

18A:14-2

LEGISLATIVE HISTORY CHECKLIST
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(School elections--
budget calendar--revise)

NJSA: 18A:14-2 et al

LAWS OF: 1992 CHAPTER: 159

BILL NO: S1150

SPONSOR(S) Ewing and others

DATE INTRODUCED: September 14, 1992

COMMITTEE: ASSEMBLY: ---
SENATE: Education

AMENDED DURING PASSAGE: Yes Amendments during passage
denoted by asterisks

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SENATE: November 9, 1992

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FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

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COMMITTEE STATEMENT: ASSEMBLY: No
SENATE: Yes

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[FIRST REPRINT]
SENATE, No. 1150

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 14, 1992

By Senators EWING, Palaia and Lynch

1 AN ACT concerning the school election and budget calendar and
2 revising parts of the statutory law.

3

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

6 1. N.J.S.8A:14-2 is amended to read as follows:

7 18A:14-2. An annual school election shall be held in each type
8 II local district, on the [first] ¹[second] third¹ Tuesday in [April]
9 ¹[May] April¹. Whenever such date falls on a legal holiday the
10 election shall be held on the following day.

11 (cf: P.L.1978, c.136, s.5)

12 2. Section 21 of P.L.1990, c.52 (C.18A:7D-26) is amended to
13 read as follows:

14 21. Annually, ¹[on [or before December 15] the last Tuesday in
15 January] within seven days following the transmittal of the
16 budget message to the Legislature by the Governor pursuant to
17 section 11 of P.L. 1944, c. 112 (C. 52:27B-20)¹, the commissioner
18 shall notify each district of the maximum amount of aid payable
19 to the district under the provisions of P.L.1990, c.52 (C.18A:7D-1
20 et al.) in the succeeding year and shall notify each district that is
21 subject to the provisions of section 85 of P.L.1990, c.52
22 (C.18A:7D-28) of the district's maximum permissible local levy
23 budget for the succeeding year. The actual aid payment to each
24 district shall be determined after the district's budget is adopted.
25 (cf: P.L.1991, c.62, s.37)

26 3. Section 22 of P.L.1990, c.52 (C.18A:7D-27) is amended to
27 read as follows:

28 22. Annually, on or before [February 1] ¹[February 20]
29 March 8¹, local boards of education shall submit to the
30 commissioner a copy of their proposed budgets for the next
31 school year. The commissioner shall review each item of
32 appropriation within the current expense and capital outlay
33 budgets and shall determine the adequacy of the budgets with
34 regard to the annual reports submitted pursuant to section 11 of
35 P.L.1975, c.212 (C.18A:7A-11) and such other criteria as may be
36 established by the State board.

37 (cf: P.L.1991, c.62, s.13)

38 4. Section 12 of P.L.1968,c.253 (C.18A:6-62) is amended to
39 read as follows:

40 12. The representative assembly shall annually, on or before
41 [January] ¹[February 15] March 8¹, adopt a budget for the ensuing

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SED committee amendments adopted October 15, 1992.

1 fiscal year, which shall contain the estimated cost of providing
2 each service or program, and submit such budget within three
3 days of adoption to the county superintendent for approval.

4 By [~~December 1~~] January 15 prior to the adoption of the budget
5 the board shall notify each member board of education of the
6 fees to be charged for each service and program for the ensuing
7 school year and of the method by which the commission expenses
8 shall be funded.

9 The commission expenses may be paid from one or more of the
10 following sources:

- 11 a. unappropriated balances from the prebudget year;
- 12 b. anticipated surpluses to be generated by fees for programs
13 or services;
- 14 c. payments by member districts;
- 15 d. anticipated miscellaneous revenues.

16 If payments shall be made by member districts to pay for all or
17 part of the commission expenses, each member district's share
18 shall be determined as the proportion which the total public
19 school enrollment in the school district on the last school day
20 prior to October 16 of the year in which the budget is made bears
21 to the total public school enrollment for all member districts on
22 the last school day prior to October 16 or in any other manner
23 agreed to by two-thirds of the members of the representative
24 assembly. Payment of the member district's share of the
25 commission expense, when so determined, shall be an obligation
26 of a member school district, and payments shall be made during
27 the school year for which such budget shall have been made in a
28 manner determined by the representative assembly.

