

**ASSEMBLY BILL NO. 2300**

(First Reprint)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 2300 (First Reprint) without my approval.

This bill concerns the membership of a board of education of a regional school district ("regional district") in which a reapportionment of costs among the constituent municipalities of the regional district has been determined by the Commissioner of the Department of Education ("Commissioner") rather than the voters. Under these circumstances, the bill would require the regional district to apportion the membership of its board of education based on how the costs of the regional district are apportioned among the constituent municipalities, except that each constituent municipality would have at least one member on the board of education.

Current law apportions membership on regional boards of education based on the population of each constituent municipality. A regional district's apportionment of board of education membership will only change in one of the two following circumstances: (1) when the Federal census is completed; or (2) when the regional district membership either expands to include additional municipalities or contracts when a constituent municipality leaves the regional district. This bill proposes to add a third instance triggering reapportionment of board of education seats in an impacted regional district: whenever the Commissioner modifies the apportionment of costs among the constituent districts.

This bill represents a significant diversion from current practice and I am concerned that redistributing board of education seats in a manner that takes into account wealth, as measured by

equalized property valuation, rather than apportioning seats based purely on population could have the effect of diluting the vote of relatively poorer districts at the expense of wealthier ones.

I am also concerned that linking apportionment of board of education membership to the Commissioner's modification of the apportionment of costs will lead to instability and unpredictability for the regional board of education. The Commissioner reevaluates the apportionment of costs on an annual basis, which, under this bill, would have the potential to result in a change in board of education membership each year. Given that individuals are elected to boards of education to serve three-year terms, the potential for yearly adjustments in board of education membership is problematic.

I commend the sponsors for their advocacy on behalf of their constituents and for seeking to maintain equity in school board representation. However, following discussions with the bill's sponsors, my legislative colleagues and I have determined that there is additional work to be done on this bill to ensure that it achieves its intended goals.

Accordingly, I herewith return Assembly Bill No. 2300 (First Reprint) without my approval.

[seal]

Respectfully,  
/s/ Philip D. Murphy  
Governor

Attest:

/s/ Parimal Garg  
Chief Counsel to the Governor