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## The Senute of The State of Texas Austin 78711

January 16, 1989

Finance Committee

Vice Chairman Education Committee

Health and Human Resources Committee

Chairman
Subcommittee on Health Services

Dr. Hector P. Garcia 1315 Bright St. Corpus Christi, Texas 78405

Dear Dr. Garcia:

Senator Truan requested that I send you a copy of Senate Bill 122, the legislation he has introduced aimed at improving the higher education opportunities available in South Texas. It is based on recommendations developed by the Legislative Joint Committee on Higher Education in South Texas, which Senator Truan Co-Chaired.

Senate Bill 122 has three main provisions. It calls for the merger of Corpus Christi State University, Laredo State University and Texas A&I University into the Texas A&M University System. The bill provides for Corpus Christi State University to become a four year institution in the year 1994. The third main provision is that a law school be established at Texas A&I University in 1989.

I look forward to working with you and other education and community leaders throughout South Texas during this legislative session. If you have any questions or comments regarding the legislation, please feel free to contact the Senator or me at (512) 463-0120.

Sincerely,

Nick Dauster

Legislative Aide

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SB. No. 122

## A BILL TO BE ENTITLED

AN ACT

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relating to the governance, operation, funding, name, and mission

of Texas A&I University, Corpus Christi State University, and

Laredo State University as component institutions of The Texas A&M

University System, to the composition, powers, and duties of that

system, and to the funding of Del Mar College as affected by the

mission of Corpus Christi State University.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. TRANSFER. The governance, operation, management, 9

and control of Texas A&I University, Corpus Christi State

University, and Laredo State University along with all right,

land, buildings, facilities, the interest in 12 and

improvements, equipment, supplies, and property comprising those 13

institutions are transferred from the Board of Regents of the

University System of South Texas to the Board of Regents of The

16 Texas A&M University System.

SECTION 2. POWERS AND DUTIES. The Board of Regents of The 17

Texas A&M University System shall undertake to govern, operate, 18

manage, and control Texas A&I University, Corpus Christi State 19

University, and Laredo State University and all land, buildings, 20

improvements, equipment, supplies, and property facilities, 21

comprising those institutions pursuant to the powers, duties,

responsibilities conferred by law on the Board of Regents of The

Texas A&M University System for the governance, operation, 24

- 1 management, and control of component institutions comprising that
- 2 system.
- 3 SECTION 3. APPROPRIATIONS. Appropriations made by the
- 4 legislature for the use and benefit of Texas A&I University, Corpus
- 5 Christi State University, and Laredo State University under the
- 6 governance of the Board of Regents of the University System of
- 7 South Texas are transferred to the Board of Regents of The Texas
- 8 A&M University System for the use and benefit of those
- 9 institutions. Other funds held for the use and benefit of Texas
- 10 A&I University, Corpus Christi State University, and Laredo State
- 11 University shall continue to be available for the use and benefit
- of those institutions notwithstanding the changes in name and
- 13 governance made by this Act.
- 14 SECTION 4. CONTRACTS AND WRITTEN OBLIGATIONS. Contracts and
- 15 written obligations of every kind and character, including bonds,
- 16 entered by the Board of Regents of the University System of South
- 17 Texas for and on behalf of Texas A&I University, Corpus Christi
- 18 State University, or Laredo State University are ratified,
- 19 confirmed, and validated. In those contracts and written
- 20 obligations, including bonds, the Board of Regents of The Texas A&M
- 21 University System is substituted for and stands and acts in the
- 22 place of the Board of Regents of the University System of South
- 23 Texas.
- 24 SECTION 5. EMPLOYEE INSURANCE AND OTHER BENEFITS. Any
- 25 contract or other agreement with a provider of insurance or
- 26 employee benefits that provides coverage for employees of the
- 27 University System of South Texas system administration or any

component institution of that system is not void nor does 1 terminate on the effective date of this Act. 2 Any such contract or agreement remains in full force and effect until its date of 3 expiration unless it terminates before the expiration date 4 accordance with its terms. All persons for whom the insurance is 5 6 provided on the effective date of this Act are covered by the insurance in accordance with the terms of those agreements until 7 8 the respective dates of termination or expiration of The persons covered by the agreements who agreements. 9 employees of The Texas A&M University System on the respective 10 termination or expiration dates of those agreements shall be 11 included in any similar agreements that relate to other employees 12 of The Texas A&M University System and are in effect on the 13 14 termination or expiration dates.

