

18A:13-23.2

LEGISLATIVE HISTORY CHECKLIST

NJSA 18A:13-23.2 (Regional school districts--apportionment of costs)

Laws of 1976 Chapter 138

Bill No. A2132

Sponsor(s) Martin & Markert

Date Introduced July 7, 1976

Committee: Assembly Education

Senate Education

Amended during passage Yes No

Date of passage: Assembly Sept. 27, 1976

Senate Nov. 15, 1976

Date of approval December 28, 1976

Following statements are attached if available:

Sponsor statement Yes No

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

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JAN 1978
10/4/76

ASSEMBLY, No. 2132

STATE OF NEW JERSEY

INTRODUCED JULY 7, 1976

By Assemblymen MARTIN and MARKERT

Referred to Committee on Education

AN ACT concerning education, supplementing Title 18A of the New Jersey Statutes and repealing section 3 of P. L. 1968, c. 240.

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

- 1 1. Notwithstanding the provisions of P. L. 1976, c. 21
2 (C. 18A:13-23.1), in any regional school district in a county of
3 the first class which became a regional school district pursuant
4 to P. L. 1968, c. 240, s. 3 (C. 18A:13-34.1), in which the annual or
5 special appropriations for regional purposes, exclusive of the
6 amounts to be raised for interest upon, and the redemption of,
7 bonds payable by the district, have heretofore been apportioned
8 among the municipalities included within the district pursuant to
9 such section, such apportionment shall be made as follows:
 - 10 a. For the school year 1976-77, 64% on a per pupil basis with
11 respect to current operating costs and interest upon and redemp-
12 tion of bonds and 36% pursuant to N. J. S. 18A:13-23;
 - 13 b. For the school year 1977-78, 48% on a per pupil basis with
14 respect to current operating costs and interest upon and redemp-
15 tion of bonds and 52% pursuant to N. J. S. 18A:13-23;
 - 16 c. For the school year 1978-79, 32% on a per pupil basis with
17 respect to current operating costs and interest upon and redemp-
18 tion of bonds and 68% pursuant to N. J. S. 18A:13-23;
 - 19 d. For the school year 1979-80, 16% on a per pupil basis with
20 respect to current operating costs and interest upon and redemp-
21 tion of bonds and 84% pursuant to N. J. S. 18A:13-23;
 - 22 e. For all school years thereafter, the apportionment shall be
23 made pursuant to N. J. S. 18A:13-23.
- 1 2. Section 3 of P. L. 1968, c. 240 (C. 18A:13-34.1) is repealed.

1 3. For the 1976-77 school year the apportionment of appropria-
2 tions for any such regional district shall be as provided in section
3 one of this act and in the manner provided below:

4 a. The Commissioner of Education shall determine the amount
5 of the adjustment in the apportionment required by this act and
6 shall notify the governing bodies of the constituent municipalities
7 of such adjustments.

8 b. The governing bodies of the constituent municipalities shall
9 provide for such adjustments in their municipal budgets for the
10 1977 calendar year.

1 4. This act shall take effect immediately.

STATEMENT

This bill would except consolidated school districts in counties of the first class, which became regional school districts pursuant to the provisions of section 3 of P. L. 1968, c. 240 (C. 18A:13-34.1), from the provisions of P. L. 1976, c. 21 (C. 18A:13-23.1), which provides for a 5 year phase-in period for the new method of apportioning the local costs of a regional district among its constituent municipalities.

This is necessary because regionals formed under c. 240 have been apportioning costs on their own 10-year phase-in schedule and c. 21 has the opposite effect on these districts by having the poorer district pay a greater share of the cost.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2132

STATE OF NEW JERSEY

DATED: SEPTEMBER 27, 1976

INTRODUCTION:

Assembly Bill No. 2132 only affects the apportionment of the local cost of a regional district which was a consolidated district. There is only one, Westwood Regional School District, composed of Washington Township and Westwood Borough in Bergen County.

