

18A:39-1

LEGISLATIVE HISTORY CHECKLIST
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(All purpose regional school
district--establish)

NJSA: 18A:39-1

LAWS OF: 1992 CHAPTER: 34

BILL NO: S799

SPONSOR(S): Dimon

DATE INTRODUCED: May 14, 1992

COMMITTEE: ASSEMBLY: Education

SENATE: Budget

AMENDED DURING PASSAGE: Yes Amendments during passage
denoted by asterisks

DATE OF PASSAGE: ASSEMBLY: June 29, 1992

SENATE: May 21, 1992

DATE OF APPROVAL: June 30, 1992

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes 6-8-92 & 6-25-92

SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

[FIRST REPRINT]

SENATE, No. 799

STATE OF NEW JERSEY

INTRODUCED MAY 14, 1992

By Senator DIMON

1 AN ACT concerning the district of residence of pupils attending
2 certain regional school districts and making an appropriation.

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

6 1. The Legislature finds and declares that all persons of school
7 age who reside in a municipality which lacks elementary and high
8 school facilities are entitled under the New Jersey Constitution
9 and the laws of this State to a free public education.

10 2. Persons of school age who reside in an eligible municipality
11 shall be deemed to be domiciled in a single school district to be
12 designated by the county superintendent of schools. A district so
13 designated shall be an all purpose regional school district which is
14 adjacent to and in the same county as the municipality. The
15 designation shall be made by the county superintendent and
16 certified to the Commissioner of Education ¹[within 30 days of
17 the effective date of this act] on or before July 1, 1992¹. Once
18 the county superintendent has certified the designated district,
19 the county superintendent shall not revoke or alter that
20 certification.

21 For the purposes of this act, an eligible municipality shall be a
22 municipality in a county of the second class with a population
23 greater than 390,000 but less than 400,000 as of the 1990 federal
24 decennial census which lacks elementary and high school
25 facilities.

26 3. Any all purpose regional district certified as a designated
27 district of residence pursuant to section 2 of this act shall be
28 reconstituted ¹, as of July 1, 1992,¹ as a new all purpose regional
29 school district composed of the current constituent municipalites
30 of that designated regional school district and the eligible
31 municipality, and shall be governed by the provisions of Title 18A
32 of the New Jersey Statutes as they apply to all purpose regional
33 school districts, except as otherwise provided by this act.

34 a. All pupils in each of the municipalities shall be included in
35 the resident enrollment and adjusted resident enrollment of the
36 newly established all purpose regional school district for all State
37 aid purposes and shall be entitled to receive State aid and any
38 federal funds provided for all pupils in each of the municipalities.

39 b. Equalized valuations and district income for the newly
40 created all purpose regional district for the purpose of
41 calculating State aid shall include the equalized valuation and

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 SBA committee amendments adopted May 18, 1992.

1 district income of each of the municipalities in that regional
2 school district.

3 c. Allocations of equalized valuations for the purpose of
4 apportioning the amounts to be raised by taxes shall be pursuant
5 to N.J.S.18A:13-23 and shall include each of the municipalities in
6 that all purpose regional district.

7 4. For the 1992-93 school year, the board of education of a
8 new all purpose regional school district established pursuant to
9 section 3 of this act shall consist of a tenth member who shall be
10 selected by, and appointed from, the current members of the
11 board of education of an eligible municipality and who shall serve
12 until the appointment and qualification of a successor at the next
13 annual school election. Upon the selection of one member to
14 serve on the board of education of the newly established all
15 purpose regional school district, the board of education of the
16 eligible municipality shall be abolished. At the next annual
17 school election the board of education of the newly established
18 all purpose regional district shall consist of nine members
19 pursuant to N.J.S.18A:13-8.

