2016 Regular Session

HOUSE BILL NO. 842

BY REPRESENTATIVE BROADWATER

1	AN ACT
2	To amend and reenact R.S. 17:3021, 3023(A)(introductory paragraph), (1), (2)(a) and
3	(b)(introductory paragraph), (4) through (10) and (B), 3023.1(C), (D), and (E),
4	3023.3, 3023.4(A), 3023.6, 3023.7, 3023.8, 3024, 3024.1, 3024.2, 3031, 3093(A) and
5	(B), 3452, 3453.1(A) and (C), 3454(A), (B)(introductory paragraph), (6), (9), and
6	(13), (C), and (D), 3455, and 3456, R.S. 36:651(BB), and R.S. 51:2211(A), 2212(2),
7	2213(D) and (F), and 2215(A) and to repeal R.S. 17:3022, 3023.9, 3025, 3035, and
8	3453, R.S. 36:651(M) and (CC), 801.4, and 802.23, and 51:2214(A) through (F); to
9	abolish the MediFund Board and to transfer its powers and duties to the Board of
10	Regents; to abolish the Louisiana Student Financial Assistance Commission and
11	transfer its powers and duties to the Board of Regents; to abolish the Executive
12	Board of the Louisiana Marine Consortium for Research and Education and transfer
13	its powers and duties to the Board of Regents; to provide relative to the governance
14	of the Louisiana Tuition Trust Authority; to provide relative to the transfer of the
15	powers, obligations, and property of the abolished boards; to require reports on
16	implementation; and to provide for related matters.
17	Be it enacted by the Legislature of Louisiana:
18	Executive Board of the Louisiana Universities Marine Consortium for Research and
19	Education
20	Section 1.(A) R.S. 17:3452, 3453.1(A) and (C), 3454(A), (B)(introductory
21	paragraph), (6), (9), and (13), (C), and (D), 3455, and 3456 are hereby amended and
22	reenacted to read as follows:

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1	§3452. Louisiana Universities Marine Consortium for Research and Education;
2	creation; membership
3	The Louisiana Universities Marine Consortium for Research and Education,
4	referred to hereinafter as the consortium, is hereby created as a body corporate under
5	the authority of the Board of Regents to be administered by an executive board as
6	provided in this Chapter hereafter to be referred to as the board in this Chapter.
7	§3453.1. Science and Education Advisory Council; creation; membership; duties
8	A. The Science and Education Advisory Council is hereby created to provide
9	advice and information as requested by the executive board.
10	* * *
11	C. The advisory council shall meet as necessary to respond to requests from
12	the executive board as well as to provide the board with the benefit of perspectives
13	represented on the council.
14	§3454. Louisiana Universities Marine Consortium for Research and Education;
15	governance, funding
16	A. The Louisiana Universities Marine Consortium for Research and
17	Education shall be subject to the governance of the Board of Regents. The board
18	shall serve as fiscal agent for the consortium and shall review and approve the
19	consortium's budgetary request and operating budget and shall review and approve
20	all funds appropriately awarded or bequeathed to the consortium. The executive
21	board of the consortium shall prepare and submit all budget requests and other
22	budgetary documents required by the Board of Regents for its approval. All funds
23	appropriated to the consortium shall be appropriated as a separate line item within
24	the appropriation of the Board of Regents.
25	B. As the governing body of the Louisiana Universities Marine Consortium
26	for Research and Education, the executive board of the consortium shall have
27	authority to:
28	* * *
29	(6)(a) Except as otherwise provided in this Chapter, approve the appointment
30	of such administrative officers and other personnel as the executive board deems

