

SENATE BILL NO. 746

BY SENATOR JACKSON

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AN ACT

To amend and reenact R.S. 17:3129(C) and (E), and 3130(B)(1), and R.S. 39:28(C) and 32.1, and to enact R.S. 17:3129(F), relative to postsecondary education; to provide relative to funding institutions of postsecondary education; to provide for the powers of the Board of Regents; to provide relative to budget request forms; to require that the formula adopted by the Board of Regents be reported to certain legislative committees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:3129(C) and (E), and 3130(B)(1) are hereby amended and reenacted and R.S. 17:3129(F) is hereby enacted to read as follows:

§3129. Power to recommend budget

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C. The legislature shall appropriate funds for the operating and administrative expenses of the state boards created by or pursuant to Article VIII of the Constitution of Louisiana. Appropriations for the institutions of **higher postsecondary** education shall be made to their managing boards. The funds appropriated shall be administered by the managing boards and used solely as provided by law.

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E. The Board of Regents shall formulate and adopt a formula for distribution of funds appropriated by the legislature for deferred maintenance. This formula shall be effective for all institutions of **higher postsecondary** education and shall give priority to those institutions with preventive maintenance programs.

F. Any formula formulated and adopted by the Board of Regents for funding institutions of postsecondary education in the ensuing year as provided in this Section shall 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 fifteenth of each year.

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§3130. Other powers

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B.(1)(a) All constitutional responsibilities of the Board of Regents, including the development of a formula for equitable distribution of funds, shall apply to all public postsecondary education institutions; ~~including vocational-technical schools.~~

~~(b) Not later than the convening of the 1999 Regular Session, the Board of Regents shall submit to the legislature a proposal for full funding of the funding formula for higher and postsecondary education to be completed over a five-year period beginning not later than the fall of 1999, including provisions for equitable distribution of funds included in the formula.~~

(b) Beginning with Fiscal Year 2011-2012, such formula for the ensuing year shall 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 fifteenth of each year.

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Section 2. R.S. 39:28(C) and 32.1 are hereby amended and reenacted to read as follows:

§28. Forms for the budget request

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C. Notwithstanding the provisions of Subsections A and B of this Section, for each ~~higher~~ **postsecondary** education system, institution, or budget unit which is funded or which is proposed by the Board of Regents to be funded through the ~~higher education~~ funding formula for the ensuing fiscal year, the forms to be used for budget requests shall be as provided in R.S. 39:32.1.

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1 §32.1. Budget request forms, content, and submission; ~~higher~~ **postsecondary**
2 education formula funded agencies

3 A. The provisions of this Section shall apply to each ~~higher~~ **postsecondary**
4 education agency, which may include systems, institutions, or budget units, which
5 is funded or proposed by the Board of Regents to be funded through the ~~higher~~
6 ~~education~~ funding formula in the ensuing fiscal year.

7 B. The format and content of the annual operating budget, the operational
8 plan, and the budget request to be used by ~~higher~~ **postsecondary** education agencies
9 shall be prescribed by the Board of Regents, subject to the provisions of this Section
10 and the approval of the division of administration, ~~and shall be developed in~~
11 ~~consultation with the chairmen of~~ **and** the House Committee on Appropriations and
12 Senate Committee on Finance. The Board of Regents shall transmit to each such
13 agency a complete set of forms to be used and provide instructions and consultation
14 on the proper method of completing the forms.

15 C. Each ~~higher~~ **postsecondary** education agency shall prepare an annual
16 operating budget, which shall be subject to approval by both the appropriate
17 management board and the Board of Regents. The operating budget shall contain,
18 at a minimum, budgetary information on prior year actual revenues and expenditures
19 and current year budgeted revenues and expenditures, and the budgetary information
20 as provided in R.S. 39:32(C) through (H) for the prior and current fiscal years.

21 D. Each ~~higher~~ **postsecondary** education agency shall prepare an annual
22 operational plan for the purposes of the budget request. The operational plan for any
23 such agency, to the maximum extent practicable, shall be consistent with the
24 agency's strategic plan required by R.S. 39:31 and the master plan for ~~higher~~
25 **postsecondary** education required by Article VIII, Section 5(D)(4) of the
26 Constitution of Louisiana. The plan shall include information relative to the specific
27 performance evaluation and functional accountability provisions of the funding
28 formula. The plan shall include a current statement of the agency's mission and its
29 goals, objectives, performance indicators, and activities, as well as a detailed plan
30 of its operations. The plan shall be used by the division of administration in the

1 development of the executive budget and supporting document in order to ensure that
2 performance standards are consistent with the financial plan for the fiscal year.

3 E. The Board of Regents shall submit to the governor the budget request for
4 each ~~higher~~ **postsecondary** education agency which is proposed to be funded
5 through the ~~higher education~~ funding formula for the ensuing year.

6 F. The budget request submitted by the Board of Regents shall consist of the
7 current approved annual operating budget and the operational plan for each ~~higher~~
8 **postsecondary** education agency, and a funding request for the agency under the
9 ~~higher education~~ funding formula most recently adopted by the Board of Regents
10 **and reported to the legislature.**

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____