1 2. When the board of chosen freeholders of one or more counties, after
2 study and investigation, shall deem it advisable for such county or counties
3 to establish a county college, such board or boards of county freeholders
4 may petition the State board for permission to establish and operate a
5 county college. A report shall be attached to such petition and shall include
6 information on the higher educational needs of the county or counties, a
7 description of the proposed county college, the proposed curriculum, an esti-
8 mate of the cost of establishing and maintaining such county college, and any
9 other information or data deemed pertinent.

10 Upon receipt of such petition by the State board, it shall be referred to
11 the commissioner who shall make an independent study as to the higher
12 educational needs of the county or counties, the necessity or advisability of
13 establishing such county college, and whether the county or counties could,
14 with the State aid provided for in this act, financially support such college.
15 The commissioner shall submit a report containing his conclusions to the
16 State board and to the petitioning board or boards of chosen freeholders.

17 The State board, after studying both the petition of the board or boards
18 of chosen freeholders and the report of the commissioner, shall determine
19 whether there is a need for such college and whether the county or counties
20 have the financial capacity to support such college. If the State board finds
21 such a need to exist and further finds that establishing and maintaining such
22 college is financially feasible, it shall approve the petition and shall so
23 notify the board or boards of chosen freeholders.

1 3. Whenever the board or boards of chosen freeholders receive notifica-
2 tion that the State board approves the establishment of a county college,
3 each participating board may provide by resolution for the establishment of
4 a county college in accordance with the provisions of this act and the regula-
5 tions of the State board. Prior to the final passage of said resolution, the
6 board shall have published, in full, in a newspaper circulating in the county,

7 the resolution together with the time and place of a public hearing to be had
8 upon said resolution. Said publication shall be at least 10 days prior to the
9 time fixed for the public hearing.

10 Within 5 days after passage, the resolution shall be published in full
11 in a newspaper circulating in the county and a copy of said resolution shall
12 be filed for public inspection with the clerk of the board of chosen freeholders
13 and with the clerk of each municipality in said county. The resolution shall
14 become effective in said county 45 days after passage unless there is filed
15 with the county clerk within said 45 days, a petition requesting a referendum
16 in said county signed by either 5% or 10,000 of the registered voters of said
17 county, whichever is lesser, or such a petition authorized by the governing
18 body of a municipality or municipalities representing in total at least 15% of
19 the population of said county. If such petition is so filed, the proposal for
20 the establishment of a county college shall be submitted to the registered
21 voters of said county at the next general election.

22 Where a county college is to be established by more than one county,
23 similar resolutions authorizing the establishment of such county college shall
24 be passed by the board of chosen freeholders in each participating county.
25 If a petition such as is described above is filed in one or more said partici-
26 pating counties, then the proposal for the establishment of a county college
27 shall be submitted to the registered voters of the county or counties in which
28 such petition or petitions are filed.

29 The county clerk of each participating county shall notify the commis-
30 sioner and the board of chosen freeholders of each other participating county
31 upon the elapse of 45 days after the passage of the resolution in said county
32 whether the question of the establishment of a county college is to be sub-
33 mitted to the registered voters of said county at the next general election.

1 4. If a proposal for the establishment of a county college is to be sub-
2 mitted to the registered voters of the county, the county clerk shall have pub-
3 lished at least 10 days before said general election notice thereof in a news-
4 paper circulating in the county and the county clerk shall have printed or

5 cause to be printed on the official ballot to be used at such general election
6 the following:

7 If you favor the proposition printed below, make a cross (X), plus (+)
8 or check (V) in the square opposite the word "Yes." If you are opposed
9 thereto, make a cross (X), plus (+) or check (V) in the square opposite the
10 word "No."

	Yes.	Shall a county college be established in..... pursuant to "An act concerning the establishment and opera- tion of county colleges and providing for the method of financing and raising the necessary funds therefor." approved
	No.	

