

Regular Session, 1997

HOUSE BILL NO. 549

BY REPRESENTATIVES RIDDLE, A. ALEXANDER, CARTER,
GUILLORY, MCCALLUM, AND THOMPSON

HOSPITALS/CHARITY: (Constitutional Amendment) Authorizes the legislature to provide by law for the operation and management of public hospitals and their programs by any higher education board except those operated by a higher education board prior to January 1, 1997

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

A JOINT RESOLUTION

Proposing to add Article VIII, Section 16 of the Constitution of Louisiana, to authorize the legislature to provide by law for the operation and management of public hospitals and their programs by the Board of Regents or by any board having powers of management over public institutions of higher education; to exclude certain institutions and programs from such authorization; to provide for legislative oversight; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to add Article VIII, Section 16 of the Constitution of Louisiana, to read as follows:

§16. Public Hospitals

Section 16. Notwithstanding any provision of this Article to the contrary, the legislature may provide by law for the supervision, operation, and management of public hospitals and their programs by the Board of Regents or by any board having powers of management

1 over public institutions of higher education created by this Constitution
2 or pursuant to this Article. Such laws may include but shall not be
3 limited to laws providing for the submission and approval of capital
4 and operating budgets, appropriations and expenditures, the
5 supervision, management, and oversight of the hospitals and their
6 programs, and legislative review and disapproval of related rules. This
7 Section shall not apply to institutions and programs operated or
8 managed prior to January 1, 1997, by any higher education
9 management board created by this Article.

10 Section 2. Be it further resolved that this proposed amendment shall be
11 submitted to the electors of the state of Louisiana at the congressional primary
12 election to be held in 1998.

13 Section 3. Be it further resolved that on the official ballot to be used
14 at said election there shall be printed a proposition, upon which the electors
15 of the state shall be permitted to vote FOR or AGAINST, to amend the
16 Constitution of Louisiana, which proposition shall read as follows:

17 To authorize the legislature to provide by law for the
18 supervision, operation, and management of public hospitals and
19 their programs by the Board of Regents or any public higher
20 education management board created by or pursuant to the
21 constitution except any institutions and programs operated and
22 managed by any such board prior to January 1, 1997. (Adds
23 Article VIII, Section 16)

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument.

Riddle, et al.

HB No. 549

Present constitution (Art. VIII, §8) creates the Board of Regents and requires the board to plan, coordinate, and have budgetary responsibility for all public higher education. Specifies that the board shall have other powers, duties, and responsibilities as provided by law. Further requires every higher education management board to submit to the Board of Regents an annual budget proposal for operational needs and for capital needs of each institution under the control of such management board. Requires the Board of Regents to submit its budget recommendations for all institutions of higher education in the state and to recommend priorities for capital construction and improvements.

Present constitution (Art. VIII, §§ 5, 6, 7) provides that powers of management over public institutions of higher education not specifically constitutionally vested in the Board of Regents are reserved to the management boards. Provides that subject to the powers vested in the Board of Regents, each management board shall supervise and manage the institutions, statewide agricultural programs, and other programs administered through its system.

Present constitution provides that appropriations for the institutions of higher education shall be made to and administered by the management boards and used solely as provided by law.

Proposed constitutional amendment authorizes the legislature, notwithstanding present constitution, to provide by law for the supervision, operation, and management of public hospitals and their programs by the Board of Regents or by any board having management powers over public institutions of higher education, including laws governing the submission of capital and operating budgets, appropriations and expenditures, the supervision, management, and oversight of the hospitals and programs of the hospitals, and legislative review and disapproval of related rules.

Proposed constitutional amendment does not apply to institutions and programs operated or managed by the Board of Regents or any higher education management board prior to January 1, 1997.

Provides for submission of the proposed amendment to the voters at the congressional primary election in 1998.

(Adds Const. Art. VIII, §16)