

18A:39-1

LEGISLATIVE HISTORY CHECKLIST

NJSA 18A:39-1; 18A:39-1a (Pupil transportation--private schools--  
increase subsidy)

LAWS 1981 CHAPTER 57

Bill No. S789

Sponsor(s) Dumont and others

Date Introduced Pre-filed

Committee: Assembly -----

Senate Education

Amended during passage Yes  Amendments during passage  
denoted by asterisks

Date of Passage: Assembly Feb. 9, 1981

Senate Jan. 29, 1981

Date of approval March 3, 1981

Following statements are attached if available:

Sponsor statement Yes  (Below)

Committee Statement: Assembly  No

Senate Yes  12-11-80 & 1-22-81

Fiscal Note  No

Veto Message  No

Message on signing Yes

Following were printed:

Reports  No

Hearings  No

Sponsors' statement:

This bill increases from \$250.00 to \$300.00 the transportation subsidy  
for pupils attending non-public schools.

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6/22/81

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SENATE, No. 789

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1980 SESSION

By Senators DUMONT, CAFIERO, DORSEY, EWING, FORAN,  
GAGLIANO, HAGEDORN, KENNEDY, LASKIN, PARKER,  
VREELAND and WALLWORK

An Act concerning education and amending N. J. S. 18A:39-1 \*and  
supplementing chapter 39 of Title 18A of the New Jersey  
Statutes\*.

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

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

18A:39-1. Whenever in any district there are pupils residing  
remote from any schoolhouse, the board of education of the district  
may make rules and contracts for the transportation of such pupils  
to and from school, including the transportation of school pupils  
to and from school other than a public school, except such school  
as is operated for profit in whole or in part.

When any school district provides any transportation for public  
school pupils to and from school pursuant to this section, trans-  
portation shall be supplied to school pupils residing in such school  
district in going to and from any remote school other than a public  
school, not operated for profit in whole or in part, located within  
the State not more than 20 miles from the residence of the pupil pro-  
vided the per pupil cost of the lowest bid received does not exceed  
[\$250.00] \*[\$300.00]\* \*\$325.00\* and if such bid shall exceed said  
cost then the parent, guardian or other person having legal custody  
of the pupil shall be eligible to receive said amount toward the cost  
of his transportation to a qualified school other than a public school  
regardless of whether such transportation is along established pub-  
lic school routes. It shall be the obligation of the parent, guardian  
or other person having legal custody of the pupil attending a re-  
mote school, other than a public school, not operating for profit  
in whole or in part, to register said pupil with the office of the  
secretary of the board of education at the time and in the manner

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

25 specified by rules and regulations of the State board in order to  
 26 be eligible for the transportation provided by this section. If the  
 27 registration of any such pupil is not completed by September 1  
 28 of the school year and if it is necessary for the board of education  
 29 to enter into a contract establishing a new route in order to provide  
 30 such transportation, then the board shall not be required to pro-  
 31 vide it, but in lieu thereof the parent, guardian or other person  
 32 having legal custody of the pupil shall be eligible to receive  
 33 ~~[\$250.00]~~ \*~~[\$300.00]~~\* \*\$325.00\* or an amount computed by multi-  
 34 plying ~~[\$1.388]~~ \*~~[\$1.666]~~\* \*1/180\* times the number of school days  
 35 remaining in the school year at the time of registration, \*times  
 36 \$325.00\* whichever is the smaller amount. Whenever any regional  
 37 school district provides any transportation for pupils attend-  
 38 ing schools other than public schools pursuant to this section,  
 39 said regional district shall assume responsibility for the trans-  
 40 portation of all such pupils, and the cost of such transporta-  
 40A tion for pupils below the grade level for which the regional  
 41 district was organized, shall be prorated by the regional district  
 42 among the constituent districts on a per pupil basis after approval  
 43 of such costs by the county superintendent. This section shall not  
 44 require school districts to provide any transportation to pupils  
 45 attending a school other than a public school where the only trans-  
 46 portation presently provided by said district is for school children  
 47 transported pursuant to chapter 46 of this Title or for pupils trans-  
 48 ported to a vocational, technical or other public school offering a  
 49 specialized program. Any transportation to a school, other than a  
 50 public school, shall be pursuant to the same rules and regulations  
 51 promulgated by the State board as governs transportation to any  
 52 public school.

