

# 18A:39.1.6

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2001 **CHAPTER:** 324

**NJSA:** 18A:39—1.6 (Extends transportation services to nonpublic school pupils)

**BILL NO:** A2928 (Substituted for S2558)

**SPONSOR(S):** Augustine and Malone

**DATE INTRODUCED:** November 9, 2000

**COMMITTEE:** **ASSEMBLY:** Education; Appropriations

**SENATE:** Education

**AMENDED DURING PASSAGE:** Yes

**DATE OF PASSAGE:** **ASSEMBLY:** June 14, 2001

**SENATE:** December 17, 2001

**DATE OF APPROVAL:** January 4, 2002

### FOLLOWING ARE ATTACHED IF AVAILABLE:

**FINAL TEXT OF BILL** (1st reprint enacted)

(Amendments during passage denoted by superscript numbers)

**A2928**

**SPONSORS STATEMENT:** (Begins on page 3 of original bill) Yes

**COMMITTEE STATEMENT:** **ASSEMBLY:** Yes 5-3-  
2001(Appropriation)

3-22-  
2001(Education)

**SENATE:** Yes

**FLOOR AMENDMENT STATEMENTS:** No

**LEGISLATIVE FISCAL ESTIMATE:** Yes

**S2558**

**SPONSORS STATEMENT:** (Begins on page 3 of original bill) Yes

**COMMITTEE STATEMENT:** **ASSEMBLY:** No

**SENATE:** Yes

Identical to Senate Statement for A2928

**FLOOR AMENDMENT STATEMENTS:** No

**LEGISLATIVE FISCAL ESTIMATE:** Yes

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

# ASSEMBLY, No. 2928

## STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED NOVEMBER 9, 2000

**Sponsored by:**

**Assemblyman ALAN M. AUGUSTINE**

**District 22 (Middlesex, Morris, Somerset and Union)**

**Assemblyman JOSEPH R. MALONE, III**

**District 30 (Burlington, Monmouth and Ocean)**

**SYNOPSIS**

Extends transportation services to nonpublic school pupils who reside in certain regional school districts that provide aid-in-lieu-of payments.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the transportation of nonpublic school pupils in  
2 certain regional school districts and amending P.L.1999, c.350.

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

6  
7 1. Section 1 of P.L.1999, c.350 (C.18A:39-1.6) is amended to read  
8 as follows:

9 1. [a.] As used in this section, "regional district" means a regional  
10 school district composed of only two constituent municipalities.

11 Notwithstanding any provision of N.J.S.18A:39-1 to the contrary,  
12 if a school district provides transportation to and from school to a  
13 school pupil who resides remote from school and attends a nonpublic  
14 school located within the State not more than 20 miles from the  
15 residence of the pupil, or in the case of a regional district provides  
16 transportation or an in-lieu-of-payment to such pupil, the school  
17 district or regional district shall provide transportation, when seats are  
18 available on existing routes, or an in-lieu-of payment to all nonpublic  
19 school pupils who reside within the municipality of that pupil [except  
20 as otherwise provided pursuant to subsection b. of this section] or in  
21 the case of a regional district reside within the district, attend that  
22 school, and reside more than 20 miles from that school. The school  
23 district may require all nonpublic school pupils in the municipality or  
24 regional district to use the bus stops which serve the pupils whose  
25 residences are not more than 20 miles from the nonpublic school. Any  
26 cost incurred by a school district or a regional district in providing  
27 transportation or an in-lieu-of payment to a pupil who is eligible for  
28 the transportation or an in-lieu-of payment under the provisions of this  
29 [act] section shall not exceed the maximum cost per pupil established  
30 pursuant to section 2 of P.L.1981, c.57 (C.18A:39-1a), and shall be  
31 paid by the State.

32 [b. In the case of a regional school district composed of only two  
33 constituent municipalities, transportation or an in-lieu-of payment shall  
34 be provided pursuant to subsection a. of this section, except that a  
35 nonpublic school pupil who otherwise qualifies for transportation or  
36 an in-lieu-of payment pursuant to that subsection shall not be required  
37 to reside in the municipality of the nonpublic school pupil who  
38 qualifies for transportation or an in-lieu-of payment pursuant to  
39 N.J.S.18A:39-1.]

40 (cf: P.L.2000, c.103, s.1)

**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 underlined thus is new matter.

1       2. This act shall take effect immediately and shall first apply to the  
2 2000-2001 school year.