SECTION 6. EFFECT OF TRANSFER ON STUDENTS AND EMPLOYEES.

The transfer of governance, operation, management, and control of Texas A&I University, Corpus Christi State University, and Laredo State University from the Board of Regents of the University System of South Texas to the Board of Regents of The Texas A&M University System does not affect:

- (1) the credit hours earned by students at those institutions before the effective date of this Act; or
- (2) the employment status on the effective date of this Act of the administrative, faculty, or support staff of Texas A&I University, Corpus Christi State University, or Laredo State University.
- 27 SECTION 7. AMENDMENT. Chapter 87, Education Code, is

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- amended by adding Subchapters D, E, and F to read as follows:
- 2 SUBCHAPTER D. TEXAS A&M UNIVERSITY AT KINGSVILLE
- 3 Sec. 87.301. ESTABLISHMENT. (a) Texas A&M University at
- 4 Kingsville is a coeducational institution of higher education
- 5 located in the city of Kingsville. The university is a component
- 6 institution of The Texas A&M University System and is under the
- 7 management and control of the board of regents of The Texas A&M
- 8 University System.
- 9 (b) The board has the same powers and duties concerning
- 10 Texas A&M University at Kingsville as are conferred on it by
- 11 statute concerning Texas A&M University.
- 12 (c) The board shall establish a law school at Texas A&M
- 13 University at Kingsville.
- 14 Sec. 87.302. COURSES AND DEGREES; RULES; JOINT APPOINTMENTS.
- 15 (a) The board, with the approval of the Texas Higher Education
- 16 Coordinating Board, may prescribe courses leading to customary
- 17 degrees as are offered at leading American universities and may
- 18 award those degrees, including baccalaureate, master's, and
- doctoral degrees and their equivalents.
- 20 (b) A new department, school, or degree program may not be
- 21 instituted without the prior approval of the Texas Higher Education
- 22 <u>Coordinating Board.</u>
- 23 (c) The board shall adopt other rules for the operation,
- 24 control, and management of the university as may be necessary for
- 25 the conduct of the university as one of the first class.
- 26 (d) The board may make joint appointments in the university
- 27 and in other institutions under its governance. The salary of a

- 1 person who receives a joint appointment shall be apportioned to the
- 2 appointing institution on the basis of services rendered.
- 3 [Sections 87.303-87.400 reserved for expansion]
- 4 SUBCHAPTER E. TEXAS A&M UNIVERSITY AT CORPUS CHRISTI
- 5 Sec. 87.401. ESTABLISHMENT; SCOPE. (a) Texas A&M
- 6 University at Corpus Christi is a coeducational institution of
- 7 higher education located in the city of Corpus Christi. The
- 8 university is a component institution of The Texas A&M University
- 9 System and is under the management and control of the board of
- 10 regents of The Texas A&M University System.
- 11 (b) The board has the same powers and duties concerning
- 12 Texas A&M University at Corpus Christi as are conferred on it by
- statute concerning Texas A&M University.
- Sec. 87.402. COURSES AND DEGREES; RULES; JOINT APPOINTMENTS.
- 15 (a) The board, with the approval of the Texas Higher Education
- 16 Coordinating Board, may prescribe courses leading to customary
- 17 degrees as are offered at leading American universities and may
- 18 award those degrees, including baccalaureate, master's, and
- doctoral degrees and their equivalents.
- 20 (b) A new department, school, or degree program may not be
- 21 instituted without the prior approval of the Texas Higher Education
- 22 Coordinating Board.
- 23 (c) The board shall adopt other rules for the operation,
- 24 control, and management of the university, including the
- 25 determination of the number of students that may be admitted to any
- school, college, or degree-granting program, as may be necessary
- for the conduct of the university as one of the first class.