1	necessary and designate their titles. In making its appointments, the executive board
2	shall give consideration to the recommendations of the executive director and, in
3	proper cases, to the head of any college or university affected by an appointment.
4	Appointments of classified employees shall be in conformity with applicable civil
5	service laws, rules, and regulations.
6	(b) The compensation of all officers and employees, except those classified
7	civil service employees, shall be fixed by the executive board and the officers so
8	appointed shall serve at the pleasure of the executive board.
9	* * *
10	(9) Affiliate with any institution giving any special course of instruction,
11	upon such terms as the executive board deems expedient, which terms may include
12	the retention by such institution of the control of property, faculty, and staff.
13	* * *
14	(13) Establish such subcommittees as may be necessary to assist the
15	executive board in the implementation of the provisions of this Chapter.
16	* * *
16 17	* * * C. The executive board may enter into contracts and agreements with any
17	C. The executive board may enter into contracts and agreements with any
17 18	C. The executive board may enter into contracts and agreements with any public agency for the establishment of state or other public offices on the property
17 18 19	C. The executive board may enter into contracts and agreements with any public agency for the establishment of state or other public offices on the property and in the buildings belonging to or under the control of the consortium. The
17 18 19 20	C. The executive board may enter into contracts and agreements with any public agency for the establishment of state or other public offices on the property and in the buildings belonging to or under the control of the consortium. The executive board also may enter into contracts and agreements for joint construction,
17 18 19 20 21	C. The executive board may enter into contracts and agreements with any public agency for the establishment of state or other public offices on the property and in the buildings belonging to or under the control of the consortium. The executive board also may enter into contracts and agreements for joint construction, equipment, maintenance, and financing of such buildings, and enter into contracts
 17 18 19 20 21 22 	C. The executive board may enter into contracts and agreements with any public agency for the establishment of state or other public offices on the property and in the buildings belonging to or under the control of the consortium. The executive board also may enter into contracts and agreements for joint construction, equipment, maintenance, and financing of such buildings, and enter into contracts and agreements for the joint financing, supervision, and conduct of cooperative
 17 18 19 20 21 22 23 	C. The executive board may enter into contracts and agreements with any public agency for the establishment of state or other public offices on the property and in the buildings belonging to or under the control of the consortium. The executive board also may enter into contracts and agreements for joint construction, equipment, maintenance, and financing of such buildings, and enter into contracts and agreements for the joint financing, supervision, and conduct of cooperative enterprises and undertakings.
 17 18 19 20 21 22 23 24 	C. The executive board may enter into contracts and agreements with any public agency for the establishment of state or other public offices on the property and in the buildings belonging to or under the control of the consortium. The executive board also may enter into contracts and agreements for joint construction, equipment, maintenance, and financing of such buildings, and enter into contracts and agreements for the joint financing, supervision, and conduct of cooperative enterprises and undertakings. D. The liability of any of the acts of the consortium or any of its employees,
 17 18 19 20 21 22 23 24 25 	C. The executive board may enter into contracts and agreements with any public agency for the establishment of state or other public offices on the property and in the buildings belonging to or under the control of the consortium. The executive board also may enter into contracts and agreements for joint construction, equipment, maintenance, and financing of such buildings, and enter into contracts and agreements for the joint financing, supervision, and conduct of cooperative enterprises and undertakings. D. The liability of any of the acts of the consortium or any of its employees, or persons associated with any property of the consortium, shall be the liability of the
 17 18 19 20 21 22 23 24 25 26 	C. The executive board may enter into contracts and agreements with any public agency for the establishment of state or other public offices on the property and in the buildings belonging to or under the control of the consortium. The executive board also may enter into contracts and agreements for joint construction, equipment, maintenance, and financing of such buildings, and enter into contracts and agreements for the joint financing, supervision, and conduct of cooperative enterprises and undertakings. D. The liability of any of the acts of the consortium or any of its employees, or persons associated with any property of the consortium, shall be the liability of the consortium as represented by the executive board.
 17 18 19 20 21 22 23 24 25 26 27 	C. The executive board may enter into contracts and agreements with any public agency for the establishment of state or other public offices on the property and in the buildings belonging to or under the control of the consortium. The executive board also may enter into contracts and agreements for joint construction, equipment, maintenance, and financing of such buildings, and enter into contracts and agreements for the joint financing, supervision, and conduct of cooperative enterprises and undertakings. D. The liability of any of the acts of the consortium or any of its employees, or persons associated with any property of the consortium, shall be the liability of the consortium as represented by the executive board. §3455. Executive director; appointment; functions
 17 18 19 20 21 22 23 24 25 26 27 28 	C. The executive board may enter into contracts and agreements with any public agency for the establishment of state or other public offices on the property and in the buildings belonging to or under the control of the consortium. The executive board also may enter into contracts and agreements for joint construction, equipment, maintenance, and financing of such buildings, and enter into contracts and agreements for the joint financing, supervision, and conduct of cooperative enterprises and undertakings. D. The liability of any of the acts of the consortium or any of its employees, or persons associated with any property of the consortium, shall be the liability of the consortium as represented by the executive board. §3455. Executive director; appointment; functions The executive board may appoint a chief administrative officer who shall be

