

18A: 13-14 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA 18A:13-14 et al. (Custodian of School monies--change designation to treasurer of school monies)

LAWS 1981 CHAPTER 174

Bill No. S1489

Sponsor(s) Dwyer and others

Date Introduced Sept. 29, 1980

Committee: Assembly Municipal Government

Senate Education

Amended during passage Yes No Substituted for A3295 (not attached since identical to S1489)

Date of Passage: Assembly May 4, 1981

Senate Nov. 24, 1980

Date of approval June 19, 1981

Following statements are attached if available:

Sponsor statement Yes No (Below)

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto Message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

Sponsors' statement:

This bill changes statutory references to the custodian of school moneys to the treasurer of school moneys.

6/22/81

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Vertical stamp: RECEIVED JUN 23 1981

SENATE, No. 1489

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 29, 1980

By Senators DWYER, HAMILTON, WEISS and MARESSA

Referred to Committee on Education

AN ACT changing the designation of the custodian of school moneys to the treasurer of school moneys and amending sections 18A:13-14, 18A:16-1, 18A:17-9, 18A:17-31 to 18A:17-36, inclusive, 18A:19-1, 18A:19-2, 18A:19-4, 18A:19-9 to 18A:19-12, inclusive, 18A:24-59, 18A:49-5, and 18A:50-5 of the New Jersey Statutes.

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

1 1. N. J. S. 18A:13-14 is amended to read as follows:

2 18A:13-14. The board shall appoint a **custodian** *treasurer* of  
3 school moneys who may be a member of the board and it shall fix  
4 his salary. His term of office shall expire annually on June 30 of  
5 each year, but if a municipal officer is appointed **custodian**  
6 *treasurer*, his term shall cease if he ceases to hold his municipal  
7 office and in either case, the **custodian** *treasurer* shall continue in  
8 office after the expiration of his term until his successor is qualified.  
9 He shall give bond in such amount, and with such surety, as the  
10 board shall direct. The board in its determination of the amount  
11 shall be guided by a schedule of minimum limits to be promulgated  
12 by the State board.

1 2. N. J. S. 18A:16-1 is amended to read as follows:

2 18A:16-1. Each board of education, subject to the provisions of  
3 this title and of any other law, shall employ and may dismiss a  
4 secretary or a school business administrator to act as secretary and  
5 may employ and dismiss a superintendent of schools, a **custodian**  
6 *treasurer* of school moneys, when and as provided by section  
7 18A:13-14 or 18A:17-31, and such principals, teachers, janitors  
8 and other officers and employees, as it shall determine, and fix and  
9 alter their compensation and the length of their terms of  
10 employment.

**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. N. J. S. 18A:17-9 is amended to read as follows:

2 18A:17-9. The secretary shall:

3 a. Report to the board, at each regular meeting, but not oftener  
4 than once each month, the amount of total appropriations and the  
5 cash receipts for each account, and the amount for which warrants  
6 have been drawn against each account and the amounts of orders  
7 or contractual obligations incurred and chargeable against each  
8 account since the date of his last report;

9 b. Keep and maintain in his office all contracts, records and  
10 documents belonging to the board, except such as shall be kept by  
11 the **[custodian]** *treasurer* of school moneys pursuant to law, under  
12 such conditions as the board shall prescribe;

13 c. Perform any other duties prescribed by law.

1 4. N. J. S. 18A:17-31 is amended to read as follows:

2 18A:17-31. The **[custodian]** *treasurer* of school moneys of each  
3 school district which does not contain more than one municipality  
4 shall be the custodian of the moneys of the municipality unless the  
5 board of education shall designate the tax collector of the munici-  
6 pality; provided, however, that if both the custodian of moneys of  
7 the municipality and the tax collector of the municipality submit  
8 written notifications to the board that they do not wish to serve as  
9 **[custodian]** *treasurer* of school moneys, the board shall appoint  
10 any other suitable person except a member or employee of the  
11 board, with a term of office fixed by the board as such **[custodian]**  
12 *treasurer*. If the school district contains more than one municipal-  
13 ity, the person designated by law as the custodian of the moneys  
14 of the constituent municipality having the largest amount of  
15 taxable property shall be **[custodian]** *treasurer* of the school  
16 moneys of the district unless and until the board shall appoint any  
17 other suitable person except a member or employee of the board  
18 and fix his term of office. Any municipal officer acting or designated  
19 as **[custodian]** *treasurer* of school moneys who ceases to be such  
20 officer shall thereupon cease to be such **[custodian]** *treasurer*.