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4

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STATEMENT

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7       This bill amends a recently enacted statute, P.L.2000, c.103, which  
8 extended eligibility for transportation services to nonpublic school  
9 pupils who reside more than 20 miles from their school of attendance  
10 and who live in regional school districts composed of only two  
11 constituent municipalities. Under that law, if the regional school  
12 district was providing transportation to nonpublic school students who  
13 lived within the 20 mile radius of the nonpublic school as is normally  
14 required for eligibility for nonpublic transportation services, then the  
15 regional district would provide transportation or an in-lieu-of payment  
16 to nonpublic school students who lived beyond the 20 mile radius and  
17 attended that school. It was the intent of the sponsor of P.L.2000,  
18 c.103 that this benefit also be extended to nonpublic school students  
19 who live in regional school districts composed of only two constituent  
20 municipalities when the district is not providing actual transportation  
21 services to students within the 20 mile radius, but rather is providing  
22 in-lieu-of payments. The sponsor's bill as originally drafted and  
23 introduced contained this provision, however, in the course of  
24 legislative deliberations, this provision was inadvertently omitted. This  
25 bill corrects that omission and extends eligibility for transportation  
26 services to nonpublic school students who live within a regional school  
27 district composed of only two constituent municipalities and attend a  
28 nonpublic school which is more than 20 miles from the pupil's  
29 residence, when the regional school district is making in-lieu-of  
30 payments to nonpublic school students who live within 20 miles of the  
31 same nonpublic school.

32       This bill will apply to the 2000-2001 school year so that nonpublic  
33 school students who were inadvertently denied benefits under  
34 P.L.2000, c.103 will be entitled to receive those benefits for the  
35 current school year.

# ASSEMBLY EDUCATION COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 2928**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MARCH 22, 2001

The Assembly Education Committee favorably reports Assembly Bill No. 2928 with committee amendments.

As amended, this bill amends a recently enacted statute, P.L.2000, c.103, which extended eligibility for transportation services to nonpublic school pupils who reside more than 20 miles from their school of attendance and who live in regional school districts composed of only two constituent municipalities. Under that law, if the regional school district was providing transportation to nonpublic school students who lived within the 20 mile radius of the nonpublic school as is normally required for eligibility for nonpublic transportation services, then the regional district would provide transportation or an in-lieu-of payment to nonpublic school students who resided within the district and lived beyond the 20 mile radius and attended that school. Any cost incurred by a district in implementing that law was to be paid by the State.

This bill extends eligibility for transportation services to nonpublic school students who live within a regional school district composed of only two constituent municipalities and attend a nonpublic school which is more than 20 miles from the pupil's residence, when the regional school district is making in-lieu-of payments to nonpublic school students who live within 20 miles of the same nonpublic school.

This bill will apply to the 2000-2001 school year so that nonpublic school students who were denied benefits under P.L.2000, c.103 will be entitled to receive those benefits for the current school year.

The committee amended the bill to clarify that the definition of regional school district contained in the bill includes consolidated school districts composed of only two municipalities.

[First Reprint]

## **ASSEMBLY, No. 2928**

# **STATE OF NEW JERSEY**

## **209th LEGISLATURE**

INTRODUCED NOVEMBER 9, 2000

**Sponsored by:**

**Assemblyman ALAN M. AUGUSTINE**

**District 22 (Middlesex, Morris, Somerset and Union)**

**Assemblyman JOSEPH R. MALONE, III**

**District 30 (Burlington, Monmouth and Ocean)**

**Co-Sponsored by:**

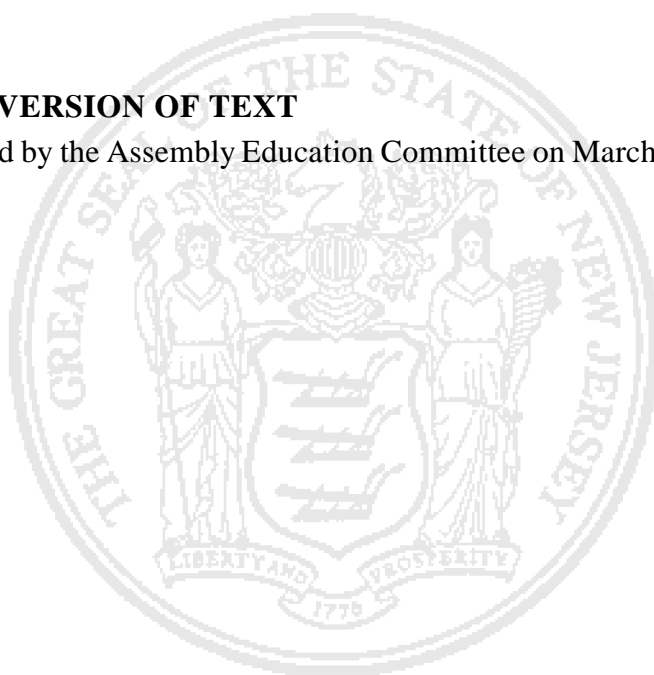
**Assemblywoman Heck, Senators Palaia, Cardinale and Allen**

### **SYNOPSIS**

Extends transportation services to nonpublic school pupils who reside in certain regional and consolidated school districts that provide aid-in-lieu-of payments.

