

2020 Second Extraordinary Session

SENATE BILL NO. 45

BY SENATORS FIELDS, ABRAHAM, BARROW, BERNARD, BOUDREAUX, BOUIE, CARTER, CATHEY, CORTEZ, FESI, FOIL, HARRIS, HEWITT, JACKSON, JOHNS, LAMBERT, MCMATH, MILLIGAN, ROBERT MILLS, MIZELL, MORRIS, PEACOCK, POPE, PRICE, REESE, SMITH, TALBOT, TARVER, WARD, WHITE AND WOMACK

COLLEGES/UNIVERSITIES. Provides for the "Lod Cook Act" which authorizes the governor to appoint persons who reside out-of-state at certain at-large members of the public postsecondary boards of supervisors. (See Act) (Item #42)

1 AN ACT

2 To amend and reenact R.S. 17:1453(A), 1831(B), 1851(B), and 1871(A)(1)(c), relative to
3 the membership of public postsecondary education boards of supervisors boards; to
4 authorize the governor to appoint persons from out-of-state as at-large members of
5 the boards; 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), and 1871(A)(1)(c) are hereby
8 amended and reenacted to read as follows:

9 §1453. Terms and appointment of members of board

10 A. The Board of Supervisors of Louisiana State University and Agricultural
11 and Mechanical College is created as a body corporate in accordance with the
12 provisions of Article VIII, Section 7 of the Constitution of 1974. The board shall be
13 composed of fifteen members appointed by the governor with the consent of the
14 Senate. Two members shall be appointed from each congressional district and the
15 remaining member or members shall be appointed from the state at large. **If there**
16 **is more than one at-large member, at least one shall be a resident of the state,**
17 **and upon written recommendation of the board, the remaining at-large member**

1 **or members may reside out-of-state.** Each member shall serve a term of six years,
2 which shall expire on June 1 of the sixth year of the term to which he is appointed,
3 or until his successor is appointed and takes office.

4 * * *

5 §1831. Board of Supervisors for the University of Louisiana System; creation;
6 membership; terms of office; vacancies

7 * * *

8 B. The board shall be composed of fifteen members. Two members from
9 each congressional district shall be appointed by the governor and one or more
10 members shall be appointed by the governor from the state at large. **If there is more**
11 **than one at-large member, at least one shall be a resident of the state, and upon**
12 **written recommendation of the board, the remaining at-large member or**
13 **members may reside out-of-state.** All such appointments shall be made with the
14 consent of the Senate.

15 * * *

16 §1851. Board of Supervisors of Southern University and Agricultural and
17 Mechanical College; creation; membership; terms of office;
18 vacancies

19 * * *

20 B. The board shall be composed of fifteen members to be appointed by the
21 governor, two members from each congressional district and the remaining member
22 or members from the state at large. **If there is more than one at-large member, at**
23 **least one shall be a resident of the state, and upon written recommendation of**
24 **the board, the remaining at-large member or members may reside out-of-state.**
25 All such appointments shall be made with the consent of the Senate.

26 * * *

27 §1871. Board of Supervisors of Community and Technical Colleges; establishment;
28 members; qualifications and terms; vacancies; duties

29 A.(1) * * *

1 (c) Of the members selected and appointed by the governor, there shall be
 2 two members from each congressional district and the remaining member or
 3 members from the state at large. **If there is more than one at-large member, at**
 4 **least one shall be a resident of the state, and upon written recommendation of**
 5 **the board, the remaining at-large member or members may reside out-of-state.**

6 * * *

7 Section 2. This Act shall be known as the "Lod Cook Act".

8 Section 3. This Act shall take effect and become operative if and when the proposed
 9 amendment of Article VIII, Sections 6, 7, and 7.1 of the Constitution of Louisiana contained
 10 in the Act which originated as Senate Bill No. 44 of this 2020 Second Extraordinary Session
 11 of the Legislature is adopted at the statewide election to be held on April 24, 2021, and
 12 becomes effective.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Cheryl Serrett.

DIGEST

SB 45 Reengrossed

2020 Second Extraordinary Session

Fields

Present law and present constitution provide for the membership, terms, and appointments of the four public postsecondary education boards of supervisors. Provides for representation from each congressional district and for members from the state at large.

Proposed constitutional amendment (SB 44) provides, if there is more than one at-large member, at least one shall be a resident of the state, and upon recommendation of the board, the governor may appoint persons who reside out-of-state as the remaining at-large member or members.

Proposed law conforms to the relevant statutory provisions to the constitutional provisions.

Effective if and when the proposed amendment of Article VIII, Sections 6, 7, and 7.1 of the Constitution of Louisiana contained in the Act which originated as SB 44 of the 2020 Second ES is adopted at the statewide election to be held on April 24, 2021, and becomes effective.

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

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Adds Section to name the bill the "Lod Cook Act".
2. Makes technical changes.

Senate Floor Amendments to engrossed bill

1. Removes requirement that the out-of-state at-large members must be alumni of a Louisiana postsecondary institution.
2. Changes the date of the election where the proposed constitutional amendment will be submitted to the voters.