1	(d) The board may make joint appointments in the university
2	and in other institutions under its governance. The salary of a
3	person who receives a joint appointment shall be apportioned to the
4	appointing institution on the basis of services rendered.
5	Sec. 87.403. ADMISSION STANDARDS. Admission standards at
6	Texas A&M University at Corpus Christi for freshman and sophomore
7	level students must be comparable to the admission standards for
8	freshman and sophomore level students at public senior colleges and
9	universities that are members of the Southwest Conference.
10	[Sections 87.404-87.500 reserved for expansion]
11	SUBCHAPTER F. TEXAS A&M UNIVERSITY AT LAREDO
12	Sec. 87.501. ESTABLISHMENT; SCOPE. (a) Texas A&M
13	University at Laredo is a coeducational upper-level educational
14	institution located in the city of Laredo. The upper-level
15	institution is a component institution of The Texas A&M University
16	System and is under the management and control of the board of
17	regents of The Texas A&M University System.
18	(b) The board has the same powers and duties concerning
19	Texas A&M University at Laredo as are conferred on it by statute
20	concerning Texas A&M University.
21	(c) The upper-level institution may accept only junior,
22	senior, and master's level students.
23	(d) Texas A&M University at Laredo may not be converted to a
24	freestanding, fully state supported coeducational institution of
25	higher education until:

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least 200 acres of land, is provided at no cost to the state; and

(1) the site for the institution, consisting of at

1	(2)	the	legislature	annrouse	+ha	conversion
<u></u>	( 4 )	tne	legislature	approves	tne	conversion.

- Sec. 87.502. COURSES AND DEGREES; RULES; JOINT APPOINTMENTS.
- 3 (a) The board, with the approval of the Texas Higher Education
- 4 Coordinating Board, may prescribe courses leading to customary
- 5 degrees and may award those degrees.
- 6 (b) The degrees offered by the upper-level institution may
- 7 include only baccalaureate and master's degrees and their
- 8 equivalents.
- 9 (c) A new department, school, or degree program may not be
- 10 instituted without the prior approval of the Texas Higher Education
- 11 Coordinating Board.
- 12 (d) The board shall adopt other rules for the operation,
- control, and management of Texas A&M University at Laredo as may be
- 14 necessary for the institution to be a first-class upper-level
- institution of higher education.
- 16 (e) The board may make joint appointments in Texas A&M
- 17 University at Laredo and in other institutions under its
- 18 governance. The salary of a person who receives a joint
- 19 appointment shall be apportioned to the appointing institution on
- 20 the basis of services rendered.
- 21 SECTION 8. AMENDMENT. Section 85.66(c), Education Code, is
- 22 amended to read as follows:
- 23 (c) The commissioner of the general land office shall tender
- 24 to the board on or before the 10th day of each month a report of
- 25 all receipts from the lease or sale of oil, gas, sulphur, mineral
- ore, and other minerals turned into the [special-fund-in-the] state
- 27 treasury, as provided by Section 85.70 of this code, of the

- preceding month.
- 2 SECTION 9. AMENDMENT. Sections 85.69 and 85.70, Education
- 3 Code, are amended to read as follows:
- 4 Sec. 85.69. PAYMENTS; DISPOSITION. Payments under this
- 5 subchapter shall be made to the commissioner of the general land
- 6 office at Austin, who shall transmit to the state treasurer all
- 7 royalties, lease fees, rentals for delay in drilling or mining, and
- 8 all other payments, including all filing assignments and
- 9 relinquishment fees, to be deposited in the [special-fund-in-the]
- state treasury as provided by Section 85.70 of this code [Gode].
- 11 Sec. 85.70. CERTAIN MINERAL LEASES; DISPOSITION OF MONEY;
- 12 SPECIAL FUNDS; INVESTMENT. (a) Except as provided by Subsection
- (c) of this section, all [All] money received under and by virtue
- of this subchapter shall be deposited in the state treasury to the
- 15 credit of a special fund to be known as The Texas A&M University
- 16 System Special Mineral Investment Fund. In the judgment of the
- board, this special fund may be invested so as to produce an income
- which may be expended under the direction of the board for the
- 19 general use of any component of The Texas A&M University System,
- 20 including [in] erecting permanent improvements [for-the--university
- 21 system] and in payment of expenses incurred in connection with the
- 22 administration of this subchapter. The unexpended income likewise
- 23 may be invested as herein provided.
- 24 (b) The income from the investment of the special mineral
- 25 investment fund under Subsection (a) of this section shall be
- 26 deposited to the credit of a fund to be known as The Texas A&M
- 27 University System Special Mineral Income Fund, and shall be

