

Regular Session, 2014

HOUSE BILL NO. 696

BY REPRESENTATIVE CARTER

HIGHER EDUCATION: Provides relative to required qualifications for members of public postsecondary education boards

1 AN ACT

2 To amend and reenact R.S. 17:1453(A), 1831(B), 1851(B), 1871(A)(1), and 3121(B),
3 relative to qualifications of members of postsecondary education management boards
4 and the Board of Regents; to require specified qualifications for board members; to
5 provide for appointments to implement the Act; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:1453(A), 1831(B), 1851(B), 1871(A)(1), and 3121(B) are hereby
8 amended and reenacted to read as follows:

9 §1453. Terms and appointment of members of board

10 A.(1) The Board of Supervisors of Louisiana State University and
11 Agricultural and Mechanical College is created as a body corporate in accordance
12 with the provisions of Article VIII, Section 7 of the Constitution of 1974. The board
13 shall be composed of fifteen members appointed by the governor with the consent
14 of the Senate. Two members shall be appointed from each congressional district and
15 the remaining member or members shall be appointed from the state at large.

16 (2)(a) In making his appointments the governor shall ensure that the board
17 membership includes the following members with the qualifications specified:

18 (i) At least one member with at least five years experience as the chief
19 executive officer, chief financial officer, or equivalent leadership officer of a large
20 corporation or company within one of the largest manufacturing or business

1 components of the state's economy, such as construction, utilities, chemical
2 manufacturing or processing, oil and gas, other manufacturing, banking, or finance.

3 (ii) At least one member who holds a Master of Business Administration
4 degree or has had at least fifteen years of management experience in private business
5 or industry.

6 (iii) At least three members who are graduates of an institution within the
7 Louisiana State University system.

8 (iv) One member who is appointed from a total of five nominees
9 recommended to the governor jointly by the Council for a Better Louisiana, the
10 Public Affairs Research Council, and the Louisiana Association of Business and
11 Industry.

12 (v) At least one member who has five years experience as an executive in the
13 public sector in the field of economic development or workforce development.

14 (vi) At least one member who has at least five years management experience
15 in the public sector in the field of budget preparation and control or human resources
16 management.

17 (b) In making his appointments the governor shall ensure that at least seven
18 members of the board meet the qualifications required by at least one of the Items
19 in Subparagraph (a) of this Paragraph and that as a whole the members meet the
20 qualifications for all Items in Subparagraph (a) of this Paragraph.

21 (c) The board should be representative of the state's population by race and
22 gender to ensure diversity.

23 (3) Each member shall serve a term of six years, which shall expire on June
24 1 of the sixth year of the term to which he is appointed, or until his successor is
25 appointed and takes office.

26 * * *

27 §1831. Board of Supervisors for the University of Louisiana System; creation;
28 membership; terms of office; vacancies

29 * * *

1 B.(1) The board shall be composed of fifteen members. Two members from
2 each congressional district shall be appointed by the governor and one or more
3 members shall be appointed by the governor from the state at large. All such
4 appointments shall be made with the consent of the Senate.

5 (2)(a) In making his appointments the governor shall ensure that the board
6 membership includes the following members with the qualifications specified:

7 (i) At least one member with at least five years experience as the chief
8 executive officer, chief financial officer, or equivalent leadership officer of a large
9 corporation or company within one of the largest manufacturing or business
10 components of the state's economy, such as construction, utilities, chemical
11 manufacturing or processing, oil and gas, other manufacturing, banking, or finance.

12 (ii) At least one member who holds a Master of Business Administration
13 degree or has had at least fifteen years of management experience in private business
14 or industry.

15 (iii) At least three members who are graduates of an institution within the
16 University of Louisiana system.

17 (iv) One member who is appointed from a total of five nominees
18 recommended to the governor jointly by the Council for a Better Louisiana, the
19 Public Affairs Research Council, and the Louisiana Association of Business and
20 Industry.

21 (v) At least one member who has five years experience as an executive in the
22 public sector in the field of economic development or workforce development.

23 (vi) At least one member who has at least five years management experience
24 in the public sector in the field of budget preparation and control or human resources
25 management.

