

# Shreveport Times

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## Measure contains flawed language

*Staff*

### EDITORIAL

Don't get local school officials talking about "unfunded mandates," a term perhaps rivaled in the world of political invective only by the often invoked expletive "activist judges."

But while someone's viewpoint of a meddling judiciary depends in part on whose side they're meddling in, those overseeing public education and taxpayers across-the-board often can mount a more convincing argument about federal and state laws "" mandates "" that carry price tags but no revenue.

Consider the frustrations of the federal No Child Left Behind initiative, perhaps a useful prod for states where accountability was on the back burner, but a roiling pot of frustration for Louisiana educators who were already trying to implement and fund state reforms.

So it's a good idea, isn't it, to have a constitutional amendment that would prevent a state law from going into effect unless the state provides both for a local source of revenue necessary for implementation and that local government authorizes its collection?

Well, probably, unless the proposed amendment carries a "drafting error" that could create a contradiction of its intended purpose. And that's what the omission of a little five letter word, "until," could do, say critics of Amendment 9 on the Sept. 30 ballot.

If passed, the amendment might prohibit the Legislature from providing state funds for any future mandated spending increases, according to an analysis issued by the Public Affairs Research Council.

Despite the urging of some local school board members and administrators that the spirit of the idea is sufficient for passage, our state constitution already groans under a load of too many better written amendments than to add one we may have to fix next fall.

And for those who think school districts sometimes are in financial straits because they don't handle their dollars well or their priorities aren't properly aligned, this amendment could harm the state's ability to enforce statewide reforms without coming across with revenue. This amendment, by the way, could be overridden with a two-thirds majority of the Legislature.

School boards are seeking the same protection against mandates that was granted to other local government bodies in a 1991 amendment. But critics say that amendment has made "little practical difference" and has been an "ineffective deterrent" to state mandates, PAR reports.

Online

Public Affairs Research Council: [la-par.org](http://la-par.org)

Council for a Better Louisiana: [cabl.org](http://cabl.org)