1 5. N. J. S. 18A:17-32 is amended to read as follows:

2 18A:17-32. If the **[custodian]** *treasurer* is an officer of the  
3 municipality constituting the district, and the bond given by him  
4 for the faithful performance of his duties as such municipal officer  
5 covers and secures the faithful performance of his duties as  
6 **[custodian]** *treasurer* of school moneys, and it shall be so certified  
7 to the board by a certificate of such coverage by the bondsman  
8 thereon and the amount thereof is sufficient to cover both the orig-  
9 inal and the additional liability he shall not be required to give

10 additional bond but otherwise or if he is not such an officer he  
11 shall give bond for the faithful performance of his duties as  
12 **[custodian]** *treasurer* of school moneys in such amount, and with  
13 such surety, as the board shall direct. In each case the board in its  
14 determination of the amount shall be guided by a schedule of  
15 minimum limits to be promulgated by the State board.

1 6. N. J. S. 18A:17-33 is amended to read as follows:

2 18A:17-33. The **[custodian]** *treasurer* shall receive from the  
3 board of education such compensation as the board shall determine.

1 7. N. J. S. 18A:17-34 is amended to read as follows:

2 18A:17-34. The **[custodian]** *treasurer* shall receive and hold in  
3 trust all school moneys belonging to the district from whatever  
4 source derived free of any control by the governing body of any  
5 municipality comprised in said district, except such moneys as  
6 are derived from athletic events or other activities of pupil or-  
7 ganizations of the district, and he shall, when required by resolu-  
8 tion of the board, deposit the same or such part thereof as may be  
8A designated in any bank or banking institution of this State  
9 designated by it as a depository of school moneys, which may in-  
10 clude the State of New Jersey Cash Management Fund, created  
11 pursuant to section 1 of **[this amendatory and supplementary act]**  
12 *P. L. 1977, c. 281 (C. 52:18A-90.4)*, and thereafter school moneys  
13 shall be deposited only in the depository or any of the depositories  
14 so named and the **[custodian]** *treasurer* shall, upon depositing the  
15 same therein, be relieved from liability for any loss thereof which  
16 may be caused by reason of such deposit.

1 8. N. J. S. 18A:17-35 is amended to read as follows:

2 18A:17-35. The **[custodian]** *treasurer* shall keep a record of the  
3 sums received and paid out by him in books provided for that pur-  
4 pose and kept in accordance with the uniform system of bookkeep-  
5 ing prescribed by the State board. Upon ceasing to hold said office  
6 he shall pay over the balance of school funds remaining in his hands  
7 to his successor in office.

1 9. N. J. S. 18A:17-36 is amended to read as follows:

2 18A:17-36. The **[custodian]** *treasurer* shall render to the board  
3 monthly, and at such other times as shall be requested by the board,  
4 reports giving a detailed account of all receipts, the amounts of  
5 all warrants signed by him since the date of his last report and the  
6 accounts against which, and the purposes for which, the warrants  
7 were drawn and the balance to the credit of each account, and at  
8 the close of the school year and not later than August 1 of each  
9 year he shall render an annual report showing the amounts received

10 and disbursed by him for school purposes during said year, a dupli-  
 11 cate whereof shall be filed with the county superintendent, and shall  
 12 also report to the county superintendent in the manner and form  
 13 prescribed by the commissioner.

1 10. N. J. S. 18A:19-1 is amended to read as follows:

2 18A:19-1. The money or funds of the board in the custody of  
 3 **[its custodian]** *the treasurer* of school moneys shall be expended  
 4 by such **[custodian]** *treasurer* by, and only by, warrants, each made  
 5 payable to the order of the person entitled to receive the amount  
 6 thereof and specifying the object for which is issued, signed by  
 7 the president and secretary of the board and by such **[custodian]**  
 8 *treasurer* of school moneys,

9 (a) After audit of the account or demand to be paid, by the  
 10 secretary, and after approval by the board, or

11 (b) In accordance with payrolls duly certified as provided by  
 12 this title, or

13 (c) For debt service.

1 11. N. J. S. 18A:19-2 is amended to read as follows:

2 18A:19-2. No claim or demand against a school district shall be  
 3 paid by the **[custodian]** *treasurer* unless it is authorized by law  
 4 and the rules of the board of education of the district, is fully item-  
 5 ized and verified, has been duly audited as required by law, has  
 6 been presented to, and approved by, the board at a meeting thereof  
 7 and the amount required to pay the same is available for said  
 8 purpose.