26 (b) In making his appointments the governor shall ensure that at least seven
27 members of the board meet the qualifications required by at least one of the Items
28 in Subparagraph (a) of this Paragraph and that as a whole the members meet the
29 qualifications for all Items in Subparagraph (a) of this Paragraph.

1 (c) The board should be representative of the state's population by race and
2 gender to ensure diversity.

3 * * *

4 §1851. Board of Supervisors of Southern University and Agricultural and
5 Mechanical College; creation; membership; terms of office; vacancies

6 * * *

7 B.(1) The board shall be composed of fifteen members to be appointed by
8 the governor, two members from each congressional district and the remaining
9 member or members from the state at large. All such appointments shall be made
10 with the consent of the Senate.

11 (2)(a) In making his appointments the governor shall ensure that the board
12 membership includes the following members with the qualifications specified:

13 (i) At least one member with at least five years experience as the chief
14 executive officer, chief financial officer, or equivalent leadership officer of a large
15 corporation or company within one of the largest manufacturing or business
16 components of the state's economy, such as construction, utilities, chemical
17 manufacturing or processing, oil and gas, other manufacturing, banking, or finance.

18 (ii) At least one member who holds a Master of Business Administration
19 degree or has had at least fifteen years of management experience in private business
20 or industry.

21 (iii) At least three members who are graduates of an institution within the
22 Southern University system.

23 (iv) One member who is appointed from a total of five nominees
24 recommended to the governor jointly by the Council for a Better Louisiana, the
25 Public Affairs Research Council, and the Louisiana Association of Business and
26 Industry.

27 (v) At least one member who has five years experience as an executive in the
28 public sector in the field of economic development or workforce development.

1 largest emerging industries or business activities as determined by the Department
2 of Economic Development.

3 (iv) One member shall be appointed by the governor who holds a Master of
4 Business Administration degree or has had at least fifteen years of management
5 experience in private business or industry.

6 (v) One member shall be appointed by the governor from a total of five
7 nominees recommended to the governor jointly by the Council for a Better
8 Louisiana, the Public Affairs Research Council, and the Louisiana Association of
9 Business and Industry.

10 (vi) One member shall be appointed by the governor who has five years
11 experience as an executive in the public sector in the field of economic development
12 or workforce development.

13 (vii) One member shall be appointed by the governor who has at least five
14 years management experience in the public sector in the field of budget preparation
15 and control or human resources management.

16 (b) In making his appointments the governor shall ensure that at least seven
17 members of the board meet the qualifications required by at least one of the Items
18 in Subparagraph (a) of this Paragraph and that as a whole the members meet the
19 qualifications for all Items in Subparagraph (a) of this Paragraph.

20 ~~(b)~~ (c) In addition, the board shall have two student members who shall serve
21 one-year terms and shall be selected as provided in R.S. 17:1806.

22 ~~(c)~~ (d) Of the members selected and appointed by the governor, there shall
23 be two members from each congressional district and the remaining member or
24 members from the state at large.

25 * * *

26 §3121. Board of Regents; creation; membership; terms of office; vacancies;
27 responsibilities

28 * * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 B.(1) The board shall be composed of fifteen members appointed by the
2 governor with the consent of the Senate, who are electors of the state. Two members
3 shall be from each congressional district and the remaining member or members
4 from the state at large.

5 (2)(a) In making his appointments the governor shall ensure that the board
6 membership includes the following members with the qualifications specified:

7 (i) At least one member with at least five years experience as the chief
8 executive officer, chief financial officer, or equivalent leadership officer of a large
9 corporation or company within one of the largest manufacturing or business
10 components of the state's economy, such as construction, utilities, chemical
11 manufacturing or processing, oil and gas, other manufacturing, banking, or finance.

12 (ii) At least one member who holds a Master of Business Administration
13 degree or has had at least fifteen years of management experience in private business
14 or industry.

15 (iii) At least three members who are graduates of a public postsecondary
16 education institution in the state, at least one of whom holds an associate degree from
17 such an institution, at least one of whom holds a baccalaureate degree from such an
18 institution, and at least one of whom holds a post baccalaureate degree from such an
19 institution.

20 (iv) One member who is appointed from a total of five nominees
21 recommended to the governor jointly by the Council for a Better Louisiana, the
22 Public Affairs Research Council, and the Louisiana Association of Business and
23 Industry.