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executive board and subject to the applicable civil service laws, rules, and
regulations of the state, appoint and remove all professional, research, technical,
clerical, and stenographic employees of the consortium. The compensation of the
executive director shall be fixed by the executive board. The executive director shall
serve as secretary to the executive board, the executive committee, and any
additional committees appointed by the executive board to assist in the
implementation of the provisions of this Chapter.
§3456. Annual report; master plan
A.(1) The executive board, in consultation with the Science and Education
Advisory Council, shall formulate a five-year master plan for the consortium's
marine science and education programs and initiatives and shall make timely
revisions to such plan as warranted and necessary.
(2) The initial master plan required by this Subsection shall be submitted to
the Board of Regents not later than February 1, 2013.
B.(1) On or before December thirty-first of each year, the executive director
shall submit an annual report of the activities of the consortium to the executive
board together with any additional information the executive board may require.
(2) The chair of the executive board, the executive director of the board, and
the chair of the Science and Education Advisory Council shall annually make a joint
report to the Board of Regents regarding the consortium's efficacy in achieving its
overall mission through implementation of the master plan.
(B) R.S. 17:3453 and R.S. 36:651(M) and 801.4 are hereby repealed in their entirety.
MediFund Board
Section 2.(A) R.S. 51:2211(A), 2212(2), 2213(D) and (F), and 2215(A) are hereby
amended and reenacted to read as follows:
§2211. Purpose and goals
A. The provisions of this Chapter establish the MediFund as a special fund
within the state treasury to support advancement of biosciences, biomedical, and
medical centers of excellence in Louisiana. The MediFund governing board Board
of Regents shall endeavor to achieve this purpose by coordinating and deploying

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1	public and private resources to strategically develop and enhance this state's
2	competitiveness in biosciences, biomedical, and medical centers of excellence.
3	* * *
4	§2212. Definitions
5	As used in this Chapter, the following terms shall have the meanings ascribed
6	to them below:
7	* * *
8	(2) "Board" means the MediFund governing board Board of Regents.
9	* * *
10	§2213. MediFund; creation
11	* * *
12	D. Subject to appropriation by the legislature to the MediFund Board
13	through the Board of Regents board, the monies in the fund shall be used solely for
14	the purposes provided in this Chapter. The monies appropriated by the legislature
15	and disbursed from the MediFund shall not displace, replace, or supplant funding for
16	higher education for a purpose for which a general fund appropriation was made in
17	the previous year unless the total appropriation for that fiscal year from the state
18	general fund for such purpose exceeds general fund appropriations for the previous
19	year.
20	* * *
21	F. Three percent of the balance of the fund or an amount not to exceed six
22	hundred thousand dollars, whichever is lesser, shall be used for administrative fees
23	to accomplish the purpose of this Chapter, as approved by the MediFund board.
24	* * *
25	§2215. MediFund program guidelines
26	A. The MediFund Program shall be administered by the Board of Regents
27	through its Sponsored Programs Unit, in accordance with the policies promulgated
28	by the MediFund Board board. All grant application review and grant selection
29	processes shall follow the competitive request for proposals process and external