### **CURRENT VERSION OF TEXT**

As reported by the Assembly Education Committee on March 22, 2001, with amendments.



**(Sponsorship Updated As Of: 12/18/2001)**

1 AN ACT concerning the transportation of nonpublic school pupils in  
2 certain regional <sup>1</sup>and consolidated<sup>1</sup> school districts and amending  
3 P.L.1999, c.350.

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

7  
8 1. Section 1 of P.L.1999, c.350 (C.18A:39-1.6) is amended to read  
9 as follows:

10 1. [a.] As used in this section, "regional district" means a regional  
11 school district composed of only two constituent municipalities <sup>1</sup>or a  
12 consolidated school district composed of only two municipalities<sup>1</sup>.

13 Notwithstanding any provision of N.J.S.18A:39-1 to the contrary,  
14 if a school district provides transportation to and from school to a  
15 school pupil who resides remote from school and attends a nonpublic  
16 school located within the State not more than 20 miles from the  
17 residence of the pupil, or in the case of a regional district provides  
18 transportation or an in-lieu-of-payment to such pupil, the school  
19 district or regional district shall provide transportation, when seats are  
20 available on existing routes, or an in-lieu-of payment to all nonpublic  
21 school pupils who reside within the municipality of that pupil [except  
22 as otherwise provided pursuant to subsection b. of this section] or in  
23 the case of a regional district reside within the district, attend that  
24 school, and reside more than 20 miles from that school. The school  
25 district may require all nonpublic school pupils in the municipality or  
26 regional district to use the bus stops which serve the pupils whose  
27 residences are not more than 20 miles from the nonpublic school. Any  
28 cost incurred by a school district or a regional district in providing  
29 transportation or an in-lieu-of payment to a pupil who is eligible for  
30 the transportation or an in-lieu-of payment under the provisions of this  
31 [act] section shall not exceed the maximum cost per pupil established  
32 pursuant to section 2 of P.L.1981, c.57 (C.18A:39-1a), and shall be  
33 paid by the State.

34 [b. In the case of a regional school district composed of only two  
35 constituent municipalities, transportation or an in-lieu-of payment shall  
36 be provided pursuant to subsection a. of this section, except that a  
37 nonpublic school pupil who otherwise qualifies for transportation or  
38 an in-lieu-of payment pursuant to that subsection shall not be required  
39 to reside in the municipality of the nonpublic school pupil who  
40 qualifies for transportation or an in-lieu-of payment pursuant to  
41 N.J.S.18A:39-1.]

42 (cf: P.L.2000, c.103, s.1)

**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 underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Assembly AED committee amendments adopted March 22, 2001.



- 1        2. This act shall take effect immediately and shall first apply to the
- 2        2000-2001 school year.

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

**ASSEMBLY, No. 2928**

# STATE OF NEW JERSEY

DATED: MAY 3, 2001

The Assembly Appropriations Committee reports favorably Assembly Bill No. 2928 (1R).

Assembly Bill No. 2928 amends a recently enacted statute, P.L.2000, c.103, which extended eligibility for transportation services to nonpublic school pupils who reside more than 20 miles from their school of attendance and who live in regional school districts composed of only two constituent municipalities. Under that law, if the regional school district was providing transportation to nonpublic school students who lived within the 20 mile radius of the nonpublic school as is normally required for eligibility for nonpublic transportation services, then the regional district would provide transportation or an in-lieu-of payment to nonpublic school students who resided within the district and lived beyond the 20 mile radius and attended that school. Any cost incurred by a district in implementing that law was to be paid by the State.

This bill extends eligibility for transportation services to nonpublic school students who live within a regional school district composed of only two constituent municipalities and attend a nonpublic school which is more than 20 miles from the pupil's residence, when the regional school district is making in-lieu-of payments to nonpublic school students who live within 20 miles of the same nonpublic school.

This bill will apply to the 2000-2001 school year so that nonpublic school students who were denied benefits under P.L.2000, c.103 will be entitled to receive those benefits for the current school year.

The bill also clarifies that the definition of regional district includes consolidated districts of only two municipalities.

### FISCAL IMPACT:

No fiscal information has been received from the executive branch. The Office of Legislative Services is unable to determine the fiscal impact without the necessary data related to the provisions of this legislation.

**LEGISLATIVE FISCAL ESTIMATE**  
[First Reprint]  
**ASSEMBLY, No. 2928**  
**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

DATED: MAY 18, 2001

**SUMMARY**

**Synopsis:** Extends transportation services to nonpublic school pupils who reside in certain regional and consolidated school districts that provide aid-in-lieu-of payments.