20 5. For the 1992-93 school year, the commissioner shall
21 determine and certify and shall apportion among the constituent
22 municipalities of the newly established regional school district,
23 the amount of money which is necessary to be appropriated to
24 provide a thorough and efficient system of schools based upon the
25 budgets proposed to the voters of each municipality at the last
26 annual school election. Thereafter, the amount shall be
27 apportioned among the constituent municipalities of the new all
28 purpose regional school district pursuant to N.J.S.18A:13-23.

29 6. In the event the board of education of an eligible
30 municipality is indebted, for tuition, to an all purpose regional
31 school district designated pursuant to section 2 of this act, the
32 Department of Education shall pay that tuition, up to a maximum
33 of \$250,000, to that all purpose regional school district. In
34 addition, the department shall provide funds, up to a maximum of
35 \$100,000, to the constituent municipalities of the designated all
36 purpose regional school district in an amount sufficient to ensure
37 that there is no impact on the property taxes in those
38 municipalities as a consequence of the establishment of a new all
39 purpose regional school district. In the event that the amount
40 required for property tax stabilization is less than \$100,000, the
41 balance shall accrue to the eligible municipality¹, along with all
42 All¹ remaining assets and liabilities of the board of education of
43 the eligible municipality, including any other tuition payable¹,
44 shall accrue to the eligible municipality¹.

45 7. There is hereby apporopriated from the General Fund to the
46 Department of Education \$350,000 for the purposes of this act.

47 8. This act shall take effect immediately ¹[. However, the
48 establishment of a newly created all purpose regional school
49 district shall be effective on] and apply only to those all purpose
50 regional school districts created pursuant to this act as of¹
51 July 1, 1992.

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Permits county superintendent to designate district of residence
of certain pupils; appropriates \$350,000.

1 to N.J.S.18A:13-23 and shall include each of the municipalities in
2 that all-purpose regional district.

3 4. For the 1992-93 school year, the board of education of a
4 new all-purpose regional school district established pursuant to
5 section 3 of this act shall consist of a tenth member who shall be
6 selected by, and appointed from, the current members of the
7 board of education of an eligible municipality and who shall serve
8 until the appointment and qualification of a successor at the next
9 annual school election. Upon the selection of one member to
10 serve on the board of education of the newly established
11 all-purpose regional school district, the board of education of the
12 eligible municipality shall be abolished. At the next annual
13 school election the board of education of the newly established
14 all-purpose regional district shall consist of nine members
15 pursuant to N.J.S.18A:13-8.

16 5. For the 1992-93 school year, the commissioner shall
17 determine and certify and shall apportion among the constituent
18 municipalities of the newly established regional school district,
19 the amount of money which is necessary to be appropriated to
20 provide a thorough and efficient system of schools based upon the
21 budgets proposed to the voters of each municipality at the last
22 annual school election. Thereafter, the amount shall be
23 apportioned among the constituent municipalities of the new
24 all-purpose regional school district pursuant to N.J.S.18A:13-23.

25 6. In the event the board of education of an eligible
26 municipality is indebted, for tuition, to an all-purpose regional
27 school district designated pursuant to section 2 of this act, the
28 Department of Education shall pay that tuition, up to a maximum
29 of \$250,000, to that all-purpose regional school district. In
30 addition, the department shall provide funds, up to a maximum of
31 \$100,000, to the constituent municipalities of the designated
32 all-purpose regional school district in an amount sufficient to
33 ensure that there is no impact on the property taxes in those
34 municipalities as a consequence of the establishment of a new
35 all-purpose regional school district. In the event that the amount
36 required for property tax stabilization is less than \$100,000, the
37 balance shall accrue to the eligible municipality, along with all
38 remaining assets and liabilities of the board of education of the
39 eligible municipality, including any other tuition payable.

40 7. There is hereby appropriated from the General Fund to the
41 Department of Education \$350,000 for the purposes of this act.

42 8. This act shall take effect immediately. However, the
43 establishment of a newly created all-purpose regional school
44 district shall be effective on July 1, 1992.

