

ASSEMBLY, No. 281

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen BATEMAN and KAVANAUGH

1 AN ACT concerning school budgets and amending N.J.S.18A:22-14,
2 18A:22-26, and 18A:22-37.

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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. N.J.S.18A:22-14 is amended to read as follows:
8 18A:22-14. At or after said public hearing but not later than April
9 8, the board of school estimate of a type I district shall fix and
10 determine by official action taken at a public meeting of the board the
11 amount of money necessary to be appropriated for the use of the
12 public schools in the district for the ensuing school year, exclusive of
13 the amount which shall have been apportioned to it by the
14 commissioner, and shall make two certificates of such amount signed
15 by at least three members of the board, one of which shall be delivered
16 to the board of education and the other to the governing body of the
17 district.

18 Within 15 days after receiving such certificate the board of
19 education shall notify the board of school estimate and governing body
20 of the district if it intends to appeal to the commissioner the board of
21 school estimate's determination as to the amount of money necessary
22 to be appropriated for the use of the public schools of the district for
23 the ensuing school year. The commissioner shall issue a decision on
24 the appeal by November 1 of the ensuing school year.
25 (cf: P.L.1992, c.159, s.14)

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27 2. N.J.S.18A:22-26 is amended to read as follows:
28 18A:22-26. At or after said public hearing but not later than April
29 8, the board of school estimate of a type II district having a board of
30 school estimate shall fix and determine by a recorded roll call majority
31 vote of its full membership the amount of money necessary to be
32 appropriated for the use of the public schools in such district for the

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 ensuing school year, exclusive of the amount which shall be
2 apportioned to it by the commissioner for said year and shall make a
3 certificate of such amount signed by at least a majority of all members
4 of such board, which shall be delivered to the board of education and
5 a copy thereof, certified under oath to be correct and true by the
6 secretary of the board of school estimate, shall be delivered to the
7 county board of taxation on or before April 15 in each year and a
8 duplicate of such certificate shall be delivered to the board or
9 governing body of each of the municipalities within the territorial
10 limits of the district having the power to make appropriations of
11 money raised by taxation in the municipalities or political subdivisions
12 and to the county superintendent of schools and such amount shall be
13 assessed, levied and raised under the procedure and in the manner
14 provided by law for the levying and raising of special school taxes
15 voted to be raised at an annual or special election of the legal voters
16 in type II districts and shall be paid to the treasurer of school moneys
17 of the district for such purposes.

18 Within 15 days after receiving such certificate the board of
19 education shall notify the board of school estimate and governing body
20 of each municipality within the territorial limits of the school district
21 if it intends to appeal to the commissioner the board of school
22 estimate's determination as to the amount of money necessary to be
23 appropriated for the use of the public schools of the district for the
24 ensuing school year. The commissioner shall issue a decision on the
25 appeal by November 1 of the ensuing school year.

26 (cf: P.L.1992, c.159, s.15)

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28 3. N.J.S.18A:22-37 is amended to read as follows:

29 18A:22-37. If the voters reject any of the items submitted at the
30 annual school election, the board of education shall deliver the
31 proposed school budget to the governing body of the municipality, or
32 of each of the municipalities included in the district within two days
33 thereafter. The governing body of the municipality, or of each of the
34 municipalities, included in the district shall, after consultation with the
35 board, and by May 19, determine the amount which, in the judgment
36 of said body or bodies, is necessary to be appropriated, for each item
37 appearing in such budget, to provide a thorough and efficient system
38 of schools in the district, and certify to the county board of taxation
39 the totals of the amount so determined to be necessary for each of the
40 following: a. General fund expenses of schools; or b. Appropriations
41 to capital reserve account. Within 15 days after the governing body
42 of the municipality or of each of the municipalities included in the
43 district shall make such certification to the county board of taxation,
44 the board of education shall notify such governing body or bodies if it
45 intends to appeal to the commissioner the amounts which said body or
46 bodies determined to be necessary to be appropriated for each item

1 appearing in the proposed school budget. The commissioner shall
2 issue a decision on the appeal by November 1 of the ensuing school
3 year.

4 (cf: P.L.1995, c.94, s.2)

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6 4. This act shall take effect immediately.

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STATEMENT

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11 This bill requires the Commissioner of Education to render a
12 decision by November 1 on any budget appeal filed with the
13 commissioner by a Type I school district or a Type II school district
14 with a board of school estimate in regard to the decision of the board
15 of school estimate on the amount of money to be appropriated to the
16 school district for the next budget year. The bill also requires the
17 commissioner to render a decision by November 1 whenever a Type
18 II school district appeals the decision of a municipal governing body
19 on a reduction of the district's budget after the defeat of that budget
20 by the voters.

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25 Requires Commissioner of Education to issue budget appeal decisions
26 by November 1.