**Type of Impact:** Expenditure increase from the General Fund

**Agencies Affected:** Department of Education and local school districts

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost</b>	Indeterminate -- see discussion		

- ! Requires two constituent municipality regional districts which provide transportation or aid-in-lieu of payments to a nonpublic school pupil who resides remote from school and attends a nonpublic school within the State not more than 20 miles from the residence of the pupil to also provide transportation, when seats are available on existing routes, or aid-in-lieu of payments to all nonpublic students residing in the regional district, attending the same nonpublic school and living more than 20 miles from the school.
- ! Clarifies that the definition of regional district includes two municipality consolidated districts, increasing the number of "regional districts" impacted by the bill and the law it amends from 27 to 34.

**BILL DESCRIPTION**

Assembly Bill No. 2928 (1R) of 2000 amends a recently enacted statute, P.L.2000, c.103, which extended eligibility for transportation services to nonpublic school pupils who reside more than 20 miles from their school of attendance and who live in regional school districts composed of only two constituent municipalities. Under that law, if the regional school district was providing transportation to nonpublic school students who lived within the 20 mile radius of the nonpublic school as is normally required for eligibility for nonpublic transportation services, then the regional district would provide transportation or an aid in-lieu-of payment to nonpublic school students who resided within the district and lived beyond the 20 mile radius and attended

that school. Any cost incurred by a district in implementing that law was to be paid by the State.

This bill requires a regional school district composed of only two municipalities to provide transportation or aid-in-lieu of payments to a nonpublic student residing in the regional school district and attending a nonpublic school which is more than 20 miles from the student's home if that district is providing aid-in-lieu of payments, not just transportation as under current law, to a nonpublic student who resides in the regional district and lives within 20 miles of the student's nonpublic school.

This bill clarifies that the definition of "regional district" includes consolidated districts composed of only two municipalities.

This bill will apply to the 2000-2001 school year so that nonpublic school students who were denied benefits under P.L.2000, c.103 will be entitled to receive those benefits for the current school year.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

For the reasons given below, the Office of Legislative Services finds that the cost of Assembly Bill No. 2928 (1R) of 2000 cannot be determined.

Assembly Bill No. 2928 (1R) of 2000 amends P.L.2000, c.103 which extended eligibility for transportation services to a nonpublic school pupil who resides more than 20 miles from the pupil's school of attendance and who lives in a regional school district composed of only two constituent municipalities if the regional school district provides transportation to a nonpublic student who resides in the regional district remote from the same nonpublic school but not further than 20 miles from that school. According to the Department of Education, the cost of implementing P.L.2000, c.103 was \$49,865.

The table below provides information from the Department of Education concerning the districts affected by Assembly Bill No. 2928 (1R) of 2000 and the provision of transportation or aid-in-lieu of payments for certain nonpublic students.

		Provide Transportation to Nonpublic Students (number)	Provide Aid-in-lieu of Payments to Nonpublic Students (number)
Regional District under A2928 (1R) n=34	Regional District under Current Law (two municipalities) n=27	26 Yes 1 No	26 Yes 1 No
	Consolidated District (two municipalities) n=7	4 Yes 3 No	7 yes

Under Assembly Bill No. 2928 (1R) of 2000, there are 34 regional districts that may be

required to provide transportation or aid-in-lieu of payments under certain circumstances. Under current law as implemented by the Department of Education, only the 27 two constituent municipality regional districts are required to provide transportation or aid-in-lieu of payments to a pupil living more than 20 miles from the pupil's nonpublic school of attendance, if the district is already providing **transportation** for another pupil who resides not more than 20 miles from the same nonpublic school. Under Assembly Bill No. 2928 (1R) of 2000, these districts are also required to provide transportation or aid-in-lieu of payments if the district is already providing **aid-in-lieu of payments** for another pupil who resides not more than 20 miles from the same nonpublic school.

Assembly Bill No. 2928 (1R) of 2000 also clarifies that seven two constituent municipality consolidated districts are included under the law's provisions and would have to provide transportation or aid-in-lieu of payments under the same circumstances as two constituent municipality regional districts. Since the Department of Education did not include consolidated districts when it implemented P.L.2000, c.103, the information in the table concerning the provision of transportation or aid-in-lieu of payments refers to pupils living in the consolidated district, remote from a nonpublic school but not further than 20 miles from that school. All consolidated districts provide either transportation or aid-in-lieu of payments for these pupils. Therefore under this bill, they would also be required to provide transportation or aid-in-lieu of payments for any other pupil who resides in the district, goes to one of the same nonpublic schools and lives more than 20 miles from that nonpublic school. The Office of Legislative Services (OLS) does not have information on which nonpublic schools are attended by pupils for which the district provides transportation or aid-in-lieu of payments or the number of students living further than 20 miles from those same nonpublic schools for which a consolidated district will be required to provide transportation or aid-in-lieu of payments.

