

2015 Regular Session

HOUSE BILL NO. 766

BY REPRESENTATIVE ADAMS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COLLEGES/UNIVERSITIES: Provides relative to the operations of public colleges and universities and exemptions from specified regulations

1 AN ACT

2 To amend and reenact R.S. 17:3139.2(introductory paragraph), 3139.5, and 3139.6(1),
3 relative to public colleges and universities; to remove institutional performance
4 criteria as conditions on institutions receiving certain exceptions and exemptions
5 from state regulations of their operations; to provide certain financial solvency
6 criteria on the receipt of such exceptions and exemptions; to provide relative to the
7 exceptions and exemptions that an institution may receive; and to provide for related
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:3139.2(introductory paragraph), 3139.5, and 3139.6(1) are hereby
11 amended and reenacted to read as follows:

12 §3139.2. Performance agreements; objectives

13 ~~Effective beginning with the 2011 Fiscal Year, any~~ Any public postsecondary
14 education institution, including professional schools, may enter into an initial
15 performance agreement with the Board of Regents in order to be granted limited
16 ~~operational~~ tuition autonomy and flexibility as provided in R.S. ~~17:3139.5~~
17 17:3139.5(A) in exchange for committing to meet established targets for the
18 following performance objectives as applicable to the institution as determined by
19 the Board of Regents:

20 * * *

1 §3139.5. ~~Autonomies granted~~ Tuition autonomy; operational autonomy contingent
2 on audit findings

3 A. Notwithstanding any other provision of law to the contrary, each
4 institution that enters into a performance agreement shall be granted the authorities
5 ~~and autonomies~~ as provided in this Section Subsection. ~~However, nothing herein~~
6 ~~shall suspend the requirements of R.S. 39:1593.1.~~

7 (1) For the 2010-2011 Fiscal Year, pursuant to policies adopted by the
8 institution's management board and in addition to the authority provided in R.S.
9 17:3351(A)(5)(e), the authority to increase tuition and mandatory fee amounts by up
10 to five percent annually.

11 (2) For the 2011-2012 Fiscal Year, if the Board of Regents has determined
12 that the institution has met the short-term targets established in the performance
13 agreement, in addition to the authority provided in R.S. 17:3351(A)(5)(e), the
14 authority to increase tuition and mandatory fee amounts by up to five percent
15 annually.

16 (3) Beginning with the 2012-2013 Fiscal Year and thereafter, if the Board
17 of Regents has determined that the institution has met the short-term targets
18 established in the performance agreement and demonstrated progress on long-term
19 targets, the institution shall be authorized to:

20 (a) Increase tuition and fee amounts by up to ten percent annually, without
21 legislative approval, until the institution reaches the average tuition and fee amounts
22 of its peer institutions. Tuition and fee amounts for peer institutions shall be
23 weighted based upon the median household income in Southern Regional Education
24 Board states in which respective peer institutions are located. The median household
25 income in such states shall be compared with the median household income in
26 Louisiana, and any differences between the average of the states shall be factored
27 into the allowable tuition and fee amount increase for the respective institution.

1 (b) Upon reaching the average tuition and fee amounts as specified in
2 Subparagraph (a) of this Paragraph, increase tuition and fee amounts as necessary to
3 maintain tuition and fee amounts as close to that average as practical.

4 (4) Each postsecondary education management board shall establish criteria
5 for waiving any tuition or mandatory fee increase as authorized in this Section in
6 cases of financial hardship. Information relative to such waivers and the criteria and
7 procedures for obtaining a waiver shall be made available to all prospective students
8 in a timely manner such that each student is informed of the availability of a waiver
9 prior to the student making a final decision concerning attendance at any public
10 institution of postsecondary education.

11 B. (5) Operational autonomies: (1)(a) Base level: Notwithstanding any
12 provision of law to the contrary, any institution that ~~is determined by the Board of~~
13 ~~Regents to have met the short-term targets established in the performance agreement~~
14 ~~may be granted the autonomies as provided in this Subparagraph; however, no~~
15 ~~institution shall be granted such an autonomy until after the division of~~
16 ~~administration determines that for the following year the institution possesses the~~
17 ~~capacity relevant to the autonomy including, at a minimum, a review of the most~~
18 ~~recent fiscal audit by the legislative auditor~~ meets the requirements of this Paragraph
19 may exercise until July 1, 2020, the autonomies provided by this Subsection subject
20 to the limitations provided in this Paragraph.

