

By: Representative Buck (5th)

To: Education

HOUSE BILL NO. 1053

1 AN ACT TO IMPOSE A MORATORIUM ON THE IMPLEMENTATION OF ALL
 2 NEW STATE PUBLIC EDUCATION LAWS AND REVISIONS TO EXISTING STATE
 3 PUBLIC EDUCATION LAWS THAT HAVE BEEN OR MAY BE PASSED BY THE
 4 MISSISSIPPI LEGISLATURE DURING THE 2010 REGULAR SESSION; TO CREATE
 5 A TASK FORCE TO STUDY ALL STATE PUBLIC EDUCATION LAWS IN ORDER TO
 6 ASCERTAIN EACH STATUTE'S POSITIVE OR NEGATIVE IMPACT ON EDUCATION,
 7 TO DEFINE THE TERM "STATE PUBLIC EDUCATION LAWS," TO PRESCRIBE THE
 8 COMPOSITION OF THE TASK FORCE, AND TO REQUIRE THE TASK FORCE TO
 9 SUBMIT A REPORT OF ITS FINDINGS AND RECOMMENDATIONS TO THE
 10 GOVERNOR AND LEGISLATURE BEFORE JANUARY 2, 2011; AND FOR RELATED
 11 PURPOSES.

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

13 **SECTION 1.** Except for the passage and implementation of this
 14 act, there is hereby imposed a moratorium on the implementation of
 15 all new state public education laws and revisions to existing
 16 state public education laws that have been or may be passed by the
 17 Mississippi Legislature during the 2010 Regular Session. (For
 18 purposes of this section, the phrase "state public education laws"
 19 means those acts of the Legislature which have been or will be
 20 codified as statutes under Title 37 of the Mississippi Code of
 21 1972, as amended, which pertain to Mississippi public schools and
 22 school districts and all other matters relating to the education
 23 of Mississippi students in prekindergarten through Grade 12.
 24 Notwithstanding the respective effective date of each act
 25 containing new and/or revisions to existing state public education
 26 laws, the new state public education laws and revisions to
 27 existing state public education laws shall not be implemented
 28 until the date on which the task force created under Section 2 of
 29 this act submits its report to the Legislature and Governor.

30 **SECTION 2.** (1) It is the intent of the Legislature and the
 31 expectation of each community in the state that all children



32 receive a quality public education and attend a school that
33 provides for this opportunity. To assist the Legislature in
34 shaping public policy to improve student outcomes and educational
35 opportunities for all students in the state, there is established
36 a task force to study all state public education laws. (For
37 purposes of this section, the phrase "state public education laws"
38 means those statutes codified under Title 37 of the Mississippi
39 Code of 1972, as amended, which pertain to Mississippi public
40 schools and school districts and all other matters relating to the
41 education of Mississippi students in prekindergarten through Grade
42 12. In reviewing the state public education laws, the task force
43 shall ascertain the positive or negative impact that each
44 individual statute or grouping of statutes on a specific topic has
45 upon the education of children in Mississippi. The task force
46 shall prepare a report on its findings with recommendations for
47 revisions to those statutes that the task force has identified as
48 adversely impacting public education in the State of Mississippi.

49 (2) The task force shall be composed of the following
50 fifteen (15) members:

51 (a) The Chairmen of the House and Senate Education
52 Committees;

53 (b) The Chairmen of the House and Senate Appropriations
54 Committees;

55 (c) The State Superintendent of Public Education;

56 (d) The Director of the Office of Educational
57 Accountability, State Department of Education;

58 (e) A business leader in the state appointed by the
59 Speaker of the House of Representatives from the Third Supreme
60 Court District;

61 (f) A business leader in the state appointed by the
62 Lieutenant Governor from the First Supreme Court District;

63 (g) A business leader in the state appointed by the
64 Governor from the Second Supreme Court District;



65 (h) The Director of the Mississippi Economic Council,
66 or his designee;

67 (i) The superintendent of a local public school
68 district appointed by the Lieutenant Governor;

69 (j) A member of a local public school board appointed
70 by the Speaker of the House of Representatives;

71 (k) A classroom teacher in a public school who has five
72 (5) or more years' teaching experience in the public schools,
73 appointed by the State Superintendent of Public Education;

74 (l) A parent of a child who is a student in a public
75 school, appointed by the Governor; and

76 (m) A representative of the Governor's office.

77 (3) Appointments to the task force must be made within
78 thirty (30) days after the effective date of this act. Within
79 fifteen (15) days after the expiration of the period for making
80 appointments, on a day to be designated by the State
81 Superintendent of Public Education, the task force shall meet and
82 organize by selecting from its membership a chairman and a vice
83 chairman. The vice chairman also must serve as secretary and be
84 responsible for keeping all records of the task force. A majority
85 of the membership of the task force shall constitute a quorum. In
86 the selection of its officers and the adoption of rules,
87 resolutions and reports, an affirmative vote of a majority of the
88 task force shall be required. All members must be notified in
89 writing of all meetings at least five (5) days before the date on
90 which a meeting of the task force is scheduled.

91 (4) The task force may contract for any professional
92 services that it deems necessary to complete its work. The
93 Legislature shall appropriate sufficient funding to the State
94 Department of Education for the contractual costs and travel
95 associated with attending meetings and for the on-site visits to
96 school districts.



97 (5) Members of the task force who are not legislators, state
98 officials or state employees shall be compensated at the per diem
99 rate authorized by Section 25-3-69 and reimbursed in accordance
100 with Section 25-3-41 for mileage and actual expenses incurred in
101 the performance of their duties. Legislative members of the task
102 force shall be paid from the contingent expense funds of their
103 respective houses in the same manner as provided for committee
104 meetings when the Legislature is not in session; however, no per
105 diem or expense for attending meetings of the task force may be
106 paid while the Legislature is in session. Task force members may
107 not incur per diem, travel or other expenses unless previously
108 authorized by vote at a meeting of the task force, which action
109 must be recorded in the official minutes of the meeting.
110 Nonlegislative members may be paid from any funds made available
111 to the task force for that purpose.

112 (6) The State Department of Education shall provide
113 appropriate staff to assist the task force with carrying out its
114 duties.

115 (7) Before January 2, 2011, the task force shall submit to
116 the Legislature and the Governor a written report of its findings
117 and recommendations. Upon presentation of its report, the task
118 force shall be dissolved.

119 **SECTION 3.** This act shall take effect and be in force from
120 and after its passage.

