

# 18A:39-3

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2003                    **CHAPTER:** 69

**NJSA:** 18A:39-3            (Pupil transportation contracts)

**BILL NO:** A2465            (Substituted for S1689)

**SPONSOR(S):** Weinberg

**DATE INTRODUCED:** June 13, 2002

**COMMITTEE:**            **ASSEMBLY:** Education

**SENATE:** Education

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:**            **ASSEMBLY:** June 20, 2002

**SENATE:** February 27, 2003

**DATE OF APPROVAL:** May 5, 2003

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

[FINAL TEXT OF BILL](#) (Original version of bill enacted)

**A2465**

[SPONSORS STATEMENT:](#) (Begins on page 3 of original bill) [Yes](#)

**COMMITTEE STATEMENT:**                    [ASSEMBLY:](#) [Yes](#)

[SENATE:](#) [Yes](#)

**FLOOR AMENDMENT STATEMENTS:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**S1689**

[SPONSORS STATEMENT:](#) (Begins on page 3 of original bill) [Yes](#)

Bill and Sponsors Statement identical to A2465

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

[SENATE:](#) [Yes](#)

Identical to Assembly Statement for A2465

**FLOOR AMENDMENT STATEMENTS:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**VETO MESSAGE:** No

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

**FOLLOWING WERE PRINTED:**

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**REPORTS:**

No

**HEARINGS:**

No

**NEWSPAPER ARTICLES:**

No

P.L. 2003, CHAPTER 69, *approved May 5, 2003*  
Assembly, No. 2465

1 **AN ACT** concerning contracts for pupil transportation and amending  
2 N.J.S.18A:39-3.

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

6  
7 1. N.J.S.18A:39-3 is amended to read as follows:

8 18A:39-3. a. No contract for the transportation of pupils to and  
9 from school shall be made, when the amount to be paid during the  
10 school year for such transportation shall exceed \$7,500.00 or the  
11 amount determined pursuant to subsection b. of this section, and have  
12 the approval of the county superintendent of schools, unless the board  
13 of education making such contract shall have first publicly advertised  
14 for bids therefor in a newspaper published in the district or, if no  
15 newspaper is published therein, in a newspaper circulating in the  
16 district, once, at least 10 days prior to the date fixed for receiving  
17 proposals for such transportation, and shall have awarded the contract  
18 to the lowest responsible bidder.

19 Nothing in this chapter shall require the advertisement and letting  
20 on proposals or bids of annual extensions, approved by the county  
21 superintendent, of any contract for transportation entered into through  
22 competitive bidding when--

23 (1) Such annual extensions impose no additional cost upon the  
24 board of education, regardless of the fact that the route description has  
25 changed; or

26 (2) The increase in the **[original]** contractual amount as a result of  
27 such extensions does not exceed the rise in the Consumer Price Index  
28 as defined in section 3 of P.L.1996, c.138 (C.18A:7F-3) for that  
29 school year, regardless of the fact that the route description has  
30 changed or an aide has been added or removed; or

31 (3) (Deleted by amendment, P.L.1982, c.74.)

32 (4) The increase in the **[original]** contractual amount as a result of  
33 an extension exceeds the rise in the Consumer Price Index as defined  
34 in section 3 of P.L.1996, c.138 (C.18A:7F-3) for that school year, but  
35 the following apply to the extensions:

36 (a) The increase is directly attributable to a route change to  
37 accommodate new student riders or safety concerns as provided for in  
38 the original bid, or the increase is directly attributable to the addition  
39 of an aide as provided for in the original bid; and

40 (b) The school destination remains unchanged from the original  
41 contract.

**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 Any such extension as described in this paragraph shall require the  
2 approval of the county superintendent of schools.

3 Nothing in this chapter shall require the immediate bid of any  
4 contract renewal for the remainder of a school year in which the only  
5 change, in addition to route description, is the bus type. However, any  
6 such extension shall be approved by the county superintendent of  
7 schools and shall be bid for the next school year.

8 b. The Governor, in consultation with the Department of the  
9 Treasury, shall, no later than March 1 of each odd-numbered year,  
10 adjust the threshold amount set forth in subsection a. of this section,  
11 or subsequent to 1985 the threshold amount resulting from any  
12 adjustment under this subsection or section 17 of P.L.1985. c.469, in  
13 direct proportion to the rise or fall of the Consumer Price Index for all  
14 urban consumers in the New York City and the Philadelphia areas as  
15 reported by the United States Department of Labor. The Governor  
16 shall, no later than June 1 of each odd-numbered year, notify all local  
17 school districts of the adjustment. The adjustment shall become  
18 effective on July 1 of each odd-numbered year.

19 (cf: P.L.2001, c.111, s.1)

20  
21 2. This act shall take effect immediately.

22  
23  
24 STATEMENT

25  
26 This bill makes a technical correction to N.J.S.18A:39-3 which was  
27 amended by P.L.2001, c.111 to permit an exemption from the  
28 advertising of annual extensions of pupil transportation contracts if the  
29 increase is not greater than the CPI. The intent of P.L.2001, c.111  
30 was that the annual increase would be based upon the previous year's  
31 contract price, not the original contract price. This bill would correct  
32 this error in P.L.2001, c.111.

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35 \_\_\_\_\_  
36  
37 Clarifies the exemption from advertising of annual extensions of pupil  
38 transportation contracts.

# ASSEMBLY, No. 2465

## STATE OF NEW JERSEY 210th LEGISLATURE

INTRODUCED JUNE 13, 2002

**Sponsored by:**

**Assemblywoman LORETTA WEINBERG**

**District 37 (Bergen)**

**SYNOPSIS**

Clarifies the exemption from advertising of annual extensions of pupil transportation contracts.