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1	review process as may be utilized by the Sponsored Programs Unit, including
2	published criteria, so as to ensure impartial and merit-based grant selection.
3	* * *
4	(B) R.S. 36:651(CC) and 802.23 and R.S. 51:2214(A) through (F) are hereby
5	repealed in their entirety.
6	Louisiana Student Financial Assistance Commission
7	Section 3.(A) R.S. 17:3021, 3023(A)(introductory paragraph), (1), (2)(a) and
8	(b)(introductory paragraph), (4) through (10) and (B), 3023.1(C), (D), and (E), 3023.3,
9	3023.4(A), 3023.6, 3023.7, 3023.8, 3024, 3024.1, 3024.2, 3031, and 3093(A) and (B) are
10	hereby amended and reenacted to read as follows:
11	§3021. Louisiana Student Financial Assistance Commission Louisiana student
12	financial assistance; Board of Regents to administer
13	There is hereby created the Louisiana Student Financial Assistance
14	Commission. Any reference to the Governor's Special Commission on Education
15	Services in law or in any rule or regulation shall be deemed to apply to the Louisiana
16	Student Financial Assistance Commission. The purpose of such commission Board
17	of Regents, hereafter referred to in this Chapter as the board, shall is to supervise,
18	control, direct, and administer state and federal programs to provide loans to assist
19	persons in meeting the expenses of higher education, and state and federal
20	scholarship programs for higher education in accordance with the provisions of this
21	Chapter.
22	§3023. Powers and duties
23	A. The Louisiana Student Financial Assistance Commission board may:
24	(1) Guarantee the loan of money to lending agencies and/or any holders of
25	such loans, subject to the requirement of R.S. 17:3023.4 and upon such other terms
26	and conditions as the commission board may prescribe, for persons attending or
27	planning to attend institutions of higher education to assist them in meeting their
28	expenses of higher education, including graduate, professional, vocational, business,
29	or technical education.

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1	(2)(a) Pay to the lending agencies and/or any holders of such loans the
2	interest as prescribed in R.S. 17:3023.4, on loans made to students, as long as the
3	student is enrolled in any institution of higher learning approved by the commission
4	board, or for not in excess of three years during which the borrower is in the active
5	military service of the United States.
6	(b) When federal funds are available to refund the commission board for
7	payment of interest on student loans, periodic installment payments of principal may
8	be delayed, and interest may accrue and may be paid during any period:
9	* * *
10	(4) Reject or take or hold and administer, on behalf of the commission <u>board</u>
11	and for any of its purposes, real property, personal property, and monies, or any
12	interest therein, and the income therefrom, either absolutely or in trust, for any
13	purpose of the commission <u>board</u> . The commission <u>board</u> may invest its funds in
14	any investments in which funds of the state employees retirement system may be
15	invested pursuant to R.S. 11:517. The commission board may acquire property or
16	monies for its purposes by the acceptance of gifts, grants, appropriations, bequests,
17	devises, or loans.

18 (5) Enter into such contracts, as may be desirable, with institutions of higher
19 education, upon such terms as may be agreed upon between the commission board
20 and the institution, to provide for the administration by such institution of any loan
21 or loan plan guaranteed by the commission board, including but not limited to
22 applications therefor and repayment thereof.

23 (6) Enter into contracts with any bank or other lending agency and/or any 24 holder of such loan upon such terms as may be agreed upon between the commission 25 board and the bank or other lending agency or holder, to provide for the 26 administration by such bank or other lending agency or holder, of any loan or loan 27 plan guaranteed by the commission including but not limited to applications therefor 28 and terms of repayment thereof, and to establish the conditions for payment by the 29 commission board to the bank or other lending agency and/or the holder of the guarantee on any loan. A loan shall be defaulted when the bank or other lending 30

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1agency and/or holder makes application to the commission board for payment on the2loan stating that such loan is in default in accordance with the terms of a contract3executed under this Paragraph.

4

(7) Sue and be sued in the name of the commission board.

5 (8) Collect loans guaranteed by the commission board on which the
6 commission board has met its guarantee obligations.

7 (9) Adopt rules and regulations in accordance with the provisions of the 8 Administrative Procedure Act, not inconsistent with the provisions of this Chapter, 9 governing the guarantee, disbursement, and/or servicing of loans made by the 10 commission board, and governing any other matters relating to the activities of the 11 commission board. Such rules and regulations shall include procedures for the 12 denial of licenses, permits, and certificates required by the state to practice or engage 13 in a trade, occupation, or profession to applicants and renewal applicants in default 14 on the repayment of loans guaranteed by the commission board, for the conditional 15 issuance or renewal of such a license, permit, or certificate pending an applicant's 16 compliance with loan repayment requirements, and for other matters necessary to 17 implement the provisions of R.S. 37:2951.

