

2019 -- S 0042

LC000108

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

JOINT RESOLUTION

TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF AMENDMENT TO THE CONSTITUTION -- RIGHT TO AN ADEQUATE EDUCATION

Introduced By: Senators Picard, Quezada, Metts, Nesselbush, and Cano

Date Introduced: January 16, 2019

Referred To: Senate Education

1 RESOLVED, That a majority of all members elected to each house of the general
2 assembly voting therefor, the following amendment to the Constitution of the state be proposed to
3 the qualified electors of the state in accordance with the provisions of Article XIV of the
4 Constitution for their approval and that it take place of Article XII, Sections 1 and 2, which are
5 hereby amended, effective January 1, 2021, to read as follows:

6 ARTICLE XII

7 OF EDUCATION

8 Section 1. ~~Duty of general assembly to promote schools and libraries~~ Fundamental right
9 to a public education and the duty to promote public libraries. -- The diffusion of knowledge, as
10 well as of virtue among the people, being essential to the preservation of their rights and liberties,
11 it shall be the duty of the general assembly to promote public schools and public libraries, and to
12 adopt all means which it may deem necessary and proper to secure to the people the advantages
13 and opportunities of education and public library services. In furtherance of the duty to establish
14 and maintain a system of free public schools, it shall additionally be the duty of the general
15 assembly and the state to guarantee an equitable, adequate and meaningful education to each
16 child.

17 Section 2. ~~Perpetual school fund.—The money which now is or which may hereafter be~~
18 ~~appropriated by law for the establishment of a permanent fund for the support of public schools,~~
19 ~~shall be securely invested and remain a perpetual fund for that purpose.~~ Judicial enforcement. —

1 This article shall be judicially enforceable. Any person or entity injured or threatened with any
2 injury because of any noncompliance with its provisions shall be entitled to bring an action in
3 Superior Court to enforce these provisions and to obtain declaratory and injunctive relief for any
4 violation thereof.

5 RESOLVED, That this amendment shall take, in the Constitution of the state, the place of
6 Section 1 and Section 2, Article XII, of the Constitution, effective January 1, 2019; and
7 be it further

8 RESOLVED, That the said proposition of amendment shall be submitted to the electors
9 for their approval or rejection at the next statewide general election. The voting places in the
10 several cities and towns shall be kept open during the hours required by law for voting therein for
11 general officers of the state; and be it further

12 RESOLVED, That the Secretary of State shall cause the said proposition of amendment
13 to be published as a part of this resolution in the newspapers of the state prior to the date of the
14 said meetings of the said electors; and the said proposition shall be inserted in the warrants or
15 notices to be issued previous to said meetings of the electors for the purpose of warning the town,
16 ward, or district meetings, and said proposition shall be read by the town, city, ward, or district
17 meetings to be held as aforesaid; and be it further

18 RESOLVED, That the town, city, ward, and district meetings to be held as aforesaid shall
19 be warned, and the list of voters shall be canvassed and made up, and the said town, ward, and
20 district meetings shall be conducted in the same manner as now provided by law for the town,
21 city, ward, and district meetings for the election of general officers of the state.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
JOINT RESOLUTION
TO APPROVE AND PUBLISH AND SUBMIT TO THE ELECTORS A PROPOSITION OF
AMENDMENT TO THE CONSTITUTION -- RIGHT TO AN ADEQUATE EDUCATION

- 1 This amendment to the constitution of the state, if approved, would provide that it would
2 be the paramount duty of the general assembly, the department of education, and other
3 government agencies to provide Rhode Island residents with equal opportunities to receive an
4 education that is adequate to permit residents to achieve a high levels, effective January 1, 2021.
5 The amendment would also provide for judicial enforcement of this provision.

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