21 (b) The division of administration shall approve the exercise of such
22 autonomies only by an institution only if the system of which the institution is a
23 member received, for the audits conducted in the previous five years, a financial
24 audit with an unmodified opinion, where the financial statements are free of material
25 misstatements and material weaknesses, and the financial position, results of
26 operations, and cash flows are represented fairly in accordance with Generally
27 Accepted Accounting Principles.

28 (c) In the first year after a grant of authority to exercise autonomies by the
29 division of administration or after a renewal of such a grant, a postsecondary

1 management board may contract with the state to return any autonomy provided for
2 in this Subsection back to the state, by notifying the division of administration in
3 writing, if the postsecondary management board determines an institution under its
4 control does not have the operational capacity to perform this service. For the 2015-
5 2016 school year, such request shall be submitted by June 15, 2015. In any
6 subsequent year, such request shall be submitted by January first of the year after the
7 division of administration grants authority to exercise autonomies.

8 (2) The operational autonomies that may be granted pursuant to this
9 Subsection are:

10 (i) (a) Authority to retain any funds which remain unexpended and
11 unobligated at the end of the fiscal year for use at the institution's discretion pursuant
12 to R.S. 17:3386, and subject to the prior review and approval of the Joint Legislative
13 Committee on the Budget.

14 (ii) Authority to execute contracts up to a value of forty-nine thousand nine
15 hundred ninety-nine dollars within a twelve-month period in accordance with the
16 delegation of authority by the office of state procurement pursuant to R.S. 39:1488.

17 (iii) (b) Authority to identify and dispose of obsolete equipment, excluding
18 vehicles and items deemed by federal law to be of a dangerous nature, up to an
19 original acquisition value of five thousand dollars. Prior to exercising this autonomy
20 with respect to electronic devices, the postsecondary management board shall
21 provide certification to the division of administration that all such devices are
22 sanitized of any personally identifiable information.

23 (iv) Authority to be excluded from oversight or review by the office of
24 information technology, as provided in R.S. 39:15.3, for purchases with an academic
25 research or classroom instructional purpose.

26 (v) (c) Authority to be exclude excluded by the division of administration
27 from its any table of organization any position that is fully funded by
28 nonappropriated funds.

1 (b) Intermediate level. Notwithstanding any provision of law to the contrary
2 and in addition to the base level autonomies granted pursuant to Subparagraph (a)
3 of this Paragraph, any institution that is determined by the Board of Regents to have
4 met the short-term targets established in the performance agreement may be granted
5 the autonomies as provided in this Subparagraph; however, no institution shall be
6 granted such an autonomy until after the division of administration determines that
7 for the following year the institution possesses the capacity relevant to the autonomy
8 including, at a minimum, a review of the most recent fiscal audit by the legislative
9 auditor, and the institution has met the Board of Regents' requirements for
10 significantly streamlining its academic service delivery to students to meet regional
11 workforce needs as provided in Item (vi) of this Subparagraph. Any autonomy
12 granted pursuant to this Subparagraph shall be subject to the prior review and
13 approval of the Joint Legislative Committee on the Budget.

14 (i) ~~Notwithstanding the provisions of R.S. 39:1702, authority to procure~~
15 ~~materials, supplies, equipment, and services through any purchasing agreements~~
16 ~~established by a not-for-profit cooperative buying organization located in the United~~
17 ~~States, if such purchasing agreements have been established pursuant to a~~
18 ~~competitive bid proposal process. Prior to joining a not-for-profit cooperative~~
19 ~~buying organization, the institution shall publish a notice of intent to join such not-~~
20 ~~for-profit cooperative buying organization in the official journal of the state and of~~
21 ~~the parish in which the institution is located. Prior to entering any purchasing~~
22 ~~agreement with a not-for-profit cooperative buying organization, the institution shall~~
23 ~~publish a notice of intent to enter such purchasing agreement through a centralized,~~
24 ~~electronic, interactive environment administered by the division of administration~~
25 ~~as provided in R.S. 39:1593 and on the institution's website and shall allow fifteen~~
26 ~~days for interested vendors to submit proposals for the materials, supplies,~~
27 ~~equipment, or services. The proposals submitted by interested vendors shall adhere~~
28 ~~to the request for proposal or solicitation issued by the cooperative buying~~
29 ~~organization. The institution shall review the proposals submitted by interested~~