53 Nothing in this section shall be so construed as to prohibit a  
 54 board of education from making contracts for the transportation of  
 55 pupils to a school in an adjoining district when such pupils are  
 56 transferred to the district by order of the county superintendent,  
 57 or when any pupils shall attend school in a district other than that  
 58 in which they shall reside by virtue of an agreement made by the  
 59 respective boards of education.

60 Nothing herein contained shall limit or diminish in any way any  
 61 of the provisions for transportation for children pursuant to chap-  
 62 ter 46 of this Title.

1 \*2. (New section) Beginning in the 1982-83 school year and in  
 2 each subsequent year, the maximum amount of nonpublic school  
 3 transportation costs per pupil provided for in N. J. S. 18A:39-1

4 *shall be increased or decreased by an amount equal to the percent-*  
5 *age increase or decrease in the total amount of estimated approved*  
6 *transportation costs per pupil for the year prior to the prebudget*  
7 *year compared to the amount estimated for the prebudget year.\**

1 *\*[2.]\* \*3.\* This act shall take effect immediately \*and be appli-*  
2 *cable with respect to the 1981-82 school year and thereafter\*.*

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SENATE EDUCATION COMMITTEE

STATEMENT TO

**SENATE, No. 789**

with Senate committee amendments

**STATE OF NEW JERSEY**

DATED: DECEMBER 11, 1980

PROVISIONS:

This bill as amended increases the State aid for pupil transportation to nonpublic schools from a maximum of \$250.00 to a maximum of \$325.00 per pupil.

It also provides that, beginning in the 1982-83 school year, the aid for nonpublic school transportation will increase or decrease by the same percentage as public school transportation aid.

FISCAL IMPLICATIONS:

The Department of Education estimates that the cost of this bill in fiscal year 1981-82 will be between \$3,500,000.00 and \$4,600,000.00. The lower figure is based upon current expenditure patterns and assumes that the costs for 35,000 nonpublic school students who ride public school buses would be on an average \$45.00 per pupil. The cost for the remaining 26,000 students would be the full \$75.00 per pupil.

This will not impact on State costs until fiscal year 1983-84, since transportation aid is paid on a retroactive basis, 2 years following the expenditure.

COMMITTEE AMENDMENTS:

The committee has amended this bill to increase the maximum from \$300.00 to \$325.00 per pupil. This more accurately reflects current costs.

In addition, the committee has added a new section 2, which provides for an automatic increase or decrease for nonpublic school transportation aid by the same percentage that public school transportation aid increases or decreases. This will provide for an inflation adjustment without the necessity for new legislation.

The last time aid for nonpublic school transportation was increased by the Legislature was in September, 1977 (P. L. 1977, c. 206).

SENATE REVENUE, FINANCE AND APPROPRIATIONS  
COMMITTEE

STATEMENT TO  
**SENATE, No. 789**  
[OFFICIAL COPY REPRINT]

**STATE OF NEW JERSEY**

DATED: JANUARY 22, 1981

Senate Bill No. 789 OCR increases the maximum allowable amount of nonpublic school transportation aid costs per pupil from \$250.00 to \$325.00. The bill also provides that in school year 1982-83 and each school year thereafter, the per-pupil cost shall be adjusted up or down by the same percentage of change as approved public school transportation costs.

The bill is applicable beginning with the school year 1981-82.

The Department of Education estimates the cost to be between \$3,500,000.00 and \$4,600,000.00 per year.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

MARCH 4, 1981

KATHRYN FORSYTH

Governor Brendan Byrne has signed the following bills:

S-27, sponsored by Senator James Cafiero (R-Cumberland) which removes the statutory age limit that prohibits a member of the Public Employees Retirement System (PERS) from borrowing against his accumulated deductions after age 60.

Under this bill, a member of PERS could borrow against his accumulated deductions at any time prior to his retirement, no matter what his age. If he retires before his loan is repaid, his monthly gross retirement benefits would be retained by the Division of Pensions until there is full repayment. If a retiree dies before his loan is repaid, the remaining balance will be repaid from other benefits payable to the beneficiaries.

Governor Byrne conditionally vetoed this bill in January to correct a technical deficiency. The Legislature concurred with his recommendations.

S-789, sponsored by Senator Wayne Dumont (R-Warren) which increases state transportation aid to non-profit private schools.

Currently, approximately 96,000 students in non-profit private schools receive state transportation aid at a total cost of approximately \$20 million. Approximately \$7.5 million of that money is paid directly to parents.

This bill would increase the aid to districts which bus the private school students in separate bus routes. (Many districts mingle public school pupils and non-public school pupils in the bus routes.) This would increase the number of pupils receiving aid by about 35,000.

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