

2019 Regular Session

HOUSE BILL NO. 62

BY REPRESENTATIVE STEVE CARTER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SCHOOLS: (Constitutional Amendment) Provides for appropriations from the Education Excellence Fund for certain schools

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18

A JOINT RESOLUTION

Proposing to amend Article VII, Section 10.8(C)(3)(b), (c), and (g) of the Constitution of Louisiana and to repeal Article VII, Section 10.8(C)(3)(d) of the Constitution of Louisiana, relative to the Education Excellence Fund; to provide for appropriations from the Education Excellence Fund for the Louisiana Educational Television Authority, Thrive Academy, and laboratory schools operated by public postsecondary education institutions; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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 VII, Section 10.8(C)(3)(b), (c), and (g) of the Constitution of Louisiana, to read as follows:

§10.8. Millennium Trust

Section 10.8. Millennium Trust

\* \* \*

(C) Appropriations.

\* \* \*



1 department shall review such plans for compliance with the requirements of this  
2 Subparagraph and to assure that the expenditure plans will support excellence in  
3 educational practice. No funds may be distributed to ~~any school or school system~~  
4 a recipient entity until its plan has received both legislative and departmental  
5 approval as provided by law.

6 \* \* \*

7 Section 2. Be it resolved by the Legislature of Louisiana, two-thirds of the members  
8 elected to each house concurring, that there shall be submitted to the electors of the state of  
9 Louisiana, for their approval or rejection in the manner provided by law, a proposal to repeal  
10 Article VII, Section 10.8(C)(3)(d) of the Constitution of Louisiana.

11 Section 3. Be it further resolved that this proposed amendment shall be submitted  
12 to the electors of the state of Louisiana at the statewide election to be held on October 12,  
13 2019.

14 Section 4. Be it further resolved that on the official ballot to be used at the election,  
15 there shall be printed a proposition, upon which the electors of the state shall be permitted  
16 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as  
17 follows:

18 Do you support an amendment to provide for appropriations from the  
19 Education Excellence Fund for the Louisiana Educational Television  
20 Authority, Thrive Academy, and laboratory schools operated by public  
21 postsecondary education institutions? (Amends Article VII, Section  
22 10.8(C)(3)(b), (c), and (g); Repeals Article VII, Section 10.8(C)(3)(d))

---

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

---

HB 62 Engrossed 2019 Regular Session Steve Carter

**Abstract:** Provides for appropriations from the Education Excellence Fund for the Louisiana Educational Television Authority, Thrive Academy and laboratory schools operated by certain entities.

Present constitution provides for one-third of all monies received as a result of the Master Settlement Agreement of tobacco litigation, which are deposited into the Millennium Trust, and one-third of the investment earnings on such money to be credited to the Education Excellence Fund. Provides for appropriations from the Education Excellence Fund as follows:

- (1) 15% shall be appropriated to the state superintendent of education for distribution to private elementary and secondary schools approved by the State Bd. of Elementary and Secondary Education (BESE).
- (2) Appropriations to the La. School for the Deaf, La. School for the Visually Impaired, La. School for Math, Science & Arts, the La. Special Education Center, the New Orleans Center for Creative Arts, and the Louis Armstrong High School for the Arts shall be \$75,000 plus the average per pupil amount paid to public schools.
- (3) Appropriations equal to the average per pupil amount paid to public schools are authorized for certain charter schools and alternative schools.
- (4) All remaining monies shall be appropriated for each city, parish, and other local school system on a pro rata basis based on the ratio of the student population of that school or school system to that of the total state student population.

Present constitution restricts appropriations from the Education Excellence Fund for the purposes of pre-kindergarten through twelfth grade instructional enhancement, including early childhood education, remedial instruction, and assistance to children who fail tests required by state law or rule for advancement to a succeeding grade, or other educational programs approved by the legislature. Prohibits use of monies for maintenance, renovations and capital improvements, salary increases, or to supplant other state or local funding. Requires each recipient school or school system to prepare and submit to the Dept. of Education a prioritized plan for expenditure of funds it expects to receive from the Education Excellence Fund. Provides that no funds may be distributed to a school or school system until its plan has been approved by the department and by the legislature.

Present constitution requires that amounts appropriated from the Education Excellence Fund which remain in the state treasury shall remain to the credit of the recipient school or school system at the close of each fiscal year, along with investment earnings on such amounts.

Proposed constitutional amendment adds that the La. Educational Television Authority shall receive an appropriation of \$75,000. Proposed constitutional amendment further adds that the Thrive Academy shall receive an appropriation of \$75,000 plus the average per pupil amount paid to public schools. Authorizes appropriations for laboratory schools approved by BESE and operated by public postsecondary education institutions equal to the average per pupil amount paid to public schools.

Proposed constitutional amendment changes the recipient of the Education Excellence Fund from a school or school system to an entity.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Oct. 12, 2019.

(Amends Const. Art. VII, §10.8(C)(3)(b), (c), and (g); Repeals Const. Art. VII, §10.0(C)(3)(d))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Add the La. Educational Television Authority as a recipient of the Education Excellence Fund with an appropriation of \$75,000 from the fund.
2. Change the recipient of the Education Excellence Fund from a school or school system to an entity.