1 ~~vendors and compare the proposals to the cooperative buying organization agreement~~
2 ~~to determine the lowest responsive and responsible vendor. The institution shall~~
3 ~~utilize the lowest responsive and responsible vendor for the procurement. For~~
4 ~~purposes of this Item, lowest responsive and responsible bidder shall be defined as~~
5 ~~set forth in R.S. 39:1591.~~

6 ~~(ii) Authority to directly administer minor facility capital outlay projects~~
7 ~~without oversight or control by the office of facility planning and control. For~~
8 ~~purposes of this Item, minor facilities projects shall mean, in addition to the authority~~
9 ~~provided in R.S. 39:128, those that do not require the use of and coordination~~
10 ~~between more than two trades or that do not require the use of the professional~~
11 ~~services of an architect or engineer pursuant to the provisions of R.S. 39:1482 and~~
12 ~~1484.~~

13 ~~(iii) Authority to join an existing cooperative purchasing agreement in~~
14 ~~accordance with R.S. 39:1702 and Item (i) of this Subparagraph. Prior to joining a~~
15 ~~not-for-profit cooperative buying organization, the institution shall publish a notice~~
16 ~~of intent to join such not-for-profit cooperative buying organization in the official~~
17 ~~journal of the state and of the parish in which the institution is located. Prior to~~
18 ~~entering any purchasing agreement with a not-for-profit cooperative buying~~
19 ~~organization, the institution shall publish a notice of intent to enter such purchasing~~
20 ~~agreement through a centralized, electronic, interactive environment administered~~
21 ~~by the division of administration as provided in R.S. 39:1593 and on the institution's~~
22 ~~website and shall allow fifteen days for interested vendors to submit proposals for~~
23 ~~the materials, supplies, equipment, or services. The proposals submitted by~~
24 ~~interested vendors shall adhere to the request for proposal or solicitation issued by~~
25 ~~the cooperative buying organization. The institution shall review the proposals~~
26 ~~submitted by interested vendors and compare the proposals to the cooperative buying~~
27 ~~organization agreement to determine the lowest responsive and responsible vendor.~~
28 ~~The institution shall utilize the lowest responsive and responsible vendor for the~~

1 ~~procurement. For purposes of this Item, lowest responsive and responsible bidder~~
2 ~~shall be defined as set forth in R.S. 39:1591.~~

3 ~~(iv) Authority to use reverse auctions. For purposes of this Item, reverse~~
4 ~~auction means a competitive online solicitation process on the Internet for products,~~
5 ~~supplies, services, and other materials in which vendors compete against each other~~
6 ~~in real time in an open and interactive environment.~~

7 ~~(v) Authority for the director of purchasing at a college or university to make~~
8 ~~a determination to use a competitive request for proposal process as provided in R.S.~~
9 ~~39:1593(C) without the approval of the commissioner of administration or the~~
10 ~~director of state purchasing.~~

11 ~~(vi) For purposes of this Subparagraph, for an institution to meet the~~
12 ~~requirement of significantly streamlining academic service delivery, the institution~~
13 ~~shall have acted on at least two items from a list approved by the Board of Regents,~~
14 ~~which shall include the following:~~

15 ~~(aa) The review of all of its programs and academic offerings and~~
16 ~~appropriate action to improve those programs and academic offerings through~~
17 ~~modification, consolidation, or elimination, including consideration of online~~
18 ~~delivery of academic offerings to meet workforce needs and maximize resources.~~

19 ~~(bb) The review and streamlining of all course offerings to align with~~
20 ~~program requirements and facilitate on-time graduation.~~

21 ~~(cc) If a two-year institution, the review of nonacademic programs and~~
22 ~~degrees and appropriate action to improve such programs and degrees through~~
23 ~~modification, consolidation, or elimination, including consideration of online~~
24 ~~delivery of academic offerings.~~

25 ~~(dd) If a four-year institution, raised the minimum composite score on the~~
26 ~~American College Test required for admission to at least two points higher than the~~
27 ~~Board of Regents baseline appropriate for its type of institution. This requirement~~
28 ~~shall be notwithstanding a student's grade point average. Opting not to participate~~

1 in this requirement shall not preclude an institution from implementing minimum
2 admission standards in accordance with Board of Regents policy.