29 (cf: P.L.1990, c.52, s.29)

30 5. Section 15 of P.L.1987, c.399 (C.18A:7A-48) is amended to
31 read as follows:

32 15. At the [~~April~~] ¹[~~May~~] April¹ school election in the fourth
33 year following the creation of a State-operated school district,
34 nine board members shall be elected from among the 15
35 appointed board members, three to serve a one year term, three
36 to serve a two year term, and three to serve a three year term.
37 If there are not nine members from the 15 appointed members
38 who are willing to run for election, the commissioner shall retain
39 the right to appoint the remaining members of the board.
40 Following the election of the board, the State district
41 superintendent may bring matters before the board for a vote;
42 however the State district superintendent shall retain veto power
43 until such time as the State board determines that local control
44 should be reestablished. In each subsequent year, three board
45 members will be elected from the community at large.

46 (cf: P.L.1987, c.399, s.15)

47 6. Section 17 of P.L.1987, c.399 (C.18A:7A-50) is amended to
48 read as follows:

49 17. The State district superintendent of a State-operated
50 school district shall develop a budget on or before the ¹[first]
51 fourth¹ Tuesday in [~~March~~] ¹[~~April~~] March¹ and shall present this
52 budget to the board of education to elicit the board's comments
53 and recommendations. This budget shall conform in all respects
54 with the requirements of chapter 22 of Title 18A of the New

1 Jersey Statutes and shall be subject to the limitations on spending
2 by local school districts otherwise required by P.L.1990, c.52
3 (C.18A:7D-1 et al.).

4 (cf: P.L.1990, c.52, s.32)

5 7. Section 18 of P.L.1987, c.399 (C.18A:7A-51) is amended to
6 read as follows:

7 18. Upon the preparation of its budget, the State district
8 superintendent shall fix a date, place and time for the holding of
9 a public hearing upon the budget and the amounts of money
10 necessary to be appropriated for the use of the public schools for
11 the ensuing school year, and the various items and purposes for
12 which the same are to be appropriated, which hearing shall be
13 held between the ¹[first] fourth¹ Tuesday in [March] ¹[April]
14 March¹ and [March 18] April ¹[20] 8¹. Notice of the hearing,
15 contents of the notice and the format and purpose of the hearing
16 shall be as provided in N.J.S.18A:22-11, N.J.S.18A:22-12 and
17 N.J.S.18A:22-13.

18 (cf. P.L.1987, c.399, s.18)

19 8. Section 19 of P.L.1987,c.399 (C.18A:7A-52) is amended to
20 read as follows:

21 19. a. After the public hearing provided for by section 18 of
22 this amendatory and supplementary act but not later than [March
23 18] April ¹[20] 8¹, the State district superintendent shall fix and
24 determine the amount of money necessary to be appropriated for
25 the ensuing school year and shall certify the amounts to be raised
26 by special district tax for school purposes as well as the sum
27 necessary for interest and debt redemption, if any, to the county
28 board of taxation and the amount or amounts so certified shall be
29 included in the taxes assessed, levied and collected in the
30 municipality or municipalities comprising the district. Within 15
31 days after the certification by the State district superintendent,
32 the governing body of the municipality or municipalities
33 comprising the district shall notify the State district
34 superintendent of its intent to appeal to the commissioner the
35 amount determined to be necessary to be appropriated for each
36 item appearing in the proposed budget. The commissioner, upon
37 receipt of the appeal from the governing body of the municipality
38 or municipalities comprising the district and upon completion of
39 the hearing process, shall determine the amount necessary for the
40 district to provide a thorough and efficient educational program
41 including the implementation of the plan to correct deficiencies.

42 b. Notwithstanding that the State-operated district shall
43 receive State education aid for its budget as prepared by the
44 State district superintendent and as approved by the
45 commissioner pursuant to subsection a. of this section, the
46 governing body of the municipality or municipalities comprising
47 the district may apply to the Director of the Division of Local
48 Government Services in the Department of Community Affairs
49 for a determination that the local share of revenues needed to
50 support the district's budget results in an unreasonable tax
51 burden. The director's findings of an unreasonable tax burden in
52 a State-operated school district may be based on the overall
53 school, county and municipal tax rates including any overlapping
54 obligation of the community, cash deficit, insufficient percentage

1 of tax collections, insufficient collection of other revenues,
2 overanticipation of the revenues of prior years, nonliquidation of
3 interfund transfers, reliance on emergency authorizations,
4 continual rollover of tax anticipation notes, or other factors
5 indicating a constrained ability to raise sufficient revenues to
6 meet its budgetary requirements. In addition, the director's
7 review may include but need not be limited to an analysis of the
8 ratable base of the community, the per capita income of the
9 residents of the district and the percentage of residents on a
10 fixed income, cash reserves and receivables of the district
11 including the availability of any deferred tax, the ability of the
12 community to dispose of property for which no public purpose is
13 anticipated and all other current revenue raising capacity
14 including procedures for collection which may permit greater
15 anticipation of revenue.

16 c. Based upon his review, the director shall certify the amount
17 of revenues which can be raised locally to support the budget of
18 the State-operated district. Any difference between the amount
19 which the director certifies and the total amount of local
20 revenues required by the budget approved by the commissioner
21 shall be paid by the State in the fiscal year in which the
22 expenditures are made, subject to the availability of
23 appropriations.

24 (cf: P.L.1990, c.52, s.33)

25 9. N.J.S.18A:13-8 is amended to read as follows:

26 18A:13-8. The board of education of a regional district shall
27 consist of nine members unless it consists of more than nine
28 constituent districts, in which case the membership shall be the
29 same as the number of constituent districts, plus one. If there
30 are nine or less constituent districts, the members of the board of
31 education of the regional district shall be apportioned by the
32 county superintendent or county superintendents of the county or
33 counties in which the constituent districts are situate, among said
34 districts as nearly as may be according to the number of their
35 inhabitants except that each constituent district shall have at
36 least one member.

37 In making the apportionment of the membership of a regional
38 board of education among the several school districts uniting to
39 create a regional school district having nine or less constituent
40 districts, as required by section 18A:13-36, there shall be
41 subtracted from the number of inhabitants of a constituent school
42 district, as shown by the last Federal census officially
43 promulgated in this State, the number of such inhabitants who
44 according to the records of the Federal Bureau of the Census
45 were patients in, or inmates of, any State or Federal hospital or
46 prison, or who are military personnel stationed at, or civilians
47 residing within the limits of, any United States Army, Navy or
48 Air Force installation, located in such constituent school district.

49 If there are more than nine constituent districts, the members
50 on the board shall be apportioned among the constituent districts
51 and the weight of their votes in all proceedings of the board shall
52 be determined by the appropriate county superintendent or
53 superintendents through the following procedure:

54 a. The number of inhabitants of each constituent district shall

1 be determined as shown by the last Federal census officially
2 promulgated in this State.

3 b. A representative ratio shall be calculated by adding the
4 number of inhabitants of all constituent districts and dividing the
5 sum by the board size.

6 c. All constituent districts shall be listed in ascending order of
7 their number of inhabitants. If the first constituent district in
8 said list has a number of inhabitants which is less than the
9 representative ratio, it shall be combined with the constituent
10 district contiguous to it having the smallest number of
11 inhabitants. This process shall be repeated for each successively
12 larger constituent district or combination of constituent districts
13 until all remaining constituent districts or combinations of
14 constituent districts shall have a number of inhabitants equal to,
15 or exceeding the representative ratio. The districts formed in
16 this manner shall be known as representative districts.

17 d. There shall be established a priority list according to the
18 method of equal proportions for the apportionment of the
19 members of the regional district board of education among the
20 representative districts.

21 e. The members of the regional district board of education
22 shall be apportioned among the representative districts according
23 to the method of equal proportions, and where a representative
24 district is composed of more than one constituent district,
25 members shall be elected at large from within the representative
26 district.

27 f. The number of inhabitants of each representative district
28 shall be divided by the number of members assigned to that
29 district to find the number of inhabitants per members.

30 g. The vote to be cast by each member of the regional district
31 board of education in all proceedings of the board shall be
32 determined by dividing the number of inhabitants per member in
33 the representative district from which the member is elected by
34 the representative ratio for the regional district, and rounding off
35 the quotient to the nearest tenth of a full vote.

36 Wherever any statute or bylaw of the board requires decision in
37 any matter by vote of a majority of the board members, or of the
38 members present, this shall be interpreted as meaning a majority
39 of the weighted votes of all members, or of the members present,
40 as the case may be.

41 h. Whenever the above reapportionment procedure is used for
42 a regional district having more than nine constituent districts,
43 the terms of office of all incumbent board of education members
44 shall terminate on the day on which the annual organization
45 meeting of the board is held pursuant to N.J.S.18A:13-12
46 following certification by the county superintendent of the
47 representative districts and the number of members to be elected
48 from each; provided, that if the reapportionment results in any
49 representative district retaining its former boundaries and the
50 same number of board members, that the members elected from
51 such a district shall serve the full term for which they were
52 elected. All other board members shall be elected in an election
53 to be held on the [first] ¹[second] ¹third¹ Tuesday in [April] ¹[May]
54 April¹ at least 60 days following certification by the county

1 superintendent for initial terms of office to be designated in
2 advance by the county superintendent so that, as nearly as
3 possible, one-third of the board shall be elected in each future
4 year, to serve for 3-year terms, and where a representative
5 district has more than one member, their terms of office shall
6 terminate in different years.

