
DIGEST

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Garofalo

HB No. 528

Abstract: Creates the Louisiana University System Board of Trustees to supervise and manage Louisiana's public colleges and universities that issue baccalaureate degrees or higher; abolishes the Board of Regents, the Board of Supervisors for the University of Louisiana System, the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, and the Board of Supervisors of Southern University and Agricultural and Mechanical College, and provides for the powers of the Louisiana University System Board of Trustees and the Board of Supervisors of Community and Technical Colleges.

Present constitution establishes the Board of Regents to plan, coordinate, and have budgetary responsibility for all public postsecondary education. Provides that the board is comprised of two members from each congressional district and one member from the state at large, all appointed by the governor, subject to Senate confirmation, for staggered six-year terms.

Present constitution creates the Board of Supervisors for the University of Louisiana System, the Board of Supervisors of Louisiana 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 of certain "four-year" colleges and universities and, in the case of the LSU and SU boards, statewide agricultural programs and other programs administered through their systems. Provides that each board is comprised of two members from each congressional district and one member from the state at large, all appointed by the governor, subject to Senate confirmation, for staggered six-year terms.

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 the three management boards of four-year colleges and universities. Creates instead the Louisiana University System Board of Trustees. Provides that the board is comprised of 32 members elected by the legislature to serve staggered four-year terms, with eight members to be elected by the House of Representatives and eight members to be elected by the Senate in the regular legislative session held in an odd-numbered year. Terms begin on July 1 following election.

Present constitution creates and provides for the Board of Supervisors of Community and

Technical Colleges, which is the management board for two-year colleges. Proposed constitutional amendment retains present constitution.

Proposed constitutional amendment provides for the powers and duties of the Louisiana University System Board of Trustees and the Board of Supervisors of Community and Technical Colleges. Grants the board of trustees the powers of supervision and management of institutions and programs of the LSU board, the SU board, and the UL board to be abolished by proposed constitutional amendment. Generally provides that both boards exercise the powers and duties of the Board of Regents being abolished by proposed constitutional amendment, with respect to their respective institutions, including authority:

- (1) To plan, coordinate, and exercise budgetary responsibility for such institutions.
- (2) To revise or eliminate an existing degree program, department of instruction, division, or similar subdivision.
- (3) To approve, disapprove, or modify a proposed degree program, department of instruction, division, or similar subdivision.
- (4) To study the need for and feasibility of creating a new institution of postsecondary education under its jurisdiction, which includes establishing a branch of such an institution or merging any institution of postsecondary education into another. If the creation of a new institution or the merger of institutions is proposed by the legislature, the board shall report its written findings and recommendations to the legislature within one year after such a proposal. Only after the report has been filed, or after one year after the legislative proposal if no report is filed, may the legislature take affirmative action on such a proposal and then only by law enacted by two-thirds of the elected members of each house.
- (5) To formulate and make timely revision of a master plan for postsecondary education within its jurisdiction. At a minimum, the plan shall include a formula for equitable distribution of funds to the institutions of postsecondary education under its jurisdiction.
- (6) To require that each institution submit to it, at a time it specifies, an annual budget proposal for its operational and capital needs. The board shall submit its budget recommendations for all of its institutions. It shall recommend priorities for capital construction and improvements.
- (7) To meet with the other board and 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.
- (8) To work cooperatively with the other board on all matters affecting responsibilities shared by both boards.

Proposed constitutional amendment requires the two boards to comply with any decision of a commission created by the legislature to resolve disputes between them.

Proposed constitutional amendment retains present constitution provisions for limitations of the terms a member may serve, not more than two and one-half in three consecutive terms, and makes them applicable to the Louisiana University System Board of Trustees.

Present constitution provides for appropriation of the total amount intended for higher education from the Education Quality Support Fund to the Board of Regents.

Proposed constitutional amendment provides for appropriation of such funds to the Louisiana University System Board of Trustees and the Board of Supervisors of Community and Technical Colleges.

Relative to transition, proposed constitutional amendment provides that July 1, 2015, the Louisiana System Board of Trustees, the "Trustees" is created, and the Board of Regents, the Board of Supervisors of Louisiana State University and Agricultural College, the Board of Supervisors of Southern University and Agricultural College, and the Board of Supervisors for the University of Louisiana System are abolished and on that date, except as inconsistent with the amendment, the powers, duties, functions, and responsibilities of such abolished boards are transferred to the Trustees, except that the powers, duties, functions and responsibilities of the Board of Regents are transferred to Trustees and also to the Board of Supervisors of Community and Technical Colleges insofar as they apply to the institutions and programs under their respective jurisdiction. Provides that the legislature shall elect the initial members of the Trustees not later than June 1, 2015. Provides that each house shall elect 16 initial members, eight to serve two-year terms and eight to serve four-year terms as designated by the respective house at the time of the election. Requires the legislature to provide by law for the implementation of the amendment and for the transfer of such powers, duties, functions, and responsibilities.

Provides for submission of the proposed amendment to the voters at the statewide election to be held November 4, 2014.

Effective July 1, 2015, except provisions for election of initial members of the Board of Trustees are effective Jan. 1, 2015.

(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, 7.1(A)(1), 8(B), and 16; Adds Art. VIII, § 7.1(F) and Art. XIV §41; Repeals Art. VIII, §§ 6 and 7)