

SENATE BILL NO. 296

BY SENATORS QUINN AND HINES AND REPRESENTATIVE TOOMY

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A JOINT RESOLUTION

Proposing to amend Article VI, Section 14 of the Constitution of Louisiana, to provide that no law, unless enacted by two-thirds of the elected members of each house of the legislature, requiring increased expenditures for any purpose shall be applicable to a city, parish, or other local public school board except under certain circumstances; to provide for exceptions to such prohibition; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article VI, Section 14 of the Constitution of Louisiana, to read as follows:

§14. Increasing Financial Burden of Political Subdivisions

Section 14.(A)**(1)** No law or state executive order, rule, or regulation requiring increased expenditures for any purpose shall become effective within a political subdivision until approved by ordinance enacted, or resolution adopted, by the governing authority of the affected political subdivision or until, and only as long as, the legislature appropriates funds for the purpose to the affected political subdivision and only to the extent and amount that such funds are provided, or until a law provides for a local source of revenue within the political subdivision for the purpose and the affected political subdivision is authorized by ordinance or resolution to levy and collect such revenue and only to the extent and amount of such revenue. This ~~Section~~ **Paragraph** shall not apply to a school board.

~~(B)~~**(2)** This ~~Section~~ **Paragraph** shall not apply to:

~~(+)~~**(a)** A law requested by the governing authority of the affected political subdivision.

1 ~~(2)~~**(b)** A law defining a new crime or amending an existing crime.

2 ~~(3)~~**(c)** A law enacted and effective prior to the adoption of the amendment of
3 this Section by the electors of the state in 1991.

4 ~~(4)~~**(d)** A law enacted, or state executive order, rule, or regulation
5 promulgated, to comply with a federal mandate.

6 ~~(5)~~**(e)** A law providing for civil service, minimum wages, hours, working
7 conditions, and pension and retirement benefits, or vacation or sick leave benefits for
8 firemen and municipal policemen.

9 ~~(6)~~**(f)** Any instrument adopted or enacted by two-thirds of the elected
10 members of each house of the legislature and any rule or regulation adopted to
11 implement such instrument or adopted pursuant thereto.

12 ~~(7)~~**(g)** A law having insignificant fiscal impact on the affected political
13 subdivision.

14 **(B)(1) No law requiring increased expenditures within a city, parish, or**
15 **other local public school system for any purpose shall become effective within**
16 **such school system only as long as the legislature appropriates funds for the**
17 **purpose to the affected school system and only to the extent and amount that**
18 **such funds are provided, or until a law provides for a local source of revenue**
19 **within the school system for the purpose and the affected school board is**
20 **authorized by ordinance or resolution to levy and collect such revenue and only**
21 **to the extent and amount of such revenue. This Paragraph shall not apply to**
22 **any political subdivision to which Paragraph (A) of this Section applies.**

23 **(2) This Paragraph shall not apply to:**

24 **(a) A law requested by the school board of the affected school system.**

25 **(b) A law defining a new crime or amending an existing crime.**

26 **(c) A law enacted and effective prior to the adoption of the amendment**
27 **of this Section by the electors of the state in 2006.**

28 **(d) A law enacted to comply with a federal mandate.**

29 **(e) Any instrument adopted or enacted by two-thirds of the elected**
30 **members of each house of the legislature.**

1 **(f) A law having insignificant fiscal impact on the affected school system.**

2 **(g) The formula for the Minimum Foundation Program of education as**
 3 **required by Article VIII, Section 13(B) of this constitution, nor to any**
 4 **instrument adopted or enacted by the legislature approving such formula.**

5 **(h) Any law relative to the implementation of the state school and**
 6 **district accountability system.**

7 Section 2. Be it further resolved that this proposed amendment shall be submitted
 8 to the electors of the state of Louisiana at the statewide election to be held on September 30,
 9 2006.

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

14 To provide that no law, unless enacted by two-thirds of the elected members
 15 of each house of the legislature, requiring increased expenditures for any
 16 purpose shall be applicable to any city, parish, or other local public school
 17 board until approved by school board resolution or until, and as long as, the
 18 legislature appropriates funds to the school board for the purpose and only
 19 to the extent and amount of such funds or until a law provides for a local
 20 source of revenue to the school board for the purpose and the school board
 21 is authorized to levy and collect such revenue and only to the extent and
 22 amount of such revenue; and to provide for exceptions to such prohibition on
 23 increasing the financial burden of city, parish, and other local public school
 24 boards. (Amends Article VI, Section 14)

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES