

18A:58-37.1 ET SEQ.

LEGISLATIVE HISTORY CHECKLIST

NJSA 18A:58-37.1 et seq.

Laws of 1974 Chapter 79

Bill No. A 1639

Sponsor(s) LeFante & 35 others

Date Introduced April 22

Committee: Assembly Education

Senate -----

Amended during passage Yes Amendments during passage denoted by asterisks.

Date of passage: Assembly May 13

Senate May 16

Date of approval August 5

Following statements are attached if available:

Sponsor statement Yes

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes

Veto message Yes No

Message on signing Yes

Following were printed:

Reports Yes No

Hearings Yes No

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CHAPTER 79 LAWS OF N. J. 1974

APPROVED 8-5-74

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JULY 1974

[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 1639

STATE OF NEW JERSEY

INTRODUCED APRIL 22, 1974

By Assemblymen LEFANTE, HAMILTON, WOODSON, BARBOUR,
GEWERTZ, KLEIN, GARRUBBO, KEEGAN, BORNHEIMER,
FORAN, ORECHIO, CHINNICI, HURLEY, LITTELL, KEAN,
PELLECCHIA, FROUDE, PATERO, OTLOWSKI, KARCHER,
DEVERIN, NEWMAN, GREGORIO, EWING, FLYNN,
KOZLOSKI, McCARTHY, VAN WAGNER, SHELTON,
Assemblywoman CURRAN, Assemblymen BATE, CODEY, NERI,
DOYLE, SALKIND and McMANIMON

Referred to Committee on Education

AN ACT providing for the purchase and loan of textbooks to students attending public and nonpublic schools and supplementing chapter 234 of the laws of 1970.

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

1 1. The Legislature hereby finds and determines that the security
2 and welfare of the State require the fullest development of the
3 material resources and skills of its youth. To achieve this objective
4 increased efforts must be undertaken to educate more of the talent
5 of our State. It is hereby declared to be the public policy of the
6 State, that the public welfare and safety require that the State
7 and local communities provide assistance to educational programs
8 which are important to the welfare of the State.

1 2. As used in this act:

2 a. "Commissioner" means the State Commissioner of Educa-
3 tion.

4 b. "Nonpublic school" means an elementary or secondary school
5 within the State, other than a public school, offering education for
6 grades kindergarten through 12, or any combination of them,
7 wherein any child may legally fulfill compulsory school attendance
8 requirements and which complies with the requirements of Title
9 VI of the Civil Rights Act of 1964 (P. L. 88-352).

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

10 c. "Textbook" means books, workbooks or manuals, whether
 11 bound or in looseleaf form intended as a principal source of study
 12 material for a given class or group of students, a copy of which is
 13 available for the individual use of each pupil in such class or group.

14 d. "Student" means any child who is a resident of the State and
 15 who is enrolled as a full-time pupil in a public or nonpublic school
 16 in grades kindergarten through 12. A child who boards at a school
 17 but whose parents do not maintain a residence in this State shall
 18 not be deemed to be a resident of the State within the meaning of
 19 this act.

1 3. a. The board of education in each school district in the State
 2 shall have the power and duty to purchase and to loan textbooks
 3 upon individual request, to all students residing in such district,
 4 who are enrolled in grades kindergarten through 12 of a public or
 5 nonpublic school.

6 b. No board of education shall be required to expend funds for
 7 the purchase and loan of textbooks in excess of the amounts pro-
 8 vided in State aid **pursuant to this act**.

1 4. a. Textbooks which are loaned to students enrolled in grades
 2 kindergarten through 12 of any nonpublic school shall be textbooks
 3 which are used in any public elementary or secondary school of
 4 the State or are approved by any board of education. Such text-
 5 books are to be loaned without charge to such children subject to
 6 such rules and regulations as are, or may be adopted by the com-
 7 missioner and such board of education.

8 b. When a textbook has been designated for use in a school dis-
 9 trict such textbook shall not be superseded by any other book, prior
 10 to the expiration of 5 years following such designation, except
 11 upon the authorization of the board of education.

1 5. The commissioner shall, upon request of the local board and
 2 pursuant to the rules and regulations of the State Board of Edu-
 3 cation distribute to each school district an amount equal to the cost
 4 of textbooks purchased and loaned by the school district pursuant
 5 to this act, but in no event shall the aid appropriated to the district
 6 exceed the following amounts:

7 a. The expenditures for the purchase of textbooks pursuant to
 8 this act made during the school year 1974-75, the school year 1975-
 9 76, the school year 1976-77 shall not exceed an average of \$15.00
 10 for each student residing in the district, who, on the last day of
 11 September of the preceding school year were enrolled in grades
 12 kindergarten through 12 of a public or nonpublic school; and

13 b. The expenditures made in any subsequent year shall not ex-
14 ceed an average of \$10.00 for each student residing in the district,
15 who, on the last day of September of the preceding school year
16 ***[were]*** **was** enrolled in grades kindergarten through 12 of a
17 public or nonpublic school.

