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## DIGEST

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Broadwater

HB No. 576

**Abstract:** Creates the Higher Education Improvement District as a means of supplementing the financing of higher education

Proposed law provides for the creation of the Higher Education Improvement District as a special district and political subdivision of the state

Proposed law provides that the boundaries of the district are coterminous with the boundaries of the St. of La.

Proposed law provides that the district shall exist in perpetuity subject only to the repeal or amendment by the legislature.

Proposed law provides that the district is created to aid each public postsecondary education institution under the management and supervision of the Bd. of Supervisors of LSU & A & M College, the Bd. of Sup

erisors of the So. University and A & M College, the Bd. of Supervisors for the UL System, and the Bd. of Supervisors of the LCTCS, including but not limited to law schools, medical schools, veterinarian schools, and any other professional schools, in establishing an additional revenue source to provide for the academic programs at such higher education institutions.

Proposed law provides that the district is created to carry out a public and governmental purpose and that the additional revenue source to carry out such purpose shall not displace or supplant any existing higher education means of finance in accordance with present law. Further any reduction in means of financing from state general fund dollars shall result in a reduction of an equivalent amount of any tax obligation established pursuant to proposed law.

Proposed law provides the district shall be governed by a board of directors, comprised of 5 members confirmed by the Senate. Further the members shall consist of one representative from each of the following: Bd. of Supervisors of LSU & A & M College, the Bd. of Supervisors of the So. University and A & M College, the Bd. of Supervisors for the UL System, and the Bd. of Supervisors of the LCTCS.

Proposed law provides if a vacancy occurs prior to the expiration of a term, the unexpired term will be filled within 30 days after the date on which the vacancy occurs by appointment by the

governing body whose representative created the vacancy, with Senate confirmation. Within 24 hours after being informed of a vacancy, the chairman or the officer exercising his duties shall notify the appropriate governing board by certified mail of the vacancy and the effective date of the vacancy.

Proposed law provides for 6-year terms of the members and that members shall serve until their successors are appointed and take office.

Proposed law provides that a quorum shall be a majority, all official action shall require the favorable vote of a majority of the members, the minutes shall be kept and made available for inspection through the board's secretary, and maintained by the board's secretary. The monies, funds, and accounts of the district shall be in the official custody of the board.

Proposed law provides that the board shall elect a president, vice-president, secretary, and treasurer and all meetings shall be subject to the provisions of the open meetings law. Further the board shall be domiciled in EBR Parish and shall adopt bylaws and prescribe rules to govern its meetings. Further the board members shall serve without salary or per diem but shall be entitled to reimbursement for reasonable, actual, and necessary expenses incurred in the performance of their duties, which shall be paid by the governing body whom they represent.

Proposed law provides that the district, through its board, shall have and exercise all powers of a political subdivision and special district necessary or convenient for the carrying out of its purposes, including, but not limited to the following:

- (1) To sue and be sued.
- (2) To adopt bylaws and rules and regulations.
- (3) To enter into contracts, agreements, or cooperative endeavors with the state, its political subdivisions or political corporations, or any public or private organization, person, firm, or corporation for the collection of the tax authorized to be levied according to the provisions of proposed law.
- (4) To appoint or hire an executive director for carrying out its day-to-day operations and may contract with consultants for services as it may require.
- (5) To establish such funds or accounts as are necessary for the conduct of the affairs of the district.

Proposed law provides for authority to levy ad valorem taxes within the district up to 5 mills in addition to any other ad valorem taxes in existence within the district. Further, such taxes shall be imposed by ordinance adopted by the district subject to approval of a majority vote of the voters of the district.

Proposed law provides for publication of the ordinance providing for the levy and collection of ad valorem taxes at least once in the official journal of the state and in the official journal of each parish within the district. Further provides that for 30 days after date of publication, any interested person may contest the legality of the ordinance or resolution and of any provision therein made for the levy and collection of ad valorem taxes. Further after that time, no one shall have any cause of action to contest the ordinance and the ordinance shall be deemed legal and

binding.

Proposed law provides that if the ad valorem tax is approved by a majority vote, the board may contract with or enter into agreements with the tax collector of each parish in order to provide for the efficient collection of the tax.

Proposed law provides that the board shall establish an account wherein all proceeds of the tax shall be deposited and the monies shall be distributed to each public postsecondary education institution under the management and supervision of the Bd. of Supervisors of LSU & A & M College, the Bd. of Supervisors of the So. University and A & M College, the Bd. of Supervisors for the UL System, and the Bd. of Supervisors of the LCTCS, including but not limited to law schools, medical schools, veterinarian schools, and any other professional schools based on a formula which is primarily based on the number of students and full-time equivalents registered and attending such institutions.

Proposed law provides that all monies collected from the levy of an ad valorem tax shall be used solely for enhancement of academic programs at each institution, and shall not be used for salaries or benefits of non-teaching staff, coaches, or administrative personnel, construction or maintenance costs for any buildings, arenas, sports facilities, or grounds keeping on campus, or for any expenses associated with a sports program.

(Adds R.S. 17:3111-3115)