

Regular Session, 2013

SENATE BILL NO. 73

BY SENATOR WHITE

SCHOOLS. Constitutional amendment to grant the Southeast Baton Rouge community school system in East Baton Rouge Parish the same authority granted parishes relative to MFP funding and raising revenue for schools. (2/3 - CA13s1(A))

A JOINT RESOLUTION

Proposing to amend Article VIII, Section 13(D)(1) of the Constitution of Louisiana, to provide that for certain effects and purposes the Southeast Baton Rouge community school system in East Baton Rouge Parish shall be regarded and treated as a parish and shall have the authority granted parishes, including the purposes of certain funding and the raising of certain local revenues for the support of elementary and secondary schools; 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, for their approval or rejection in the manner provided by law, a proposal to amend Article VIII, Section 13(D)(1) of the Constitution of Louisiana, to read as follows:

§13. Funding; Apportionment

\* \* \*

(D)(1) Municipal and Other School Systems. For the effects and purposes of this Section, the Central community school system, **the Southeast Baton Rouge community school system**, and the Zachary community school system in East Baton

1 Rouge Parish, and the municipalities of Baker in East Baton Rouge Parish, Monroe  
 2 in Ouachita Parish, and Bogalusa in Washington Parish, and no others, shall be  
 3 regarded and treated as parishes and shall have the authority granted parishes.  
 4 Consistent with Article VIII of this constitution, relevant to equal educational  
 5 opportunities, no state dollars shall be used to discriminate or to have the effect of  
 6 discriminating in providing equal educational opportunity for all students.

7 \* \* \*

8 Section 2. Be it further resolved that this proposed amendment shall be submitted  
 9 to the electors of the state of Louisiana at the first statewide election occurring after the  
 10 adoption of this Joint Resolution.

11 Section 3. Be it further resolved that on the official ballot to be used at said election  
 12 there shall be printed a proposition, upon which the electors of the state shall be permitted  
 13 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as  
 14 follows:

15 Do you support an amendment to grant the Southeast Baton Rouge  
 16 community school system in East Baton Rouge Parish the same authority  
 17 granted parishes for purposes of Article VIII, Section 13 of the Constitution  
 18 of Louisiana, including purposes related to the minimum foundation  
 19 program, funding for certain school books and instructional materials, and  
 20 the raising of certain local revenues for the support of elementary and  
 21 secondary schools? (Amends Article VIII, Section 13(D)(1))

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Alan Miller.

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#### DIGEST

White (SB 73)

Present constitution (Art. VIII, Sec. 13(D)(1)) states that for the effects and purposes of Art. VIII, Sec. 13, the Central community school system and 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. Further provides that no state dollars shall be used to discriminate or to have the effect of discriminating in providing educational opportunity for all students.

Proposed constitutional amendment retains present constitution and additionally provides

that for the effects and purposes of Art. VIII, Sec. 13, the Southeast Baton Rouge 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, Sec. 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.

Specifies submission of the amendment to the voters at the first statewide election occurring after the adoption of this Joint Resolution.

(Amends Const. Art. VIII, Sec. 13(D)(1))