OLS notes that under P.L.2000, c.103, the situation that triggers the requirement that a district provide transportation or aid-in-lieu of payments for a nonpublic school pupil residing in the district and living more than 20 miles from a nonpublic school is already in place for 26 of the 27 districts and that implementing P.L.2000, c.103 cost the State \$49,865. This bill would amend current law to provide that an aid-in-lieu of payment made for a pupil who resides in the district and attends a nonpublic school not further than 20 miles from the pupil's home would trigger the requirement that a district also provide transportation or aid-in-lieu of payments for a nonpublic school pupil residing in the district, attending the same nonpublic school and living more than 20 miles from that nonpublic school. OLS does not have information on which nonpublic schools are attended by pupils living within 20 miles of those schools for which the district already provides aid-in-lieu of payments or the number of pupils living further than 20 miles from those same nonpublic schools for which the regional district would be required to provide transportation or aid-in-lieu of payments under this bill.

Section: *Education*

Analyst: *Theodore C. Settle*  
*Lead Research Analyst*

Approved: *Alan R. Kooney*  
*Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

# SENATE EDUCATION COMMITTEE

## STATEMENT TO

[First Reprint]

**ASSEMBLY, No. 2928**

# **STATE OF NEW JERSEY**

DATED: DECEMBER 13, 2001

The Senate Education Committee reports favorably Assembly Bill No. 2928 (1R).

This bill amends a recently enacted statute, P.L.2000, c.103, which extended eligibility for transportation services to nonpublic school pupils who reside more than 20 miles from their school of attendance and who live in regional school districts composed of only two constituent municipalities. Under that law, if the regional school district was providing transportation to nonpublic school students who lived within the 20 mile radius of the nonpublic school as is normally required for eligibility for nonpublic transportation services, then the regional district would provide transportation or an in-lieu-of payment to nonpublic school students who resided within the district and lived beyond the 20 mile radius and attended that school. Any cost incurred by a district in implementing that law was to be paid by the State.

This bill extends eligibility for transportation services to nonpublic school students who live within a regional or consolidated school district composed of only two constituent municipalities and attend a nonpublic school which is more than 20 miles from the pupil's residence, when the regional or consolidated school district is making in-lieu-of payments to nonpublic school students who live within 20 miles of the same nonpublic school.

As reported, this bill is identical to S-2558.

# SENATE, No. 2558

## STATE OF NEW JERSEY 209TH LEGISLATURE

INTRODUCED OCTOBER 3, 2001

**Sponsored By:**

**Senator JOSEPH A. PALAIA**

**District 11 (Monmouth)**

**Senator GERALD CARDINALE**

**District 39 (Bergen)**

**Co-Sponsored by:**

**Senator Allen**

**SYNOPSIS**

Extends transportation services to nonpublic school pupils who reside in certain regional and consolidated school districts that provide aid-in-lieu-of payments.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 12/18/2001)

1 AN ACT concerning the transportation of nonpublic school pupils in  
2 certain regional and consolidated school districts and amending  
3 P.L.1999, c.350.

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

7  
8 1. Section 1 of P.L.1999, c.350 (C.18A:39-1.6) is amended to read  
9 as follows:

10 1. [a.] As used in this section, "regional district" means a regional  
11 school district composed of only two constituent municipalities or a  
12 consolidated school district composed of only two municipalities.

13 Notwithstanding any provision of N.J.S.18A:39-1 to the contrary,  
14 if a school district provides transportation to and from school to a  
15 school pupil who resides remote from school and attends a nonpublic  
16 school located within the State not more than 20 miles from the  
17 residence of the pupil, or in the case of a regional district provides  
18 transportation or an in-lieu-of-payment to such pupil, the school  
19 district or regional district shall provide transportation, when seats are  
20 available on existing routes, or an in-lieu-of payment to all nonpublic  
21 school pupils who reside within the municipality of that pupil [except  
22 as otherwise provided pursuant to subsection b. of this section] or in  
23 the case of a regional district reside within the district, attend that  
24 school, and reside more than 20 miles from that school. The school  
25 district may require all nonpublic school pupils in the municipality or  
26 regional district to use the bus stops which serve the pupils whose  
27 residences are not more than 20 miles from the nonpublic school. Any  
28 cost incurred by a school district or a regional district in providing  
29 transportation or an in-lieu-of payment to a pupil who is eligible for  
30 the transportation or an in-lieu-of payment under the provisions of this  
31 [act] section shall not exceed the maximum cost per pupil established  
32 pursuant to section 2 of P.L.1981, c.57 (C.18A:39-1a), and shall be  
33 paid by the State.

