

18A:29-4.1

11/12/87

LEGISLATIVE HISTORY CHECKLIST

NJSA: 18A:29-4.1 (Boards of Education-- Salary policies and schedules-- extend time they are binding)

CHAPTER 123

Laws Of: 1987

Bill No: A2045

Sponsor(s): Palai

Date Introduced: February 20, 1987

Committee: **Assembly:** Education

Senate: Education

Amended during passage: Yes Amendments during passage denoted by asterisks.

Date of Passage: **Assembly:** October 2, 1986

Senate: April 30, 1987

Date of Approval: May 20, 1987

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: **Assembly** Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

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ASSEMBLY, No. 2045

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 20, 1986

By Assemblymen PALAIA, VILLANE, Assemblywoman MUHLER,
Assemblyman DORIA, Assemblywoman GARVIN, Assemblymen
NAPLES and GARGIULO

AN ACT concerning salary schedules for full-time teaching staff
members and amending N. J. S. 18A:29-4.1.

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

1 1. N. J. S. 18A:29-4.1 is amended to read as follows:

2 18A:29-4.1. A board of education of any district may adopt a
3 **one, two or three year** salary policy, including salary schedules
4 for all full-time teaching staff members which shall not be less than
5 those required by law. Such policy and schedules shall be binding
6 upon the adopting board and upon all future boards in the same
7 district for a period of **one, two or** **[two]** *three* years from the
8 effective date of such policy but shall not prohibit the payment of
9 salaries higher than those required by such policy or schedules nor
10 the subsequent adoption of policies or schedules providing for
11 higher salaries, increments or adjustments. Every school budget
12 adopted, certified or approved by the board, the voters of the dis-
13 trict, the board of school estimate, the governing body of the munici-
14 pality or municipalities, or the commissioner, as the case may be,
15 shall contain such amounts as may be necessary to fully implement
16 such policy and schedules for that budget year.

1 2. This act shall take effect immediately ***[but shall not apply to**
2 **salary policies and schedules which are in effect on the effective**
3 **date of this act]*** **and shall apply retroactively so that any three*
4 *year salary policy or schedule adopted or negotiated prior to the*
5 *effective date of this act shall be deemed valid pursuant to this act*.*

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

Matter printed in italics thus is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Assembly committee amendments adopted May 22, 1986.**

EDUCATION—GENERAL

Extends period of time during which salary policies and schedules adopted by a local board of education are binding from two to three years.

ASSEMBLY, No. 2045

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 20, 1986

By Assemblymen PALAIA, VILLANE, Assemblywoman MUIHLER,
Assemblyman DORIA, Assemblywoman GARVIN, Assemblymen
NAPLES and GARGIULO

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1 1. N. J. S. 18A:29-4.1 is amended to read as follows:

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4 staff members which shall not be less than those required by law.
5 Such policy and schedules shall be binding upon the adopting board
6 and upon all future boards in the same district for a period of
7 **[two]** *three* years from the effective date of such policy but shall
8 not prohibit the payment of salaries higher than those required by
9 such policy or schedules nor the subsequent adoption of policies
10 or schedules providing for higher salaries, increments or adjust-
11 ments. Every school budget adopted, certified or approved by the
12 board, the voters of the district, the board of school estimate, the
13 governing body of the municipality or municipalities, or the com-
14 missioner, as the case may be, shall contain such amounts as may
15 be necessary to fully implement such policy and schedules for that
16 budget year.

1 2. This act shall take effect immediately but shall not apply to
2 salary policies and schedules which are in effect on the effective
3 date of this act.

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

STATEMENT

This bill extends the period of time during which salary policies and schedules adopted by a local board of education are binding from two to three years. On September 6, 1984 the Commissioner of Education held in a school law decision, *Orlando v. Mercer County Vocational-Technical Schools*, that the third year of a three year salary guide was without effect because it was inconsistent with *N.J.S.A.* 18A:29-4.1, the statute authorizing salary schedules for only two years. This bill would amend that statute to authorize three year salary schedules.