3 (c) High level. Notwithstanding any provision of law to the contrary and in
4 addition to the base level and intermediate level autonomies granted pursuant to
5 Subparagraphs (a) and (b) of this Paragraph, any institution that is determined by the
6 Board of Regents to have met the short-term targets established in the performance
7 agreement may be granted the autonomies as provided in this Subparagraph;
8 however, no institution shall be granted such an autonomy until after the division of
9 administration determines that for the following year the institution possesses the
10 capacity relevant to the autonomy including, at a minimum, a review of the most
11 recent fiscal audit by the legislative auditor and has a one hundred fifty percent of
12 normal-time Integrated Postsecondary Education Data System graduation rate within
13 five percent of the average graduation rate for its classification according to the
14 Southern Regional Education Board.

15 (d)(i) Authority to participate in a ~~pilot~~ the higher education procurement
16 code as established by the initial qualifying institution in each postsecondary
17 educational system Louisiana State University and Agricultural and Mechanical
18 College to be and in place for an initial period of three years and approved by the
19 division of administration. ~~The initial qualifying institution in each~~ Each
20 postsecondary educational system management board may establish a ~~pilot~~ adopt the
21 higher education procurement code, with amendments necessary to insert the name
22 of the each management board into the procurement code and to implement the code
23 but excluding any substantive changes, pursuant to rules and regulations adopted in
24 accordance with the Administrative Procedure Act. ~~An institution granted this~~
25 autonomy Any entity whose budget is appropriated through Schedule 19-Higher
26 Education or 19E-LSU Health Sciences Center- Health Care Services Division may
27 use ~~this pilot~~ the higher education procurement code in lieu of the Louisiana
28 Procurement Code as provided in R.S. 39:15.3, 196 through 200, ~~1481 through 1526,~~
29 and 1551 through 1755, subject to the prior review and approval of the Joint

1 Legislative Committee on the Budget. ~~Any extension beyond the initial period of~~
2 ~~three years shall be submitted to the Joint Legislative Committee on the Budget for~~
3 ~~review and approval for a period not to exceed three years. Any changes to the pilot~~
4 ~~procurement plan after the approval for any three-year higher education procurement~~
5 ~~code after an initial five-year period shall be submitted to the Joint Legislative~~
6 ~~Committee on the Budget for approval. However, there shall be only one higher~~
7 ~~education procurement code except for nonsubstantive changes required to~~
8 ~~implement the code. With the approval of the division of administration and the~~
9 ~~Joint Legislative Committee on the Budget, a pilot procurement code may provide~~
10 ~~that other institutions under the same postsecondary education management board~~
11 ~~as the initial qualifying institution may utilize the pilot procurement code, provided~~
12 ~~the procurement is conducted under the auspices of a shared services model managed~~
13 ~~by the qualifying institution.~~

14 (ii) The division of administration shall maintain a list of all institutions
15 participating in the higher education procurement code, which shall be published on
16 its website.

17 ~~(ii)(aa) (e)(i)~~ Exemption from participation in the state's risk management
18 program established by R.S. 39:1527 ~~et. et~~ seq. and administered by the office of risk
19 management, pursuant to a determination by the division of administration that the
20 institution or management board, as applicable, has the capacity to manage its own
21 risk and a phased-in plan of implementation as determined by the institution in
22 collaboration with the attorney general and the division of administration, subject to
23 the prior review and approval of the Joint Legislative Committee on the Budget.
24 This exemption shall not include the coverage provided by the state's risk
25 management program pursuant to R.S. 40:1299.39.

26 ~~(bb)~~ (ii) Nothing in this exemption shall abrogate, amend, or alter the
27 authority of the attorney general or the Department of Justice under Article IV,
28 Sections 1 and 8 of the Constitution of Louisiana or any other provision of law to
29 represent the state and all departments and agencies of state government in all

1 litigation arising out of or involving tort or contract. Any institution that is granted
2 an exemption under this Item shall enter into an interagency agreement with the
3 attorney general and pay the attorney general reasonable attorney fees and expenses
4 incurred in representing the institution.

