

Present constitution (Art. VIII, Sec. 5(D)(4) and (5)) provides for the powers of the Board of Regents (BOR), including the power to formulate and make timely revision of a master plan for postsecondary education. Requires the plan, at a minimum, to include a formula for equitable distribution of funds to the institutions of postsecondary education. Further provides for the power to require that every postsecondary education board submit to the BOR, at a time it specifies, an annual budget proposal for the operational needs and for capital needs of each institution under the control of each board. Requires the BOR to submit its budget recommendations for all institutions of postsecondary education and recommend priorities for capital construction and improvements.

New law retains the powers of the BOR in present constitution.

Prior law (R.S. 17:3129) provided that the BOR may require that every higher education management board submit to it, at a time it specifies, an annual budget proposal for operational and capital needs of each institution under the control of each management board. Requires the BOR to submit to the governor and to the legislature its budget recommendations for all institutions of postsecondary education, including priorities for capital construction and improvements for such institutions. Required that the legislature consider the recommendations of the BOR regarding the budget for capital construction and improvements prior to adoption of the capital construction budget by the legislature for projects from such priority list. Provided for the appropriation of funds by the legislature for the operating and administrative expenses of the constitutionally created board. Provided that appropriations for the institutions of higher education be made to and administered by their managing boards.

New law retains prior law.

Prior law required the BOR to formulate and adopt a formula for distribution of funds appropriated by the legislature for deferred maintenance for all institutions of higher education and give priority to those institutions with preventive maintenance programs.

New law retains prior law but further requires that any funding formula for the ensuing year be reported to the Senate Committee on Education, the Senate Committee on Finance, the House Committee on Education, and the House Committee on Appropriations, not later than March 15th of each year.

Prior law (R.S. 17:3130(B)(1)) provided that the constitutional responsibilities of the BOR, including the development of a formula for equitable distribution of funds, apply to all public postsecondary institutions, including vocational-technical schools.

New law retains prior law, but removes obsolete reference to "vocational-technical schools," in that such technical colleges are considered as public postsecondary education institutions.

New law provides that, beginning with Fiscal Year 2011-2012, such formula for the ensuing year to be annually reported to the Senate Committee on Education, the Senate Committee on Finance, the House Committee on Education, and the House Committee on Appropriations, not later than March 15th of each year.

Prior law required that the format and content of the annual operating budget, the operational plan, and the budget request to be used by higher education agencies to be prescribed by the BOR, subject the approval of the division of administration, and developed in consultation with the chairmen of the House Committee on Appropriations and Senate Committee on Finance.

New law requires that the format and content of the operating budget and plan also be subject to the approval of both the House Committee on Appropriations and Senate Committee on Finance, instead of in consultation with the chairmen, but otherwise retains present law.

Prior law required each higher education agency to prepare an annual operating budget, which is subject to approval by both the appropriate management board and the BOR. Provided for the operating budget to contain, at a minimum, budgetary information on prior

year actual revenues and expenditures and current year budgeted revenues and expenditures, and the other budgetary information for the prior and current fiscal years.

New law retains prior law.

Prior law required the budget request submitted by the BOR to consist of the current approved annual operating budget and the operational plan for each higher education agency, and a funding request for the agency under the higher education funding formula most recently adopted by the BOR.

New law requires the budget request submitted to include the funding request under the funding formula most recently adopted by the BOR and reported to the legislature.

New law makes certain technical corrections in terminology from "higher" education to "postsecondary" education.

Effective August 15, 2010.

(Amends R.S. 17:3129(C) and (E), and 3130(B)(1), and R.S. 39:28(C) and 32.1; adds R.S. 17:3129(F))