

**ASSEMBLY CONCURRENT
RESOLUTION No. 109**

**STATE OF NEW JERSEY
213th LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

Assemblyman DAVID W. WOLFE

District 10 (Monmouth and Ocean)

Assemblywoman ALISON LITTELL MCHOSE

District 24 (Sussex, Hunterdon and Morris)

Co-Sponsored by:

Assemblymen Merkt, Russo, Holzapfel, Dancer, Rudder, Amodeo,

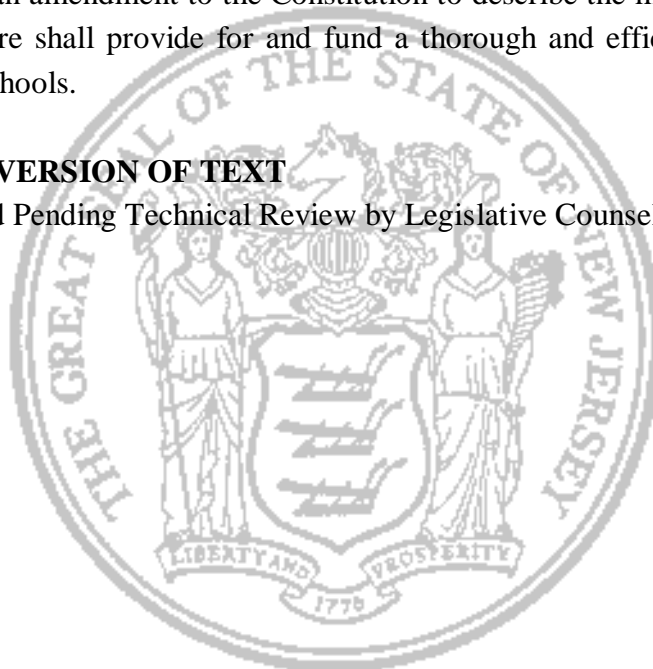
Assemblywoman Addiego and Assemblyman Chiusano

SYNOPSIS

Proposes an amendment to the Constitution to describe the manner in which the Legislature shall provide for and fund a thorough and efficient system of free public schools.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 6/19/2009)

1 A CONCURRENT RESOLUTION proposing to amend Article VIII,
2 Section IV, paragraph 1 of the Constitution of the State of New
3 Jersey.

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

7
8 1. The following proposed amendment to the Constitution is
9 agreed to:

10

11

PROPOSED AMENDMENT

12

Amend Article VIII, Section IV, paragraph 1, to read as follows:

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

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.

1 2. When this proposed amendment to the Constitution is finally
2 agreed to pursuant to Article IX, paragraph 1 of the Constitution, it
3 shall be submitted to the people at the next general election
4 occurring more than three months after the final agreement and
5 shall be published at least once in at least one newspaper of each
6 county designated by the President of the Senate, the Speaker of the
7 General Assembly and the Secretary of State, not less than three
8 months prior to the general election.

9

10 3. This proposed amendment to the Constitution shall be
11 submitted to the people at that election in the following manner and
12 form:

13 There shall be printed on each official ballot to be used at the
14 general election, the following:

15 a. In every municipality in which voting machines are not used,
16 a legend which shall immediately precede the question, as follows:

17 If you favor the proposition printed below make a cross (X), plus
18 (+), or check (✓) in the square opposite the word "Yes." If you are
19 opposed thereto make a cross (X), plus (+) or check (✓) in the
20 square opposite the word "No."

21 b. In every municipality the following question:

		<p>DEFINES THE STATE'S OBLIGATION TO FUND A SYSTEM OF FREE PUBLIC SCHOOLS</p>
	<p>YES</p>	<p>Shall the amendment of Article VIII, Section IV, paragraph 1 of the Constitution of the State of New Jersey, providing that the maintenance and support of a thorough and efficient system of free public schools shall be provided through the enactment from time to time of laws prescribing the components of the system and the funding of that system in the manner and to the extent the Legislature determines to be appropriate; and providing that if a school district is determined to have special needs which require the provision of additional State funds in order to enable the district to provide a thorough and efficient education to students enrolled in the district, the district shall be entitled to receive a per pupil amount of State funds which, when combined with the district's per pupil local share, would equal the State average per pupil spending for regular education programs, determined by dividing the total Statewide resident enrollment into the total amount of Statewide local school tax levies raised for school district operating budgets plus the total amount of State equalization aid payable to school districts plus the total amount of any other school aid programs to be applied toward the required local shares of school districts, be approved?</p>

1

		INTERPRETIVE STATEMENT
	NO	<p>This constitutional amendment provides that the maintenance and support of a system of free public schools will be provided through the enactment of laws by the Legislature and specifies that the method of funding public schools will be established by the Legislature as it deems appropriate. The amendment specifies that when it is determined that a school district has special needs which require the provision of additional State funds in order to enable the district to provide a thorough and efficient education to the students enrolled in the district, then the district will be entitled to receive a per pupil amount of State funds which, when combined with the district's local share of educational expenses for each pupil, equals the State average per pupil amount spent to support regular education programs. The amendment defines the State average per pupil amount for regular education programs as the amount determined by dividing the Statewide number of public school pupils into the total amount of Statewide local school tax levies raised for school district operating budgets plus the total amount of State equalization aid payable to school districts plus the total amount of any other school aid programs to be applied toward the required local shares of school districts.</p>

2

3

4

STATEMENT

5

6 This proposed amendment to the Constitution provides that the
7 maintenance and support of a system of free public schools will be
8 provided through the enactment of laws prescribing the components
9 of that system. Under the proposed amendment, these laws will
10 also provide for the funding of that system in the manner and to the
11 extent that the Legislature determines to be appropriate. The
12 proposed amendment specifies that when it is determined that a
13 school district has special needs which require the provision of
14 additional State funds in order to enable the district to provide a

ACR109 WOLFE, MCHOSE

6

1 thorough and efficient education to the students enrolled in that
2 district, the district will be entitled to receive a per pupil amount of
3 State funds which, when combined with the district's per pupil local
4 share, will equal the State average regular education program
5 budget per pupil. The proposed amendment defines the manner in
6 which the State average regular education program budget per pupil
7 and district's per pupil local share will be calculated. A district's
8 regular education program is that which is required to deliver the
9 core curriculum content standards, the standards that define a
10 thorough and efficient education under the State's current school
11 funding law.