5 ~~(cc)~~ (iii) Nothing in this Item shall be construed as creating any independent
6 or separate cause of action against the state. The state shall continue to be sued only
7 through the exempt institution's management board and cannot be sued in addition
8 to or separately from the exempt institution's management board in any cause of
9 action asserted against the exempt institution. ~~Neither the state nor the~~ The office
10 of risk management shall not be responsible for payment of any judgment against the
11 exempt institution's management board rendered subsequent to the transfer of the
12 applicable line of coverage. The state's obligation to indemnify a covered individual
13 as provided in R.S. 13:5108.1 shall not be performed by the office of risk
14 management.

15 ~~(dd)~~ (iv) Any contract between the exempt institution's management board
16 and its insurer shall name the state as an additional insured. Any provision in any
17 contract between the exempt institution's management board and its insurer that
18 conflicts with the provisions of this Section shall be deemed null and void.

19 ~~(ee)~~ (v) Nothing in this Item shall be construed to adversely affect any of the
20 substantive and procedural provisions and limitations applicable to actions against
21 the state, including but not limited to the provisions of R.S. 13:5106, 5107, 5108.1,
22 and 5112, and R.S. 9:2800 which would continue to apply equally to any exempted
23 institution. Those provisions that will not apply are those that are specifically
24 excluded in this Section. Upon transfer of each line of coverage to the exempted
25 institution under this Section, the provisions of R.S. 39:1527 ~~et. et~~ et seq., as well as the
26 provisions of R.S. 13:5106(B)(3)(c), shall not apply to the line of coverage so
27 transferred, nor to any claims asserted against the exempted institution within the
28 transferred line of coverage.

1 ~~(iii)~~ (f) Notwithstanding the provisions of R.S. 39:113, authority to
2 administer all facilities projects funded with self-generated revenue, federal funds,
3 donations, grants, or revenue bonds, including all projects falling under R.S. 39:128;
4 however, excluding those projects falling under R.S. 39:128, these projects shall not
5 be exempted from the capital outlay budget or any requirements as pertains thereto.

6 ~~(iv)~~ (g) Authority to invest funds as defined by R.S. 49:327(C), ~~in addition~~
7 ~~to~~ in municipal bonds issued by any state or political subdivision and those
8 instruments laid out in R.S. 49:327(B)(1), in tax exempt bonds and other taxable
9 governmental bonds issued by any state or a political subdivision or public
10 corporation of any state, provided that such bonds are rated by a nationally
11 recognized rating agency as investment grade. The investment policy governing
12 such investment as defined by R.S. 49:327(C)(1)(b) shall define the allocation of
13 funds among instruments and the term of maturity of the instruments, subject to the
14 prior review and approval of the investment advisory committee. If an institution
15 ~~pursuant to the Board of Regents' annual review is either no longer meeting its~~
16 ~~short-term targets or~~ is determined by the division of administration to no longer
17 possess the capacity relevant to this autonomy, or both, authority to invest additional
18 funds shall be limited to those instruments defined by R.S. 49:327(B)(1) and (C), and
19 shall exclude further investments in tax exempt bonds and other taxable government
20 bonds issued by any state or a political subdivision or public corporation of any state.

21 ~~(6)(a) Any operational autonomies granted to an institution pursuant to this~~
22 ~~Section shall terminate immediately upon revocation of the institution's six-year~~
23 ~~performance agreement by the Board of Regents. The Board of Regents shall notify~~
24 ~~the Joint Legislative Committee on the Budget of any such revocation of a~~
25 ~~performance agreement.~~

26 ~~(b) Any operational autonomy granted to an institution pursuant to this~~
27 ~~Section shall terminate immediately upon determination by the division of~~
28 ~~administration that an institution has failed to maintain the operational capacity~~
29 ~~relevant to that autonomy. The division of administration shall notify the Joint~~

1 ~~Legislative Committee on the Budget of any institution's failure to maintain the~~
2 ~~operational capacity relevant to any previously granted operational autonomy.~~

3 (3)(a) Nothing in this Subsection abrogates, amends, or alters the authority
4 of the attorney general or the Department of Justice under Article IV, Sections 1 and
5 8 of the Constitution of Louisiana or any other provision of law to represent the state
6 and all departments and agencies of state government in all litigation arising out of
7 or involving tort or contract. Any exempt institution under this Section shall enter
8 into an interagency agreement with the attorney general and pay the attorney general
9 reasonable attorney fees and expenses incurred in representing the institution.

