

2016 Regular Session

SENATE BILL NO. 351

BY SENATOR MORRISH

POSTSECONDARY ED. Provides relative to the Louisiana Universities Marine Consortium for Research and Education. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 17:3452, 3453.1(A) and (C), and 3454, and to repeal R.S.  
3 17:3453, relative to the Louisiana Universities Marine Consortium for Research and  
4 Education; to repeal the executive board and transfer all duties and functions of the  
5 executive board to the Board of Regents; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:3452, 3453.1(A) and (C), and 3454 are hereby amended and  
8 reenacted to read as follows:

9 §3452. Louisiana Universities Marine Consortium for Research and Education;  
10 creation; membership

11 The Louisiana Universities Marine Consortium for Research and Education,  
12 referred to hereinafter as the consortium, is hereby created as a body corporate under  
13 the authority of the Board of Regents ~~to be administered by an executive board~~ as  
14 provided in this Chapter.

15 §3453.1. Science and Education Advisory Council; creation; membership; duties

16 A. The Science and Education Advisory Council is hereby created to provide  
17 advice and information as requested by the ~~executive~~ board.

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C. The advisory council shall meet as necessary to respond to requests from the ~~executive~~ board as well as to provide the board with the benefit of perspectives represented on the council.

§3454. Louisiana Universities Marine Consortium for Research and Education; governance, funding

A. The Louisiana Universities Marine Consortium for Research and Education shall be subject to the governance of the Board of Regents. The board shall serve as fiscal agent for the consortium and shall review and approve the consortium's budgetary request and operating budget and shall review and approve all funds appropriately awarded or bequeathed to the consortium. ~~The executive board of the consortium shall prepare and submit all budget requests and other budgetary documents required by the Board of Regents for its approval.~~ All funds appropriated to the consortium shall be appropriated as a separate line item within the appropriation of the Board of Regents.

B. As the governing body of the Louisiana Universities Marine Consortium for Research and Education, the ~~executive board of the consortium~~ shall have authority to:

(1) Sue and be sued, including the right to recover all debts owing to the consortium, and to retain legal counsel therefor.

(2) Actively seek and accept donations, bequests, or other forms of financial assistance for educational purposes from any public or private person or agency and comply with rules and regulations governing grants from the federal government or any other person or agency which are not in contravention of the constitution and laws of the state of Louisiana.

(3) Determine the fees which shall be paid by students.

(4) Purchase land and purchase or construct buildings necessary for the use of the consortium in accordance with applicable laws; provided that all valid campsite leases dated on or before April 16, 1979, including the option to extend the

1 leases for an additional ten-year period, as provided for in R.S. 41:1211 et seq., shall  
2 remain in full force and effect.

3 (5) Purchase equipment, properly maintain, and make improvements to  
4 facilities necessary for the use of the consortium in accordance with applicable state  
5 laws.

6 ~~(6)(a) Except as otherwise provided in this Chapter, approve the appointment~~  
7 ~~of such administrative officers and other personnel as the executive board deems~~  
8 ~~necessary and designate their titles. In making its appointments, the executive board~~  
9 ~~shall give consideration to the recommendations of the executive director and, in~~  
10 ~~proper cases, to the head of any college or university affected by an appointment.~~  
11 ~~Appointments of classified employees shall be in conformity with applicable civil~~  
12 ~~service laws, rules, and regulations.~~

13 ~~(b) The compensation of all officers and employees, except those classified~~  
14 ~~civil service employees, shall be fixed by the executive board and the officers so~~  
15 ~~appointed shall serve at the pleasure of the executive board.~~

16 ~~(7)~~ Formulate curricula and programs of study.

17 ~~(8)~~(7) Adopt, amend, or repeal rules and regulations necessary or proper for  
18 the business of the consortium.

19 ~~(9)~~(8) Affiliate with any institution giving any special course of instruction,  
20 upon such terms as the executive board deems expedient, which terms may include  
21 the retention by such institution of the control of property, faculty, and staff.

22 ~~(10)~~(9) Enter into contracts and agreements with other public agencies with  
23 respect to cooperative enterprises and undertakings relating to or associated with  
24 college or university purposes and programs in accordance with applicable laws.

25 ~~(11)~~(10) Perform such other functions as are necessary or incidental to the  
26 supervision and management of the consortium.

27 ~~(12)~~(11) Employ the proceeds of all donations, grants, subscriptions, and  
28 bequests made to the consortium so as to effect the purposes of and in accordance  
29 with the terms and conditions of such donations, grants, subscriptions, and bequests.

1 ~~(13) Establish such subcommittees as may be necessary to assist the~~  
2 ~~executive board in the implementation of the provisions of this Chapter.~~

3 ~~(14) Adopt necessary rules and regulations regarding the hours of~~  
4 ~~employment and the accrual and use of sick leave and annual leave for all personnel~~  
5 ~~employed by the consortium.~~

6 C. The ~~executive~~ board may enter into contracts and agreements with any  
7 public agency for the establishment of state or other public offices on the property  
8 and in the buildings belonging to or under the control of the consortium. The  
9 ~~executive~~ board also may enter into contracts and agreements for joint construction,  
10 equipment, maintenance, and financing of such buildings, and enter into contracts  
11 and agreements for the joint financing, supervision, and conduct of cooperative  
12 enterprises and undertakings.

13 D. The liability of any of the acts of the consortium or any of its employees,  
14 or persons associated with any property of the consortium, shall be the liability of the  
15 consortium as represented by the ~~executive~~ board.

16 Section 2. R.S. 17:3453 is hereby repealed.

17 Section 3. This Act shall become effective upon signature by the governor or, if not  
18 signed by the governor, upon expiration of the time for bills to become law without signature  
19 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
20 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
21 effective on the day following such approval.

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

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SB 351 Original    DIGEST    2016 Regular Session    Morrish

Present law creates the Louisiana Universities Marine Consortium for Research and Education (LUMCON) and provides for an executive board to administer the functions of the consortium.

Proposed law repeals the LUMCON executive board and transfers all duties and functions to the Board of Regents.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 17:3452, 3453.1(A) and (C), and 3454; repeals R.S. 17:3453)