

Regular Session, 2008

HOUSE BILL NO. 272

BY REPRESENTATIVE RICHARD

COLLEGES/TULANE U: Removes provisions for free tuition at Tulane University for students nominated by legislators

1 AN ACT

2 To amend and reenact Section 6 of Act No. 43 of the 1884 Regular Session of the
3 Legislature of Louisiana, as amended by Act No. 606 of the 1982 Regular Session
4 of the Legislature of Louisiana, relative to free tuition granted by Tulane University
5 to students nominated by members of the legislature; to remove provisions for such
6 free tuition; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Section 6 of Act No. 43 of the 1884 Regular Session of the Legislature
9 of Louisiana, as amended by Act No. 606 of the 1982 Regular Session of the Legislature of
10 Louisiana, is hereby amended and reenacted to read as follows:

11 Section 6. That in consideration of the vesting of the administration of the
12 University of Louisiana in the said Administrators of the "Tulane Education Fund",
13 of the transfer of the rights, powers, privileges, franchises and immunities of the said
14 University to said Administrators, and of the exemption from all taxation as
15 hereinabove provided, the said Administrators hereby agree and bind themselves,
16 with the revenues and income of the property heretofore given them by Paul Tulane,
17 Esq., as well as from the revenues of all other property, real, personal or mixed,
18 hereafter to be held, owned or controlled by them, for the purposes of education, to
19 develop, foster and maintain, to best of their ability and judgment, the University of
20 Louisiana, hereafter to be known as the "Tulane University of Louisiana", and upon
21 the adoption of the Constitutional Amendment aforesaid, to perpetually use the

1 powers conferred by this Act, and all power vested in them, for the purpose of
2 creating and maintaining in the city of New Orleans a great University, devoted to
3 the intellectual, moral and industrial education and advancement of the youth of this
4 state, under the terms of the donation of Paul Tulane, and the previous provisions of
5 this Act. The said Board further agree and bind themselves to waive all legal claim
6 upon the State of Louisiana for any appropriation, as provided in the Constitution of
7 this state, in favor of the University of Louisiana. ~~Besides the waiver of the claim,~~
8 ~~as aforesaid, as an additional consideration between the parties to this Act, the said~~
9 ~~Board agrees to give continuously, in the academic department, free tuition to~~
10 ~~students nominated by members of the legislature. Each member of the legislature~~
11 ~~shall have the right to nominate one student from among the citizens of the state.~~
12 ~~Each nominee shall comply with the requirements for admission established by said~~
13 ~~Board. The meaning of this provision being that each member of the General~~
14 ~~Assembly, whether Senator or Representative, shall have the right of appointing one~~
15 ~~student, in accordance with the foregoing provisions. The free tuition herein~~
16 ~~provided for shall continue for a period not to exceed the time remaining in the term~~
17 ~~of the nominating legislator from the time such appointment begins, unless his~~
18 ~~scholarship has ceased from other causes. Nothing herein shall prohibit the~~
19 ~~appointment of the same student in successive years. Whenever a scholarship~~
20 ~~becomes vacant, from any cause, the Senator or Representative who appointed the~~
21 ~~previous student, or his successor, shall, in the manner prescribed by this section,~~
22 ~~immediately name a successor.~~

23 Section 2. The provisions of this Act shall not affect any grant of free tuition for all
24 or part of the 2007-2008, 2008-2009, 2009-2010, or 2010-2011 academic years. However,
25 no free tuition shall be granted pursuant to the provisions of Act No. 43 of the 1884 Regular
26 Session of the Legislature, as amended, for all or part of any academic year after the 2010-
27 2011 academic year and any such grant shall be null and shall have no effect.

28 Section 3. The provisions of Section 1 of this Act shall become effective on April
29 1, 2011. The provisions of Sections 2 and this Section of this Act shall become effective

1 upon signature by the governor or, if not signed by the governor, upon expiration of the time
 2 for bills to become law without signature by the governor, as provided in Article III, Section
 3 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved
 4 by the legislature, the provisions of Sections 2 and this Section of this Act shall become
 5 effective on the day following such approval.

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)]

Richard

HB No. 272

Abstract: Removes provisions for free tuition at Tulane Univ. for students nominated by legislators.

Present law provides for an agreement between the administrators of the Tulane Education Fund and the state. Provides that, in consideration of the vesting of the administration of the Univ. of La. in the administrators, of the transfer of the rights, powers, privileges, franchises, and immunities of the university to the administrators, and of the exemption from all taxation, the administrators will develop, foster, and maintain the University of La., to be known as the "Tulane University of La.", and use their powers to create and maintain in New Orleans a great university. Also provides that the administrators waive all legal claim upon the state for any appropriation in favor of the university.

Present law further provides that the administrators agree to give continuously, in the academic department, free tuition to students nominated by members of the legislature. Provides that each legislator has the right to nominate one student from among the state's citizens and that each nominee shall comply with the admission requirements established by the administrators. Further provides that the free tuition shall continue for a period not to exceed the time remaining in the term of the nominating legislator from the time such appointment begins, unless his scholarship has ceased from other causes. Provides that the same student may be appointed in successive years and that when a scholarship becomes vacant, from any cause, the legislator who appointed the previous student, or his successor, shall, in the manner prescribed by these provisions, immediately name a successor.

Proposed law removes provisions of present law relative to the granting of such free tuition; that is, removes from the law provisions for the so-called Tulane scholarships.

Provides that the Act shall not affect any grant of free tuition for all or part of the 2007-2008, 2008-2009, 2009-2010, or 2010-2011 academic years. Prohibits the grant of free tuition pursuant to Act No. 43 of the 1884 R.S., as amended, for all or part of any academic year after the 2010-2011 academic year and provides that any such grant shall be null and of no effect.

Provisions amending present law are effective April 1, 2011. Provisions that free tuition grants for the specified academic years shall not be affected and prohibiting any grant thereafter are effective upon signature of governor or lapse of time for gubernatorial action.

(Amends §6 of Act No. 43 of 1884 R.S., as amended)