11 If a county college is to be established in one county, the name of the
12 county, and if it is to be established in more than one county, the names of the
13 counties, should be inserted in the question and the date of approval of this
14 act should also be inserted in the appropriate blank of said question.

15 In any county in which voting machines are used the question shall be
16 placed upon the official ballots to be used upon the voting machines without
17 the foregoing instructions to the voters and shall be voted upon by the use
18 of such machines without marking as aforesaid.

19 If the question of the establishment of a county college is submitted to
20 the people of the county, that county clerk shall send notice of the results of
21 said election to the commissioner and the board of chosen freeholders of each
22 of the participating counties.

1 5. If at said election the proposal for the establishment of the county col-
2 lege is approved by a majority of all the votes cast both for and against said
3 question in the county, then the board of chosen freeholders shall proceed to
4 establish a county college.

5 Where the county college is to be established by more than one county,
6 then the boards of chosen freeholders of the participating counties shall not
7 establish a county college until the commissioner notifies said boards that ..

8 similar resolution of the board of chosen freeholders in each participating
 9 county has become effective upon the elapse of the 45-day period or the pro-
 10 posal for the establishment of a county college has been approved by a ma-
 11 jority of the registered voters of said county at a general election.

1 6. If a majority of the votes in a county are cast against a proposal for
 2 the establishment of a county college, the board of chosen freeholders of such
 3 county may not establish a county college unless thereafter the board:

4 (a) Submits a petition to the State board in accordance with the pro-
 5 visions of section 2 of this act, and

6 (b) Submits a proposal for the establishment of a county college at a
 7 general election and has it approved by a majority of the votes of the county
 8 voting thereon.

9 The board of chosen freeholders shall not resubmit a proposal which has
 10 been defeated to the voters of the county before the third general election
 11 thereafter, however, an alternate proposal may be submitted at any general
 12 election.

1 7. The State board shall establish rules and regulations governing:

2 (a) The establishment of county colleges; and

3 (b) The operation of county colleges which shall include but need not be
 4 limited to:

5 (1) accounting systems, auditing and other financial controls,

6 (2) determining tuition rates,

7 (3) attendance of nonresident pupils,

8 (4) standards for granting diplomas, certificates or degrees, and

9 (5) minimum qualifications for professional staff members.

1 8. For each county college there shall be a board of trustees, consisting
 2 of the county superintendent of schools and 8 persons to be appointed by the
 3 director of the board of chosen freeholders with the advice and consent of
 4 that board.

5 When a county college is established by more than one county the board
 6 of trustees shall be increased by 2 members for each additional participating

7 county. The membership of the board of trustees shall be apportioned by the
8 commissioner among the several counties as nearly as may be according to
9 the number of inhabitants in each county as shown by the last Federal census,
10 officially promulgated in this State. Each apportionment shall continue in
11 effect until a reapportionment shall become necessary by reason of the official
12 promulgation of the next Federal census or the enlargement of the board by
13 the admission of one or more additional counties as provided for in section 24
14 of this act. Each county shall be entitled to have at least one member and the
15 county superintendent of the schools of said county on the board of trustees.

1 9. Appointed members of the board of trustees shall be citizens of the
2 United States who have been residents of the county appointing them for a
3 period of 4 years prior to said appointment. The term of office of appointed
4 members, except for the first appointments, shall be for 4 years. Each mem-
5 ber shall serve until his successor shall have been appointed and qualified.

6 Vacancies shall be filled in the same manner as the original appointment
7 for the remainder of the unexpired term. Members shall serve without com-
8 pensation but shall be entitled to be reimbursed for all reasonable and nec-
9 essary expenses.

10 In the case of a county college established by one county, the term of
11 office of members initially appointed to the board of trustees shall be as
12 follows: 2 persons shall receive terms of 1 year, 2 terms of 2 years, 2 terms
13 of 3 years and 2 terms of 4 years.

