

ASSEMBLY CONCURRENT RESOLUTION No. 76

STATE OF NEW JERSEY

INTRODUCED MAY 13, 1996

By Assemblywoman BUONO, Assemblyman BARNES and  
Assemblywoman Friscia

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

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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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10 PROPOSED AMENDMENT

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

13 1. The Legislature shall provide for the maintenance and support of a  
14 thorough and efficient system of free public schools for the instruction of all  
15 children in the State between the ages of five and 18 years. Maintenance and  
16 support shall be provided by the funding of a system of free public schools  
17 through a combination of State and local revenues. However, no local  
18 revenues shall be assessed or collected in order to fund the costs of providing  
19 regular education, except those local revenues necessary to satisfy the local  
20 share for capital outlay and maintenance purposes and the local share for  
21 programs or services provided to particular categories of students. The  
22 balance of funds necessary to maintain a thorough and efficient system of free  
23 public schools including the costs of providing regular education, the State  
24 share for capital outlay and maintenance purposes, and the State share for  
25 programs or services provided to particular categories of students shall be  
26 provided by the State from State revenues.

27 (cf: Article VIII, Section IV, paragraph 1, effective January 1, 1948)

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29 2. When this proposed amendment to the Constitution is finally agreed to,  
30 pursuant to Article IX, paragraph 1 of the Constitution, it shall be submitted  
31 to the people at the next general election occurring more than three months

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is  
not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 after the final agreement and shall be published at least once in at least one  
2 newspaper of each county designated by the President of the Senate and the  
3 Speaker of the General Assembly and the Secretary of State, not less than  
4 three months prior to the general election.

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

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

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

12 If you favor the proposition printed below make a cross (x), plus (+) or  
13 check (o) in the square opposite the word "Yes."

14 If you are opposed thereto make a cross (x), plus (+) or check (o) in the  
15 square opposite the word "No."

16 b. In every municipality the following question:

17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37	YES	<p style="text-align: center;"><b>LIMIT ON USE OF LOCAL REVENUES FOR THOROUGH AND EFFICIENT EDUCATION</b></p> <p>Do you approve of 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 be provided through a combination of State and local revenues with local revenues used to fund only the local share for capital outlay and maintenance and the local share for programs or services provided to particular categories of students, and the balance of funds including the costs of providing regular education and the State share for capital outlay and maintenance and the State share for programs or services provided to particular categories of students, as shall be determined by law, be provided by the State from State revenues?</p>
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1		<b>INTERPRETIVE STATEMENT</b>
2		<p>This constitutional amendment prescribes the manner in which funding shall be provided for the maintenance and support of a thorough and efficient system of free public schools throughout the State. The amendment makes the entire cost of the regular education program the responsibility of the State. The system is to be funded by a combination of State and locally raised revenues. However, local revenues could be used to meet only the local share of the costs for capital outlay and maintenance and the local share of the costs for programs or services provided to particular categories of students. The State would be responsible for the balance of the funding of all educational costs including the costs of providing regular education, the State share for capital outlay and maintenance, and the State share for programs or services provided to particular categories of students. Regular education includes all educational programs provided to students within the regular school program and is separate from the categorical programs and services provided to particular categories of students.</p>
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**STATEMENT**

32       This proposed amendment would limit the use of local revenues to fund the  
33 system of free public schools to relieve the burden of supporting the public  
34 schools put upon many local municipalities. This proposed amendment  
35 specifies that local revenues can be used for educational purposes only to pay  
36 the local share for capital outlay and maintenance and the local share for  
37 programs or services provided to particular categories of students. The State  
38 would be responsible for the balance of the funding including costs of  
39 providing regular education, the State share for capital outlay and  
40 maintenance, and the State share for programs or services provided to  
41 particular categories of students. Regular education includes all educational  
42 programs provided to students within the regular school program and is  
43 separate from the categorical programs and services provided to particular

1 categories of students.

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5 Proposes an amendment to the Constitution to limit the use of local revenues

6 for funding public education.