
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Diane M. Burkhart.

Dardenne (SB 1)

DIGEST

Present constitution establishes and provides for three higher education management boards subject to the coordinating, planning, and budgetary powers of the Board of Regents among which the management of all institutions of higher education, including all two-year colleges are divided. Provides that programs of vocational-technical training are under the supervision and control of the State Board of Elementary and Secondary Education.

Proposed constitutional amendment adopted by the legislature at the 1997 Regular Session which is to be proposed for approval by the electorate at the 1998 congressional primary election authorizes the legislature to provide by law for the creation, governance, management, and control of a community college system composed of public two-year higher education institutions and for the transfer by law of the supervision and control of two-year higher education institutions and programs from the three higher education management boards to any one of the three higher education management boards. Provides that prior to enacting legislation creating such a community college system, the 1997 proposed constitutional amendment, requires that the legislature first adopt by resolution a proposed plan for such a system. Requires that the adopted plan shall be submitted to the Board of Regents for the board's review and comment. Provides that the review include appropriate involvement by and consultation with the higher education management boards. Requires the Board of Regents to report its written findings and recommendations to the legislature within one year. Specifies that only after the report has been filed, or after one year if no report is filed, may legislation be enacted to create a community college system.

Proposed constitutional amendment establishes and provides for the Board of Supervisors of Technical and Community Colleges to manage the La. Technical and Community College System, subject to the planning, coordinating, and budgeting responsibility of the Board of Regents. Provides that the system shall be comprised of divisions within which all public programs of postsecondary vocational-technical training, and, as provided by law, institutions of higher education which offer associate degrees but not baccalaureate degrees shall be supervised and managed.

Expands the authority of the Board of Regents from higher education institutions to all institutions of postsecondary education, including the authority regarding the formulation and adoption of a master plan and the consideration of budgets.

Provides that the creation of any new institution of postsecondary education, including establishing branches or converting any nondegree granting institution to an institution which grants degrees or converting any college or university which is limited to offering degrees of lower rank than baccalaureate to one that offers baccalaureate degrees or merging any postsecondary institution into any other postsecondary institution, establishing a new management board and transferring a college or university from one board to another requires a request for a Board of Regents report, the receipt of the report or the passage of one year, and a two-thirds vote of the elected members of both houses.

Deletes the authority of BESE over programs of vocational-technical training schools. Assigns public institutions exclusively or predominately offering programs of postsecondary vocational-technical training to the new system and specifies that such institutions may not be transferred from such system.

Specifies that any nondegree program offered under the management and supervision of the Board of Supervisors of Technical and Community Colleges requires no approval beyond such board.

Provides for the board to be composed of two members from each congressional district and one from the state at large appointed by the governor subject to Senate confirmation and one student as provided by law. Provides six-year overlapping terms after initial terms as assigned by the governor. Provides for the filling of vacancies. Provides that the board should be representative of the state's population by race and gender.

Requires that appropriations from the state general fund for those institutions managed by the LSU board, the SU board, and the Trustees in 1998 for the 1999-2000, 2000-2001, and 2001-2002 fiscal years shall be no less than such appropriations for those same institutions in FY 1998-1999. Provides for the same appropriation minimums for the total of all postsecondary vocational-technical education provided that in any fiscal year state general fund revenues are not less than the state general fund revenues of fiscal year 1998-1999 as determined by the Revenue Estimating Conference.

Proposed constitutional amendment provides for the allocation of money for postsecondary educational purposes by the Board of Regents out of the monies appropriated out of the Louisiana Quality Education Support Fund. Specifies that one of the purposes for which the regents may allocate such money is vocational-technical skill training.

Proposed constitutional amendment provides that the proposed constitutional amendment adopted by the legislature at the 1997 Regular Session which is to be proposed for approval by the electorate at the 1998 congressional primary election is repealed and the proposition withdrawn from such election.

Proposed constitutional amendment provides that upon approval by the electorate the proposal is effective for all purposes 20 days after proclamation of the adoption of such amendment by the electorate, except the actual transfer of authority over the constituent institutions. Provides that the actual transfer of jurisdiction over the constituent institutions and programs shall be effective July 1, 1999.

Specifies submission of the amendment to the voters at the congressional primary election in 1998.

(Adds Const. Art. VIII, Sec. 7.1; amends Const. Art. VII, Sec. 10.1 (C)(2) and (3), (D)(1) intro para, (D)(1)(c), (D)(2) intro para, and (D)(2)(a) and (c), and Art. VIII, Sec. 3(A), 5(A), (D) intro para, (D)(3), (4), and (5), and (E))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the original bill.

1. Requires rather than authorizes the creation of separate divisions for postsecondary vocational-technical training and institutions of higher education.

2. Deletes elimination of the present constitution requirement for a Board of Regents study or the passage of one year and a vote by 2/3rds of the elected members of both houses in order to transfer colleges and universities from one management board to another and to establish a new management board.
3. Establishes a requirement for a Board of Regents study or the passage of one year and a vote of 2/3rds of both houses to merge any institution of postsecondary education into any institution of postsecondary education.
4. Specifies that the establishment of a new institution of postsecondary education includes converting any nondegree granting institution to a degree-granting one or converting any associate degree only college to one that offers baccalaureate degrees.

Senate of Floor Amendments to the engrossed bill

1. Revises board membership to two members from each congressional district and one at large appointed by the governor and one student as provided by law.
2. Eliminates all authority for board members to be selected by other boards pursuant to law or as provided by law.
3. Specifies that the board be representative of the state's population by race and gender.
4. Includes vocational-technical skill training improvement among those purposes for which the Board of Regents may allocate 8(g) money.
5. Adds a provision to the guarantee of the 1998-1999 base of funding for all of vo-tech that the guarantee holds only if the 1998-1999 amount of state general fund revenues are maintained at the 1998-1999 level.