24 (v) At least one member who has five years experience as an executive in the
25 public sector in the field of economic development or workforce development.

26 (vi) At least one member who has at least five years management experience
27 in the public sector in the field of budget preparation and control or human resources
28 management.

present constitution provides no qualifications for the boards. Present law provides certain qualifications for the LCTCS board (see digest below).

Proposed law, relative to the LSU, SU, and UL boards of supervisors and the Board of Regents, requires the governor, in making his appointments, to ensure that the board membership includes the following members with the qualifications specified:

- (1) At least one member with at least five years experience as the chief executive officer, chief financial officer, or equivalent leadership officer of a large corporation or company within one of the largest manufacturing or business components of the state's economy, such as construction, utilities, chemical manufacturing or processing, oil and gas, other manufacturing, banking, or finance.
- (2) At least one member who holds a Master of Business Administration degree or has had at least fifteen years of management experience in private business or industry.
- (3) At least three members who are graduates of an institution within the respective university system.
- (4) One member who is appointed from a total of five nominees recommended to the governor jointly by the Council for a Better Louisiana, the Public Affairs Research Council, and the Louisiana Association of Business and Industry.
- (5) At least one member who has five years experience as an executive in the public sector in the field of economic development or workforce development.
- (6) At least one member who has at least five years management experience in the public sector in the field of budget preparation and control or human resources management.

Proposed law, relative to the LSU, SU, and UL boards of supervisors, requires that the governor ensure that at least seven members of the board meet the qualifications required by at least one of the items above and that as a whole the members meet the qualifications for all items.

Proposed law also provides, relative to the LSU and UL boards of supervisors, that the board should be representative of the state's population by race and gender to ensure diversity. Retains the same provision in present law relative to the Board of Regents.

Present law, relative to the LCTCS board, provides that the governor shall appoint:

- (1) One member from among three persons nominated by the Louisiana AFL-CIO.
- (2) One member from among three persons nominated by the Louisiana Association of Business and Industry (LABI).
- (3) Two members from among six persons nominated by the State Board of Elementary and Secondary Education (BESE).

Proposed law, relative to the LCTCS board, retains present law appointment from AFL-CIO nominees and removes appointments from BESE nominees and LABI nominees (but see (4) below) and also requires that the governor appoint:

- (1) At least one member with at least five years experience as the chief executive officer, chief financial officer, or equivalent leadership officer of a large corporation or company within one of the largest manufacturing or business components of the state's economy, such as construction, utilities, chemical manufacturing or processing, oil and gas, other manufacturing, banking, or finance.

- (2) One member who has at least two years experience as the chief executive officer, chief financial officer, or equivalent leadership officer of a corporation or company engaged in one of Louisiana's three largest emerging industries or business activities as determined by the Department of Economic Development.
- (3) One member who holds a Master of Business Administration degree or has had at least fifteen years of management experience in private business or industry.
- (4) One member who is appointed from a total of five nominees recommended to the governor jointly by the Council for a Better Louisiana, the Public Affairs Research Council, and LABI.
- (5) One member who has five years experience as an executive in the public sector in the field of economic development or workforce development.
- (6) One member who has at least five years management experience in the public sector in the field of budget preparation and control or human resources management.

Proposed law requires that the governor ensure that at least seven members of the board meet the qualifications required by at least one of the items above and that as a whole the members meet the qualifications for all items.

Proposed law retains present law that requires that at least six members of the LCTCS board have significant experience in vocational education and that the board should be representative of the state's population by race and gender to ensure diversity

Proposed law, relative to implementation of the Act, requires the governor to make appointments to fill each vacancy that occurs on a board by appointing a member whose qualifications meet the qualifications specified in this Act and continue to fill each vacancy in such manner until the membership of each board is in compliance with the qualifications required by the Act. Requires the governor to make appointments thereafter so as to provide for continued compliance with the Act.

Effective if and when the proposed amendment of Article VIII of the Constitution of La. contained in the Act which originated as House Bill No. ___ of this 2014 R.S. of the Legislature is adopted at a statewide election and becomes effective.

(Amends R.S. 17:1453(A), 1831(B), 1851(B), 1871(A)(1), and 3121(B))