

Regular Session, 2012

HOUSE BILL NO. 396

BY REPRESENTATIVES CARMODY AND SCHRODER AND SENATOR LAFLEUR

HIGHER EDUCATION: (Constitutional Amendment) Provides relative to the powers of the public postsecondary education management boards and the Board of Regents

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A JOINT RESOLUTION

Proposing to amend Article VIII, Section 5(E) of the Constitution of Louisiana, to provide relative to the management of public postsecondary education; to provide relative to the powers of the postsecondary education management boards vis-a-vis the Board of Regents; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article VIII, Section 5(E) of the Constitution of Louisiana, to read as follows:

§5. Board of Regents

Section 5.

\* \* \*

(E) ~~Other Powers Not Vested ; Management Boards. Powers of management over public institutions of postsecondary education not specifically vested by this Section in~~ Subject to the powers of the Board of Regents as provided by this Section and as otherwise provided by law and to policies adopted pursuant thereto, are reserved to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and

1 Agricultural and Mechanical College, the Board of ~~Trustees for State Colleges and~~  
2 ~~Universities~~ Supervisors for the University of Louisiana System, the Board of  
3 Supervisors of Community and Technical Colleges, and any other such board created  
4 pursuant to this Article, ~~as to~~ are responsible for the daily operations of the  
5 institutions under the control of each.

6 Section 2. Be it further resolved that this proposed amendment shall be submitted  
7 to the electors of the state of Louisiana at the statewide election to be held on November 6,  
8 2012.

9 Section 3. Be it further resolved that on the official ballot to be used at the election,  
10 there shall be printed a proposition, upon which the electors of the state shall be permitted  
11 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as  
12 follows:

13 Do you support an amendment to provide that the authority of the higher  
14 education management boards is subject to the powers and policies of the  
15 Board of Regents? (Amends Article VIII, Section 5(E))

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Carmody

HB No. 396

**Abstract:** Provides that the powers of the higher education management boards are subject to the power and policies of the Board of Regents.

Present constitution establishes the Board of Regents to plan, coordinate, and have budgetary responsibility for all public postsecondary education. Specifies the board's powers, duties, and responsibilities.

Present constitution creates the Board of Supervisors for the University of La. System, the Board of Supervisors of LSU and Agricultural and Mechanical College, and the Board of Supervisors of SU and Agricultural and Mechanical College all having supervision and management of certain "four-year" colleges and universities and, in the case of the LSU and SU boards, statewide agricultural programs and other programs administered through their systems. Present constitution creates and provides for the Board of Supervisors of Community and Technical Colleges, which is the management board for "two-year" colleges. Proposed constitutional amendment retains present constitution.

Present constitution provides that powers of management over public institutions of postsecondary education not specifically vested by present constitution in the Board of Regents are reserved to the management boards. Proposed constitutional amendment

provides instead that the management boards are responsible for daily operations of the institutions and that the exercise of such responsibility is subject to powers and policies of the Board of Regents.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 6, 2012.

(Amends Const. Art. VIII, §5(E))