

18A:13-18 et seq. August 18, 1970

LEGISLATIVE HISTORY OF R.S. 18A:13-18 et seq
(School budget - second election)

copy 2

Similar bills introduced, 1967-1968

1969 - A51
Pre-filed by De Korte (and other)
Bill had statement (copy enclosed)
Amended in Assembly (copy enclosed)
Amended in Senate (copy enclosed)
Died after 2d read in Senate

L.1969 - Chapt.250 - S693
Intro April 10 by Miller, Italiano, H. Kelly

Not amended during passage
Bill had statement (copy enclosed)

Governor made statement upon signing (copy enclosed)

Comment on the bill:
974.905 State Federation District Boards of Education
Legislative Bulletin, Vol 17, No. 4
April 25, 1969 (copy enclosed)

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RSL/AS

STATE OF NEW JERSEY

INTRODUCED APRIL 10, 1969

By Senator MILLER, ITALIANO and H. A. KELLY

Referred to Committee on Education

AN ACT concerning the adoption of budgets in certain school districts, amending sections 18A:13-19, 18A:22-37 and 18A:22-38, and repealing sections 18A:13-18 and 18A:22-36, of the New Jersey Statutes.

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

1 1. Section 18A:13-19 of the New Jersey Statutes is amended to
2 read as follows:

3 18A:13-19. If the voters reject any of the items submitted at the
4 **[second]** *annual school* election, the board of education of the
5 regional district shall certify to the governing body of each munici-
6 pality, included within the regional district, the item or items so
7 rejected, and such governing bodies, after consultation with the
8 board, shall within **[10]** 30 days after the receipt of the certificate,
9 determine the amount or amounts which they deem necessary to
10 provide a thorough and efficient system of schools in the regional
11 district for the ensuing school year and cause the same to be certi-
12 fied by the respective municipal clerks to the board of education of
13 the regional district.

1 2. Section 18A:22-37 of the New Jersey Statutes is amended to
2 read as follows:

3 18A:22-37. If the voters reject any of the items submitted at the
4 **[second]** *annual school* election, the governing body of the munici-
5 pality, or of each of the municipalities, included in the district shall,
6 after consultation with the board, and within **[10]** 30 days after
7 receipt of the proposed school budget from the board, determine the
8 amount which, in the judgment of said body or bodies, is necessary
9 to be appropriated, for each item appearing in such budget, to
10 provide a thorough and efficient system of schools in the district,

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

11 and certify to the county board of taxation the totals of the amount
12 so determined to be necessary for each of the following:

- 13 a. Current expenses of schools;
- 14 b. Vocational evening schools or classes;
- 15 c. Evening schools or classes for foreign-born residents;
- 16 d. Appropriations to capital reserve fund; or
- 17 e. Any capital project, the cost whereof is to be paid directly
18 from such taxes;

19 which amounts shall be included in the taxes to be assessed, levied
20 and collected in such municipality or municipalities for such
21 purposes.

1 3. Section 18A:22-38 of the New Jersey Statutes is amended to
2 read as follows:

3 18A:22-38. If said governing body or bodies shall fail so to
4 certify any amount, determined by them to be necessary for any
5 item rejected at the [second] *annual school* election, or in event
6 that the governing bodies of the municipalities comprising a school
7 district, shall certify different amounts, then the commissioner shall
8 determine the amount or amounts which in his judgment, are
9 necessary to be appropriated, for each of the items appearing
10 in the budget, submitted to such governing body or bodies, to
11 provide a thorough and efficient system of public schools in the
12 district, and certify to the county board of taxation the totals of
13 the amount so determined to be necessary for each of the following:

- 14 a. Current expenses of schools;
- 15 b. Vocational evening schools or classes;
- 16 c. Evening schools or classes for foreign-born residents;
- 17 d. Appropriations to capital reserve fund; or
- 18 e. Any capital project, the cost whereof is to be paid directly
19 from such taxes;

20 and the amounts so certified shall be included in the taxes to be
21 assessed, levied and collected in such municipality or municipalities
22 for such purposes.

1 4. Sections 18A:13-18 and 18A:22-36 of the New Jersey Statutes
2 are repealed.

1 5. This act shall take effect immediately.

STATEMENT

This bill would eliminate the requirement for a second school election when the school budget or part thereof is rejected by the voters at the annual school election, and would allow the governing body or bodies 30 days, instead of 10 days as at present, in which to review a defeated budget.

