

ASSEMBLY, No. 597

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman LUSTBADER

1 AN ACT creating a school tax policy funding commission.

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

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6 1. The Legislature finds and declares that over the past 21 years,
7 the State Supreme Court has declared three school funding statutes
8 unconstitutional, including the current Quality Education Act (QEA);
9 that for the past two years, the schools have been funded by temporary
10 measures which have essentially frozen State aid; that today the State
11 seems no closer to a funding formula which can provide both an
12 equitable source of revenue and an equitable distribution of that
13 revenue; that it is time for the Legislature to take action to solve the
14 school funding crisis rather than reacting to the decisions of the
15 Supreme Court; and that is appropriate to establish a commission with
16 a mandate to resolve the current crisis of the funding and distribution
17 of school aid.

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19 2. There is created a commission to be known as the "School Tax
20 Policy Funding Commission." The commission shall consist of seven
21 members selected as follows: two members to be appointed by the
22 President of the Senate, which members shall not be of the same
23 political party; two members to be appointed by the Speaker of the
24 General Assembly, which members shall not be of the same political
25 party; and three public members with knowledge and experience in the
26 area of public and school finance to be appointed by the Governor, no
27 more than two of whom shall be members of the same political party.

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29 3. All appointments shall be made within 30 days after the effective
30 date of this act. Vacancies in the membership of the commission shall
31 be filled in the same manner as the original appointments were made.
32 Members of the commission shall serve without compensation.

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34 4. The commission shall organize within 30 days after the
35 appointment of its members and shall select a chairperson and a vice

1 chairperson from among its members and a secretary who need not be
2 a member of the commission.

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4 5. It shall be the duty of the commission to study the issues
5 associated with the funding of the public schools.

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7 6. The commission shall be entitled to call to its assistance and
8 avail itself of the services of the employees of any State, county or
9 municipal department, board, bureau, commission or agency as it may
10 require and as may be available to it for its purposes.

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12 7. The commission may meet and hold hearings at the place or
13 places it designates during the sessions or recesses of the Legislature
14 and shall issue a final report of its findings and recommendations,
15 including any recommended legislation, to the Governor and the
16 Legislature no later than six months following its organizational
17 meeting.

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19 8. This act shall take effect immediately and shall expire 30 days
20 after the submission of the final report.

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STATEMENT

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25 This bill creates a commission to be known as the "School Tax
26 Policy Funding Commission." The commission would consist of seven
27 members selected as follows: two members to be appointed by the
28 President of the Senate, which members shall not be of the same
29 political party; two members to be appointed by the Speaker of the
30 General Assembly, which members shall not be of the same political
31 party; and three public members with knowledge and experience in
32 area of public and school finance to be appointed by the Governor, no
33 more than two of whom shall be members of the same political party.

34 It is the duty of the commission to study the issues associated with
35 the funding of education.

36 The commission is required to issue a final report of its findings and
37 recommendations, including any recommended legislation, to the
38 Governor and the Legislature no later than six months following its
39 organizational meeting.

40 This bill is a companion bill to A , which freezes the property tax
41 for school purposes at the amounts assessed, levied and collected for
42 the 1995-96 school year. It is the purpose of that bill to impose a
43 effective deadline of January 1, 1996, by which the commission will
44 have issued a report and the Legislature and Governor will have
45 approved legislation to provide a new method for the funding and
46 distribution of school aid. In its finding of July 12, 1994, that the

1 QEA was unconstitutional, the Supreme Court retained jurisdiction
2 and indicated that it may intervene if a new funding statute is not in
3 place by September, 1996.

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8 Creates the "School Tax Policy Funding Commission."