

18A:58-33.26

LEGISLATIVE HISTORY CHECKLIST

(School bonds--submission of proposal--extend time if State aid has been approved)

HUSA 18A:58-33.26

LAYS OF 1980

CHAPTER 33

Bill No. A1075

Sponsor(s) Doyle

Date Introduced Feb. 21, 1980

Committee: Assembly Education

Senate Education

Amended during passage

Yes

No

Date of Passage: Assembly April 21, 1980

Senate May 19, 1980

Date of approval June 3, 1980

Following statements are attached if available:

Sponsor statement Yes ~~xx~~ (Below)

Committee Statement: Assembly Yes ~~xx~~

Senate Yes ~~xx~~

Fiscal Note ~~Yes~~ No

Veto message ~~Yes~~ No

Message on signing Yes ~~xx~~

Following were printed:

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

Sponsor's statement:

This bill extends from 1 year to 18 months the time allowed for a Board of Education to submit its bonds proposal to the Commissioner after having been declared eligible to receive supplemental State school building aid.

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ASSEMBLY, No. 1075

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 21, 1980

By Assemblyman DOYLE

Referred to Committee on Education

AN ACT to amend the "Additional State School Building Aid Act,"
approved July 13, 1978 (P. L. 1978, c. 74).

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

1 1. Section 5 of P. L. 1978, c. 74 (C. 18A:58-33.26) is amended to
2 read as follows:

3 5. a. If the State Board of Education shall find that any such
4 school district is not able to provide the suitable educational facili-
5 ties described hereinabove the State Board of Education shall by
6 resolution determine (1) that such school district is entitled to
7 receive additional State school building aid pursuant to this act,
8 (2) the number of pupils in resident enrollment in such school
9 district on September 30, 1976 for purposes of computation under
10 this act or the number of handicapped pupils between the ages of
11 13 and 21 whose vocational education needs were not met prior to
12 the enactment of this act, (3) the principal amount of bonds (which
13 amount is hereinafter sometimes referred to as the "entitlement")
14 which are to be entitled to the benefits of the provisions of this act,
15 and (4) the maturity schedule for such principal amount of bonds
16 approved by said board.

17 b. At any time within **[1 year]** *18 months* after the adoption by
18 the State Board of Education of the resolution referred to in sub-
19 section a. with respect to a particular school district, said school
20 district may submit to the Commissioner of Education a copy of a
21 proposal or ordinance authorizing the issuance of bonds entitled
22 to the benefits of this act in accordance with said resolution, pro-
23 vided that such ordinance or proposal had not been adopted,
24 approved or become effective prior to January 1, 1978, and to make
25 or provide any and all investigations, determinations, endorse-
26 ments, certifications, considerations, approvals, restrictions, limi-

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

27 tations, consents, resolutions, estimates or approvals, which may
28 be required or provided by this act with respect to any such
29 ordinance or proposal, school district or school district projects or
30 educational facilities, as if such ordinance or proposal had not
31 been adopted, approved or become effective, and any bonds author-
32 ized by such ordinance or proposal shall be entitled to all the benefit
33 of this act. If no such proposal or ordinance is submitted within
34 **[1 year]** *18 months* the said resolution shall be of no further force
35 and effect and the commissioner shall so notify said school district.
36 The Commissioner of Education shall be and is hereby authorized
37 to endorse upon any copy of such proposal or ordinance a certifica-
38 tion thereof as being the proposal or ordinance as to which a
39 determination of the State Board of Education has been made as
40 aforesaid, and such indorsement shall be made in such form or
41 manner as said commissioner shall determine.

1 2. This act shall take effect immediately.

STATEMENT

This bill extends from 1 year to 18 months the time allowed for a Board of Education to submit its bonds proposal to the commissioner after having been declared eligible to receive supplemental State school building aid.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1075

STATE OF NEW JERSEY

DATED: APRIL 17, 1980

PURPOSE:

Assembly Bill No. 1075 provides an additional 6 months, from June 6 to December 6, for school districts to spend the funds received from the Additional State School Building Aid Act of 1978.

BACKGROUND:

In 1978 the New Jersey Legislature authorized a 100-million dollar State-supported bond issue for local school districts. It was the Legislature's intent that the money should be used to (1) renovate aged or deteriorated buildings; (2) renovate buildings that were inaccessible or not built for the use of handicapped persons; and (3) construct vocational school buildings for handicapped individuals, age 13 to 21. Funds were distributed to districts according to their severity of need. Local districts were given until June 6, 1980 to receive authorization for their bonds. Eighty-five districts received funds. Of the 85 districts that received funds, 32 districts have not yet completed the final phase of the application process.

The final phase of the application process requires school districts to submit to the commissioner a copy of the board proposal or municipal ordinance authorizing the issuance of a bond. In Type II districts a board proposal must be preceded by voter approval of the bond. In Type I districts the school district depends upon the municipality enacting an ordinance. Thirty-two districts have failed to pass a referendum or an ordinance authorizing the bond issue. Eight districts have had their bond referendum rejected by the voters of the district.

Another obstacle facing local districts in 1980 is the prohibition against holding a bond referendum within 20 days prior to or after a general election. With the primary election on June 3, the last date on which a bond referendum can be held is May 16.

SENATE EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1075

STATE OF NEW JERSEY

DATED: MAY 15, 1980

The Senate Education Committee favorably reports this bill and endorses the Statement of the Assembly Education Committee as follows:

PURPOSE:

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BACKGROUND:

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FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

JUNE 4, 1980

KATHRYN FORSYTH

Governor Brendan Byrne today signed the following bills:

S-1031, sponsored by Senator Matthew Feldman (D-Bergen) which permits the New Jersey Educational Facilities Authority to refinance outstanding mortgages of public and private institutions of higher education which are held by private lenders at higher rates than could be obtained by the Authority.

In the past, the Authority could only participate in the funding of a project to acquire, design, construct or rehabilitate a facility. This bill permits the Authority to purchase and lease a project or to lend funds to an institution to enable it to retire outstanding obligations.

S-1234, sponsored by Senator Anthony Scardino, Jr. (D-Bergen) which validates school district bond authorization proceedings notwithstanding that notices relating to the election were not published as required by the "Absentee Voting Law" of 1953.

The bill validates the proceedings for the Fairview School District. Review of the proceedings by the bond counsel revealed that the civilian absentee ballot form had not been published, but rather referral was made to an address and phone number for obtaining the application form.

A-1075, sponsored by Assemblyman John Paul Doyle (D-Ocean) which extends the deadline for local boards of education to submit their bond proposals to the Commissioner of Education in order to receive supplemental school building aid from one year to eighteen months.

The Additional State School Building Act of 1978 authorized the state to provide \$100 million in aid to school districts with shortages of facilities or deteriorating school buildings.

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In order to receive the aid, the local boards had to submit a bond resolution authorizing the issuance of bonds for the construction or renovation of school facilities to the Commissioner of Education by June 6, 1980, one year from the date that the school boards were notified that they were entitled to receive the aid by the State Board of Education.

Of the 85 districts entitled to receive aid, 65 require bond referendums, but only 31 of those districts have passed the needed referendum.

This bill provides the districts with an additional six months to get the referendum approved by the voters.

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