

1 vote, may provide by law for the merger or consolidation of any such office, its
2 department, and functions with any other office or department in the executive
3 branch. No action of the legislature pursuant hereto shall reduce the term or
4 compensation of any incumbent elected official. By law enacted by two-thirds of the
5 elected members of each house, the legislature may reestablish any such office as
6 elective and, in that event, shall prescribe qualifications.

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
10 amend Article VIII, Section 2 of the Constitution of Louisiana, to read as follows:

11 §2. State Superintendent of Education

12 Section 2.(A) There shall be a state superintendent of education for public
13 elementary and secondary education who, ~~subject to provisions for appointment in~~
14 ~~lieu of election set forth in Article IV, Section 20, of this constitution,~~ shall be
15 elected for a term of four years. ~~If the office is made appointive, the State Board of~~
16 ~~Elementary and Secondary Education shall make the appointment.~~ He shall be the
17 administrative head of the Department of Education and shall implement the policies
18 of the State Board of Elementary and Secondary Education and the laws affecting
19 schools under its jurisdiction. The qualifications and other powers, functions, duties,
20 and responsibilities of the superintendent shall be provided by law. No person who
21 has served as state superintendent of education for more than two and one-half terms
22 in three consecutive terms shall be elected to the office for the succeeding term.

23 (B) Notwithstanding the provisions of Paragraph (A) of this Section, there
24 shall be an appointed state superintendent of education until noon on January 11,
25 2016, at which time an elected superintendent shall assume the office. The state
26 superintendent of education who will take office on January 11, 2016, shall be
27 elected at the time for election of members of the legislature in 2015.

1 Section 3. 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 4,
3 2014.

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

8 Do you support an amendment to provide that the state superintendent of
9 education shall be elected by the voters of the state and to provide that no
10 person who has served as state superintendent of education for more than two
11 and one-half terms in three consecutive terms shall be elected to the office
12 for the succeeding term? (Amends Article IV, Section 20 and Article VIII,
13 Section 2)

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)]

Harrison

HB No. 125

Abstract: Provides that the state superintendent of education shall be elected rather than appointed; removes provisions authorizing the legislature, by 2/3 vote, to provide by law for appointment of the superintendent; and provides term limits for the state superintendent of education.

Present constitution provides that the state superintendent of education shall be elected by the state's electors for a term of four years but authorizes the legislature to provide for the appointment, in lieu of election, of specified elected officials, including the state superintendent of education, by a law enacted by a 2/3 vote of the legislature. Provides that the legislature shall prescribe qualifications and method of appointment, should the office become appointive. Further provides that the legislature, by a 2/3 vote, may reestablish the office as elective. (Note: Acts 1985, No. 444, which became effective March 14, 1988, made the office of state superintendent of education appointive and provided for appointment of the superintendent by the State Board of Elementary and Secondary Education.)

Proposed constitutional amendment removes the office of state superintendent of education from the list of elected offices which may be made appointive by legislative enactment. Provides, however, that the office remains an appointive office until Jan. 11, 2016, when an elected superintendent will take office.

Proposed constitutional amendment further provides that no person who has served as state superintendent of education for more than two and one-half terms in three consecutive terms shall be elected to this office for the succeeding term.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 4, 2014.

(Amends Const. Art. IV, §20 and Art. VIII, §2)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Education to the original bill.

1. Adds term limits provision.