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HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Tucker to Engrossed House Bill No. 537 by Representative Tucker

AMENDMENT NO. 1

On page 1, line 2, after "To amend and reenact R.S. 17:3217" insert a comma "," and delete the remainder of the line and delete lines 3 through 17 in their entirety and insert in lieu thereof the following:

"to enact R.S. 17:3230, and to repeal R.S. 17:3215(2), relative to postsecondary education; to provide for the transfer of the University of New Orleans to the University of Louisiana System; to provide relative to the transfer of the facilities, resources, funds, obligations, and functions of the institution and related foundations; to provide for the transition responsibilities of the impacted institution and management boards and the division of administration; to provide for cooperative agreements; to provide relative to accreditation issues; to provide relative to funding; to provide relative to employees; to provide for effectiveness; and to provide for related matters."

AMENDMENT NO. 2

On page 2, line 1, after "Section 1. R.S. 17:3217 is hereby amended and reenacted and" delete the remainder of the line and delete lines 2 through 29 in their entirety and delete pages 3 through 10 in their entirety and on page 11 delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

"R.S. 17:3230 is hereby enacted to read as follows:

§3217. University of Louisiana ~~system~~ System
The University of Louisiana ~~system~~ System is composed of the institutions under the supervision and management of the ~~Board of Trustees for State Colleges and Universities~~ Board of Supervisors for the University of Louisiana System as follows:

- (1) Grambling State University at Grambling.
- (2) Louisiana Tech University at Ruston.
- (3) McNeese State University at Lake Charles.
- (4) Nicholls State University at Thibodaux.
- ~~(5) Northeast Louisiana University of Louisiana at Monroe.~~
- ~~(6)(5) Northwestern State University of Louisiana at Natchitoches.~~
- ~~(7)(6) Southeastern Louisiana University at Hammond.~~
- ~~(8) University of Southwestern Louisiana at Lafayette.~~
- (7) The University of Louisiana at Lafayette.
- (8) The University of Louisiana at Monroe.
- (9) The University of New Orleans.
- ~~(9)(10) Any other college, university, school, institution or program now or hereafter under the supervision and management of the~~ Board of Trustees for State Colleges and Universities Board of Supervisors for the University of Louisiana System.

* * *

§3230. The University of New Orleans; transfer to the University of Louisiana System

1 A. (1) Not later than August 1, 2011, the chancellor of the University of New
 2 Orleans shall submit a letter to the president of the Southern Association for Colleges
 3 and Schools, Commission on Colleges, stating his intent for a change in governance
 4 for the institution from the Board of Supervisors of Louisiana State University and
 5 Agricultural and Mechanical College to the Board of Supervisors for the University
 6 of Louisiana System.

7 (2) The chancellor, faculty, and administration of the University of New
 8 Orleans shall take every action necessary to efficiently and expeditiously comply
 9 with all established timelines, requirements, and procedures to ensure that the
 10 requested change of governance may be effected immediately upon receipt of
 11 commission approval.

12 B.(1) Pursuant to the authority granted to the legislature by Article VIII,
 13 Section 5(D)(3) of the Constitution of Louisiana to transfer an institution from one
 14 board to another by law enacted by two-thirds of the elected members of each house,
 15 the University of New Orleans, and the assets, funds, obligations, liabilities,
 16 programs, and functions related thereto, are hereby transferred to the University of
 17 Louisiana System and shall be under the management and supervision of the Board
 18 of Supervisors for the University of Louisiana System.

19 (2) The provisions of this Subsection shall become effective immediately
 20 upon receipt of approval from the Southern Association for Colleges and Schools,
 21 Commission on Colleges, for the requested change in governance.

22 C. The Board of Supervisors for the University of Louisiana System shall
 23 develop policies and procedures to resolve issues related to the status and tenure of
 24 employees of the University of New Orleans which may arise from the transfer of
 25 the institution to the University of Louisiana System.

26 D. The Board of Supervisors of Louisiana State University and Agricultural
 27 and Mechanical College shall:

28 (1) Continue to exercise its authority to supervise and manage the University
 29 of New Orleans until such time as the Southern Association for Colleges and
 30 Schools, Commission on Colleges, grants approval for the requested change in
 31 governance and transfer of the University of New Orleans to the University of
 32 Louisiana System.

33 (2)(a) Work cooperatively and collaboratively with the Board of Supervisors
 34 for the University of Louisiana System to ensure that the requested transfer may be
 35 effected immediately upon receipt of commission approval for the change in
 36 governance.

37 (b) Prior to receipt of such approval, enter into agreements to transfer as
 38 many administrative and supervisory functions as possible with respect to the
 39 University of New Orleans to the University of Louisiana System without adversely
 40 impacting the accreditation status of the institution.

41 (3) Upon receipt of such approval, immediately transfer all assets, funds,
 42 facilities, property, obligations, liabilities, programs, and functions relative to the
 43 University of New Orleans to the University of Louisiana System.

44 E. The Board of Supervisors of Louisiana State University and Agricultural
 45 and Mechanical College shall not:

46 (1) Interfere with, or impede in any way, the processes to transfer the
 47 University of New Orleans to the University of Louisiana System.

48 (2) Sell, transfer, or otherwise remove any asset or thing of value, movable
 49 or immovable, tangible or intangible, attributable to or owned by the University of
 50 New Orleans, or owned, leased by, or operated by any foundation related to such
 51 institution on the effective date of this Section. In addition, access to any asset
 52 leased to any foundation related to the University of New Orleans shall not be
 53 restricted or denied.

54 (3) Incur, transfer, or assign any debt or other responsibility or obligation to
 55 the University of New Orleans that is not properly attributable to the institution on
 56 the effective date of this Section.

57 (4)(a) Disproportionately reduce or reallocate the level of funding that would
 58 otherwise be allocated to the University of New Orleans pursuant to the
 59 postsecondary education funding formula.

1 **(b) Until such time as the University of New Orleans is transferred to the**
2 **University of Louisiana System, no budget reductions or changes in funding**
3 **allocations shall be imposed upon the institution without prior review and approval**
4 **from the Joint Legislative Committee on the Budget.**

5 **(5) Take any personnel action with regard to any instructional or**
6 **administrative employee of the University of New Orleans without the prior approval**
7 **of the Board of Regents.**

8 **F. The commissioner of administration shall ensure that sufficient funds and**
9 **resources are available to fully effect the transfer of the University of New Orleans**
10 **to the University of Louisiana System.**

11 Section 2. R.S. 17:3215(2) is hereby repealed.

12 Section 3. This Act shall become effective upon signature by the governor or, if not
13 signed by the governor, upon expiration of the time for bills to become law without signature
14 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
15 vetoed by the governor and subsequently approved by the legislature, this Act shall become
16 effective on the day following such approval."