

By Representative Arnold

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House Joint Resolution

A joint resolution proposing an amendment to Section 1 of Article IX and the creation of Section 22 of Article XII of the State Constitution relating to funding for public education.

Be It Resolved by the Legislature of the State of Florida:

That the amendment to Section 1 of Article IX and the creation of Section 22 of Article XII of the State Constitution set forth below is agreed to and shall be submitted to the electors of Florida for approval or rejection at the general election to be held in November 1998:

ARTICLE IX
EDUCATION

SECTION 1. System of public education.--

(a) Adequate provision shall be made by law for a uniform system of free public schools and for the establishment, maintenance and operation of institutions of higher learning and other public education programs that the needs of the people may require.

(b)(1) Adequate provision for funding public education shall be required in each fiscal year, and is defined as the appropriation of at least a minimum percentage of forty percent for public education from the total appropriations under Article III in each fiscal year, not including lottery proceeds or federal funds.

(2) The legislature may suspend the applicability of this subsection for any one fiscal year, or a portion of one

1 fiscal year, by passage of a separate bill that contains no
2 other subject, in which the legislature finds a compelling
3 public necessity to suspend this subsection. Passage of that
4 bill shall require a vote of approval of two-thirds of the
5 membership of each house.

6 (3) If any portion or application of this subsection
7 is held invalid for any reason, the remaining portion or
8 application, to the fullest extent possible, shall be severed
9 from the void portion and given the fullest possible force and
10 application.

11
12 ARTICLE XII

13 SCHEDULE

14 SECTION 22. Funding for education.--The amendment of
15 Section 1 of Article IX providing for funding of public
16 education shall take effect July 1, 2002.

17 BE IT FURTHER RESOLVED that in accordance with the
18 requirements of section 101.161, Florida Statutes, the title
19 and substance of the amendment proposed herein shall appear on
20 the ballot as follows:

21
22 FUNDING FOR PUBLIC EDUCATION

23 Effective July 1, 2002, requires appropriation of at
24 least 40 percent of total appropriations each year for public
25 education, excluding lottery proceeds and federal funds.
26 Allows the Legislature to suspend this requirement for any one
27 year or portion thereof by a separate bill approved by a
28 two-thirds vote.