SENATE, No. 693

STATE OF NEW JERSEY

INTRODUCED APRIL 10, 1969

By Senator MILLER, ITALIANO and H. A. KELLY

Referred to Committee on Education

AN ACT concerning the adoption of budgets in certain school districts, amending sections 18A:13-19, 18A:22-37 and 18A:22-38, and repealing sections 18A:13-18 and 18A:22-36, of the New Jersey Statutes.

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4 **[second]** *annual school* election, the board of education of the
5 regional district shall certify to the governing body of each municipi-
6 pality, included within the regional district, the item or items so
7 rejected, and such governing bodies, after consultation with the
8 board, shall within **[10]** 30 days after the receipt of the certificate,
9 determine the amount or amounts which they deem necessary to
10 provide a thorough and efficient system of schools in the regional
11 district for the ensuing school year and cause the same to be certi-
12 fied by the respective municipal clerks to the board of education of
13 the regional district.

1 2. Section 18A:22-37 of the New Jersey Statutes is amended to
2 read as follows:

3 18A:22-37. If the voters reject any of the items submitted at the
4 **[second]** *annual school* election, the governing body of the municipi-
5 pality, or of each of the municipalities, included in the district shall,
6 after consultation with the board, and within **[10]** 30 days after
7 receipt of the proposed school budget from the board, determine the
8 amount which, in the judgment of said body or bodies, is necessary
9 to be appropriated, for each item appearing in such budget, to
10 provide a thorough and efficient system of schools in the district,

EXPLANATION—Matter enclosed in bold-faced brackets **[thus]** in the above bill
is not enacted and is intended to be omitted in the law.

11 and certify to the county board of taxation the totals of the amount
 12 so determined to be necessary for each of the following:

- 13 a. Current expenses of schools;
- 14 b. Vocational evening schools or classes;
- 15 c. Evening schools or classes for foreign-born residents;
- 16 d. Appropriations to capital reserve fund; or
- 17 e. Any capital project, the cost whereof is to be paid directly
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19 which amounts shall be included in the taxes to be assessed, levied
 20 and collected in such municipality or municipalities for such
 21 purposes.

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 4 certify any amount, determined by them to be necessary for any
 5 item rejected at the **[second]** *annual school* election, or in event
 6 that the governing bodies of the municipalities comprising a school
 7 district, shall certify different amounts, then the commissioner shall
 8 determine the amount or amounts which in his judgment, are
 9 necessary to be appropriated, for each of the items appearing
 10 in the budget, submitted to such governing body or bodies, to
 11 provide a thorough and efficient system of public schools in the
 12 district, and certify to the county board of taxation the totals of
 13 the amount so determined to be necessary for each of the following:

- 14 a. Current expenses of schools;
- 15 b. Vocational evening schools or classes;
- 16 c. Evening schools or classes for foreign-born residents;
- 17 d. Appropriations to capital reserve fund; or
- 18 e. Any capital project, the cost whereof is to be paid directly
 19 from such taxes;

20 and the amounts so certified shall be included in the taxes to be
 21 assessed, levied and collected in such municipality or municipalities
 22 for such purposes.

1 4. Sections 18A:13-18 and 18A:22-36 of the New Jersey Statutes
 2 are repealed.

1 5. This act shall take effect immediately.

STATEMENT

This bill would eliminate the requirement for a second school election when the school budget or part thereof is rejected by the voters at the annual school election, and would allow the governing body or bodies 30 days, instead of 10 days as at present, in which to review a defeated budget.

ASSEMBLY, No. 51

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1969 SESSION

By Assemblymen DE KORTE, VANDER PLAAT, COSTA,
FERRARA and VOLK

AN ACT concerning the adoption of budgets in certain school districts, amending sections 18A:13-19, 18A:22-37 and 18A:22-38, and repealing sections 18A:13-18 and 18A:22-36, of the New Jersey Statutes.

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

1 1. Section 18A:13-19 of the New Jersey Statutes is amended to
2 read as follows:

3 18A:13-19. If the voters reject any of the items submitted at the
4 **second** *annual school* election, the board of education of the
5 regional district shall certify to the governing body of each municipi-
6 pality, included within the regional district, the item or items so
7 rejected, and such governing bodies, after consultation with the
8 board, shall within 10 days after the receipt of the certificate,
9 determine the amount or amounts which they deem necessary to
10 provide a thorough and efficient system of schools in the regional
11 district for the ensuing school year and cause the same to be certified
12 by the respective municipal clerks to the board of education of the
13 regional district.