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STATEMENT

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49 This legislation would permit a county superintendent of
50 schools to designate an adjacent all-purpose regional school
51 district as the district of residence for pupils who live in certain
52 municipalities which do not have public school facilities.

53 Once a designation of a district of residence was made, it
54 would establish a new all-purpose regional school district,

1 consisting of the existing constituent municipalities and the
2 newly added one. The new regional would be governed by all of
3 the provisions of the education laws regarding regional school
4 districts.

5 The bill also appropriates \$350,000 to the Department of
6 Education.

7 At the present time, this bill would only apply to children
8 residing in Fieldsboro in Burlington county. Under the bill, the
9 county superintendent could designate a regional high school in
10 Burlington county as that district of residence. Currently,
11 Fieldsboro sends its 92 pupils to the Bordentown Regional School
12 District, so that would be the likely district to be so designated.

13 Also, in the case of Fieldsboro, the appropriation could be used
14 to help retire the district's tuition debt. For the 1991-92 school
15 year, that debt is approximately \$416,000. However, due to the
16 fiscal circumstances of the municipality, the Boro of Fieldsboro
17 has been denied tax anticipation financing to pay the debt and has
18 failed to make its monthly tuition payment to the Bordentown
19 Regional School District since February 1992. The regional
20 district has applied its surplus to defray the costs of education
21 the children of Fieldsboro; however, such surplus funds will be
22 exhausted at the end of the 1991-92 school year.

23 Both the Fieldsboro and Bordentown Regional boards of
24 education have taken formal action endorsing the merger of
25 Fieldsboro into the regional district.

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30 Permits county superintendent to designate district of residence
31 of certain pupils; appropriates \$350,000.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

[FIRST REPRINT]

SENATE, No. 799

STATE OF NEW JERSEY

DATED: JUNE 8, 1992

The Assembly Education Committee reports favorably Senate Bill No. 799 1R.

This bill would permit a county superintendent of schools to designate an adjacent regional school district as the district of residence for pupils who live in certain municipalities which do not have public school facilities.

Once a designation of a district of residence was made, it would establish as of July 1, 1992, a new regional school district, consisting of the existing constituent municipalities and the newly added one. The new regional would be governed by all of the provisions of the education laws regarding regional school districts.

At the present time, this bill would only apply to pupils residing in Fieldsboro in Burlington county. Under the bill, the county superintendent would designate a K-12 regional school district in Burlington county as the district of residence. Currently, Fieldsboro sends its 92 pupils to the Bordentown Regional School District and that would likely be the designated district.

Under the bill, the State would assist in paying off the debt owed by the municipality that is being merged into the regional district. For the 1991-92 school year, Fieldsboro has a tuition debt to the regional district of approximately \$416,000. The regional district has applied its surplus to defray the costs of educating the children of Fieldsboro; however, the surplus will be exhausted at the end of the 1991-92 school year. The bill appropriates \$250,000 to be paid to the regional district to retire a portion of the debt. An additional \$100,000 appropriation is made to provide municipal aid to offset any increases that might occur in school taxes for the 1992-93 school year as the result of the creation of the regional district. If less than \$100,000 is required for this purpose, the remaining funds shall accrue to Fieldsboro for the purposes of reducing its remaining debt to the regional district.

Both the Fieldsboro and Bordentown Regional boards of education have taken formal action endorsing the merger of Fieldsboro into the regional district.

This bill is identical to Assembly Bill No. 1416 of 1992 with committee amendments.

A representative from the Bordentown Regional School District, a representative from the Fieldsboro Board of Education, the County Superintendent of Burlington and the Department of Education testified in favor of the bill. A representative from the New Jersey School Business Officials was in opposition of the bill.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[FIRST REPRINT]

SENATE, No. 799

STATE OF NEW JERSEY

DATED: JUNE 25, 1992

The Assembly Appropriations Committee reports favorably Senate Bill No. 799 (1R).

