AN ACT

To amend and reenact R.S. 39:128(B)(1), (2), and (4)(a) and (b) and to enact R.S. 39:128(E) and 1572(B)(7), relative to the Louisiana Universities Marine Consortium for Research and Education; to provide with respect to certain capital outlay projects undertaken by the consortium; to provide with respect to certain public contract procurements made by the consortium; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 39:128(B)(1), (2), and (4)(a) and (b) are hereby amended and reenacted and R.S. 39:128(E) and 1572(B)(7) are hereby enacted to read as follows:

§128. Exemptions

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B.(1) Minor repairs, renovation, or construction of buildings or other facilities or the purchase of land, buildings, or other facilities when the construction cost or purchase price is less than or equal to one million dollars, adjusted annually in accordance with the United States Bureau of Labor Statistic's consumer price index for all urban consumers as published in January of each year, may be undertaken by or on the campus of a state college, university, or higher education facility, or consortium without being included in the capital outlay budget but shall be subject to the approval of the Board of Regents and the appropriate management board, or their any successor. A state college, university, or higher education facility, or consortium may not incur debt to fund any project that is not included in...
the capital outlay budget other than a short term loan not to exceed one year for the
purposes included in this Paragraph. Any short term loan shall be issued in
accordance with the provisions of Title 17 of the Louisiana Revised Statutes of 1950,
and shall not constitute or create any debt, liability, or loan of the credit of or a
pledge of the full faith and credit of the state but shall be solely the obligation of the
appropriate governing board or postsecondary education management board, or its
any successor.

(2) Notwithstanding any other provision of law to the contrary, the
provisions of Part VII of Chapter 10 of Title 38 shall not apply to professional
service contracts related to minor repairs or construction of buildings or other
facilities to be undertaken by or on the campus of a consortium or state college or
university if the estimated construction cost is five hundred thousand dollars or less.

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(4)(a)(i) A university, or higher education facility, or consortium shall be
allowed to undertake any new construction, maintenance, or repair project not
exceeding five million dollars solely funded from self-generated revenues, grants,
donations, or local or federal funds without being included in the Capital Outlay Bill
provided the project is approved by the appropriate governing board or management
board, the Board of Regents, the division of administration, office of facility
planning and control, and the Joint Legislative Committee on the Budget. The office
of facility planning and control shall issue the necessary contracts for the project and
shall disburse funds to pay the costs of the project. The university, or higher
education facility, or consortium shall remit project funding to the office of facility
planning and control for deposit in the state treasury at such time as may be deemed
necessary by the office of facility planning and control in order to cover the amount
of contracts or other project expenses. Any surplus of such project funding and any
interest earned on such funds shall be refunded to such university, or higher
education facility, or consortium by the state treasurer.
(ii) Notwithstanding the provisions of R.S. 39:113 and Item (i) of this Subparagraph, the division of administration, office of facility planning and control, may delegate administration of such projects as it deems appropriate to the appropriate governing board or higher education management board through a cooperative endeavor agreement provided a written request to do so is made through and by the appropriate governing board or higher education management board for the planning, design, and construction of such project.

(b) A state college, university, or higher education facility, or consortium may not incur debt to fund any project not included in the capital outlay budget other than a short term loan not to exceed one year payable from fees and self-generated revenues, as provided in Paragraph (B)(1) of this Section.

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E. For the purposes of this Section, the term "consortium" means the Louisiana Universities Marine Consortium for Research and Education established pursuant to R.S. 17:3452.

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§1572. Exemptions

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B. Exemptions from central purchasing only. Unless otherwise provided in R.S. 39:1554, exemptions from central purchasing do not apply to professional services, personal services, consulting services, social services, information technology, or vehicle acquisition. Unless otherwise ordered by regulation of the commissioner with approval of the governor, the following governmental bodies shall not be required to conduct procurement through the central purchasing agency, but shall nevertheless be subject to the requirements of this Chapter and the regulations promulgated by the commissioner:

* * *
(7) The Louisiana Universities Marine Consortium for Research and Education established pursuant to R.S. 17:3452.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____________________

CODING: Words in struck through type are deletions from existing law; words underscored are additions.