14 In the case of a county college established by more than one county,
15 the commissioner shall fix the terms of the members initially appointed to
16 the board of trustees so that as nearly as possible, $\frac{1}{4}$ of the appointed mem-
17 bers will receive terms of 4 years, $\frac{1}{4}$ terms of 3 years, $\frac{1}{4}$ terms of 2 years and
18 the remainder terms of 1 year. Such terms shall be allocated by the com-
19 missioner among the participating counties, in accordance with the number
20 of members on the board of trustees appointed to each county, starting with
21 the terms of 4 years, by allocating one of such terms to each of the partici-
22 pating counties in alphabetical order of the names of such counties, and con-

23 lining, still in such order, with the terms of 3 years, the terms of 2 years
24 and the terms of 1 year.

25 Members initially appointed to the board may serve from the time of their
26 respective appointments, but the term of such office shall be deemed to com-
27 mence as of November 1 of the year in which the appointment was made.

1 10. The board of trustees of a county college shall organize annually
2 on the first Monday in November by the election of a chairman, vice-chair-
3 man and such other officers as the board shall determine.

1 11. The board of trustees shall be a body corporate and shall be known as
2 the "Board of Trustees of" (here insert the name of
3 the county college).

4 The board of trustees, in accordance with the rules and regulations of
5 the State board, shall have custody of and be responsible for the property of
6 the college and shall be responsible for the management and control of said
7 college. The board shall make an annual report in the manner prescribed by
8 the State board to the commissioner and to the board of chosen freeholders
9 of each participating county.

1 12. For the effectuation of the purposes of this act, the board of trus-
2 tees of a county college, in addition to such other powers expressly granted
3 to it by this act and subject to the rules and regulations of the State board,
4 is hereby granted the following powers:

- 5 (a) To adopt or change the name of the county college;
- 6 (b) To adopt and use a corporate seal;
- 7 (c) To sue and be sued;
- 8 (d) To determine the educational curriculum and program of the college;
- 9 (e) To appoint and fix the compensation and term of office of a presi-
10 dent of the college who shall be the executive officer of the college and an
11 ex officio member of the board of trustees;
- 12 (f) To appoint, upon nomination of the president, members of the ad-
13 ministrative and teaching staffs and fix their compensation and terms of em-
14 ployment subject to the provisions of section 13 of this act;

15 (g) To appoint or employ such other officers, agents and employees as
16 may be required to carry out the provisions of this act and to fix and deter-
17 mine their qualifications, duties, compensation, terms of office and all other
18 conditions and terms of employment and retention;

19 (h) To fix and determine tuition rates and other fees to be paid by
20 students;

21 (i) To grant diplomas, certificates or degrees;

22 (j) To enter into contracts and agreements with the State or any of its
23 political subdivisions or with the United States, or with any public body, de-
24 partment or other agency of the State or the United States or with any in-
25 dividual firm or corporation which are deemed necessary or advisable by the
26 board for carrying out the provisions of this act;

27 (k) To accept from any government or governmental department, agency
28 or other public or private body or from any other source grants or contribu-
29 tions of money or property which the board may use for or in aid of any of
30 its purposes;

31 (l) To acquire (by gift, purchase, condemnation or otherwise), own, lease,
32 use and operate property, whether real, personal or mixed, or any interest
33 therein, which is necessary or desirable for college purposes;

34 (m) To determine that any property owned by the county college is no
35 longer necessary for college purposes and to sell the same at such price and
36 in such manner and upon such terms and conditions as shall be established
37 by the State board;

38 (n) To exercise the right of eminent domain pursuant to the provisions
39 of Title 20 of the Revised Statutes to acquire any property or interest
40 therein;

41 (o) To make and promulgate such rules and regulations, not inconsistent
42 with the provisions of this act or with the rules and regulations of the State
43 board, that are necessary and proper for the administration and operation
44 of a county college and to implement the provisions of this act; and

45 (p) To exercise all other powers not inconsistent with the provisions of
46 this act or with the rules and regulations of the State board which may be
47 reasonably necessary or incidental to the establishment, maintenance and
48 operation of a county college.