34 [b. In the case of a regional school district composed of only two  
35 constituent municipalities, transportation or an in-lieu-of payment shall  
36 be provided pursuant to subsection a. of this section, except that a  
37 nonpublic school pupil who otherwise qualifies for transportation or  
38 an in-lieu-of payment pursuant to that subsection shall not be required  
39 to reside in the municipality of the nonpublic school pupil who  
40 qualifies for transportation or an in-lieu-of payment pursuant to  
41 N.J.S.18A:39-1.]  
42 (cf: P.L.2000, c.103, s.1)

**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       2. This act shall take effect immediately and shall first apply to the  
2 2000-2001 school year.

3

4

5

STATEMENT

6

7       This bill amends a recently enacted statute, P.L.2000, c.103, which  
8 extended eligibility for transportation services to nonpublic school  
9 pupils who reside more than 20 miles from their school of attendance  
10 and who live in regional school districts composed of only two  
11 constituent municipalities. Under that law, if the regional school  
12 district was providing transportation to nonpublic school students who  
13 lived within the 20 mile radius of the nonpublic school as is normally  
14 required for eligibility for nonpublic transportation services, then the  
15 regional district would provide transportation or an in-lieu-of payment  
16 to nonpublic school students who resided within the district and lived  
17 beyond the 20 mile radius and attended that school. Any cost incurred  
18 by a district in implementing that law was to be paid by the State.

19       This bill extends eligibility for transportation services to nonpublic  
20 school students who live within a regional school district composed of  
21 only two constituent municipalities and attend a nonpublic school  
22 which is more than 20 miles from the pupil's residence, when the  
23 regional school district is making in-lieu-of payments to nonpublic  
24 school students who live within 20 miles of the same nonpublic school.

25       This bill will apply to the 2000-2001 school year so that nonpublic  
26 school students who were denied benefits under P.L.2000, c.103 will  
27 be entitled to receive those benefits for the current school year.

28       The bill also clarifies that the definition of regional district includes  
29 consolidated districts of only two municipalities.

SENATE EDUCATION COMMITTEE

STATEMENT TO

**SENATE, No. 2558**

**STATE OF NEW JERSEY**

DATED: DECEMBER 13, 2001

The Senate Education Committee reports favorably Senate Bill No. 2558.

This bill amends a recently enacted statute, P.L.2000, c.103, which extended eligibility for transportation services to nonpublic school pupils who reside more than 20 miles from their school of attendance and who live in regional school districts composed of only two constituent municipalities. Under that law, if the regional school district was providing transportation to nonpublic school students who lived within the 20 mile radius of the nonpublic school as is normally required for eligibility for nonpublic transportation services, then the regional district would provide transportation or an in-lieu-of payment to nonpublic school students who resided within the district and lived beyond the 20 mile radius and attended that school. Any cost incurred by a district in implementing that law was to be paid by the State.

This bill extends eligibility for transportation services to nonpublic school students who live within a regional or consolidated school district composed of only two constituent municipalities and attend a nonpublic school which is more than 20 miles from the pupil's residence, when the regional or consolidated school district is making in-lieu-of payments to nonpublic school students who live within 20 miles of the same nonpublic school.

As reported, this bill is identical to A2928 (1R).

**LEGISLATIVE FISCAL ESTIMATE**  
**SENATE, No. 2558**  
**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

DATED: JANUARY 10, 2002

**SUMMARY**

**Synopsis:** Extends transportation services to nonpublic school pupils who reside in certain regional and consolidated school districts that provide aid-in-lieu-of payments.

**Type of Impact:** Expenditure increase from the General Fund.

**Agencies Affected:** Department of Education and local school districts.

**Office of Legislative Services Estimate**

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost</b>	Indeterminate -- see discussion		

- ! Requires two constituent municipality regional districts which provide transportation or aid-in-lieu of payments to a nonpublic school pupil who resides remote from school and attends a nonpublic school within the State not more than 20 miles from the residence of the pupil to also provide transportation, when seats are available on existing routes, or aid-in-lieu of payments to all nonpublic students residing in the regional district, attending the same nonpublic school and living more than 20 miles from the school.
- ! Clarifies that the definition of regional district includes two municipality consolidated districts, increasing the number of "regional districts" impacted by the bill and the law it amends from 27 to 34.

**BILL DESCRIPTION**

Senate Bill No. 2558 of 2001 amends a recently enacted statute, P.L.2000, c.103, which extended eligibility for transportation services to nonpublic school pupils who reside more than 20 miles from their school of attendance and who live in regional school districts composed of only two constituent municipalities. Under that law, if the regional school district was providing transportation to nonpublic school students who lived within the 20 mile radius of the nonpublic school as is normally required for eligibility for nonpublic transportation services, then the regional district would provide transportation or an aid in-lieu-of payment to nonpublic school

students who resided within the district and lived beyond the 20 mile radius and attended that school. Any cost incurred by a district in implementing that law was to be paid by the State.