1 2. Section 18A:22-37 of the New Jersey Statutes is amended to
2 read as follows:

3 18A:22-37. If the voters reject any of the items submitted at the
4 **second** *annual school* election, the governing body of the municipi-
5 pality, or of each of the municipalities, included in the district shall,
6 after consultation with the board, and within 10 days after receipt
7 of the proposed school budget from the board, determine the
8 amount which, in the judgment of said body or bodies, is necessary
9 to be appropriated, for each item appearing in such budget, to

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.**

10 provide a thorough and efficient system of schools in the district,
 11 and certify to the county board of taxation the totals of the amount
 12 so determined to be necessary for each of the following:

- 13 a. Current expenses of schools;
- 14 b. Vocational evening schools or classes;
- 15 c. Evening schools or classes for foreign-born residents;
- 16 d. Appropriations to capital reserve fund; or
- 17 e. Any capital project, the cost whereof is to be paid directly
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 5 item rejected at the [second] *annual school* election, or in event
 6 that the governing bodies of the municipalities comprising a school
 7 district, shall certify different amounts, then the commissioner shall
 8 determine the amount or amounts which in his judgment, are
 9 necessary to be appropriated, for each of the items appearing
 10 in the budget, submitted to such governing body or bodies, to
 11 provide a thorough and efficient system of public schools in the
 12 district, and certify to the county board of taxation the totals of
 13 the amount so determined to be necessary for each of the following:

- 14 a. Current expenses of schools;
- 15 b. Vocational evening schools or classes;
- 16 c. Evening schools or classes for foreign-born residents;
- 17 d. Appropriations to capital reserve fund; or
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20 and the amounts so certified shall be included in the taxes to be
 21 assessed, levied and collected in such municipality or municipalities
 22 for such purposes.

1 4. Sections 18A:13-18 and 18A:22-36 of the New Jersey Statutes
 2 are repealed.

1 5. This act shall take effect immediately.

STATEMENT

This bill would eliminate the requirement for a second school election when the school budget or part thereof is rejected by the voters at the annual school election.

ASSEMBLY AMENDMENTS TO
ASSEMBLY, No. 51

—•—
STATE OF NEW JERSEY
—•—

ADOPTED MAY 5, 1969

Amend page 1, section 1, line 8, omit "10", insert "15".

Amend page 1, section 2, line 6, omit "10", insert "15".

SENATE AMENDMENTS TO
ASSEMBLY, No. 51
[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

ADOPTED MAY 8, 1969

Amend page 1, section 1, line 1, delete "15", and insert "25".

Amend page 1, section 2, line 6, delete "15", and insert "25".

11/7/70

STATEMENT OF GOVERNOR RICHARD J. HUGHES

UPON THE SIGNING OF

SENATE BILL NO. 693 @ 2:50

Governor Richard J. Hughes today signed Senate Bill No. 693, which eliminates the requirement of a second school election when the school budget, or part thereof, is rejected by the voters at the annual school election, and allows the governing body, or bodies, 30 days instead of 10 days in which to review the defeated budget.

The Governor made the following statement:

"I am happy to have signed today Senate Bill No. 693, which eliminates the requirement of a second school election when the school budget has been rejected by the voters, and which expands the period of time for the governing body to review the defeated budget. This progressive legislation will result in a substantial saving to our already overburdened local taxpayer. Last year's records indicate that out of 128 budgets rejected at the school election, 109 were defeated a second time. The cost of holding the additional election clearly represents a considerable loss to the taxpayer, particularly since regional districts include several municipalities, each of which would have to conduct separate elections. It is my firm belief that this legislation will, in no material way, dilute local voter control of school appropriations. This bill has had the strong endorsement of the Department of Education, the State Federation of District Boards of Education, and many other organizations and individuals within the state educational community. I am, therefore, particularly gratified to approve this important savings for the taxpayers of our State."

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S-693 Miller, Italiano, H. Kelly—April 10—Eliminates the requirement
of a referendum when the school budget was rejected
and allows the governing body to renew the defeated
budget.

April 10—Education Committee.

Although the Legislative Committee feels this bill is a step in the right direction, it prefers complete fiscal autonomy. Vigorous support is urged for S-394 and A-352 which would eliminate voting by the electorate on school budgets. (See LEGISLATIVE BULLETIN, Volume 17, Number 2, pages 8 and 16.)

State Federation
District Boards of Education
Legislative Bulletin
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