18 (10) Perform such other acts as may be necessary or appropriate to carry out
19 effectively the objects and purposes of the commission this Chapter.

20

* * *

21 B. In addition to any other powers and duties authorized by this Section for 22 the Louisiana Student Financial Assistance Commission, the commission board shall 23 establish an internal audit function and shall establish an office of the chief audit 24 executive who shall be responsible for ensuring that the internal audit function 25 adheres to the Institute of Internal Auditors, International Standards for the 26 Professional Practice of Internal Auditing. The chief audit executive shall maintain 27 organizational independence in accordance with these standards and shall have direct and unrestricted access to the commission board. The chief audit executive shall 28 29 annually certify to the commission board that the internal audit function conforms

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1	to the Institute of Internal Auditors, International Standards for the Professional
2	Practice of Internal Auditing.
3	§3023.1. Credit unions, savings and loan associations, schools and insurance
4	companies as lending agencies
5	* * *
6	C. Savings and loan associations in Louisiana shall be empowered to make
7	student loans guaranteed by the commission board up to five percent of their assets
8	in accordance with the provisions of any federal law relating to federally insured
9	student loan programs.
10	D. Postsecondary schools in Louisiana shall be empowered to make student
11	loans guaranteed by the commission board in accordance with the provisions of the
12	Federal Higher Education Act of 1965 as amended or as hereafter amended.
13	E. Insurance companies domiciled, licensed, or registered to do business and
14	subject to examination and supervision by an agency of the state shall be empowered
15	to make student loans guaranteed by the commission board pursuant to the
16	provisions of applicable state laws and the provisions of the Federal Higher
17	Education Act of 1965, as amended or hereafter amended.
18	§3023.3. Loan of reserve funds
19	The Louisiana Student Financial Assistance Commission is empowered to
20	board may authorize the granting of guaranteed student loans made pursuant to the
21	provisions of this Chapter out of reserve funds of said commission available to the
22	board for such purpose, and shall have the authority to may sell or discount, or both,
23	said such loans to banks, credit unions, and other authorized lending institutions, at
24	such consideration and upon such terms as may be agreed upon by the commission
25	board.
26	§3023.4. Student loan guarantees
27	A. Notwithstanding any other provisions of law, the Louisiana Student
28	Financial Assistance Commission is hereby authorized to board may guarantee loans
29	made to students attending or planning to attend institutions of higher education,
30	including graduate, professional, vocational, business, or technical education, subject

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1	to the conditions, limitations, reinsurance provisions and in accordance with the
2	terms and provisions of and within the amounts established by 20 U.S.C. §1071 et
3	seq., or in accordance with the provisions of any federal law or regulations relating
4	to student loan guarantee or insurance programs, provided that the aggregate value
5	of all loans guaranteed and outstanding at any one time shall not exceed fifteen times
6	the total value of funds, investments, properties, and other assets of the commission
7	available to the board for such purpose, except that this guarantee may be further
8	expanded by use of federal credit.
9	* * *
10	§3023.6. Age does not bar loan
11	Any person otherwise qualifying for a loan guaranteed by the Louisiana
12	Student Financial Assistance Commission board shall not be disqualified by reason
13	of his being under the age of twenty-one, and for the purpose of applying for,
14	receiving, and repaying such a loan, any such person, notwithstanding the provisions
15	of any law to the contrary, shall be deemed to have full legal capacity to act and shall
16	have all the rights, powers, privileges, and obligations of a person of full age with
17	respect thereto.
18	§3023.7. Tax exemption
19	All property and income of the Louisiana Student Financial Assistance
20	Commission board used exclusively for the purposes of this Chapter shall be exempt
21	from all taxes and assessments.
22	§3023.8. Examination by commissioner of financial institutions
23	The Louisiana Student Financial Assistance Commission shall be board in
24	its actions pursuant to this Chapter is subject to examination by the commissioner of
25	financial institutions, but shall not be deemed to be a banking organization nor be
26	required to pay a fee for any such supervision or examination. The commission
27	board shall make an annual report of its condition to the governor, the legislature,
28	and the commissioner of financial institutions on or before June 3θ thirtieth.

