

[First Reprint]

**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 amended by the Senate on September 15, 2016.



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

3

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

6

7 ¹1. The Legislature finds and declares that a State School Aid
8 Funding Fairness Commission should be established every two
9 years to study and make recommendations in regard to the issues
10 delineated in section 3 of this resolution.¹

11

12 ¹**[1.] 2.**¹ a. There is established the State School Aid Funding
13 Fairness Commission. The commission shall consist of six public
14 members appointed as follows: ¹**[two members]** one member¹
15 appointed by the Senate President¹**[,]** ;¹ one ¹**[of whom]** member
16 who¹ shall represent a New Jersey teachers' employee organization
17 who shall be appointed jointly by the President of the Senate and
18 the Speaker of the General Assembly¹ ; one member appointed by
19 the Minority Leader of the Senate; ¹**[two members]** one member¹
20 appointed by the Speaker of the General Assembly¹**[,]** ;¹ one ¹**[of**
21 **whom]** member who¹ shall represent a New Jersey education
22 professional association who shall be appointed jointly by the
23 Minority Leader of the Senate and the Minority Leader of the
24 General Assembly¹ ; and one member appointed by the Minority
25 Leader of the General Assembly. The members shall have
26 knowledge and experience in public school finance and knowledge
27 and experience in State budgeting and finance.

28 b. Appointments to the commission shall be made within 30
29 days of the effective date of this act. Vacancies in the membership
30 of the commission shall be filled in the same manner as the original
31 appointments were made. Members of the commission shall serve
32 without compensation but shall be reimbursed for necessary
33 expenses incurred in the performance of their duties within the
34 limits of funds made available to the commission for its purposes.

35 c. The commission shall organize within 30 days after the
36 appointment of its members and shall select a chairperson from
37 among its members and a secretary who need not be a member of
38 the commission. The commission shall meet at the call of its
39 chairperson at the times and places it may deem appropriate and
40 necessary to fulfill its duties. The commission shall conduct at least
41 three public hearings, one in the northern, central, and southern
42 regions of the State, during the course of its study to elicit the
43 testimony of interested groups and members of the public. The
44 commission shall also conduct at least three public hearings, one in

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:

¹Senate floor amendments adopted September 15, 2016.

1 the northern, central, and southern regions of the State, after the
2 issuance of its report pursuant to section ~~1[3]~~ 4¹ of the resolution to
3 elicit the testimony of interested groups and members of the public
4 on the findings, recommendations, and proposed legislation
5 included in the report.

6 d. The Office of Legislative Services shall provide such staff
7 and related support services as the commission requires to carry out
8 its work. The commission shall also be entitled to call to its
9 assistance and avail itself of the services of the employees of any
10 State, county, or municipal department, board, bureau, commission,
11 or agency as it may require and as may be available to it for its
12 purposes.

13
14 ~~1[2.]~~ 3.¹ a. It shall be the duty of the commission to study:

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

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

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

31 (4) the equalized valuation and income measures used to
32 determine a school district’s local share of its adequacy budget as
33 calculated pursuant to section 10 of P.L.2007, c.260 (C.18A:7F-52),
34 and the impact of property tax abatements on that local share;
35 ~~1[and]~~¹

36 (5) the ability of a school district that is spending at or above its
37 adequacy budget to lower its school tax levy in the event that
38 additional State aid is provided under proposed legislation to
39 implement the committee’s recommendations ¹; and

40 (6) the distribution of special education funding, and the effects
41 of the change under the “School Funding Reform Act of 2008” to a
42 census-based funding method with special education costs
43 supported in part on a wealth-equalized basis¹ .

44 b. The recommendations made by the commission shall
45 conform with the responsibility of the Legislature under Article
46 VIII, section IV, paragraph 1 of the New Jersey Constitution to
47 provide a thorough and efficient system of free public schools. The
48 commission shall strive for consensus in all its recommendations.

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1 ¹**[3.]** 4.¹ The commission shall issue a report no later than
2 ¹**[June 30]** February 1¹, 2017, on its findings and recommendations
3 to the Governor, the President of the Senate, and the Speaker of the
4 General Assembly. The report shall be accompanied by proposed
5 legislation to implement the commission's recommendations.

6
7 ¹**[4.]** 5.¹ The proposed legislation submitted pursuant to section
8 ¹**[3]** 4¹ of this resolution shall be introduced in the Senate by the
9 Senate President and in the General Assembly by the Speaker of the
10 General Assembly. The bill shall not be referred to committee in
11 either House, shall receive second reading without committee
12 consideration, and shall then be placed on third reading. The bill
13 must either be approved on final passage or rejected, without
14 change or amendment, before the full membership of the House.

15
16 ¹**[5.]** 6.¹ This resolution shall take effect immediately, and the
17 commission shall expire 30 days after the submission of its report.