This bill requires a regional school district composed of only two municipalities to provide transportation or aid-in-lieu of payments to a nonpublic student residing in the regional school district and attending a nonpublic school which is more than 20 miles from the student's home if that district is providing aid-in-lieu of payments, not just transportation as under current law, to a nonpublic student who resides in the regional district and lives within 20 miles of the student's nonpublic school.

This bill clarifies that the definition of "regional district" includes consolidated districts composed of only two municipalities.

This bill will apply to the 2000-2001 school year so that nonpublic school students who were denied benefits under P.L.2000, c.103 will be entitled to receive those benefits for the current school year.

**FISCAL ANALYSIS**

***EXECUTIVE BRANCH***

None received.

***OFFICE OF LEGISLATIVE SERVICES***

For the reasons given below, the Office of Legislative Services (OLS) finds that the cost of Senate Bill No. 2558 of 2001 cannot be determined.

Senate Bill No.2558 of 2001 amends P.L.2000, c.103 which extended eligibility for transportation services to a nonpublic school pupil who resides more than 20 miles from the pupil's school of attendance and who lives in a regional school district composed of only two constituent municipalities if the regional school district provides transportation to a nonpublic student who resides in the regional district remote from the same nonpublic school but not further than 20 miles from that school. According to the Department of Education, the cost of implementing P.L.2000, c.103 was \$49,865.

The table below provides information from the Department of Education concerning the districts affected by Senate Bill No. 2558 of 2001 and the provision of transportation or aid-in-lieu of payments for certain nonpublic students.

		Provide Transportation to Nonpublic Students (number)	Provide Aid-in-lieu of Payments to Nonpublic Students (number)
Regional District under A2928 (1R) n=34	Regional District under Current Law (two municipalities) n=27	26 Yes 1 No	26 Yes 1 No
	Consolidated District (two municipalities) n=7	4 Yes 3 No	7 yes

Under Senate Bill No. 2558 of 2001, there are 34 regional districts that may be required to provide transportation or aid-in-lieu of payments under certain circumstances. Under current law as implemented by the Department of Education, only the 27 two constituent municipality regional districts are required to provide transportation or aid-in-lieu of payments to a pupil living more than 20 miles from the pupil's nonpublic school of attendance, if the district is already providing **transportation** for another pupil who resides not more than 20 miles from the same nonpublic school. Under Senate Bill No. 2558 of 2001, these districts are also required to provide transportation or aid-in-lieu of payments if the district is already providing **aid-in-lieu of payments** for another pupil who resides not more than 20 miles from the same nonpublic school.

Senate Bill No. 2558 of 2001 also clarifies that seven two constituent municipality consolidated districts are included under the law's provisions and would have to provide transportation or aid-in-lieu of payments under the same circumstances as two constituent municipality regional districts. Since the Department of Education did not include consolidated districts when it implemented P.L.2000, c.103, the information in the table concerning the provision of transportation or aid-in-lieu of payments refers to pupils living in the consolidated district, remote from a nonpublic school but not further than 20 miles from that school. All consolidated districts provide either transportation or aid-in-lieu of payments for these pupils. Therefore under this bill, they would also be required to provide transportation or aid-in-lieu of payments for any other pupil who resides in the district, goes to one of the same nonpublic schools and lives more than 20 miles from that nonpublic school. The Office of Legislative Services (OLS) does not have information on which nonpublic schools are attended by pupils for which the district provides transportation or aid-in-lieu of payments or the number of students living further than 20 miles from those same nonpublic schools for which a consolidated district will be required to provide transportation or aid-in-lieu of payments.

OLS notes that under P.L.2000, c.103, the situation that triggers the requirement that a district provide transportation or aid-in-lieu of payments for a nonpublic school pupil residing in the district and living more than 20 miles from a nonpublic school is already in place for 26 of the 27 districts and that implementing P.L.2000, c.103 cost the State \$49,865. This bill would amend current law to provide that an aid-in-lieu of payment made for a pupil who resides in the district and attends a nonpublic school not further than 20 miles from the pupil's home would trigger the requirement that a district also provide transportation or aid-in-lieu of payments for a nonpublic school pupil residing in the district, attending the same nonpublic school and living more than 20 miles from that nonpublic school. OLS does not have information on which nonpublic schools are attended by pupils living within 20 miles of those schools for which the district already provides aid-in-lieu of payments or the number of pupils living further than 20 miles from those same nonpublic schools for which the regional district would be required to provide transportation or aid-in-lieu of payments under this bill.

