

Regular Session, 2014

SENATE BILL NO. 177

BY SENATOR APPEL

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 under

1 its jurisdiction all monies appropriated or otherwise made available for purposes of
 2 the board or the institutions under its jurisdiction according to the master plan for
 3 ~~higher~~ **postsecondary** education, **the funding formula adopted by the Board of**
 4 **Regents, and, except as otherwise provided in the general or a supplemental**
 5 **appropriations bill, the Board of Regents' budget recommendations.**

6 **(b)(i) Notwithstanding the provisions of Subparagraph (a) of this**
 7 **Paragraph, each board may redirect an amount not to exceed five percent of the**
 8 **allocation specified by the formula for each institution under its control to**
 9 **address specific issues that might arise during the budget allocation process.**

10 **(ii) An amount greater than five percent of the allocation specified by the**
 11 **formula for each institution may be redirected in the event of a natural disaster**
 12 **or other emergency situation, as certified by the Board of Regents and approved**
 13 **by the Joint Legislative Committee on the Budget.**

14 * * *

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

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Jeanne C. Johnston.

DIGEST

Appel (SB 177)

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.

Proposed law permits a management board to redirect an amount not to exceed 5% of the specified formula allocation for each institution to address specific issues that might arise during the budget allocation process. Further provides that an amount greater than five percent of the allocation specified by the formula for each institution may be redirected in

the event of a natural disaster or other emergency situation, as certified by the Board of Regents and approved by the Joint Legislative Committee on the Budget.

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

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