appropriated by the legislature exclusively for the university system for the purposes herein provided.

mineral development, as prescribed by this subchapter, all or part of the land under the exclusive control of the board owned by the State of Texas and acquired for the use of Texas A&M University at Kingsville and its divisions. Any money received by the board concerning such land under this subchapter shall be deposited in the state treasury to the credit of a special fund to be known as the Texas A&M University at Kingsville special mineral fund, to be used exclusively for Texas A&M University at Kingsville and its branches and divisions. Money may not be expended from this fund except as authorized by the general appropriations act.

SECTION 10. AMENDMENT. Subsection 1, Section 2, Chapter 229, Acts of the 50th Legislature, Regular Session, 1947 (Article 8309b, Vernon's Texas Civil Statutes), is amended to read as follows:

1. "Institution" whenever used in this Act shall be held to mean each of the institutions and agencies under the direction or governance [government] of the Board of Regents [Directors] of the Texas A&M University System [Agricultural--and Mechanical-College-of-Texas-including-the-following-

[Agricultural-and-Mechanical-College-of-Texas]
[Texas-Agricultural-Experiment-Station]
[Extension-Service-7-A--and-M--College-of-Texas]
[Texas-Forest-Service]
[Rodent-Control-Service]

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2	[John-Tarleton-Agricultural-College
3	[North-Texas-Agricultural-College
4	[Prairie-View-State-Normal-and-Industrial-College
5	[Anyotherageneiesnow-or-hereafter-under-the
6	direction-and-control-of-said-Board-of-Directors].
7	SECTION 11. REPEALER. Chapter 104, Education Code, is
8	repealed.
9	SECTION 12. ESTABLISHMENT OF LAW SCHOOL. Under Section
10	87.301, Education Code, as added by this Act, the board of regents
11	of Texas A&M University shall establish a law school at Texas A&M
12	University at Kingsville on the effective date of this Act, and the
13	university shall admit students to the law school as soon as
14	practicable.
15	SECTION 13. LIMITATIONS; APPROPRIATIONS. (a) Under Section
16	87.402, Education Code, as added by this Act, Texas A&M University
17	at Corpus Christi may not offer freshman and sophomore courses
18	until the fall semester 1994.
19	(b) Freshman enrollment at Texas A&M University at Corpus
20	Christi shall be limited to:
21	(1) 400 students for 1994; and
22	(2) 500 students for 1995 unless a total enrollment
23	increase of 300 or more students occurs between the fall semester

Kingsville and at Del Mar College.

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1993 and the fall semester 1994 at Texas A&M University at

Texas A&M University at Corpus Christi, the legislature shall

(c) During the first five years of freshman enrollment at

- 1 appropriate to Texas A&M University at Kingsville and Del Mar
- 2 College a total amount not less than the total amount appropriated
- 3 to those institutions for the 1993 fiscal year.
- 4 SECTION 14. EFFECTIVE DATE. (a) The board of regents of
- 5 the University System of South Texas is abolished on the effective
- 6 date of this Act.
- 7 (b) This Act takes effect September 1, 1989.
- 8 SECTION 15. EMERGENCY. The importance of this legislation
- 9 and the crowded condition of the calendars in both houses create an
- 10 emergency and an imperative public necessity that the
- 11 constitutional rule requiring bills to be read on three several
- days in each house be suspended, and this rule is hereby suspended.