**CURRENT VERSION OF TEXT**

As introduced.



A2465 WEINBERG

2

1 AN ACT concerning contracts for pupil transportation and amending  
2 N.J.S.18A:39-3.

3

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

6

7 1. N.J.S.18A:39-3 is amended to read as follows:

8 18A:39-3. a. No contract for the transportation of pupils to and  
9 from school shall be made, when the amount to be paid during the  
10 school year for such transportation shall exceed \$7,500.00 or the  
11 amount determined pursuant to subsection b. of this section, and have  
12 the approval of the county superintendent of schools, unless the board  
13 of education making such contract shall have first publicly advertised  
14 for bids therefor in a newspaper published in the district or, if no  
15 newspaper is published therein, in a newspaper circulating in the  
16 district, once, at least 10 days prior to the date fixed for receiving  
17 proposals for such transportation, and shall have awarded the contract  
18 to the lowest responsible bidder.

19 Nothing in this chapter shall require the advertisement and letting  
20 on proposals or bids of annual extensions, approved by the county  
21 superintendent, of any contract for transportation entered into through  
22 competitive bidding when--

23 (1) Such annual extensions impose no additional cost upon the  
24 board of education, regardless of the fact that the route description has  
25 changed; or

26 (2) The increase in the [original] contractual amount as a result of  
27 such extensions does not exceed the rise in the Consumer Price Index  
28 as defined in section 3 of P.L.1996, c.138 (C.18A:7F-3) for that  
29 school year, regardless of the fact that the route description has  
30 changed or an aide has been added or removed; or

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37 accommodate new student riders or safety concerns as provided for in  
38 the original bid, or the increase is directly attributable to the addition  
39 of an aide as provided for in the original bid; and

40 (b) The school destination remains unchanged from the original  
41 contract.

42 Any such extension as described in this paragraph shall require the  
43 approval of the county superintendent of schools.

**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 Nothing in this chapter shall require the immediate bid of any  
2 contract renewal for the remainder of a school year in which the only  
3 change, in addition to route description, is the bus type. However, any  
4 such extension shall be approved by the county superintendent of  
5 schools and shall be bid for the next school year.

6 b. The Governor, in consultation with the Department of the  
7 Treasury, shall, no later than March 1 of each odd-numbered year,  
8 adjust the threshold amount set forth in subsection a. of this section,  
9 or subsequent to 1985 the threshold amount resulting from any  
10 adjustment under this subsection or section 17 of P.L.1985. c.469, in  
11 direct proportion to the rise or fall of the Consumer Price Index for all  
12 urban consumers in the New York City and the Philadelphia areas as  
13 reported by the United States Department of Labor. The Governor  
14 shall, no later than June 1 of each odd-numbered year, notify all local  
15 school districts of the adjustment. The adjustment shall become  
16 effective on July 1 of each odd-numbered year.

17 (cf: P.L.2001, c.111, s.1)

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#### STATEMENT

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24 This bill makes a technical correction to N.J.S.18A:39-3 which was  
25 amended by P.L.2001, c.111 to permit an exemption from the  
26 advertising of annual extensions of pupil transportation contracts if the  
27 increase is not greater than the CPI. The intent of P.L.2001, c.111  
28 was that the annual increase would be based upon the previous year's  
29 contract price, not the original contract price. This bill would correct  
30 this error in P.L.2001, c.111.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2465**

**STATE OF NEW JERSEY**

DATED: JUNE 17, 2002

The Assembly Education Committee favorably reports Assembly Bill No. 2465.

This bill makes a technical correction to N.J.S.18A:39-3 which was amended by P.L.2001, c.111 to permit an exemption from the advertising of annual extensions of pupil transportation contracts if the increase is not greater than the CPI. The intent of P.L.2001, c.111 was that the annual increase would be based upon the previous year's contract price, not the original contract price. This bill would correct this error in P.L.2001, c.111.



SENATE EDUCATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2465**

**STATE OF NEW JERSEY**

DATED: JANUARY 9, 2003

The Senate Education Committee reports favorably Assembly Bill No. 2465.

This bill makes a technical correction to N.J.S.18A:39-3, as amended by P.L.2001, c.111, in order to permit an exemption from the advertising of annual extensions of pupil transportation contracts if the increase is not greater than the CPI. The intent of P.L.2001, c.111, was that the annual increase would be based upon the previous year's contract price, not the original contract price. This bill corrects this error in P.L.2001, c.111.

As reported, this bill is identical to S-1689.

**SENATE, No. 1689**

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**STATE OF NEW JERSEY**  
**210th LEGISLATURE**

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INTRODUCED JUNE 24, 2002

**Sponsored by:**

**Senator JOSEPH A. PALAIA**

**District 11 (Monmouth)**

**SYNOPSIS**

Clarifies the exemption from advertising of annual extensions of pupil transportation contracts.

**CURRENT VERSION OF TEXT**

As introduced.



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2 N.J.S.18A:39-3.

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SENATE EDUCATION COMMITTEE

STATEMENT TO

**SENATE, No. 1689**

**STATE OF NEW JERSEY**

DATED: JANUARY 9, 2003

The Senate Education Committee reports favorably Senate Bill No. 1689.

This bill makes a technical correction to N.J.S.18A:39-3, as amended by P.L.2001, c.111, in order to permit an exemption from the advertising of annual extensions of pupil transportation contracts if the increase is not greater than the CPI. The intent of P.L.2001, c.111, was that the annual increase would be based upon the previous year's contract price, not the original contract price. This bill corrects this error in P.L.2001, c.111.

As reported, this bill is identical to A-2465.