HLS 14RS-1111 ORIGINAL

Regular Session, 2014

HOUSE BILL NO. 696

1

BY REPRESENTATIVE CARTER

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

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. Be it enacted by the Legislature of Louisiana: 6 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 executive officer, chief financial officer, or equivalent leadership officer of a large 19 corporation or company within one of the largest manufacturing or business 20

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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	* * *

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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	<u>Industry.</u>
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.

 $B.\underline{(1)}$  The board shall be composed of fifteen members. Two members from

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	<u>Industry.</u>
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	(vi) At least one member who has at least five years management experience
2	in the public sector in the field of budget preparation and control or human resources
3	management.
4	(b) In making his appointments the governor shall ensure that at least seven
5	members of the board meet the qualifications required by at least one of the Items
6	in Subparagraph (a) of this Paragraph and that as a whole the members meet the
7	qualifications for all Items in Subparagraph (a) of this Paragraph.
8	* * *
9	§1871. Board of Supervisors of Community and Technical Colleges; establishment;
10	members; qualifications and terms; vacancies; duties
11	A.(1)(a) The Board of Supervisors of Community and Technical Colleges
12	is created as a body corporate. The board shall be composed of fifteen members
13	appointed by the governor with the consent of the Senate and of such appointments:
14	(i) One member shall be appointed by the governor from among three
15	persons nominated by the Louisiana AFL-CIO.
16	(ii) One member shall be appointed by the governor from among three
17	persons nominated by the Louisiana Association of Business and Industry.
18	(iii) Two members shall be appointed by the governor from among six
19	persons nominated by the State Board of Elementary and Secondary Education.
20	(ii) At least one member shall be appointed by the governor who has at least
21	five years experience as the chief executive officer, chief financial officer, or
22	equivalent leadership officer of a large corporation or company within one of the
23	largest manufacturing or business components of the state's economy, such as
24	construction, utilities, chemical manufacturing or processing, oil and gas, other
25	manufacturing, banking, or finance.
26	(iii) One member shall be appointed by the governor who has at least two
27	years experience as the chief executive officer, chief financial officer, or equivalent
28	leadership officer of a corporation or company engaged in one of Louisiana's three

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	* * *

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	<u>Industry.</u>
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.

1 (b) In making his appointments the governor shall ensure that at least seven 2 members of the board meet the qualifications required by at least one of the Items 3 in Subparagraph (a) of this Paragraph and that as a whole the members meet the 4 qualifications for all Items in Subparagraph (a) of this Paragraph. (c) The board should be representative of the state's population by race and 5 6 gender to ensure diversity. 7 8 Section 2. In order to implement the provisions of this Act, the governor shall make 9 appointments to fill each vacancy that occurs on a board for which member qualifications 10 are provided in this Act by appointing a member whose qualifications meet the qualifications 11 specified in this Act and shall continue to fill each vacancy in such manner until the 12 membership of each board is in compliance with the qualifications required by this Act. 13 Thereafter, the governor shall make appointments to fill vacancies on such boards so as to 14 provide for continued compliance with this Act. 15 Section 3. This Act shall take effect and become operative if and when the proposed 16 amendment of Article VIII of the Constitution of Louisiana contained in the Act which 17 originated as House Bill No. \_\_\_\_\_ of this 2014 Regular Session of the Legislature is adopted 18 at a statewide election and becomes effective.

## 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)]

Carter HB No. 696

**Abstract:** Requires certain qualifications for members appointed to the postsecondary education management boards and the Board of Regents.

<u>Present constitution and present law</u> create and provide for the membership of the Board of Regents and the postsecondary education management boards (Louisiana State University (LSU), Southern University (SU), and University of Louisiana (UL) boards of supervisors and the Board of Supervisors of Community and Technical Colleges (LCTCS board)). Provide that each board has 15 members appointed by the governor. Also provides for a student member (two student members for the LCTCS board). <u>Present constitution and present law</u> provide that the Board of Regents and the LCTCS board should be representative of the state's population by race and gender to ensure diversity, but otherwise

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

<u>Proposed law</u>, 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.

<u>Proposed law</u>, 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.

<u>Proposed law</u> 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 <u>present law</u> 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).

<u>Proposed law</u>, relative to the LCTCS board, retains <u>present law</u> 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.

- 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.
- 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.
- One member who has five years experience as an executive in the public sector in the field of economic development or workforce development.
- 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.

<u>Proposed law</u> 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.

<u>Proposed law</u> retains <u>present law</u> 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

<u>Proposed law</u>, 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))