1 13. The teaching staff employees and administrative officers other than
2 the president of the county college are hereby held to possess all the rights
3 and privileges of teachers employed by local boards of education. The
4 president and teaching staff members shall be eligible for membership in the
5 Teachers' Pension and Annuity Fund.

6 For the benefit of its other officers and employees, the county college, as a
7 public agency, may elect to participate in the Public Employees' Retirement
8 System.

1 14. Counties, municipalities, school districts or special schools may sell,
2 give or lease any of their property to the board of trustees of a county college
3 pursuant to the rules and regulations of the State board.

1 15. Each county college shall have a board of school estimate.

2 In the case of a county college established by one county, such board shall
3 consist of the chairman of the board of chosen freeholders, 2 members of the
4 board of chosen freeholders appointed by that board and 2 members of the
5 board of trustees appointed by that board.

6 In the case of a county college established by more than one county, such
7 board shall consist of the chairman of the board of chosen freeholders from
8 each participating county, one member of the board of chosen freeholders
9 from each participating county appointed by that board and one member of
10 the board of trustees from each participating county appointed by that
11 board.

1 16. Appointments to the board of school estimate shall be made annually
2 on or before December 1 and any vacancy in the board's membership shall be
3 filled by the board which originally appointed the members. The secretary of
4 the board of trustees shall be the secretary of the board of school estimate
5 but shall receive no additional compensation therefor.

6 The board of school estimate shall fix and determine the amount of
7 money necessary to be appropriated for use of the county college for the opera-
8 tion and capital outlay expenses for the school year, exclusive of the amount to
9 be received from the State and other sources.

1 17. On or before February 1 in each year, the board of trustees of the
2 county college shall prepare and deliver to each member of the board of
3 school estimate an itemized statement of the amount of money estimated to be
4 necessary for the operation and capital outlay expenses for the ensuing year.

5 Between February 1 and February 15 of each year, the board of school
6 estimate shall fix and determine the amount of money necessary for the
7 operation and capital outlay expenses of the college for the ensuing year,
8 exclusive of the amount to be received from the State and from other sources.

9 The board of school estimate shall, on or before February 15 of each
10 year, make a certificate of such amount signed by at least a majority of its
11 members. Copies thereof shall be delivered to the commissioner, to the board
12 of trustees of the college and to each participating board of chosen
13 freeholders.

14 In the case of a county college established by more than one county, the
15 amount to be raised for the annual operation and capital outlay expenses
16 shall be apportioned among the participating counties upon the basis of ap-
17 propriation valuations, as defined in section 54:4-49 of the Revised Statutes.
18 In such case, the certificate of the board of school estimate shall certify the
19 proportioned part of the total to be raised by each participating county.

1 18. The board of chosen freeholders shall, upon receipt of the certificate,
2 appropriate the amount of the operation expenses certified therein, in the
3 same manner as other appropriations are made by said board and the amount
4 shall be assessed, levied and collected in the same manner as moneys appro-
5 priated for other purposes in the counties are appropriated, levied and
6 collected.

1 19. The board of chosen freeholders shall, upon receipt of the certificate,
2 appropriate the amount of the capital outlay expenses certified therein by
3 either:

4 (a) The method provided for in section 18 of this act; or

5 (b) An ordinance authorizing the borrowing of such amount and secur-
6 ing the repayment thereof, together with the interest thereon, by the issuance
7 of bonds in the name of the county. The bonds so issued shall be designated
8 "county college bonds." They shall be issued and sold pursuant to the Local
9 Bond Law. No county shall issue such bonds if the amount thereof together
10 with the amount of prior outstanding county college bonds shall exceed an
11 amount equal to $\frac{1}{2}$ of 1% of the equalized valuation of property in said county
12 unless such bond issue shall first have been approved by the commissioner and
13 the Division of Local Government.