Senate Bill No. 799 (1R) requires a county superintendent of schools to designate an adjacent regional school district as the district of residence for pupils who live in certain municipalities which do not have public school facilities.

Designation of a district of residence would establish on July 1, 1992, a new regional school district, consisting of the existing constituent municipalities and the newly added one. The new regional district would be governed by all of the provisions of the education laws regarding regional school districts.

At the present time, this bill would only apply to children residing in Fieldsboro in Burlington county. Under the bill, the county superintendent could designate a K-12 regional school district in Burlington county as that district of residence. Currently, Fieldsboro sends its 92 pupils to the Bordentown Regional School District, so that would be the likely district to be so designated.

Under the bill, the State would assist in paying off the debt owed by a municipality being merged into a regional district. For the 1991-92 school year, Fieldsboro has a tuition debt to the regional district of approximately \$416,000. Due to the fiscal circumstances of the municipality, Fieldsboro has been denied tax anticipation financing to pay the debt and has failed to make its monthly tuition payments to the Bordentown Regional School District since February 1992. The regional district has applied its surplus to defray the costs of educating the children of Fieldsboro; however, the surplus will be exhausted at the end of the 1991-92 school year. The bill appropriates \$250,000 to be paid to the regional district to retire a portion of the debt. An additional \$100,000 appropriation is made to provide municipal aid to offset any increases that might occur in school taxes for the 1992-93 school year as the result of the creation of the regional district. If less than \$100,000 is required for this purpose, the remaining funds accrue to Fieldsboro for the purposes of reducing its remaining debt to the regional district.

Both the Fieldsboro and Bordentown Regional boards of education have taken formal action endorsing the merger of Fieldsboro into the regional district.

FISCAL IMPACT

The bill appropriates \$350,000 to the Department of Education.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 799

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 18, 1992

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 799, with committee amendments.

Senate Bill No. 799, as amended, would permit a county superintendent of schools to designate an adjacent regional school district as the district of residence for pupils who live in certain municipalities which do not have public school facilities.

Once a designation of a district of residence was made, it would establish on July 1, 1992, a new regional school district, consisting of the existing constituent municipalities and the newly added one. The new regional would be governed by all of the provisions of the education laws regarding regional school districts.

At the present time, this bill would only apply to children residing in Fieldsboro in Burlington county. Under the bill, the county superintendent could designate a K-12 regional school district in Burlington county as that district of residence. Currently, Fieldsboro sends its 92 pupils to the Bordentown Regional School District, so that would be the likely district to be so designated.

Under the bill, the State would assist in paying off the debt owed by the municipality that is being merged into the regional district. For the 1991-92 school year, Fieldsboro has a tuition debt to the regional district of approximately \$416,000. Due to the fiscal circumstances of the municipality, the Boro of Fieldsboro has been denied tax anticipation financing to pay the debt and has failed to make its monthly tuition payment to the Bordentown Regional School District since February 1992. The regional district has applied its surplus to defray the costs of educating the children of Fieldsboro; however, the surplus will be exhausted at the end of the 1991-92 school year. The bill appropriates \$250,000 to be paid to the regional district to retire a portion of the debt. An additional \$100,000 appropriation is made to provide municipal aid to offset any increases that might occur in school taxes for the 1992-93 school year as the result of the creation of the regional district. If less than \$100,000 is required for this purpose, the remaining funds shall accrue to Fieldsboro for the purposes of reducing its remaining debt to the regional district.

Both the Fieldsboro and Bordentown Regional boards of education have taken formal action endorsing the merger of Fieldsboro into the regional district.

COMMITTEE AMENDMENTS

The committee amendments clarify that the eligible municipality will assume the remaining assets and liabilities of the board of education that is being dissolved and that this bill only applies to districts created on July 1, 1992.

FISCAL IMPACT

The bill appropriates \$350,000 to the Department of Education.