

18A:54-16.1 to 18A:54-16.7

LEGISLATIVE HISTORY CHECKLIST

NJSA 18A:54-16.1 to 18A:54-16.7 (County vocational schools--county-wide elections.)

Laws of 1977 Chapter 30

Bill No. A1502

Sponsor(s) Littell

Date Introduced February 19, 1976

Committee: Assembly Education

Senate -----

Amended during passage Yes ~~xxxx~~ Amendments during passage denoted by asterisks.

Date of passage: Assembly August 5, 1976

Senate September 30, 1976

Date of approval March 2, 1977

Following statements are attached if available:

Sponsor statement Yes ~~ixx~~

Committee Statement: Assembly Yes ~~ixx~~

Senate xxx No

Fiscal Note Yes No

Veto message ~~xxx~~ No

Message on signing ~~xxx~~ No

Following were printed:

Reports ~~xxx~~ No

Hearings ~~xx~~ No

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[OFFICIAL COPY REPRINT]
ASSEMBLY, No. 1502

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 19, 1976

By Assemblyman LITTELL

Referred to Committee on Education

AN ACT concerning school elections, school budgets and the issuance of school bonds by county vocational school districts in certain counties, supplementing Title 18A of the New Jersey Statutes.

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

1 1. Notwithstanding the provisions of chapter 54 of Title 18A of
2 the New Jersey Statutes, the board of education of county voca-
3 tional schools in all counties of the third class with a population
4 greater than 70,000 but less than 120,000 shall consist of nine
5 members to be elected at large by the legal voters of the county.
6 Such members shall serve for a term of 3 years; provided,
7 however, that in the first election three members shall be elected
8 to serve for 1 year, three for 2 years and three for 3 years.
9 Such elections shall be conducted in the manner prescribed for
10 school elections pursuant to chapter 14 of Title 18A of the New
11 Jersey Statutes.

1 2. The county vocational school board in such counties shall
2 undertake, pursuant to chapter 14 of Title 18A of the New Jersey
3 Statutes and according to procedures set forth by the commis-
4 sioner, all preparation necessary for the election of the board of
5 education by the legal voters of the county, which election shall be
6 held on the second Tuesday in February. Such procedures shall
7 ensure the maintenance of an efficient election process and shall
8 prevent any unnecessary duplication from occurring between the
9 local school district election and the county vocational school
10 district election.

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

1 3. In such counties separate ballots shall be used for the local
2 school election and the county vocational school board election.

1 4. The members of the boards of education of county vocational
2 schools in office at the time of the effective date of this act shall
3 continue in office in such counties until the results of the election
4 are certified, and every year thereafter shall continue in office
5 until the first Monday following the first annual school election.

1 5. The budget approval process, the authorization of school
2 bonds, the approval of capital projects, the certification of the
3 amount to be raised by taxes for county vocational school purposes,
4 and the raising of additional sums by taxes in such counties shall
5 be conducted in the manner prescribed for Type II districts without
6 a board of school estimate as set forth in chapters 22 and 24 of
7 Title 18A of the New Jersey Statutes. Any statutory and regula-
8 tory references to a municipality or municipalities shall apply to
9 the governing body of the county unless the context clearly re-
10 quires a different meaning. Any statutory and regulatory
11 references to a Type II school district without a board of school
12 estimate shall apply to the county vocational school district.

1 6. Any proceedings for the authorization of bonds by any county
2 vocational school in such counties initiated prior to the effective
3 date of this act, shall in each instance proceed to the completion of
4 the authorization of such bonds, and any such bonds, or any
5 promissory notes or temporary loan bonds issued in anticipation
6 of such bonds so authorized shall, if otherwise valid, be valid and
7 in full effect as if this statute had not been enacted.

1 **7. Notwithstanding the provisions of N. J. S. 18A:13-10, all*
2 *school districts in such counties, except those districts classified*
3 *as limited-purpose regional school districts, shall hold their annual*
4 *school elections on the second Tuesday in February.**

1 ***[7.]*** *8.* This act shall take effect on December 1, 1976.