7 If any constituent district is a consolidated district, or a
8 district composed of two or more municipalities, and

9 a. The original district is a limited purpose regional district
10 and such constituent district has such population that it is
11 entitled to have apportioned to it a number of members equal to
12 or greater than the number of districts making up such
13 constituent district, or

14 b. The regional district is an all purpose district,
15 the membership of the regional board of education from such
16 district shall be apportioned, and from time to time
17 reapportioned, and the members from the district shall be
18 elected, as their respective terms expire, in the same manner as
19 though each of the municipalities making up such constituent
20 district were constituent districts of the regional district.

21 (cf: P.L.1979, c.37, s.1)

22 10. N.J.S.18A:13-10 is amended to read as follows:

23 18A:13-10. The board of education of each regional district
24 shall provide for the holding of an annual school election for the
25 regional district on the [first] ¹[second] third¹ Tuesday in [April]
26 ¹[May] April¹.

27 At such election there shall be elected for terms of three
28 years, beginning on any day of the first or second week following
29 such election, the members of the regional boards of education to
30 succeed those members of the board whose terms shall expire in
31 that year, except as is in this chapter provided for the election of
32 the first elected members of the board.

33 (cf: P.L.1987, c.289, s.5)

34 11. N.J.S.18A:13-19 is amended to read as follows:

35 18A:13-19. If the voters reject any of the items submitted at
36 the annual election, within 2 days thereafter the board of
37 education of the regional district shall certify to the governing
38 body of each municipality, included within the regional district,
39 the item or items so rejected, and such governing bodies, after
40 consultation with the board, and no later than [April 28] May
41 ¹[19] 14¹ shall determine the amount or amounts which they
42 deem necessary to provide a thorough and efficient system of
43 schools in the regional district for the ensuing school year and
44 cause the same to be certified by the respective municipal clerks
45 to the board of education of the regional district.

46 (cf: P.L.1983, c.119, s.1)

47 12. N.J.S.18A:22-7 is amended to read as follows:

48 18A:22-7. The board of education of every school district
49 having a board of school estimate shall prepare and deliver to
50 each member of the board of school estimate, on or before the
51 ¹[first] fourth¹ Tuesday in [March] ¹[April] March¹ in each year,
52 and the board of education of every other school district shall
53 prepare a budget for the school district for the ensuing year, on
54 or before the ¹[first] fourth¹ Tuesday in [March] ¹[April] March¹.

55 (cf: P.L.1979, c.23, s.12)

1 13. N.J.S.18A:22-10 is amended to read as follows:

2 18A:22-10. Upon the preparation of its budget, each board of
3 education shall fix a date, place and time for the holding of a
4 public hearing upon said budget and the amounts of money
5 necessary to be appropriated for the use of the public schools for
6 the ensuing school year and the various items and purposes for
7 which the same are to be appropriated. In districts having a board
8 of school estimate, the hearing shall be held before [said] the
9 board of school estimate between the ¹[first] fourth¹ Tuesday in
10 [March] ¹[April] March¹ and [March 18] April ¹[20] 8¹ and in
11 districts having no board of school estimate the hearing shall be
12 held before the board of education between the ¹[first] fourth¹
13 Tuesday in [March] ¹[April] March¹ and [March 18] April ¹[20] 8¹.
14 (cf: P.L.1990, c.52, s.46)

15 14. N.J.S.18A:22-14 is amended to read as follows:

16 18A:22-14. At or after said public hearing but not later than
17 [on March 18] April ¹[20] 8¹, the board of school estimate of a
18 type I district shall fix and determine by official action taken at
19 a public meeting of the board the amount of money necessary to
20 be appropriated for the use of the public schools in the district
21 for the ensuing school year, exclusive of the amount which shall
22 have been apportioned to it by the commissioner, and shall make
23 two certificates of such amount signed by at least three members
24 of the board, one of which shall be delivered to the board of
25 education and the other to the governing body of the district.

26 Within [20] 15 days after receiving such certificate the board
27 of education shall notify the board of school estimate and
28 governing body of the district if it intends to appeal to the
29 commissioner the board of school estimate's determination as to
30 the amount of money necessary to be appropriated for the use of
31 the public schools of the district for the ensuing school year.
32 (cf: P.L.1981, c.511, s.10)

33 15. N.J.S.18A:22-26 is amended to read as follows:

34 18A:22-26. At or after said public hearing but not later than
35 [on March 18] April ¹[20] 8¹, the board of school estimate of a
36 type II district having a board of school estimate shall fix and
37 determine by a recorded roll call majority vote of its full
38 membership the amount of money necessary to be appropriated
39 for the use of the public schools in such district for the ensuing
40 school year, exclusive of the amount which shall be apportioned
41 to it by the commissioner for said year and shall make a
42 certificate of such amount signed by at least a majority of all
43 members of such board, which shall be delivered to the board of
44 education and a copy thereof, certified under oath to be correct
45 and true by the secretary of the board of school estimate, shall
46 be delivered to the county board of taxation on or before [March
47 25] April ¹[25] 15¹ in each year and a duplicate of such
48 certificate shall be delivered to the board or governing body of
49 each of the municipalities within the territorial limits of the
50 district having the power to make appropriations of money raised
51 by taxation in the municipalities or political subdivisions and to
52 the county superintendent of schools and such amount shall be
53 assessed, levied and raised under the procedure and in the manner
54 provided by law for the levying and raising of special school

1 taxes voted to be raised at an annual or special election of the
2 legal voters in type II districts and shall be paid to the [custodian]
3 treasurer of school moneys of the district for such purposes.

4 Within [20] 15 days after receiving such certificate the board
5 of education shall notify the board of school estimate and
6 governing body of each municipality within the territorial limits
7 of the school district if it intends to appeal to the commissioner
8 the board of school estimate's determination as to the amount of
9 money necessary to be appropriated for the use of the public
10 schools of the district for the ensuing school year.

11 (cf: P.L.1978, c.136, s.10)

12 16. N.J.S.18A:22-37 is amended to read as follows:

13 18A:22-37. If the voters reject any of the items submitted at
14 the annual school election, the board of education shall deliver
15 the proposed school budget to the governing body of the
16 municipality, or of each of the municipalities included in the
17 district within 2 days thereafter. The governing body of the
18 municipality, or of each of the municipalities, included in the
19 district shall, after consultation with the board, and by [April 28]
20 May ¹[19] 14¹, determine the amount which, in the judgment of
21 said body or bodies, is necessary to be appropriated, for each
22 item appearing in such budget, to provide a thorough and
23 efficient system of schools in the district, and certify to the
24 county board of taxation the totals of the amount so determined
25 to be necessary for each of the following:

- 26 a. Current expenses of schools;
27 b. Vocational evening schools or classes;
28 c. Evening schools or classes for foreign-born residents;
29 d. Appropriations to capital reserve fund; or
30 e. Any capital project, the cost whereof is to be paid directly
31 from taxes, which amounts shall be included in the taxes to be
32 assessed, levied and collected in such municipality or
33 municipalities for such purposes.

34 Within 15 days after the governing body of the municipality or
35 of each of the municipalities included in the district shall make
36 such certification to the county board of taxation, the board of
37 education shall notify such governing body or bodies if it intends
38 to appeal to the commissioner the amounts which said body or
39 bodies determined to be necessary to be appropriated for each
40 item appearing in the proposed school budget.

41 (cf: P.L.1983, c.119, s.2)

42 17. Section 1 of P.L.1975, c.132 (C.18A:27-3.1) is amended to
43 read as follows:

44 1. Every board of education in this State shall cause each
45 nontenure teaching staff member employed by it to be observed
46 and evaluated in the performance of her or his duties at least
47 three times during each school year but not less than once during
48 each semester. Said evaluations are to take place before [April
49 30] May ¹[31] 16¹ each year. The evaluations may cover that
50 period between [April 30] May ¹[31] 16¹ of one year and [April 30]
51 May ¹[31] 16¹ of the succeeding year excepting in the case of the
52 first year of employment where the three evaluations must have
53 been completed prior to [April 30] May ¹[31] 16¹. The number of
54 required observations and evaluations may be reduced

1 proportionately when an individual teaching staff member's term
2 of service is less than one academic year. Each evaluation shall
3 be followed by a conference between that teaching staff member
4 and his or her superior or superiors. The purpose of this
5 procedure is to recommend as to reemployment, identify any
6 deficiencies, extend assistance for their correction and improve
7 professional competence.

8 (cf: P.L.1977, c.161, s.1)

9 18. Section 1 of P.L.1971, c.436 (C.18A:27-10) is amended to
10 read as follows:

11 1. On or before [April 30] May 31 in each year, every board of
12 education in this State shall give to each nontenure teaching staff
13 member continuously employed by it since the preceding
14 September 30 either

15 a. A written offer of a contract for employment for the next
16 succeeding year providing for at least the same terms and
17 conditions of employment but with such increases in salary as
18 may be required by law or policies of the board of education, or

19 b. A written notice that such employment will not be offered.

