

SENATE AMENDMENTS

(Proposed by Senators SWEENEY and RUIZ)

to

SENATE CONCURRENT RESOLUTION No. 119

(Sponsored by Senators SWEENEY and RUIZ)

INSERT NEW SECTION 1 TO READ:

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

REPLACE SECTION 1 TO READ:

'[1.] 2.' a. There is established the State School Aid Funding Fairness Commission. The commission shall consist of six public members appointed as follows: '[two members] one member' appointed by the Senate President'[.] ;' one '[of whom] member who' shall represent a New Jersey teachers' employee organization 'who shall be appointed jointly by the President of the Senate and the Speaker of the General Assembly' ; one member appointed by the Minority Leader of the Senate; '[two members] one member' appointed by the Speaker of the General Assembly'[.] ;' one '[of whom] member who' shall represent a New Jersey education professional association 'who shall be appointed jointly by the Minority Leader of the Senate and the Minority Leader of the General Assembly' ; and one member appointed by the Minority Leader of the General Assembly. The members shall have knowledge and experience in public school finance and knowledge and experience in State budgeting and finance.

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

c. The commission shall organize within 30 days after the appointment of its members and shall select a chairperson from among its members and a secretary who need not be a member of the commission. The commission shall meet at the call of its chairperson at the times and places it may deem appropriate and necessary to fulfill its duties. The commission shall conduct at least three public hearings,

one in the northern, central, and southern regions of the State, during the course of its study to elicit the testimony of interested groups and members of the public. The commission shall also conduct at least three public hearings, one in the northern, central, and southern regions of the State, after the issuance of its report pursuant to section '[3] 4¹' of the resolution to elicit the testimony of interested groups and members of the public on the findings, recommendations, and proposed legislation included in the report.

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

REPLACE SECTION 2 TO READ:

'[2.] 3.¹ a. It shall be the duty of the commission to study:

(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 spending 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 ¹; and

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

b. The recommendations made by the commission shall conform with the responsibility of the Legislature under Article VIII, section IV, paragraph 1 of the New Jersey Constitution to provide a thorough

and efficient system of free public schools. The commission shall strive for consensus in all its recommendations.

REPLACE SECTION 3 TO READ:

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

REPLACE SECTION 4 TO READ:

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

RENUMBER SECTION 5 AS SECTION 6

STATEMENT

These floor amendments:

- Add a findings and declarations section to express the intent of the Legislature that a State School Aid Funding Fairness Commission be established every two years to study and make recommendations on issues related to school funding delineated in the resolution;
- Require that the commission member who represents a New Jersey teachers' employee organization will be appointed jointly by the Senate President and the Speaker of the General Assembly, and the member who represents a New Jersey education professional association will be appointed jointly by the Minority Leader of the Senate and the Minority Leader of the General Assembly. The total number of members on the commission will continue to be six;
- Require the commission to also study the distribution of special education funding, and the effects of the change under the "School Funding Reform Act of 2008" to a census-based funding method with special education costs supported in part on a wealth-equalized basis; and
- Require the commission to issue its report no later than February 1, 2017, rather than June 30 as was required under the resolution as introduced.