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1	§3024. Acceptance and use of funds
2	The Louisiana Student Financial Assistance Commission board shall accept
3	any contributions or subsidies made to it from state funds and shall use the funds to
4	meet administrative expenses for any of its purposes and to provide a reserve fund
5	to guarantee loans made pursuant to the provisions of this Chapter and to pay interest
6	on guaranteed loans, as provided by R.S. 17:3023.
7	§3024.1. Student loans as security for deposit of public funds
8	Notes representing loans to students which are guaranteed by this
9	commission board in accordance with a contract agreement under the provisions of
10	this Chapter, may be pledged as collateral security for deposit of public funds as
11	required in R.S. 39:403 and R.S. 39:1221.
12	§3024.2. Appropriation for guaranteed student loan program
13	The legislature shall annually appropriate sufficient funds to pay those
14	eligible claims resulting from the guarantee of student loans by the Louisiana
15	Student Financial Assistance Commission board under this Chapter, but only to the
16	extent that anticipated federal reinsurance or reimbursement payments pursuant to
17	20 U.S.C. §1071 et seq., and any other monies available to the Louisiana Student
18	Financial Assistance Commission board for such purpose are insufficient to pay such
19	claims.
20	§3031. State student incentive grant; federal participation
21	A. The Louisiana Student Financial Assistance Commission is empowered
22	to board may administer the state student incentive grant program for student
23	financial aid as provided in Title IV of the Federal Higher Education Act, as
24	amended, and to prescribe appropriate rules and regulations applicable thereto. The
25	commission is authorized to board may enter into contracts or agreements with the
26	federal government for their financial participation in the program on such terms and
27	conditions as may be agreed upon by the commission board.
28	B. The commission is authorized to <u>board may</u> implement a program to train
29	and further acquaint administrators of financial aid and assistance with the federal
30	and state programs of student financial aid, pursuant to the Federal Higher Education

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1	Act as amended by Public Law 94-482. The commission board shall design and
2	develop this program in consultation with the statewide financial aid administrators
3	association. The commission board may provide appropriate rules and regulations
4	in order to execute this provision. The commission is authorized to board may enter
5	into contracts or agreements with the federal government for their financial
6	participation in the program on such terms and conditions as may be agreed upon by
7	the commission <u>board</u> .
8	* * *
9	§3093. Louisiana Tuition Trust Authority; creation; powers
10	A. There is hereby created the Louisiana Tuition Trust Authority, which,
11	under the authority of the Board of Regents, shall have the powers enumerated in this
12	Chapter.
13	B.(1) The Louisiana Tuition Trust Authority shall consist of be governed by
14	the Louisiana Student Financial Assistance Commission Board of Regents, except
15	as modified by Paragraph (2) of this Subsection, and hereinafter hereafter in this
16	Chapter shall be referred to as the authority. The authority shall operate under the
17	same laws, rules, and guidelines and with the same officer selection and employment
18	policies as the commission Board of Regents, except when inconsistent with this
19	Chapter. The commissioner of higher education or his designee shall serve as
20	chairman of the authority.
21	(2) The membership of the authority shall consist of the following persons:
22	(a) The members of the Louisiana Student Financial Assistance Commission
23	exclusive of the two persons appointed by the governor from names submitted by the
24	Louisiana Bankers' Association Board of Regents.
25	(b) <u>The commissioner of higher education or his designee.</u>
26	(c) An officer of a bank in Louisiana who is a member of the Louisiana
27	Bankers' Association and who is nominated by the association and appointed by the
28	governor.
29	(c) (d) One member of the House of Representatives appointed by the
30	speaker and one member of the Senate appointed by the president.

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(d) (e) The state treasurer who shall be an ex officio voting member of the authority.

3 (3) The authority shall meet at least annually at the call of the chairman and 4 at such other times as the chairman or the authority determines necessary. The 5 authority chairman may establish and delegate to an executive committee such duties 6 and responsibilities as the authority determines appropriate, except that the authority 7 may not delegate to the executive committee the final determination of the rate of 8 interest to be paid on education savings accounts of record at the close of the 9 calendar year. Upon such delegation, the executive committee shall have the 10 authority to act pursuant to such delegation without further approval or action by the 11 authority.