20 (cf: P.L.1979, c.23,s.4)

21 19. Section 12 of P.L.1971, c.271 (C.18A:46-40) is amended to
22 read as follows:

23 12. On or before [March 25] the 1[first] fourth¹ Tuesday in
24 1[April] March¹ in each year the board of education of a county
25 special services school district shall prepare and deliver to each
26 member of the board of school estimate an itemized statement of
27 the amount of money estimated to be necessary for the current
28 expenses of and for repairing and furnishing schools or building of
29 the county special services school district for the ensuing school
30 year.

31 (cf: P.L.1978, c.136, s.15)

32 20. Section 13 of P.L.1971, c.271 (C.18A:46-41) is amended to
33 read as follows:

34 13. a. Between [March 25 and April 8] the 1[first] fourth¹
35 Tuesday in 1[April] March¹ and April 1[20] 8¹ in each year the
36 board of school estimate shall fix and determine by official
37 action taken at a public meeting of the board the amount of
38 money necessary to be appropriated for the use of the county
39 special services school district for the ensuing school year.

40 b. The board of school estimate shall, on or before the last
41 named date, make two certificates of the amount, signed by at
42 least three of its members, one of which certificates shall be
43 delivered to the board of education of the county special services
44 school district and the other to the board of chosen freeholders of
45 the county.

46 c. The board of chosen freeholders shall, upon receipt of the
47 certificate, appropriate, in the same manner as other
48 appropriations are made by it, the amount so certified, and the
49 amount shall be assessed, levied, and collected in the same
50 manner as moneys appropriated for other purposes in the county
51 are assessed, levied, and collected, unless such amount is to be
52 raised as otherwise hereinafter provided in this act.

53 (cf: P.L.1990, c.52, s.61)

54 21. N.J.S.18A:54-28 is amended to read as follows:

1 18A:54-28. On or before [March 25] the ¹[first] fourth¹
2 Tuesday in ¹[April] March¹ in each year the board of education of
3 a county vocational school district shall prepare and deliver to
4 each member of the board of school estimate an itemized
5 statement of the amount of money estimated to be necessary for
6 the current expenses of and for repairing and furnishing schools
7 or buildings of the county vocational school district for the
8 ensuing school year.

9 (cf: P.L.1978, c.136, s.18)

10 22. N.J.S.18A:54-29 is amended to read as follows:

11 18A:54-29. Between [March 25 and April 8] the ¹[first] fourth¹
12 Tuesday in ¹[April] March¹ and April ¹[20] 8¹ in each year the
13 board of school estimate shall fix and determine by action taken
14 at a public meeting of the board the amount of money necessary
15 to be appropriated for the use of the county vocational school
16 district for the ensuing school year exclusive of the amount to be
17 received from the State as provided in section 18A:54-32.

18 (cf: P.L.1978, c.136, s.19)

19 ¹[23. N.J.S.40A:4-18 is amended to read as follows:

20 40A:4-18. Immediately upon receipt of the director's
21 certificate and, in any event, on or before April [10] 30 of the
22 fiscal year, and September 10, in those municipalities which
23 operate on the State fiscal year the county board shall fill out the
24 table of aggregates required by R.S.54:4-52 and shall determine
25 the amount of "other local taxes" for the year based upon the
26 certificate of the director. Upon completion, the county board
27 shall transmit a copy of each municipality's table of aggregates
28 to the director. If the local unit shall have adopted a budget for
29 the fiscal year and shall have transmitted a certified copy
30 thereof to the county board on or before April [10] 30 or
31 September 10, as the case may be, the board may substitute the
32 adopted budget in the place of the amount certified by the
33 director, but no such substitutions shall be made after May [1] 15
34 or September 15, as the case may be.

35 (cf: P.L.1991, c.75, s.15)]¹

36 ¹[24.] 23.¹ R.S.54:4-45 is amended to read as follows:

37 54:4-45. The clerk or other proper officer of each school
38 district in which the annual appropriations for school purposes to
39 be raised by taxation, are voted by the inhabitants of the school
40 district, shall, on or before [April 18] May ¹[19] 14¹ in each year,
41 transmit to the county board of taxation a certified statement of
42 the amount of moneys appropriated for school purposes, which
43 shall include interest to be paid, principal payments of
44 indebtedness, and sinking fund requirements for the school year
45 for which such appropriations are made, to be raised by taxation
46 in the school district.

