

**SENATE CONCURRENT  
RESOLUTION No. 119**

**STATE OF NEW JERSEY  
217th LEGISLATURE**

INTRODUCED SEPTEMBER 12, 2016

**Sponsored by:**

**Senator STEPHEN M. SWEENEY**

**District 3 (Cumberland, Gloucester and Salem)**

**Senator M. TERESA RUIZ**

**District 29 (Essex)**

**SYNOPSIS**

Establishes State School Aid Funding Fairness Commission.

**CURRENT VERSION OF TEXT**

As introduced.



1 **A CONCURRENT RESOLUTION** establishing the State School Aid  
2 Funding Fairness Commission.

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4 **BE IT RESOLVED** *by the Senate of the State of New Jersey (the*  
5 *General Assembly concurring):*

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7 1. a. There is established the State School Aid Funding  
8 Fairness Commission. The commission shall consist of six public  
9 members appointed as follows: two members appointed by the  
10 Senate President, one of whom shall represent a New Jersey  
11 teachers' employee organization; one member appointed by the  
12 Minority Leader of the Senate; two members appointed by the  
13 Speaker of the General Assembly, one of whom shall represent a  
14 New Jersey education professional association; and one member  
15 appointed by the Minority Leader of the General Assembly. The  
16 members shall have knowledge and experience in public school  
17 finance and knowledge and experience in State budgeting and  
18 finance.

19 b. Appointments to the commission shall be made within 30  
20 days of the effective date of this act. Vacancies in the membership  
21 of the commission shall be filled in the same manner as the original  
22 appointments were made. Members of the commission shall serve  
23 without compensation but shall be reimbursed for necessary  
24 expenses incurred in the performance of their duties within the  
25 limits of funds made available to the commission for its purposes.

26 c. The commission shall organize within 30 days after the  
27 appointment of its members and shall select a chairperson from  
28 among its members and a secretary who need not be a member of  
29 the commission. The commission shall meet at the call of its  
30 chairperson at the times and places it may deem appropriate and  
31 necessary to fulfill its duties. The commission shall conduct at least  
32 three public hearings, one in the northern, central, and southern  
33 regions of the State, during the course of its study to elicit the  
34 testimony of interested groups and members of the public. The  
35 commission shall also conduct at least three public hearings, one in  
36 the northern, central, and southern regions of the State, after the  
37 issuance of its report pursuant to section 3 of the resolution to elicit  
38 the testimony of interested groups and members of the public on the  
39 findings, recommendations, and proposed legislation included in the  
40 report.

41 d. The Office of Legislative Services shall provide such staff  
42 and related support services as the commission requires to carry out  
43 its work. The commission shall also be entitled to call to its  
44 assistance and avail itself of the services of the employees of any  
45 State, county, or municipal department, board, bureau, commission,  
46 or agency as it may require and as may be available to it for its  
47 purposes.

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- 1       2. a. It shall be the duty of the commission to study:
- 2       (1) the impact of the adjustment aid and State aid growth limit  
3 provisions of the “School Funding Reform Act of 2008” (SFRA),  
4 P.L.2007, c.260 (C.18A:7F-43 et al.), on the fairness of the school  
5 funding formula, to make recommendations for revising those  
6 provisions in order to provide full funding of the “School Funding  
7 Reform Act of 2008” over a five-year period, and to bring fair and  
8 equitable funding to all school districts for enrollment growth over  
9 a multi-year period;
- 10       (2) the tax levy growth limitation as established and calculated  
11 pursuant to section 3 of P.L.2007, c.62 (C.18A:7F-38) and its  
12 impact on the ability of school districts to adequately fund operating  
13 expenses;
- 14       (3) the per pupil administrative costs limit as established  
15 pursuant to paragraphs (1) and (2) of subsection c. of section 5 of  
16 P.L.1996, c.138 (C.18A:7F-5) and the impact of the limit on school  
17 district staffing and operations;
- 18       (4) the equalized valuation and income measures used to  
19 determine a school district’s local share of its adequacy budget as  
20 calculated pursuant to section 10 of P.L.2007, c.260 (C.18A:7F-52),  
21 and the impact of property tax abatements on that local share; and
- 22       (5) the ability of a school district that is spending at or above its  
23 adequacy budget to lower its school tax levy in the event that  
24 additional State aid is provided under proposed legislation to  
25 implement the committee’s recommendations.
- 26       b. The recommendations made by the commission shall  
27 conform with the responsibility of the Legislature under Article  
28 VIII, section IV, paragraph 1 of the New Jersey Constitution to  
29 provide a thorough and efficient system of free public schools. The  
30 commission shall strive for consensus in all its recommendations.  
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- 32       3. The commission shall issue a report no later than June 30,  
33 2017, on its findings and recommendations to the Governor, the  
34 President of the Senate, and the Speaker of the General Assembly.  
35 The report shall be accompanied by proposed legislation to  
36 implement the commission’s recommendations.  
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- 38       4. The proposed legislation submitted pursuant to section 3 of  
39 this resolution shall be introduced in the Senate by the Senate  
40 President and in the General Assembly by the Speaker of the  
41 General Assembly. The bill shall not be referred to committee in  
42 either House, shall receive second reading without committee  
43 consideration, and shall then be placed on third reading. The bill  
44 must either be approved on final passage or rejected, without  
45 change or amendment, before the full membership of the House.  
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- 47       5. This resolution shall take effect immediately, and the  
48 commission shall expire 30 days after the submission of its report.

