SLS 14RS-34 **ORIGINAL**

Regular Session, 2014

SENATE BILL NO. 420

BY SENATOR CLAITOR

COLLEGES/UNIVERSITIES. Eliminates the Tulane legislative scholarships. (See Act)

AN ACT

To amend Section 6 of Act No. 43 of the 1884 Regular Session of the Legislature as amended by Act No. 606 of the 1982 Regular Session of the Legislature, relative to granting of free tuition by Tulane University; to remove provisions and authority for nomination of students by legislators to receive free tuition and provisions for granting free tuition to such students; to provide for implementation and effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1.(A) Except as provided in Subsection B of this Section, Tulane University shall not grant free tuition pursuant to the provisions of Act No. 43 of the 1884 Regular Session of the Legislature as amended for all or part of the 2015-2016 academic year or thereafter for any student nominated for such free tuition by a legislator.

(B) Notwithstanding the provisions of Subsection A of this Section, if a student receives free tuition pursuant to Act No. 43 of the 1884 Regular Session of the Legislature as amended during the 2014-2015 academic year, Tulane University shall grant the student free tuition for all or part of the 2015-2016 academic year or any academic year thereafter, if the student is nominated in accordance with the Act for such free tuition; however, no

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

student shall be granted free tuition pursuant to this Subsection for more than three academic years or the number of academic years necessary to complete the bachelor's degree, whichever is fewer.

Section 2. Section 6 of Act No. 43 of the 1884 Regular Session of the Legislature as amended by Act No. 606 of the 1982 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

Section 6.**(A)** ~~That in~~ **In** consideration of the vesting of the administration of the University of Louisiana in the ~~said~~ Administrators of the "Tulane Education Fund," of the transfer of the rights, powers, privileges, franchises, and immunities of the ~~said~~ University to said Administrators, and of the exemption from all taxation as ~~hereinabove~~ provided **in this Act**, the ~~said~~ Administrators hereby agree and bind themselves, with the revenues and income of the property heretofore given them by Paul Tulane, Esq., as well as from the revenues of all other property, real, personal, or mixed, hereafter to be held, owned, or controlled by them, for the purposes of education, to develop, foster, and maintain, to **the** best of their ability and judgment, the University of Louisiana, hereafter to be known as the "Tulane University of Louisiana," and upon the adoption of the Constitutional Amendment aforesaid, to perpetually use the powers conferred by this Act, and all power vested in them, for the purpose of creating and maintaining in the city of New Orleans a great University, devoted to the intellectual, moral**,** and industrial education and advancement of the youth of this state, under the terms of the donation of Paul Tulane, and the previous provisions of this Act.

(B) The ~~said~~ Board further ~~agree and bind themselves~~ **agrees and binds itself** to waive all legal claim upon the State of Louisiana for any appropriation, as provided in the Constitution of this state, in favor of the University of Louisiana. ~~Besides the waiver of the claim, as aforesaid, as an additional consideration between the parties to this Act, the said Board agrees to give continuously, in the academic department, free tuition to students nominated by members of the legislature. Each member of the legislature shall have the right to nominate one student from among~~

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

~~the citizens of the state. Each nominee shall comply with the requirements for admission established by said Board. The meaning of this provision being that each member of the General Assembly, whether Senator or Representative, shall have the right of appointing one student, in accordance with the foregoing provisions. The free tuition herein provided for shall continue for a period not to exceed the time remaining in the term of the nominating legislator from the time such appointment begins, unless his scholarship has ceased from other causes. Nothing herein shall prohibit the appointment of the same student in successive years. Whenever a scholarship becomes vacant, from any cause, the Senator or Representative who appointed the previous student, or his successor shall, in the manner prescribed by this section, immediately name a successor.~~

Section 3.(A) The provisions of Section 1 of this Act and of this Section shall become effective upon signature of this Act by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and subsequently approved by the legislature, Section 1 of this Act and this Section shall become effective on the day following such approval.

(B) The provisions of Section 2 of this Act shall become effective on July 1, 2018.

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

DIGEST

Claitor (SB 420)

Present law (Acts 1884, No. 43 as amended by Acts 1982, No. 606) provides for the administrators of Tulane University (referred to as the board) to give free tuition to students nominated by legislators. This is in consideration of the vesting of the administration of the then University of Louisiana in the Tulane board, of the transfer of the rights, powers, privileges, franchises, and immunities of that university to the Tulane board, and of the exemption of the university from certain taxation as provided in the Act, as well as the board's waiver of all legal claim upon the state for any appropriation in favor of the University of Louisiana.

Present law provides that each member of the legislature has the right to nominate one student from among the citizens of the state. Provides that each nominee shall comply with the requirements for admission established by the board. Provides that free tuition shall continue for a period not to exceed the time remaining in the term of the nominating legislator from the time such appointment begins, unless the scholarship has ceased from other causes. Provides that appointment of the same student in successive years is not

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.

prohibited. Requires that when a scholarship becomes vacant from any cause, the senator or representative who appointed the previous student, or his successor, shall immediately name a successor.

Proposed law provides that Tulane University shall not grant free tuition pursuant to present law for all or part of the 2015-2016 academic year or thereafter for any student nominated for such free tuition by a legislator. Provides for granting free tuition to students who receive free tuition during the 2014-2015 academic year, if nominated as provided in present law, for three academic years or the number of academic years necessary to complete the bachelor's degree, whichever is fewer.

Proposed law removes present law that provides for granting of free tuition to students nominated by legislators.

Provisions prohibiting granting free tuition beginning with the 2015-2016 academic year are effective upon signature of governor or lapse of time for gubernatorial action. Provisions amending law to remove authority for granting free tuition are effective July 1, 2018.

(Amends Section 6 of Act No. 43 of the 1884 R.S., as amended by Act No. 606 of the 1982 R.S.)

Coding: Words which are ~~struck through~~ are deletions from existing law; words in **boldface type and underscored** are additions.