It is the sponsor's belief that three year collective bargaining agreements are in the best interest of both the schools and teachers.

EDUCATION—GENERAL

Extends period of time during which salary policies and schedules adopted by a local board of education are binding from two to three years.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2045

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: MAY 22, 1986

The Assembly Education Committee favorably reports Assembly Bill No. 2045 with Assembly committee amendments.

As amended, this bill would allow a board of education to adopt a salary policy or schedule for a period of one, two or three years.

BACKGROUND:

On September 6, 1984, the Commissioner of Education held (*Orlando v. Mercer County Vocational -Technical Schools*) that the third year of a salary schedule, even if negotiated in good faith, was not binding and would have to be renegotiated since N. J. S. A. 18A:29-4.1 specifically provides for a two year salary schedule only. This bill gives a board the option of adopting or negotiating a three year salary schedule.

The committee amendments provide the option of one, two or three year schedules, and also provide that any three year contract negotiated prior to the effective date of this act would be considered valid.

SENATE EDUCATION COMMITTEE**Statement to****ASSEMBLY BILL No. 2045 OCR****Dated: October 27, 1986**

The Senate Education Committee favorably reports Assembly Bill No. 2045 OCR without Senate Committee amendments.

This bill would allow a board of education to adopt a salary policy or schedule for a period of one, two or three years. It also provides that any three year contract negotiated prior to the effective date of this act will be considered valid.

BACKGROUND

On September 6, 1984, the Commissioner of Education held (Orlando v. Mercer County Vocational-Technical Schools) that the third year of a salary schedule, even if negotiated in good faith, was not binding and would have to be renegotiated since N.J.S.A. 18A:29-4.1 specifically provides for a two year salary schedule only. This bill gives a board the option of adopting or negotiating a three year salary schedule.



OFFICE OF THE GOVERNOR NEWS RELEASE

CN-001
Contact: JOHN SAMERJAN
609-292-8956 OR 292-6000 EXT. 207

TRENTON, N.J. 08625
Release: WED., MAY 20, 1987

Governor Thomas H. Kean today signed the following legislation:

A-1301/S-1956, sponsored by Assemblyman John Hendrickson, R-Ocean and Senator Paul Contillo, D-Bergen, sets forth as public policy that law enforcement officers, unless overriding health or safety concepts exist, should not interfere with the providing of life saving medical services by appropriate professionals.

The legislation further recognizes the vital role in the maintenance of the health, safety, and welfare of injured persons that is played by first aid, rescue and ambulance squad members and licensed physicians and surgeons.

The legislation is effective immediately.

A-2658, sponsored by Assemblyman Anthony Marsella, D-Gloucester increases the penalty for violating the High Voltage Proximity Act.

The increased penalties will serve to encourage precautions to be taken by contractors and their employees while working in proximity to high voltage lines.

Under current law, a monetary penalty of not less than \$25 nor more than \$50 is assessed for each violation. The new legislation raises the penalty to not less than \$500 nor more than \$5,000.

The legislation is effective immediately.

A-2045, sponsored by Assemblyman Joseph Palaia, R-Monmouth, extends the maximum period of time during which salary policies and schedules adopted by local boards of education are binding from 2 to 3 years.

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Under current law, salary policies and schedules for full-time teaching staff members are binding for a maximum of 2 years.

Local boards of education will now have the option of adopting 1, 2 or 3 year salary policies.

The legislation is effective immediately and is retroactive in order to make binding the approximately 100 "handshake" agreements that currently exist for 3 years between school districts and the New Jersey Education Association.

A-1001, sponsored by Assemblyman Joseph Doria, D-Hudson, increases from two to three the number of radiologic technologists on the Radiologic Technology Board of Examiners. This increases the overall membership of the Board from fourteen to fifteen.

The legislation is effective immediately.

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