[First Reprint]

ASSEMBLY, No. 281

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen BATEMAN and KAVANAUGH

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

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

1. N.J.S.18A:22-14 is amended to read as follows:

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

Within 15 days after receiving such certificate the board of education shall notify the board of school estimate and governing body of the district if it intends to appeal to the commissioner the board of school estimate's determination as to the amount of money necessary to be appropriated for the use of the public schools of the district for the ensuing school year. <u>The commissioner shall issue a decision on the appeal by November 1 of the ensuing school year</u> [1]<u>; provided, however, that this date may be waived when a delay is caused by action of the parties</u>[1]<u>.</u>

(cf: P.L.1992, c.159, s.14)

2. N.J.S.18A:22-26 is amended to read as follows:

18A:22-26. At or after said public hearing but not later than April 8, the board of school estimate of a type II district having a board of

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 <u>thus</u> is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
[1] Assembly AED committee amendments adopted February 15, 1996.

school estimate shall fix and determine by a recorded roll call majority vote of its full membership the amount of money necessary to be appropriated for the use of the public schools in such district for the ensuing school year, exclusive of the amount which shall be apportioned to it by the commissioner for said year and shall make a certificate of such amount signed by at least a majority of all members of such board, which shall be delivered to the board of education and a copy thereof, certified under oath to be correct and true by the secretary of the board of school estimate, shall be delivered to the county board of taxation on or before April 15 in each year and a duplicate of such certificate shall be delivered to the board or governing body of each of the municipalities within the territorial limits of the district having the power to make appropriations of money raised by taxation in the municipalities or political subdivisions and to the county superintendent of schools and such amount shall be assessed, levied and raised under the procedure and in the manner provided by law for the levying and raising of special school taxes voted to be raised at an annual or special election of the legal voters in type II districts and shall be paid to the treasurer of school moneys of the district for such purposes.

Within 15 days after receiving such certificate the board of education shall notify the board of school estimate and governing body of each municipality within the territorial limits of the school district if it intends to appeal to the commissioner the board of school estimate's determination as to the amount of money necessary to be appropriated for the use of the public schools of the district for the ensuing school year. The commissioner shall issue a decision on the appeal by November 1 of the ensuing school year [1]:provided, however, that this date may be waived when a delay is caused by action of the parties[1].

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

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

18A:22-37. If the voters reject any of the items submitted at the annual school election, the board of education shall deliver the proposed school budget to the governing body of the municipality, or of each of the municipalities included in the district within two days thereafter. The governing body of the municipality, or of each of the municipalities, included in the district shall, after consultation with the board, and by May 19, determine the amount which, in the judgment of said body or bodies, is necessary to be appropriated, for each item appearing in such budget, to provide a thorough and efficient system of schools in the district, and certify to the county board of taxation the totals of the amount so determined to be necessary for each of the following: a. General fund expenses of schools; or b. Appropriations to capital reserve account. Within 15 days after the governing body

of the municipality or of each of the municipalities included in the district shall make such certification to the county board of taxation, the board of education shall notify such governing body or bodies if it intends to appeal to the commissioner the amounts which said body or bodies determined to be necessary to be appropriated for each item appearing in the proposed school budget. The commissioner shall issue a decision on the appeal by November 1 of the ensuing school year [1]; provided, however, that this date may be waived when a delay is caused by action of the parties[1] .

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

4. This act shall take effect immediately.

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