Section: *Education*

Analyst: *Theodore C. Settle*  
*Lead Research Analyst*

Approved: *Alan R. Kooney*  
*Legislative Budget and Finance Officer*

This fiscal estimate has been prepared pursuant to P.L.1980, c.67.

P.L. 2001, CHAPTER 324, *approved January 4, 2002*  
Assembly, No. 2928 (*First Reprint*)

1 AN ACT concerning the transportation of nonpublic school pupils in  
2 certain regional <sup>1</sup>and consolidated<sup>1</sup> school districts and amending  
3 P.L.1999, c.350.

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

7  
8 1. Section 1 of P.L.1999, c.350 (C.18A:39-1.6) is amended to read  
9 as follows:

10 1. [a.] As used in this section, "regional district" means a regional  
11 school district composed of only two constituent municipalities <sup>1</sup>or a  
12 consolidated school district composed of only two municipalities<sup>1</sup>.

13 Notwithstanding any provision of N.J.S.18A:39-1 to the contrary,  
14 if a school district provides transportation to and from school to a  
15 school pupil who resides remote from school and attends a nonpublic  
16 school located within the State not more than 20 miles from the  
17 residence of the pupil, or in the case of a regional district provides  
18 transportation or an in-lieu-of-payment to such pupil, the school  
19 district or regional district shall provide transportation, when seats are  
20 available on existing routes, or an in-lieu-of payment to all nonpublic  
21 school pupils who reside within the municipality of that pupil [except  
22 as otherwise provided pursuant to subsection b. of this section] or in  
23 the case of a regional district reside within the district, attend that  
24 school, and reside more than 20 miles from that school. The school  
25 district may require all nonpublic school pupils in the municipality or  
26 regional district to use the bus stops which serve the pupils whose  
27 residences are not more than 20 miles from the nonpublic school. Any  
28 cost incurred by a school district or a regional district in providing  
29 transportation or an in-lieu-of payment to a pupil who is eligible for  
30 the transportation or an in-lieu-of payment under the provisions of this  
31 [act] section shall not exceed the maximum cost per pupil established  
32 pursuant to section 2 of P.L.1981, c.57 (C.18A:39-1a), and shall be  
33 paid by the State.

34 [b. In the case of a regional school district composed of only two  
35 constituent municipalities, transportation or an in-lieu-of payment shall  
36 be provided pursuant to subsection a. of this section, except that a  
37 nonpublic school pupil who otherwise qualifies for transportation or  
38 an in-lieu-of payment pursuant to that subsection shall not be required  
39 to reside in the municipality of the nonpublic school pupil who

**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 underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Assembly AED committee amendments adopted March 22, 2001.

1 qualifies for transportation or an in-lieu-of payment pursuant to  
2 N.J.S.18A:39-1.】  
3 (cf: P.L.2000, c.103, s.1)  
4

5 2. This act shall take effect immediately and shall first apply to the  
6 2000-2001 school year.  
7

8  
9  
10  
11 Extends transportation services to nonpublic school pupils who reside  
12 in certain regional and consolidated school districts that provide aid-  
13 in-lieu-of payments.

## CHAPTER 324

**AN ACT** concerning the transportation of nonpublic school pupils in certain regional and consolidated school districts and amending P.L.1999, c.350.

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

1. Section 1 of P.L.1999, c.350 (C.18A:39-1.6) is amended to read as follows:

C.18A:39-1.6 Transportation of nonpublic school students, remote, certain.

1. As used in this section, "regional district" means a regional school district composed of only two constituent municipalities or a consolidated school district composed of only two municipalities.

Notwithstanding any provision of N.J.S.18A:39-1 to the contrary, if a school district provides transportation to and from school to a school pupil who resides remote from school and attends a nonpublic school located within the State not more than 20 miles from the residence of the pupil, or in the case of a regional district provides transportation or an in-lieu-of-payment to such pupil, the school district or regional district shall provide transportation, when seats are available on existing routes, or an in-lieu-of payment to all nonpublic school pupils who reside within the municipality of that pupil or in the case of a regional district reside within the district, attend that school, and reside more than 20 miles from that school. The school district may require all nonpublic school pupils in the municipality or regional district to use the bus stops which serve the pupils whose residences are not more than 20 miles from the nonpublic school. Any cost incurred by a school district or a regional district in providing transportation or an in-lieu-of payment to a pupil who is eligible for the transportation or an in-lieu-of payment under the provisions of this section shall not exceed the maximum cost per pupil established pursuant to section 2 of P.L.1981, c.57 (C.18A:39-1a), and shall be paid by the State.

2. This act shall take effect immediately and shall first apply to the 2000-2001 school year.

Approved January 4, 2002.