1 6. State aid provided pursuant to the State School Incentive
2 Equalization Aid Law (N. J. S. 18A:58-1 et seq.) in the school
3 years 1974-75, 1975-76, 1976-77 may be expended for the purchase
4 **and loan** of textbooks for public school pupils on an average of
5 \$15.00 per pupil in resident enrollment***[. In]*** **and in** any sub-
6 sequent school year such State aid may be expended on an average
7 of \$10.00 per pupil in resident enrollment. Nothing contained
8 herein shall prohibit a board of education in any district from pur-
9 chasing textbooks in excess of the amounts provided pursuant to
10 this act.

1 7. The sums payable as State aid to school districts pursuant to
2 this act shall be payable in accordance with the following schedule:
3 one-quarter on October 1, one-quarter on December 1, one-quarter
4 on February 1 and one-quarter on May 1. The State Treasurer
5 shall make such payment to each board of education upon a cer-
6 tificate of the commissioner and warrant of the Director of the
7 Division of Budget and Accounting.

1 8. This act shall take effect July 1, 1974.

ASSEMBLY, No. 1639

STATE OF NEW JERSEY

INTRODUCED APRIL 22, 1974

By Assemblymen LEFANTE, HAMILTON, WOODSON, BARBOUR, GEWERTZ, KLEIN, GARRUBBO, KEEGAN, BORNHEIMER, FORAN, ORECHIO, CHINNICI, HURLEY, LITTELL, KEAN, PELLECCIA, FROUDE, PATERO, OTLOWSKI, KARCHER, DEVERIN, NEWMAN, GREGORIO, EWING, FLYNN, KOZLOSKI, McCARTHY, VAN WAGNER, SHELTON, Assemblywoman CURRAN, Assemblymen BATE, CODEY, NERI, DOYLE, SALKIND and McMANIMON

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7 Division of Budget and Accounting.

1 8. This act shall take effect July 1, 1974.

STATEMENT

This bill provides State aid for the purchase and loan of text-
books to students attending public and nonpublic schools.

ASSEMBLY COMMITTEE AMENDMENTS TO
ASSEMBLY, No. 1639

STATE OF NEW JERSEY

ADOPTED MAY 2, 1974

Amend page 2, section 3, line 8, after "State aid", insert "pursuant to this act".

Amend page 2, section 5, line 16, before "enrolled", omit "were", and insert "was".

Amend page 3, section 6, line 3, after "purchase", insert "and loan".

Amend page 3, section 6, line 5, after "enrollment", omit ". In", insert ", and in".

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FISCAL NOTE TO
ASSEMBLY, No. 1639

STATE OF NEW JERSEY

DATED: AUGUST 2, 1974

The Official Copy Reprint of Assembly Bill No. 1639 provides State aid for the purchase and loan of textbooks to students attending public and nonpublic schools.

The Department of Education estimates that enactment of this legislation would require an additional State expenditure of \$3,750,000.00 and an expenditure by local governments of \$150,000.00 in fiscal 1974-75 and a like amount in each of the next two succeeding fiscal years.

This estimate is based on experience with previous nonpublic aid act—nonpublic school enrollment estimates—and estimates of administrative costs to local school districts. This fiscal note is also based only on the cost to provide texts to nonpublic school students.

The fiscal note is based on actual cost information.

In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1962, c. 27.

FROM THE OFFICE OF THE GOVERNOR

AUGUST 5, 1974

FOR FURTHER INFORMATION

FOR IMMEDIATE RELEASE

DICK CAMPBELL

Governor Brendan Byrne signed into law Monday two bills which provide increased aid to students attending non-public schools.

One bill A-1639 provides state aid of \$15 per student for local boards of education to purchase textbooks and loan them to students residing within the district.

The other measure A-1638 increases the transportation allowance from \$150 to \$200 for parents whose non-public school children must travel long distances to school.

The bills, both sponsored by Assemblyman Joseph A. LeFante, D-Hudson, are effective immediately.

Byrne noted that the bills are in keeping with a campaign commitment to seek to find constitutional ways to aid non-public schools.

"This aid will help maintain the non-public schools as an important component of our educational system," said the Governor.

The textbook loan program is patterned after a New York State statute which was upheld as constitutional by the U.S. Supreme Court.

The transportation aid measure has been in effect since 1965 and has been upheld as constitutional.

The funds to finance the increased aid program are included in the state budget for the fiscal year which began July 1.

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