

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 43

2015 Regular Session

Appel

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

BESE. Provides relative to the adoption of BESE rules and the role of legislative committees and the governor for oversight purposes. (See Act)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Clarify that BESE's rulemaking requirements apply to actions pursuant to its constitutional and statutory responsibilities.
2. Makes technical changes.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

SB 43 Reengrossed

2015 Regular Session

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Present law requires that state agencies comply with the rulemaking procedures set forth in the Administrative Procedure Act (APA)

Proposed law requires BESE to adopt rules in accordance with the APA for any program, statement, guideline, or requirement for conduct or action prescribed by the board, the state superintendent of education, and the state Dept. of Education.

Proposed law requires each rule proposed by BESE to adopt, amend, suspend, or repeal state content standards for use in public elementary and secondary schools be submitted to the Senate and House education committees for review, in accordance with the APA. Provides that state content standards proposed to be adopted by rule shall not be subject to severability in consideration by a legislative committee or the governor in oversight determinations.

Present law provides that legislative review of the rulemaking authority is delegated to state agencies, the legislature, and by Concurrent Resolution and limits suspension and repeal authority only to such a rule in its entirety and prohibits the legislature from amending the rule.

Proposed law, as it relates to a BESE rule for state content standards, limits the authority of the governor to a veto or suspension of such a rule in its entirety.

Provides that proposed law is effective if House Bill No. 373 and House Bill No. 542 of the 2015 R.S. become effective.

(Amends R.S. 49:969 and 970; Adds R.S. 17:6.1 and R.S. 49:968.1)

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