BACKGROUND:

A. *Apportionment of Regional School District Costs prior to c. 212, P. L. 1975.* Prior to c. 212 (the T&E law), the local share of current expense costs in most regionals was apportioned among the constituent municipalities on the basis of the number of pupils from a municipality enrolled in the regional schools. In the remaining regional districts these costs were apportioned on the basis of property valuation.

B. *Apportionment of Regional School District Costs under c. 212, P. L. 1975.* The Public School Education Act of 1975 (c. 212) changed the above method of apportioning current expense costs by requiring all regional districts to apportion them on the basis of property valuation.

This change in the apportionment of current expense costs resulted in a significant increase in the tax rates of the wealthier municipalities in some regional districts while a proportionate tax decrease occurred in the poorer municipalities of these same regionals.

C. *Apportionment of Regional School District Costs under c. 21, P. L. 1976.* In order to ameliorate the impact of c. 212 on school taxes in regional districts, the Legislature enacted c. 21, P. L. 1976, which provided for a 5-year phase-in of the cost apportionment method contained in c. 212.

D. *Westwood Regional School District—a special case.* Immediately prior to its becoming a regional district, Westwood was a consolidated school district. As such, the two municipalities shared school costs on the basis of valuations. About 7 years ago the school district regionalized in order to obtain additional State aid which was provided

at that time as an incentive for regionalization. Upon becoming a regional district, the statute under which they organized provided for them to phase-in over a 10-year period from the property valuation to the per pupil method of cost sharing.

PROVISIONS OF BILL AS AMENDED:

Westwood was still in the 10-year transitional period when c. 21 of P. L. 1976 was enacted. Because of the circumstances in this case, chapter 21 had the opposite effect in the case of Westwood Regional. Rather than gradually reducing the local share of the "poorer" municipality, Washington Township, its share increased. This bill addresses this particular problem by providing a special 5-year phase-in schedule for Westwood.

POSITIONS ON THE PROPOSED LEGISLATION:

The municipal governing bodies of both Westwood and Washington Township have agreed that this bill is an equitable solution to the problem. The Department of Education also supports this proposal.

SENATE EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2132

STATE OF NEW JERSEY

DATED: NOVEMBER 8, 1976

The Senate Education Committee supports this bill because the adjustment of the apportionment of local costs in the Westwood Regional District will be phased in over a 5-year period as in all other regional districts. The committee released an identical bill, Senate Bill No. 1510, which was sponsored by Senator Garramone on July 22, 1976.

The Senate Education Committee agrees with the Assembly Committee Statement which provides a thorough description of the provisions of the proposed legislation.

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FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

DECEMBER 30, 1976

ANNE BURNS - 9600

Governor Brendan Byrne has signed into law the following bills:

A-880 (Esposito) allowing municipal courts to hear penalty actions for violations of State aviation laws, previously heard only by county district courts and county courts. This bill is intended to lighten the overburdened district court caseload and ease enforcement costs. The Department of Transportation estimates that this bill could provide the state with up to \$35,000 per year additional revenue from more effective enforcement of aircraft registration.

A-2132 (Martin) excepting the Westwood Regional School District from the provisions of P.L. 1976, Chapter 21 which provides for a 5-year phase-in period for the new method of apportioning local costs of a regional district among its member municipalities. This district, composed of Washington Township and Westwood Borough in Bergen County, changed from a consolidated to a regional district under P.L. 1968, Chapter 240, and was phasing in cost apportionment over a ten-year basis when Chapter 21 was enacted, increasing the cost burden of the "poor" municipality, Washington Township, rather than reducing it as had been the intent of the legislation. A special five-year phase-in schedule has been established for the district by the courts.

A-1974 (Markert) authorizing counties and municipalities to sell by private sale, undeveloped land which is less than development size under zoning ordinances to the owner of contiguous tracts, If there is more than one owner with contiguous property, the land will be sold to the highest bidder of the group. The land cannot be sold for less than fair market value. Counties and municipalities are required to offer this property at private sales to these owners before holding public sales.

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