1 20. If the board of trustees shall determine that it is necessary in any
2 school year to raise money in addition to the amount in its annual budget for
3 such year for:

4 (1) current expenses for the operation and maintenance of the college
5 when the amount necessary therefor was underestimated in the budget;

6 (2) repair or utilization of property destroyed or made unsuitable by
7 accident or other unforeseen cause; or

8 (3) meeting emergencies arising since the preparation of such budget;
9 the board shall prepare and deliver to each member of the board of school
10 estimate a statement of the amount of money determined to be necessary
11 therefor.

12 The board of school estimate shall meet within a reasonable time after
13 the delivery of the statement and fix and determine the amount necessary
14 for such purpose or purposes. In the case of a county college established
15 by more than one county, the board shall apportion upon the basis of the
16 appropriation valuations as defined in section 54:4-49 of the Revised Stat-
17 utes, such amount among the participating counties. The board shall then
18 certify the amount so determined and apportioned to the commissioner, the
19 board of trustees of the college and to each participating board of chosen
20 freeholders.

21 The board of chosen freeholders, upon receipt of such certificate, shall
22 appropriate the amount certified therein and shall raise such amount in the
23 manner provided for by sections 18 and 19 of this act.

1 21. Notwithstanding the time limitations specified in section 17 of this
2 act, during the calendar year in which the board or boards of chosen free-
3 holders first establish a county college, the board of trustees of the county
4 college may prepare and deliver to the board of school estimate of the college
5 an estimate of the amount necessary to finance the county college until the
6 first regular budget is adopted and available.

7 The board of school estimate shall meet within a reasonable time after
8 the delivery of said estimate and shall fix and determine the amount neces-
9 sary to so finance the county college and, if more than one county partici-
10 pated in establishing the county college, shall apportion said amount upon
11 the basis of apportionment valuations as defined in section 54:4-49 of the
12 Revised Statutes. The board shall then certify the amount so determined to
13 the commissioner, the board of trustees of the college and to the board of
14 chosen freeholders of each participating county.

15 The board of chosen freeholders shall, upon receipt of such certification,
16 appropriate its share of said amount in the manner provided for by sections
17 18 and 19 of this act.

1 22. The State board shall formulate annual budget requests for State
2 support of county colleges. Within the limits of funds appropriated to the
3 State board for such purposes and in accordance with rules and regulations
4 prescribed by the State board, the board of trustees of a county college may
5 apply to the State board and receive State support:

6 (a) For capital projects approved by the State board in amounts not
7 to exceed $\frac{1}{2}$ of the cost of said capital projects, and

8 (b) For operational costs to the extent of $\frac{1}{3}$ thereof or \$200.00 per
9 equated full-time student, including such students resident in other counties,
10 whichever is the lesser amount.

11 State support for the operational costs of county colleges shall be made
12 within limits of State appropriation and only after an annual review and

13 approval by the State board of the financial program for operation of the
14 county college, including the charges to be made for student tuition and fees
15 and the establishment of the county share of said costs.

1 23. The county board of chosen freeholders in any county not operating
2 a county college may, subject to regulations of the State board and in
3 accordance with uniform standards based upon scholarship and financial need,
4 pay the tuition for any of their residents who attend any county college
5 which is financed in part from State funds.

6 The board of trustees of a county college shall accept pupils from any
7 county which does not have its own county college to the extent that the
8 college's facilities will permit.

1 24. If the board of trustees of a county college shall determine that it is
2 in the best interest of the college to allow one or more additional counties
3 to join in the operation of said county college and the board or boards of
4 chosen freeholders of the county or counties then operating the county col-
5 lege shall approve, said board of trustees and the commissioner, pursuant
6 to the rules and regulations of the State board, shall fix the terms and con-
7 ditions under which said additional county or counties may participate in the
8 operation of the county college.

1 25. Nothing in this act shall be construed to prohibit or prevent the
2 referenda procedure specified in chapter 37 of Title 19 of the Revised
3 Statutes.

1 26. This act shall take effect July 1, 1963.