47 (cf: P.L.1978, c.136, s.23)

48 ¹[25.] 24.¹ R.S.54:4-52 is amended to read as follows:

49 54:4-52. The county board of taxation shall, on or before
50 May [1] ¹[20] 15¹, fill out a table of aggregates copied from the
51 duplicates of the several assessors and the certifications of the
52 Director of the Division of Taxation relating to second-class
53 railroad property, and enumerating the following items:

54 (1) The total number of acres and lots assessed;

- 1 (2) The value of the land assessed;
- 2 (3) The value of the improvements thereon assessed;
- 3 (4) The total value of the land and improvements assessed,
- 4 including:
 - 5 a. Second-class railroad property;
 - 6 b. All other real property.
- 7 (5) The value of the personal property assessed, stating in
- 8 separate columns:
 - 9 a. Value of household goods and chattels assessed;
 - 10 b. Value of farm stock and machinery assessed;
 - 11 c. Value of stocks in trade, materials used in manufacture and
 - 12 other personal property assessed under section 54:4-11;
 - 13 d. Value of all other tangible personal property used in
 - 14 business assessed.
- 15 (6) Deductions allowed, stated in separate columns:
 - 16 a. Household goods and other exemptions under the provisions
 - 17 of section 54:4-3.16 of this Title;
 - 18 b. Property exempted under section 54:4-3.12 of this Title.
- 19 (7) The net valuation taxable;
- 20 (8) Amounts deducted under the provisions of sections 54:4-49
- 21 and 54:4-53 of this Title or any other similar law (adjustments
- 22 resulting from prior appeals);
- 23 (9) Amounts added under any of the laws mentioned in
- 24 subdivision 8 of this section (like adjustments);
- 25 (10) Amounts added for equalization under the provisions of
- 26 sections 54:3-17 to 54:3-19 of this Title;
- 27 (11) Amounts deducted for equalization under the provisions of
- 28 sections 54:3-17 to 54:3-19 of this Title;
- 29 (12) Net valuation on which county, State and State school
- 30 taxes are apportioned;
- 31 (13) The number of polls assessed;
- 32 (14) The amount of dog taxes assessed;
- 33 (15) The property exempt from taxation under the following
- 34 special classifications:
 - 35 a. Public school property;
 - 36 b. Other school property;
 - 37 c. Public property;
 - 38 d. Church and charitable property;
 - 39 e. Cemeteries and graveyards;
 - 40 f. Other exemptions not included in foregoing classifications
 - 41 subdivided showing exemptions of real property and exemptions
 - 42 of personal property;
 - 43 g. The total amount of exempt property.
- 44 (16) State road tax;
- 45 (17) State school tax;
- 46 (18) County taxes apportioned, exclusive of bank stock taxes;
- 47 (19) Local taxes to be raised, exclusive of bank stock taxes,
- 48 subdivided as follows:
 - 49 a. District school tax;
 - 50 b. Other local taxes.
- 51 (20) Total amount of miscellaneous revenues, including surplus
- 52 revenue appropriated, for the support of the taxing district
- 53 budget;
- 54 (21) District court taxes;

1 (22) Library tax;

2 (23) Bank stock taxes due taxing district;

3 (24) Tax rate for local taxing purposes to be known as general
4 tax rate to apply per \$100.00 of valuation.

5 The county board of taxation shall revise the table of
6 aggregates on or before September 10 to include the tax rate for
7 local taxing purposes for municipalities having adopted the State
8 fiscal year.

9 In addition to the above such other matters may be added, or
10 such changes in the foregoing items may be made, as may from
11 time to time be directed by the Director of the Division of
12 Taxation. The forms for filling out tables of aggregates shall be
13 prescribed by the director and sent by him to the county
14 treasurers of the several counties to be by them transmitted to
15 the county board of taxation. Such table of aggregates shall be
16 correctly added by columns and shall be signed by the members of
17 the county board of taxation and shall within three days
18 thereafter be transmitted to the county treasurer who shall file
19 the same and forthwith cause it to be printed in its entirety and
20 shall transmit certified copy of same to the Director of the
21 Division of Taxation, the State Auditor, the Director of the
22 Division of Local Government Services in the Department of
23 Community Affairs, the clerk of the board of freeholders, and the
24 clerk of each municipality in the county.

25 (cf: P.L.1991, c.75, s.34)

26 ¹[26.] 25.¹ R.S.54:4-55 is amended to read as follows:

27 54:4-55. The county board of taxation shall, on or before
28 [May 13] ¹[June 3] May 27¹ in each year, and, in municipalities
29 operating on the State fiscal year, again on or before
30 November 1, cause the corrected, revised and completed
31 duplicates, certified by it to be a true record of the taxes
32 assessed, to be delivered to the collectors of the various taxing
33 districts in the county, and the tax lists shall remain in the office
34 of the board as a public record. Thereafter neither the assessor
35 nor the collector shall make or cause to be made any change or
36 alteration in the tax duplicate except as may be provided by law.

37 (cf: P.L.1991, c.75, s.35)

38 ¹[27.] 26.¹ This act shall take effect immediately.

