

2016 Regular Session

HOUSE BILL NO. 374

BY REPRESENTATIVE STEVE 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 (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          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.





Proposed law, relative to the LSU, SU, and UL boards of supervisors and the Bd. 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 La., the Public Affairs Research Council, and the La. 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 Bd. 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 La. AFL-CIO.
- (2) One member from among three persons nominated by the La. Assoc. of Business and Industry (LABI).
- (3) Two members from among six persons nominated by the State Bd. 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 Dept. 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 2016 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))