

ASSEMBLY CONCURRENT RESOLUTION No. 1

STATE OF NEW JERSEY

INTRODUCED JUNE 10, 1996

By Assemblyman STUHLTRAGER

1 A CONCURRENT RESOLUTION proposing to amend Article VIII, Section IV
2 by the addition of a new paragraph.

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

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7 1. The following proposed amendment to the Constitution of the State of
8 New Jersey is agreed to:

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PROPOSED AMENDMENT

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a. Amend Article VIII, Section IV by adding the following paragraph:

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4. There shall be credited to a special account in the State Treasury an
13 amount equivalent to the revenue derived from that portion of the tax imposed
14 on the sale, use or possession for sale or use in this State of cigarettes,
15 attributable to \$0.0125 per cigarette, as shall be enacted by the Legislature as
16 an increase in the rate of tax imposed in addition to the tax of \$0.02 per
17 cigarette imposed pursuant to chapter 65 of the Pamphlet Laws of 1948 prior
18 to the approval of this paragraph. This amount shall be appropriated from
19 time to time by the Legislature only for the purpose of paying or financing part
20 of the costs of public school districts of planning, acquiring, leasing,
21 engineering, constructing, reconstructing, repairing, and rehabilitating public
22 school facilities as is necessary to maintain and support a thorough and efficient
23 system of free public schools pursuant to paragraph 1 of Section IV, Article
24 VIII of the State Constitution. This amount shall be appropriated in a fiscal
25 year only in addition to an amount equal to or exceeding the amount
26 appropriated by the State for the costs of school facilities of public school
27 districts in the fiscal year in which this paragraph is adopted. It shall not be
28 competent to borrow, appropriate, or use this amount or any part thereof for
29 any other purpose under any pretense whatever.

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2. When this proposed amendment to the Constitution is finally agreed to
32 pursuant to Article IX, paragraph 1 of the Constitution, it shall be submitted
33 to the people at the next general election occurring more than three months
34 after the final agreement and shall be published at least once in at least one
35 newspaper of each county designated by the President of the Senate, the

1 Speaker of the General Assembly and the Secretary of State, not less than
2 three months prior to the general election.

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

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

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

10 If you favor the proposition printed below make a cross (X), plus (+) or
11 check (T) in the square opposite the word 'Yes.' If you are opposed thereto
12 make a cross (X), plus (+) or check (T) in the square opposite the word 'No.'

13 In every municipality the following question:

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	YES	<p style="text-align: center;">CONSTITUTIONAL AMENDMENT DEDICATING AN INCREASE IN THE STATE CIGARETTE TAX FOR FUNDING PUBLIC SCHOOL FACILITIES CONSTRUCTION</p> <p>Do you approve the proposed amendment to the State Constitution which provides for an increase in the rate of the cigarette tax of \$0.0125 per cigarette, and the dedication of the amount equal to the amount of revenue attributed to be derived therefrom, to be appropriated by the Legislature from time to time, only for the purpose of paying or financing part of the costs of public school districts of planning, acquiring, leasing, engineering, constructing, reconstructing, repairing, and rehabilitating public school facilities as is necessary to maintain and support a thorough and efficient system of free public schools, and shall only be appropriated in addition to the amount appropriated by the State for the costs of school facilities of public school districts in the fiscal year in which this amendment is adopted.</p>
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1		INTERPRETIVE STATEMENT
2		This amendment to the State Constitution, if
3		approved, will result in a cigarette tax increase.
4		The cigarette tax increase is dedicated to building
5		public school facilities. The cigarette tax increase
6		will be \$0.0125 per cigarette: that equals \$0.25 per
7		20-pack of cigarettes and increases the current tax
8		of \$0.40 per pack to \$0.65 per pack. The
9		revenue from the cigarette tax increase could be
10	NO	spent only to help pay for public school facilities
11		that are needed to meet the requirement of the
12		State Constitution that the Legislature provide for
13		a thorough and efficient system of free public
14		schools. Also, the revenue from the cigarette tax
15		increase could be spent only to increase total State
16		spending for public school facilities above the
17		current level.
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22 **STATEMENT**

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24 This concurrent resolution proposes an amendment to the State
 25 Constitution to require the enactment of a cigarette tax increase and dedicate
 26 the revenue increase for funding the construction costs of public school
 27 districts' school facilities that are required to meet a State-mandated thorough
 28 and efficient public school system. The cigarette tax increase of \$0.0125 per
 29 cigarette equals \$0.25 per 20-pack of cigarettes and would increase the
 30 current tax of \$0.40 per pack to \$0.65 per pack. The revenue derived from
 31 this tax increase would be appropriated only for the purpose of paying or
 32 financing part of public school districts' costs of school facilities improvements
 33 needed to comply with the State Constitution's requirements of a thorough and
 34 efficient system of free public schools. The revenue from the tax increase
 35 would have to provide for an increased level of State appropriations for
 36 school districts facilities aid above the level appropriated by the State in the
 37 fiscal year in which this amendment is approved. The current level of State aid
 38 for school district facilities is \$70 million and this tax rate increase would net
 39 an additional \$130 million in cigarette tax revenues. The cigarette tax rate
 40 increase is pending in a companion bill that would take effect on January 1,
 41 1997, only if this constitutional amendment is first approved by the voters.

ACR1

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3 Amends State Constitution to dedicate a \$0.25 per pack cigarette tax increase
4 for increased public school districts facilities aid to provide for a thorough and
5 efficient system of free public schools.