STATEMENT

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This concurrent resolution establishes the State School Aid Funding Fairness Commission, which will consist of six public members appointed as follows: two members appointed by the Senate President, one of whom will represent a New Jersey teachers' employee organization; one member appointed by the Senate Minority Leader; two members appointed by the Speaker of the General Assembly, one of whom will represent a New Jersey education professional association; and one member appointed by the Minority Leader of the General Assembly. The members must have knowledge and experience in public school finance and knowledge and experience in State budgeting and finance. The commission will be staffed by the Office of Legislative Services.

The commission is charged with studying the following issues:

(1) the impact of the adjustment aid and State aid growth limit provisions of the "School Funding Reform Act of 2008" (SFRA), P.L.2007, c.260 (C.18A:7F-43 et al.), on the fairness of the school funding formula, to make recommendations for revising those provisions in order to provide full funding of the "School Funding Reform Act of 2008" over a five-year period, and to bring fair and equitable funding to all school districts for enrollment growth over a multi-year period;

(2) the tax levy growth limitation as established and calculated pursuant to section 3 of P.L.2007, c.62 (C.18A:7F-38) and its impact on the ability of school districts to adequately fund operating expenses;

(3) the per pupil administrative costs limit as established pursuant to paragraphs (1) and (2) of subsection c. of section 5 of P.L.1996, c.138 (C.18A:7F-5) and the impact of the limit on school district staffing and operations;

(4) the equalized valuation and income measures used to determine a school district's local share of its adequacy budget as calculated pursuant to section 10 of P.L.2007, c.260 (C.18A:7F-52), and the impact of property tax abatements on that local share; and

(5) the ability of a school district that is at or above its adequacy budget to lower its school tax levy in the event that additional State aid is provided under proposed legislation to implement the committee's recommendations.

The resolution stipulates that the recommendations made by the commission must comport with the Legislature's responsibility under the State Constitution to provide a thorough and efficient education to all students. In addition, the resolution directs the commission to strive for consensus in all its recommendations.

The commission must issue a report no later than June 30, 2017, on its findings and recommendations. The report will be issued to the Governor, the Senate President, and the Speaker of the General Assembly and will be accompanied by proposed legislation to

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1 implement the recommendations. The proposed legislation will be  
2 introduced in the Senate by the Senate President and in the General  
3 Assembly by the Speaker of the General Assembly. The bill will  
4 not be referred to committee in either House, will receive second  
5 reading without committee consideration, and will then be placed  
6 on third reading. The bill must either be approved on final passage  
7 or rejected, without changes or amendments.

8 The commission will conduct at least three public hearings, one  
9 in the northern, central, and southern regions of the State, during  
10 the course of the commission's study in order to elicit the testimony  
11 of interested groups and members of the public. At least three  
12 additional public hearings, one in the northern, central, and southern  
13 regions of the State, will be held upon the issuance of the  
14 commission's report to elicit testimony on its findings,  
15 recommendations, and proposed legislation.