

By: Representative Reynolds

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 46

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO THE
2 MISSISSIPPI CONSTITUTION OF 1890, BY CREATING A NEW SECTION 205A
3 TO ESTABLISH A MINIMUM LEVEL OF FUNDING THAT THE LEGISLATURE MUST
4 PROVIDE FOR SUPPORT AND MAINTENANCE OF PUBLIC EDUCATION; AND FOR
5 RELATED PURPOSES.

6 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF
7 MISSISSIPPI, That the following amendment to the Mississippi
8 Constitution of 1890 is proposed to the qualified electors of the
9 state:

10 Amend the Mississippi Constitution of 1890 by creating a new
11 section to read as follows:

12 "Section 205A. The Legislature shall appropriate funds for
13 the support and maintenance of public education, kindergarten
14 through Grade 12, the state community and junior colleges and the
15 state institutions of higher learning, inclusive, at the following
16 minimum level:

17 (a) For fiscal year 2006, the Legislature shall
18 appropriate an amount that equals the percentage of the State
19 General Fund that the Legislature appropriated for public
20 education for fiscal year 2005.

21 (b) For fiscal year 2007, and for each fiscal year
22 thereafter until the total amount appropriated for public
23 education equals sixty-one percent (61%) of the State General
24 Fund, the Legislature shall appropriate an amount that equals the
25 amount described in paragraph (a) of this section plus an
26 additional amount that equals one-half percent (1/2%) of the
27 amount by which the State General Fund for the fiscal year in
28 which the appropriation is made exceeds the amount of the State



29 General Fund for the immediately preceding fiscal year. Once the
30 minimum amount required to be appropriated for public education
31 under this paragraph for any fiscal year reaches sixty-one percent
32 (61%) of the State General Fund, this minimum amount may not be
33 reduced for any subsequent fiscal year."

34 BE IT FURTHER RESOLVED, That this proposed amendment shall be
35 submitted by the Secretary of State to the qualified electors at
36 an election to be held on the first Tuesday after the first Monday
37 of November 2003, as provided by Section 273 of the Constitution
38 and by general law.

39 BE IT FURTHER RESOLVED, That the explanation of this proposed
40 amendment for the ballot shall read as follows: "This proposed
41 constitutional amendment establishes a minimum level of funding
42 that the Legislature must provide for support and maintenance of
43 public education. The amount appropriated for public education
44 for fiscal year 2006 must be not less than the percentage of the
45 State General Fund appropriated for public education for fiscal
46 year 2005. For each year thereafter, the minimum amount increases
47 by one-half percent until the amount appropriated equals sixty-one
48 percent of the State General Fund."