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5 promissory notes or temporary loan bonds issued in anticipation
6 of such bonds so authorized shall, if otherwise valid, be valid and
7 in full effect as if this statute had not been enacted.

1 7. This act shall take effect on December 1, 1976.

STATEMENT

This bill authorizes a countywide election to be held at the annual school election for the purpose of electing school board members for the county vocational school, voting on the operating budget of the county vocational school, and voting on the capital construction budget of the county vocational school. In addition, the membership of the county vocational school board will be increased from five to nine, and the members will serve nonconcurrent 3-year terms. At the present time this bill only applies to the counties of Warren and Sussex.

REFERENCE USE ONLY

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1502

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: JULY 22, 1976

PROVISIONS

Assembly Bill No. 1502 provides for:

1. The election of vocational school board members;
2. Increased membership on the boards of education from 5 to 9;
3. A referendum on the "current expense" portion of the vocational school budget; and
4. A referendum on the capital construction portion of the vocational school budget.

The above provisions will apply only to Warren and Sussex counties.

BACKGROUND AND PROBLEMS ADDRESSED

Currently vocational school board members are appointed by either the supervisor of the county, the director of the County Freeholders, the county judge or more recently the county executive.

With respect to budgets, neither the current expenses nor the capital construction portion of the vocational school budget are currently subject to direct voter approval.

In both the "current expense" and "capital" portions of the budget the vocational school board estimates what the fiscal needs of the school will be in the next school year and then proposes to the Board of School Estimate what the school board deems to be the necessary amount. The Board of School Estimate considers the budget proposal and makes the final determination of the amount which is to be appropriated for vocational school purposes. The Board of County Freeholders is then required to appropriate the exact amount fixed and determined by the Board of School Estimate.

ISSUE No. 1

A major policy issue is whether or not the voting public should be involved in the fiscal decision-making process of vocational schools.

Currently there is no mechanism whereby the vocational school officials may test and balance their own vocational education policy judgments against the general will and sentiment of the voting public. Although it is the conventional wisdom of vocational educators that the specialization of vocational instructional programs compel us to place budgetary decisions in the hands of experts, as a practical matter such specialized needs of vocational education are protected through the appeal procedure. Given such protection, it would seem that the burden of proof must be placed upon the defenders of the current statute and upon those opponents of this legislation who would choose to attenuate the democratic process by permitting appointed officials to determine vocational education budgets. Therefore it is the judgment of the Assembly Education Committee that vocational school board members should be elected rather than appointed, and vocational school budgets should be submitted to the voters.

ISSUE No. 2

Another issue addressed by this bill involves increasing the membership of the vocational board of education. There appears to be no opposition to increasing vocational school board membership from five to nine. Indeed everyone agrees that an expanded board of education will make the school board more efficient by providing sufficient coverage for all of the committees that have become so central to the operation of the modern vocational school board.

FISCAL IMPLICATIONS

It is anticipated that any costs associated with this bill will be a function of preparing, distributing, collecting and tallying the ballots. As such, the costs for this bill will be minimal.

AMENDMENTS

Currently, as a result of decisions that are now historical anomalies, consolidated districts that became K-12 regionals were permitted to vote either on the first Tuesday or on the second Tuesday in February. Most of the fourteen all purpose regional districts—i.e., the K-12 regional districts—chose to vote on the first Tuesday in February. In order to insure that all voters within the county may vote on the same day for county vocational school board members and budget items, Senate Bill No. 1503, as amended, requires such districts, of which in Warren and Sussex counties there is only one, to change their school election date to the second Tuesday in February. There will be no costs associated with this change, and there will be no technical problems with such a change. The district must only inform the electorate as to the change.

ASSEMBLY COMMITTEE AMENDMENTS TO
ASSEMBLY, No. 1502

STATE OF NEW JERSEY

ADOPTED JULY 22, 1976

Amend page 2, section 6, after line 7, insert new section as follows:

“7. Notwithstanding the provisions of N. J. S. 18A:13-10, all school districts in such counties, except those districts classified as limited-purpose regional school districts, shall hold their annual school elections on the second Tuesday in February.”

Amend page 2, section 7, line 1, omit “7.”, insert “8.”.