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43 Revises school election and budget calendar.

1 such changes in the foregoing items may be made, as may from
 2 time to time be directed by the Director of the Division of
 3 Taxation. The forms for filling out tables of aggregates shall be
 4 prescribed by the director and sent by him to the county
 5 treasurers of the several counties to be by them transmitted to
 6 the county board of taxation. Such table of aggregates shall be
 7 correctly added by columns and shall be signed by the members of
 8 the county board of taxation and shall within three days
 9 thereafter be transmitted to the county treasurer who shall file
 10 the same and forthwith cause it to be printed in its entirety and
 11 shall transmit certified copy of same to the Director of the
 12 Division of Taxation, the State Auditor, the Director of the
 13 Division of Local Government Services in the Department of
 14 Community Affairs, the clerk of the board of freeholders, and the
 15 clerk of each municipality in the county.

16 (cf: P.L.1991, c.75, s.34)

17 26. R.S.54:4-55 is amended to read as follows:

18 54:4-55. The county board of taxation shall, on or before [May
 19 13] June 3 in each year, and, in municipalities operating on the
 20 State fiscal year, again on or before November 1, cause the
 21 corrected, revised and completed duplicates, certified by it to be
 22 a true record of the taxes assessed, to be delivered to the
 23 collectors of the various taxing districts in the county, and the
 24 tax lists shall remain in the office of the board as a public
 25 record. Thereafter neither the assessor nor the collector shall
 26 make or cause to be made any change or alteration in the tax
 27 duplicate except as may be provided by law.

28 (cf: P.L.1991, c.75, s.35)

29 27. This act shall take effect immediately.

30
 31
 32 STATEMENT

*Sponsor statement on
 original bill starts on p. 12*

34 This bill revises the date for the annual school election and the
 35 dates which govern the procedure for the adoption of local school
 36 budgets. The date for the school election is changed from the
 37 first Tuesday in April to the second Tuesday in May, the date on
 38 which non-partisan municipal elections are held. Notification of
 39 State aid to the districts by the Commissioner of Education is
 40 required on the last Tuesday in January rather than on or before
 41 December 15. The date for local boards of education to submit
 42 their proposed budgets to the commissioner is changed from on or
 43 before January 15 to on or before February 20. Other dates in
 44 the budget process are moved forward by 20 to 30 days.

45 The bill also changes the date of the employment notification
 46 to nontenured teaching staff members from on or before April 30
 47 to on or before May 31.

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 50
 51

52 Revises school election and budget calendar.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 1150

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 15, 1992

The Senate Education Committee favorably reports this bill with committee amendments.

This bill revises the date for the annual school election and the dates which govern the procedure for the adoption of local school budgets. The date for the school election is changed from the first Tuesday in April to the 3rd Tuesday in April.

Notification of State aid to the districts by the Commissioner of Education is required within seven days following the transmittal of the budget message to the Legislature by the Governor rather than on or before December 15. The date for local boards of education to submit their proposed budgets to the commissioner is changed from on or before February 1 to on or before March 8. Various other dates in the budget process are moved forward by approximately 2 weeks.

The bill also changes the date of the employment notification to nontenured teaching staff members from on or before April 30 to on or before May 16.

The committee adopted amendments which: (1) change the school election date from the proposed date of the second Tuesday in May to the third Tuesday in April; (2) change the dates for the notification of State aid and submission of budgets, tying them to the date of the Governor's budget message; (3) extend by 2-3 weeks the dates in the procedures for dealing with defeated budgets and the preparation of tax notices; and (4) maintain the current date for the table of aggregates for late budgets.

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Monday,
Nov. 30, 1992

GOVERNOR SIGNS BILL TO MAKE SCHOOL BUDGET DATA MEANINGFUL AND HOLD ELECTIONS THIRD TUESDAY IN APRIL

Gov. Jim Florio today signed legislation that will end the process of sending state school aid figures to districts on Dec. 15, a practice that has caused school officials and taxpayers headaches because the figures tend to be premature.

By moving the date aid that figures are sent to no later than seven days after the Governor's annual budget message, school districts will be getting more accurate information because the aid figures will be based on realistic state revenue expectations. The annual budget message takes place in January or February. In addition, the legislation moves the date of annual school elections to the third Tuesday in April.

"Every step we can take that brings certainty to school officials and taxpayers is a step that ultimately helps children," Gov. Florio said. "Over the years there has been too much confusion surrounding school financing, and today, with bipartisan cooperation, we're helping to change that."

S-1150/ A-1818 was sponsored by Sen. John Ewing and Assemblyman John Rocco. It was supported by education groups across the state.

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