

Regular Session, 2006

HOUSE BILL NO. 48

BY REPRESENTATIVE WHITE

SCHOOLS/FINANCE: (Constitutional Amendment) Grants the Central community school system in East Baton Rouge Parish the same authority granted parishes pursuant to Article VIII, Section 13 of the Constitution of Louisiana

1 A JOINT RESOLUTION

2 Proposing to amend Article VIII, Section 13(D)(1) of the Constitution of Louisiana, to

3 provide that for certain effects and purposes the Central community school system

4 in East Baton Rouge Parish shall be regarded and treated as a parish and shall have

5 the authority granted parishes, including the purposes of certain funding and the

6 raising of certain local revenues for the support of elementary and secondary schools;

7 to provide for submission of the proposed amendment to the electors; and to provide

8 for related matters.

9 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members

10 elected to each house concurring, that there shall be submitted to the electors of the state of

11 Louisiana, for their approval or rejection in the manner provided by law, a proposal to

12 amend Article VIII, Section 13(D)(1) of the Constitution of Louisiana, to read as follows:

13 §13. Funding; Apportionment

14 Section 13.

15 * * *

16 (D)(1) Municipal and Other School Systems. For the effects and purposes

17 of this Section, the Central community school system and the Zachary community

18 school system in East Baton Rouge Parish, and the municipalities of Baker in East

19 Baton Rouge Parish, Monroe in Ouachita Parish, and Bogalusa in Washington

20 Parish, and no others, shall be regarded and treated as parishes and shall have the

21 authority granted parishes.

22 * * *

1 Section 2. Be it further resolved that this proposed amendment shall be submitted
2 to the electors of the state of Louisiana at the statewide election to be held on November 7,
3 2006.

4 Section 3. Be it further resolved that on the official ballot to be used at said election
5 there shall be printed a proposition, upon which the electors of the state shall be permitted
6 to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall
7 read as follows:

8 To grant the Central community school system in East Baton Rouge Parish
9 the same authority granted parishes for purposes of Article VIII, Section 13
10 of the Constitution of Louisiana, including purposes related to the minimum
11 foundation program, funding for certain school books and instructional
12 materials, and the raising of certain local revenues for the support of
13 elementary and secondary schools. (Amends Article VIII, Section 13(D)(1))

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

White

HB No. 48

Abstract: Grants the Central community school system in East Baton Rouge Parish the same authority granted parishes for purposes of Article VIII, §13 of the Constitution of Louisiana, including purposes related to the minimum foundation program, funding for certain school books and instructional materials, and the raising of certain local revenues for the support of elementary and secondary schools.

Present constitution (Art. VIII, §13(D)(1)) states that for the effects and purposes of Art. VIII, §13, the Zachary community school system in East Baton Rouge Parish, and the municipalities of Baker in East Baton Rouge Parish, Monroe in Ouachita Parish, and Bogalusa in Washington Parish, and no others, shall be regarded and treated as parishes and shall have the authority granted parishes.

Proposed constitutional amendment retains present constitution. Provides additionally that for the effects and purposes of Art. VIII, §13, the Central community school system in East Baton Rouge Parish shall be regarded and treated as a parish and shall have the authority granted parishes.

Present constitution, Art. VIII, §13, also provides as follows:

- (1) Requires the legislature to appropriate funds to supply free school books and other materials of instruction prescribed by the State Board of Elementary and Secondary Education (BESE) to the children of this state at the elementary and secondary levels.

- (2) Requires BESE to annually develop and adopt a formula which shall be used to determine the cost of a minimum foundation program (MFP) of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems. Specifies that the formula shall provide for a contribution by every city and parish school system.
- (3) Establishes the process for consideration and approval of the formula by the legislature.
- (4) Requires annual appropriations to fully fund a legislatively approved formula and permits the governor, in accordance with legislatively specified procedures and with legislative approval, to reduce such appropriations.
- (5) Requires that appropriated funds be equitably allocated to parish and city school systems according to the formula as adopted by BESE and approved by the legislature prior to making the appropriation.
- (6) Requires use of the last legislatively approved formula whenever the legislature fails to approve the formula most recently adopted by BESE.
- (7) States that local funds for the support of elementary and secondary schools shall be derived from the following sources:
 - (a) Requires each parish school board (except in Orleans Parish) and each municipality or city school board actually operating, maintaining, or supporting a separate system of public schools to levy annually an ad valorem maintenance tax not to exceed five mills on the dollar of assessed valuation on property subject to such taxation within the parish or city, respectively.
 - (b) Requires the Orleans Parish School Board to levy annually a tax not to exceed 13 mills on the dollar of the assessed valuation of property within the city of New Orleans assessed for city taxation and to certify the amount of the tax to the city's governing authority. Requires the governing authority to have the tax entered on city tax rolls and requires that the tax be collected in the manner, under the conditions, and with the interest and penalties prescribed by law for city taxes. Specifies that the money thus collected shall be paid daily to the Orleans Parish School Board.
 - (c) Permits, for giving additional support to public elementary and secondary schools, any parish, school district, or subschool district, or any municipality or city school board which supports a separate city system of public schools to levy an ad valorem tax for a specific purpose, when authorized by a majority of the electors voting in the parish, municipality, district, or subdistrict in an election held for that purpose. Requires that the amount, duration, and purpose of the tax be in accord with any limitation imposed by the legislature.

Proposed constitution retains present constitution.

Provides for submission of the proposed amendment to the voters at the statewide election to be held on November 7, 2006.

(Amends Const. Art. VIII, §13(D)(1))