
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)]

HB 34 Original

2017 Regular Session

Pugh

Abstract: Creates the La. Postsecondary Education Board of Trustees as a single governing board for public postsecondary education; abolishes the Board of Regents and the management boards of the postsecondary education systems, and transfers the powers, duties, and responsibilities of the abolished boards to the new Board of Trustees.

Present constitution, relative to public postsecondary education governance:

- (1) Establishes the Board of Regents to plan, coordinate, and have budgetary responsibility for all public postsecondary education.
- (2) Creates the Board of Supervisors for the University of La. System, the Board of Supervisors of La. State University and Agricultural and Mechanical College, and the Board of Supervisors of Southern University and Agricultural and Mechanical College, all having supervision and management responsibilities for "four-year" colleges and universities and agricultural and other system programs.
- (3) Creates and provides for the Board of Supervisors of Community and Technical Colleges, which is the management board for all programs of public postsecondary vocational-technical training, and, as provided by law, institutions of higher education which offer associate degrees but not baccalaureate degrees.

Present constitution specifies the powers of the Board of Regents. Provides that powers of management over public institutions of postsecondary education not specifically vested by the constitution in the Board of Regents are reserved to the management boards as to the institutions under the control of each.

Proposed constitutional amendment abolishes the Board of Regents and all four management boards and creates the La. Postsecondary Education Board of Trustees. Provides that the Board of Trustees shall have the powers of the Board of Regents to plan, coordinate, and have budgetary responsibility for all public postsecondary education and shall also have the management and supervision authority of the management boards.

Present constitution provides for the members of the Board of Regents to be appointed by the governor, subject to Senate confirmation, for staggered six-year terms. Provides that the board should be representative of the state's population by race and gender to ensure diversity. Proposed constitutional amendment retains these provisions applicable to the Board of Trustees.

Present constitution provides that the Board of Regents is comprised of fifteen members – two members from each congressional district and remaining member(s) from the state at large.

Proposed constitutional amendment provides for the Board of Trustees to be comprised of 25 members – one member from a list of three nominees submitted by the chief executive officer of each of the following 24 institutions and the remaining member from the state at large: La. State Univ. at Baton Rouge, Southern Univ. at Baton Rouge, Grambling State Univ., La. Tech Univ., McNeese State Univ., Nicholls State Univ., Northwestern State Univ. of La., Southeastern La. Univ., the Univ. of La. at Lafayette, the Univ. of La. at Monroe, the Univ. of New Orleans, Baton Rouge Community College, Bossier Parish Community College, Central La. Technical Community College, Delgado Community College, Nunez Community College, Fletcher Technical Community College, La. Delta Community College, Northwest La. Technical College, Northshore Technical Community College, River Parishes Community College, South Central La. Technical College, South La. Community College, and Sowela Technical Community College.

Present constitution authorizes the legislature to provide for one student member to serve on the Board of Regents for one term of one year and to have the rights of other board members. Proposed constitutional amendment retains these provisions applicable to the Board of Trustees.

Proposed constitutional amendment otherwise generally provides that the Board of Trustees exercises the powers and duties of the abolished Board of Regents, including authority:

- (1) To revise or eliminate an existing degree program, department of instruction, division, or similar subdivision.
- (2) To approve, disapprove, or modify a proposed degree program, department of instruction, division, or similar subdivision.
- (3) To study the need for and feasibility of creating a new institution of postsecondary education, establishing a branch of an institution, converting an institution that does not grant degrees to one that does, and converting an institution that grants degrees of lower rank than a baccalaureate degree to one that offers such degrees, or merging any institution of postsecondary education into another.
- (4) To formulate and make timely revision of a master plan for postsecondary education which as a minimum shall include a formula for equitable distribution of funds to the institutions of postsecondary education.
- (5) To require that each institution (instead of each management board) submit to it, at a time it specifies, an annual budget proposal for its operational and capital needs. Requires the board to submit its budget recommendations for all postsecondary education institutions and recommend priorities for capital construction and improvements.
- (6) To meet with the State Board of Elementary and Secondary Education at least twice a year to coordinate programs of public elementary, secondary, vocational-technical, career, and

higher education.

Present constitution provides that appropriations for the institutions of higher education be made to their managing boards. Proposed constitutional amendment provides that appropriations for public postsecondary education institutions and other public postsecondary education purposes be made to and administered by the Board of Trustees.

Proposed constitutional amendment retains present constitution provisions for limitations of the terms a member may serve, not more than 2-1/2 in three consecutive terms, and makes them applicable to the Board of Trustees.

Present constitution authorizes the legislature to provide for operation and management of public hospitals and their programs by the Board of Regents or a management board. Expects from such authority institutions and programs operated by a management board prior to Jan. 1, 1997. Proposed constitutional amendment authorizes the legislature to provide for operation and management of public hospitals by the Board of Trustees. Removes exception for institutions and programs operated by a management board prior to Jan. 1, 1997.

Relative to implementation, proposed constitutional amendment provides that on the effective date of the amendment (Jan. 1, 2020), the powers, duties, functions, and responsibilities of the abolished boards are transferred to the Board of Trustees. Requires the legislature to provide by law for the implementation of the amendment and for the transfer of such powers, duties, functions, and responsibilities. Further provides that the Board of Regents and the management boards shall take such action prior to Jan. 1, 2020, as necessary to provide for implementation of the Board of Trustees on that date. Requires the governor to appoint the initial members of the Trustees not later than March 1, 2019. Such members shall take actions as authorized by law to provide for implementation of the Board of Trustees on Jan. 1, 2020.

Provides for submission of the proposed amendment to the voters at the statewide election to be held November 6, 2018.

Effective January 1, 2020, except transition provisions are effective January 1, 2019.

(Amends Const. Art. IV, §22(A), Art. VII, §§10.1(C)(1) and (3) and (D)(1)(intro. para.) and 10.4(B)(1), (3), and (4), and Art. VIII, §§5 and 16; Adds Const. Art. XIV, §41; Repeals Const. Art. VIII, §§6, 7, 7.1, 8(B) and (D), and 12)