

Regular Session, 2013

SENATE BILL NO. 118

BY SENATOR APPEL

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

POSTSECONDARY ED. Provides relative to the use, expenditure, or allocation of funds appropriated to public postsecondary education management boards. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 17:3351(A)(3), relative to the powers, duties, and functions of  
3 public postsecondary education management boards; to provide relative to the  
4 authority of such boards with respect to the allocation and expenditure of  
5 appropriated funds; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:3351(A)(3) is hereby amended and reenacted to read as follows:

8 §3351. General powers, duties, and functions of ~~college and university~~  
9 **postsecondary education management** boards

10 A. Subject only to the powers of the Board of Regents specifically  
11 enumerated in Article VIII, Section 5 of the Constitution of Louisiana, and as  
12 otherwise provided by law, each postsecondary system management board as a body  
13 corporate shall have authority to exercise power necessary to supervise and manage  
14 the day-to-day operations of institutions of postsecondary education under its  
15 control, including but not limited to the following:

16 \* \* \*

17 (3)(a) Receive and expend or allocate for expenditure to the institutions

1 under its jurisdiction all monies appropriated or otherwise made available for  
 2 purposes of the board or the institutions under its jurisdiction according to the master  
 3 plan for ~~higher~~ **postsecondary** education, **the funding formula adopted by the**  
 4 **Board of Regents, and, except as otherwise provided in the general or a**  
 5 **supplemental appropriations bill, the Board of Regents' budget**  
 6 **recommendations. However, each board may redirect an amount not to exceed**  
 7 **five percent of the allocations specified by the formula for each institution under**  
 8 **its control to address specific issues that arise during the budget allocation**  
 9 **process.**

10 **(b) Nothing in this Section shall impose an obligation on the legislature**  
 11 **to fund the outcomes-based formula developed by the task force.**

12 \* \* \*

13 Section 2. This Act shall become effective upon signature by the governor or, if not  
 14 signed by the governor, upon expiration of the time for bills to become law without signature  
 15 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 16 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 17 effective on the day following such approval.

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The original instrument was prepared by Jeanne Johnston. The following digest, which does not constitute a part of the legislative instrument, was prepared by McHenry Lee.

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#### DIGEST

Appel (SB 118)

Present law grants certain powers and duties to the postsecondary education management boards, including the power to receive, spend, and allocate monies appropriated or otherwise made available to them. Provides that such authority is subject to the master plan for postsecondary education.

Proposed law retains present law and provides that the power to receive, spend, and allocate monies is also subject to the funding formula adopted by the Board of Regents and, unless otherwise provided in an appropriations bill, the board's budget recommendations. Further, permits a management board to redirect an amount not to exceed 5% of the specified formula allocation to address specific issues that may arise during the budget allocation process.

Proposed law provides that the legislature will not be obligated to fund the outcomes-based formula developed by the task force. .

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 17:3351(A)(3))

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Adds provision that prevents the legislature from being obligated to fund the outcomes-based formula developed by the task force.