

ASSEMBLY, No. 1191

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman DALTON

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

3  
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
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. The amount so fixed and determined shall not be less than the  
18 amount appropriated for the use of the public schools of the district in  
19 the pre-budget year as adjusted in direct proportion to the rise or fall  
20 of the consumer price index for all urban consumers in the New York  
21 City and the Philadelphia areas as reported by the United States  
22 Department of Labor.

23 Within 15 days after receiving such certificate the board of  
24 education shall notify the board of school estimate and governing body  
25 of the district if it intends to appeal to the commissioner the board of  
26 school estimate's determination as to the amount of money necessary  
27 to be appropriated for the use of the public schools of the district for  
28 the ensuing school year.

29 In the event that the commissioner increases the amount of money  
30 to be appropriated for school purposes over the amount certified by  
31 the board of school estimate, the State shall pay the full amount of that

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 increase.

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

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

5 18A:22-26. At or after said public hearing but not later than April  
6 8, the board of school estimate of a type II district having a board of  
7 school estimate shall fix and determine by a recorded roll call majority  
8 vote of its full membership the amount of money necessary to be  
9 appropriated for the use of the public schools in such district for the  
10 ensuing school year, exclusive of the amount which shall be  
11 apportioned to it by the commissioner for said year and shall make a  
12 certificate of such amount signed by at least a majority of all members  
13 of such board, which shall be delivered to the board of education and  
14 a copy thereof, certified under oath to be correct and true by the  
15 secretary of the board of school estimate, shall be delivered to the  
16 county board of taxation on or before April 15 in each year and a  
17 duplicate of such certificate shall be delivered to the board or  
18 governing body of each of the municipalities within the territorial  
19 limits of the district having the power to make appropriations of  
20 money raised by taxation in the municipalities or political subdivisions  
21 and to the county superintendent of schools and such amount shall be  
22 assessed, levied and raised under the procedure and in the manner  
23 provided by law for the levying and raising of special school taxes  
24 voted to be raised at an annual or special election of the legal voters  
25 in type II districts and shall be paid to the treasurer of school moneys  
26 of the district for such purposes. The amount so certified shall not be  
27 less than the amount appropriated for the use of the public schools of  
28 the district in the pre-budget year as adjusted in direct proportion to  
29 the rise or fall of the consumer price index for all urban consumers in  
30 the New York City and the Philadelphia areas as reported by the  
31 United States Department of Labor.

32 Within 15 days after receiving such certificate the board of  
33 education shall notify the board of school estimate and governing body  
34 of each municipality within the territorial limits of the school district  
35 if it intends to appeal to the commissioner the board of school  
36 estimate's determination as to the amount of money necessary to be  
37 appropriated for the use of the public schools of the district for the  
38 ensuing school year.

39 In the event that the commissioner increases the amount of money  
40 to be appropriated for school purposes over the amount certified by  
41 the board of school estimate, the State shall pay the full amount of that  
42 increase.

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

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

46 18A:22-37. If the voters reject any of the items submitted at the

1 annual school election, the board of education shall deliver the  
2 proposed school budget to the governing body of the municipality, or  
3 of each of the municipalities included in the district within two days  
4 thereafter. The governing body of the municipality, or of each of the  
5 municipalities, included in the district shall, after consultation with the  
6 board, and by May 14, determine the amount which, in the judgment  
7 of said body or bodies, is necessary to be appropriated, for each item  
8 appearing in such budget, to provide a thorough and efficient system  
9 of schools in the district, and certify to the county board of taxation  
10 the totals of the amount so determined to be necessary for each of the  
11 following:

- 12 a. General fund expenses of schools; or
- 13 b. Appropriations to capital reserve account.

14 The amount so certified shall not be less than the amount appropriated  
15 for the use of the public schools of the district in the pre-budget year  
16 as adjusted in direct proportion to the rise or fall of the consumer price  
17 index for all urban consumers in the New York City and the  
18 Philadelphia areas as reported by the United States Department of  
19 Labor.

20 Within 15 days after the governing body of the municipality or of  
21 each of the municipalities included in the district shall make such  
22 certification to the county board of taxation, the board of education  
23 shall notify such governing body or bodies if it intends to appeal to the  
24 commissioner the amounts which said body or bodies determined to be  
25 necessary to be appropriated for each item appearing in the proposed  
26 school budget.

27 In the event that the commissioner increases the amount of money  
28 to be appropriated for school purposes over the amount certified by  
29 the local governing body or bodies, the State shall pay the full amount  
30 of that increase.

31 (cf: P.L.1993, c.83, s.10)

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33 4. This act shall take effect immediately.

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#### STATEMENT

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38 This bill provides that if the Commissioner of Education restores  
39 funds to a budget that has been defeated by the voters or certified by  
40 the board of school estimate, then the State will pay the full amount of  
41 that increase. The bill also provides that the municipality or the board  
42 of school estimate may not certify a budget that is less than the prior  
43 year, adjusted by the consumer price index.

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3 Requires the State to pay for amount of school budget restored by

4 Commissioner of Education.

WITHDRAWN

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