

18A:10-3

LEGISLATIVE HISTORY CHECKLIST

NJSA 18A:10-3 (School boards--newly elected members--  
date for taking office)

LAWS 1980 CHAPTER 140

Bill No. A362

Sponsor(s) Girgenti

Date Introduced Pre-filed

Committee: Assembly Education

Senate Education

Amended during passage Yes ~~NA~~ Amendments during passage  
denoted by asterisks

Date of Passage: Assembly June 9, 1980

Senate Sept. 22, 1980

Date of approval Nov. 12, 1980

Following statements are attached if available:

Sponsor statement Yes ~~YES~~ (Below)

Committee Statement: Assembly Yes ~~YES~~

Senate Yes ~~YES~~

Fiscal Note ~~YES~~ No

Veto Message ~~YES~~ No

Message on signing ~~YES~~ No

Following were printed:

Reports ~~YES~~ No

Hearings ~~YES~~ No

Sponsor's statement:

Currently, there exists a 6-week waiting period between school elections and the date on which new members shall take office. The purpose of this bill is to allow newly elected members of the school boards to take office the week following the election if the voters have approved the proposed budget. This would allow new members of the boards affected by this bill to efficiently deal with substantial matters without having to wait 6 weeks.

[OFFICIAL COPY REPRINT]  
**ASSEMBLY, No. 362**

**STATE OF NEW JERSEY**

PRE-FILED FOR INTRODUCTION IN THE 1980 SESSION

By Assemblyman GIRGENTI

AN ACT concerning school boards and amending N. J. S. 18A:10-3.

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

1 1. N. J. S. 18A:10-3 is amended to read as follows:

2 18A:10-3. Each board of education shall organize annually at a  
3 regular meeting held not later than at 8 p.m. at which time new  
4 members shall take office.

5 a. In type I districts on May 16, or on the following day if that  
6 day be Sunday;

7 b. In all type II districts on any day of the first week \***[com-**  
8 **mencing]**\* *following the annual school election.* \* **[on the first**  
9 **Monday following May 15 if the proposed budget for the next school**  
10 **year is defeated by the voters in the annual school election.**

11 c. *In all type II districts on any day of the first week following*  
12 *the annual school election if the proposed budget for the next school*  
13 *year is approved by the voters.]*\*

14 If the organization meeting cannot take place on that day by  
15 reason of lack of a quorum or for any other reason, said meeting  
16 shall be held within 3 days thereafter.

1 2. This act shall take effect immediately.

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

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2 18A :10-3. Each board of education shall organize annually at a  
3 regular meeting held not later than at 8 p.m. at which time new  
4 members shall take office.

5 a. In type I districts on May 16, or on the following day if that  
6 day be Sunday ;

7 b. In all type II districts on any day of the first week commencing  
8 on the first Monday following May 15 *if the proposed budget for the*  
9 *next school year is defeated by the voters in the annual school*  
10 *election.*

11 c. *In all type II districts on any day of the first week following*  
12 *the annual school election if the proposed budget for the next school*  
13 *year is approved by the voters.*

14 If the organization meeting cannot take place on that day by  
15 reason of lack of a quorum or for any other reason, said meeting  
16 shall be held within 3 days thereafter.

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STATEMENT

Currently, there exists a 6-week waiting period between school elections and the date on which new members shall take office. The purpose of this bill is to allow newly elected members of the school boards to take office the week following the election if the voters have approved the proposed budget. This would allow new members of the boards affected by this bill to efficiently deal with substantial matters without having to wait 6 weeks.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 362**

with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: MAY 19, 1980

**PURPOSE:**

Assembly Bill No. 362, with Assembly committee amendments, proposes to allow newly elected members of Type II school boards to take office during the week following the school election.

**BACKGROUND:**

In 1978 the school election and budget process was extended by the Legislature for the purpose of providing districts with more time for budget preparation. It was the opinion of the members of the Education Committee that a waiting period was necessary after the election to provide time for the incumbent board to clear up any budget issues as well as settle any personnel issues.

It is the feeling of the Assembly Education Committee that the waiting period that currently exists is unnecessary and that newly elected board members are adequately briefed to prevent any problems in the transition.

ASSEMBLY COMMITTEE AMENDMENTS TO

**ASSEMBLY, No. 362**

**STATE OF NEW JERSEY**

ADOPTED MAY 19, 1980

Amend page 1, section 1, line 7, omit "commencing", insert "following the annual school election."

Amend page 1, section 1, lines 8-13, omit.

SENATE EDUCATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 362**

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**STATE OF NEW JERSEY**

DATED: JULY 28, 1980

The Senate Education Committee favorably reports this bill and endorses the Assembly Education Committee statement which reads as follows:

**PURPOSE:**

Assembly Bill No. 362, with Assembly committee amendments, proposes to allow newly elected members of Type II school boards to take office during the week following the school election.

**BACKGROUND:**

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NOVEMBER 12, 1980

KATHRYN FORSYTH

Governor Byrne today filed the following bills:

S-1473, sponsored by Senator William Hamilton (D-Middlesex) which requires the advice and consent of the Senate on the designation of a member of the Casino Control Commission who is to serve as Chairman upon the expiration of the present Chairman's term.

Governor Byrne conditionally vetoed the bill on October 20, saying that the confirmation process for this nomination should not be "unduely extended" and suggesting that a new section be inserted to require Senate confirmation of the nomination within 45 days of the Governor's designation of the Chairman.

Under the Governor's suggestions, if the Senate fails to confirm the designee within 45 days, then he or she shall be deemed consented by the Senate.

The Legislature concurred with the Governor's recommendations.

S-1568, sponsored by Senator Joseph P. Maressa (D-Gloucester) which validates a school district bond issue in Deptford Township despite the fact that a notice of sale was not published, as required by law, in a county newspaper having substantial circulation within the county, provided that the notice was published at least 7 days prior to the sale in a publication carrying financial news published in New York City or New Jersey and that no suit has commenced contesting the bond issue.

A-362, sponsored by Assemblyman John Cirgenti (D-Passaic) which eliminates the current six-week waiting period that must elapse between school board elections in Type II districts and the date on which the board members take office.

Under this bill, newly elected members will take office the week following their election.