10 (b) Nothing in this Subsection shall be construed as creating any independent
11 or separate cause of action against the state. The state shall continue to be sued only
12 through the exempt institution's management board and cannot be sued in addition
13 to or separately from the exempt institution's management board in any cause of
14 action asserted against the exempt institution.

15 §3139.6. Monitoring; reporting; renewal

16 (1) The Board of Regents annually shall monitor and report to the legislature
17 and the governor on each participating institution's progress in meeting the
18 established targets for performance objectives as specified in R.S. 17:3139.2. At the
19 end of the first six years and each subsequent six-year period, the Board of Regents
20 shall determine whether to recommend renewal of an institution's performance
21 agreement subject to the approval of the Joint Legislative Committee on the Budget.
22 Such determination shall be based on the recommendations of a review panel
23 established by the Board of Regents to conduct a comprehensive review and
24 evaluation of the institution's progress in meeting the performance objectives. The
25 composition of the review panel shall be ~~the same as~~ similar to that is provided in
26 R.S. 17:3138(C) as repealed by Act No. 251 of the 2012 Regular Session of the
27 Legislature with the addition of two representatives from the business community,

- (2) Present law authorizes an institution to dispose of obsolete equipment, excluding vehicles and items deemed by federal law to be of a dangerous nature, up to an original acquisition value of \$5,000. Proposed law removes the value limit and requires that the postsecondary management board provide certification to the division of administration that electronic devices are sanitized of any personally identifiable information.
- (3) Present law authorizes the exclusion of positions fully funded by nonappropriated funds from the institution's table of organization. Proposed law authorizes the division of administration to exclude the institution as a whole from any table of organization.
- (4) Present law authorizes exemption from participation in the state's risk management program. Proposed law adds provision that requires a determination by the division of administration that the institution or management board has the capacity to manage its own risk as a condition for such exemption; otherwise retains present law.
- (5) Present law generally authorizes an institution to administer facilities projects funded with self-generated revenue, federal funds, donations, grants, or revenue bonds. Proposed law retains present law.
- (6) Present law provides for pilot procurement codes as an alternative to the state procurement code. Proposed law authorizes adoption of a higher education procurement code which has been developed by LSU.
- (7) Present law authorizes investment of certain funds in governmental or public corporation bonds. Proposed law additionally authorizes investment of funds in municipal bonds.
- (8) Proposed law removes the following present law autonomies:
 - (a) To execute contracts up to a value of \$49,999 within a 12-month period in accordance with the delegation of authority by the office of state procurement.
 - (b) To join a not-for-profit cooperative buying organization and to procure materials, supplies, equipment, and services through purchasing agreements established by such an organization under specified conditions.
 - (c) To directly administer certain minor facility capital outlay projects without oversight or control by the office of facility planning and control.
 - (d) To use reverse auctions.
 - (e) For the director of purchasing to make a determination to use a competitive request for proposal process pursuant to present law without the approval of the commissioner of administration or the director of state purchasing.

Present law provides that the exemption from participation in the state's risk management program does not alter the authority of the attorney general and the Dept. of Justice to represent state agencies in litigation arising out of tort or contract. Proposed law provides similarly with respect to all autonomies granted by present law and proposed law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 17:3139.2(intro. para.), 3139.5, and 3139.6(1))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the original bill:

1. Were primarily technical.
2. Remove a deadline for submitting a request to exercise autonomies to the division of administration and add a deadline for requesting that an autonomy be removed.
3. Remove a proposed autonomy authorizing audits by private accountants rather than the legislative auditor.

The House Floor Amendments to the engrossed bill:

1. Add a sunset provision that provides that institutions that meet certain financial conditions may exercise a modified list of operational autonomies only until July 1, 2020.
2. Delete provision that increases the dollar limit under which institutions have the authority to select architects for professional service contracts.
3. Change condition on the exercise of autonomies from unmodified audits for a majority of the previous five years to unmodified audits for all audits conducted in the previous five years. Remove an exception to this requirement applicable to the authorization in 2015.
4. Remove a waiver of the state's obligation to pay a judgment against a management board.