12 (4) A majority of the authority shall constitute a quorum of the authority, and 13 the affirmative vote of a majority of the members present shall be necessary for any 14 action taken by the authority. A majority of the executive committee shall constitute 15 a quorum of the executive committee, and the affirmative vote of a majority of the 16 executive committee members present shall be necessary for any action taken by the 17 executive committee. No vacancy in the membership of the authority or the 18 executive committee shall impair the rights of a quorum to exercise all rights and 19 perform all duties of the authority or the executive committee respectively.

(B) R.S. 36:651(BB) is hereby amended and reenacted to read as follows:
§651. Transfer of boards, commissions, departments, and agencies to Department of Education; boards, commissions, and agencies within Department of Education

* *

26BB. The Louisiana Student Financial Assistance Commission (R.S. 17:302127et seq.) is hereby abolished and its powers, duties, functions, and responsibilities are28hereby transferred to placed within the Board of Regents. and shall exercise and29perform its powers, duties, functions, and responsibilities in the manner provided for30agencies transferred in accordance with the provisions of R.S. 36:801.1. <u>All</u>

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1	reference in law to the Louisiana Student Financial Assistance Commission shall
2	refer to the Board of Regents.
3	* * *
4	(C) R.S. 17:3022, 3023.9, 3025, and 3035 are hereby repealed in their
5	entirety.

6 Section 4. The Board of Regents shall submit an annual written report for the next 7 three years to the House Committee on Education and the Senate Committee on Education 8 on the implementation of this Act. The board shall submit the report by March first of each 9 year from 2017 through 2019. The report shall include a statement of fiscal costs and 10 savings and revenue losses and gains attributable to implementation of this Act and analysis 11 of the impact of this Act on the programs transferred to the direct supervision of the Board 12 of Regents.

13 Section 5.(A) On the effective date of this Act, the Louisiana Student Financial 14 Assistance Commission, the MediFund Board, and the Executive Board of the Louisiana 15 Universities Marine Consortium for Research and Education, hereafter in this Section 16 referred to as the "prior boards" or individually as a "prior board" are abolished, and the 17 Board of Regents, hereafter in this Section referred to as "Regents" is, beginning on such 18 date, the successor to the prior boards for all purposes. The powers, duties, functions, 19 responsibilities, programs, and operations of the prior boards are transferred to, shall be 20 exercised by, and be under the administration and control of Regents.

21 (B) Any reference in laws and documents to a prior board shall be deemed to apply 22 to Regents. Any legal proceeding to which a prior board is a party and which is filed, 23 initiated, or pending before any court on the effective date of this Act, and all documents 24 involved in or affected by such a proceeding, shall retain their effectiveness and shall be 25 continued in the name of Regents. All further legal proceedings and documents in the 26 continuation, disposition, and enforcement of such legal proceedings shall be in the name 27 of Regents, and Regents shall be substituted for the prior board without necessity for 28 amendment of any document.

(C) This Act does not affect the effectiveness of any rule or policy of a prior board,
which shall remain effective as provided therein or until changed in accordance with law.

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1	(D) This Act shall not be construed or applied so as to impair the contractual or other
2	obligations of a prior board or of the state of Louisiana. All obligations of a prior board are
3	obligations of Regents. All dedications and allocations of revenues and sources of revenues
4	made to or for a prior board shall continue in the same manner, to the same extent, and for
5	the same purposes as were provided prior to the enactment of this Act until other provision
6	is made therefor. All books, papers, records, actions, and other property of every kind,
7	heretofore possessed, controlled, or used by a prior board are hereby transferred to Regents.
0	(E) Until athematics married hy Desents all smalleress an exceed in the neuformance

8 (E) Until otherwise provided by Regents, all employees engaged in the performance 9 of duties of a prior board are transferred to Regents and shall continue to perform such 10 duties, subject to policies and procedures of Regents, applicable state civil service laws, 11 rules, and regulations, and other applicable laws. Subject to such laws and rules, positions 12 in the unclassified service shall remain in the unclassified service.

(F) This Act shall not be construed or applied so as to prevent full compliance by
the state, or any department, office, or agency thereof, with the requirements of any act of
congress or any regulation made thereunder by which federal aid or other federal assistance
is made available.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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