

Regular Session, 2006

SENATE BILL NO. 296

BY SENATOR QUINN AND REPRESENTATIVE TOOMY

SCHOOLS. Constitutional amendment to prohibit, with certain exceptions, legislative mandates increasing the financial burden of local school boards unless enacted by two-thirds of the elected members of each house of the legislature. (2/3 - CA13s1(A))

A JOINT RESOLUTION

1
2 Proposing to add Article VI, Section 14.1 of the Constitution of Louisiana, to provide that
3 no law, unless enacted by two-thirds of the elected members of each house of the
4 legislature, requiring increased expenditures for any purpose shall be applicable to
5 a city, parish, or other local public school board except under certain circumstances;
6 to provide for exceptions to such prohibition; and to specify an election for
7 submission of the proposition to electors and provide a ballot proposition.

8 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
9 elected to each house concurring, that there shall be submitted to the electors of the state of
10 Louisiana, for their approval or rejection in the manner provided by law, a proposal to add
11 Article VI, Section 14.1 of the Constitution of Louisiana, to read as follows:

§14.1. Increasing Financial Burden of City, Parish, and Other Local Public

School Boards

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13
14 **Section 14.1.(A) No law, unless enacted by two-thirds of the elected**
15 **members of each house of the legislature, requiring increased expenditures for**
16 **any purpose shall be applicable to any city, parish, or other local public school**
17 **board until approved by resolution adopted by the city, parish, or other local**

1 school board affected or until, and only as long as, the legislature appropriates
 2 funds for the purpose to the affected city, parish, or other local public school
 3 board and only to the extent and amount that such funds are provided or until
 4 a law provides for a local source of revenue to the city, parish, or other local
 5 public school board for the purpose and the affected city, parish, or other local
 6 public school board is authorized by resolution to levy and collect such revenue
 7 and only to the extent and amount of such revenue.

8 **(B) This Section shall not apply to:**

9 **(1) A law applicable to a city, parish, or other local public school board**
 10 **which was enacted and effective prior to the effective date of this Section.**

11 **(2) The contribution by every city, parish, or other local public school**
 12 **system provided for in the formula for the Minimum Foundation Program of**
 13 **education as required by Article VIII, Section 13(B) of this constitution, nor to**
 14 **any instrument adopted or enacted by the legislature approving such formula.**

15 **(3) Any law relative to the implementation of the state school and**
 16 **district accountability system.**

17 Section 2. Be it further resolved that this proposed amendment shall be submitted
 18 to the electors of the state of Louisiana at the statewide election to be held on September 30,
 19 2006.

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

24 To provide that no law, unless enacted by two-thirds of the elected members
 25 of each house of the legislature, requiring increased expenditures for any
 26 purpose shall be applicable to any city, parish, or other local public school
 27 board until approved by school board resolution or until, and as long as, the
 28 legislature appropriates funds to the school board for the purpose and only
 29 to the extent and amount of such funds or until a law provides for a local

1 source of revenue to the school board for the purpose and the school board
 2 is authorized to levy and collect such revenue and only to the extent and
 3 amount of such revenue; and to provide for exceptions to such prohibition on
 4 increasing the financial burden of city, parish, and other local public school
 5 boards. (Adds Article VI, Section 14.1)

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Diane M. Burkhart.

DIGEST

Proposed constitutional amendment provides that no law, unless enacted by 2/3 of the
 elected members of each house of the legislature, requiring increased expenditures for any
 purpose shall be applicable to any city, parish, or other local public school board:

- (1) Until approved by resolution adopted by the school board affected;
- (2) Until and only as long as the legislature appropriates funds for the purpose to the
 affected school board and only to the extent and amount that such funds are
 provided; or
- (3) Until a law provides for a local source of revenue to the school board for the purpose
 and the affected school board is authorized by resolution to levy and collect such
 revenue and only to the extent and amount of such revenue.

Provides that proposed constitutional amendment shall not apply to:

- (1) A law applicable to a city, parish, or other local public school board which was
 enacted and effective prior to the effective date of proposed constitutional
 amendment.
- (2) The contribution by every city, parish, or other local public school system provided
 for in the formula for the Minimum Foundation Program of education as required by
 the constitution, nor to any instrument adopted or enacted by the legislature
 approving such formula.
- (3) Any law relative to the implementation of the state school and district accountability
 system.

Specifies submission of the proposed amendment to the voters at the statewide election to
 be held Sept. 30, 2006.

(Adds Const. Art. VI, §14.1)