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### 2017 -- S 0440

### STATE OF RHODE ISLAND

### IN GENERAL ASSEMBLY

### JANUARY SESSION, A.D. 2017

### 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: Senator Roger Picard

Date Introduced: March 02, 2017

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, 2019, 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	<u>child.</u>
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 <u>violation thereof.</u>

RESOLVED, That this amendment shall take, in the Constitution of the state, the place of
Section 1 and Section 2, Article XII, of the Constitution, effective January 1, 2019; and
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

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This amendment to the constitution of the state, if approved, would provide that it would be the paramount duty of the general assembly, the department of education, and other government agencies to provide Rhode Island residents with equal opportunities to receive an education that is adequate to permit residents to achieve at high levels, effective January 1, 2019. The amendment would also provide for judicial enforcement of this provision.

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