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

2 18A:19-4. All claims and demands against the board, except  
 3 such as are to be paid from funds derived from athletic events or  
 4 other activities of pupil organizations, shall be examined, audited  
 5 and certified, in writing, by the secretary and presented by him to  
 6 the board for its approval at a regularly called meeting and if  
 7 found to be correct, shall be ordered paid by the board, whereupon  
 8 the secretary and the president of the board shall issue and sign a  
 9 warrant in payment therefor. The secretary thereupon shall for-  
 10 ward such warrant to the **[custodian]** *treasurer* of school moneys  
 11 of the district.

1 13. N. J. S. 18A:19-9 is amended to read as follows:

2 18A:19-9. Payment of the compensation of teachers and other  
 3 employees may be made on the basis of payrolls certified by the  
 4 president and secretary of the board, stating the names and  
 5 amounts to be paid to each, and delivered to the **[custodian]**  
 6 *treasurer* of school moneys with a warrant made to his order for  
 7 the full amount of each payroll.

1 14. N. J. S. 18A:19-10 is amended to read as follows:

2 18A:19-10. The **[custodian]** *treasurer* shall deposit the warrants  
3 in a separate bank account as a payroll account and payment shall  
4 be made to the teachers and others entitled thereto by individual  
5 checks drawn to their respective orders upon such account.

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

2 18A:19-11. If the **[custodian]** *treasurer* of the school moneys of  
3 the district is the custodian of the municipality composing it, such  
4 payroll checks may be signed by a deputy or a municipal officer  
5 who serves as such municipal custodian, if the deputy is bonded  
6 for the faithful performance of such duties in the same manner as  
7 is the **[custodian]** *treasurer*.

1 16. N. J. S. 18A:19-12 is amended to read as follows:

2 18A:19-12. When a warrant for the payment of current expenses  
3 of a public school is drawn and issued and there are no funds for  
4 payment of the same, the warrant shall bear legal interest until  
5 such time as the **[custodian]** *treasurer* gives public notice of the  
6 fact that funds are provided for the payment thereof.

1 17. N. J. S. 18A:24-59 is amended to read as follows:

2 18A:24-59. All moneys received for payment of principal and  
3 interest of obligations of a type II school district payable in any  
4 year shall be paid to the **[custodian]** *treasurer* of school moneys  
5 of the district, who shall deposit them in such bank as shall be  
6 determined by resolution by the board, in order to provide for the  
7 payment thereof.

1 18. N. J. S. 18A:49-5 is amended to read as follows:

2 18A:49-5. The **[custodian]** *treasurer* of school moneys of the  
3 school district shall be the legal custodian of all funds appropriated,  
4 raised, or subscribed for the maintenance of such evening schools.  
5 He shall keep a separate and distinct account thereof, and shall  
6 disburse the moneys on orders signed by the president and secre-  
7 tary of the board of education.

1 19. N. J. S. 18A:50-5 is amended to read as follows:

2 18A:50-5. The **[custodian]** *treasurer* of school moneys of each  
3 school district shall be the legal custodian of all funds allocated  
4 by the board of education and received from tuition fees or from  
5 any other source for the purpose of carrying out a program of  
6 adult education. He shall keep a separate account thereof and shall  
7 disburse the moneys on orders signed by the president and secre-  
8 tary of the board of education.

1 20. This act shall take effect immediately.

STATEMENT

This bill changes statutory references to the custodian of school moneys to the treasurer of school moneys.

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ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

SENATE, No. 1489

STATE OF NEW JERSEY

DATED: FEBRUARY 9, 1981

The purpose of this bill is to change the title of custodian of school moneys to that of treasurer of school money.



SENATE EDUCATION COMMITTEE

STATEMENT TO

**SENATE, No. 1489**

**STATE OF NEW JERSEY**

DATED: OCTOBER 9, 1980

This bill changes statutory references to the custodian of school moneys to the treasurer of school moneys, in order to more accurately reflect the duties of the office.

FISCAL IMPLICATIONS:

There will be no costs to State or local government associated with this legislation.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

JUNE 24, 1981

KATHRYN FORSYTH

Governor Brendan Byrne has signed S-3227 and S-1489.

S-3227, sponsored by Senator Matthew Feldman (D-Bergen) amends the 1975 Open Public Meetings Act to specifically exclude the Apportionment Commission from its provisions. The bill is retroactive to January 1, 1981.

S-1489, sponsored by former Senator Bernard J. Dwyer (D-Middlesex) amends the education statutes to change references to "custodian of school monies" to "treasurer of school monies," a designation thought to more accurately describe the function.

The person filling that position in a school district is responsible for receipts and disbursements and for keeping proper records of those receipts and disbursements.

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