

Regular Session, 2012

SENATE BILL NO. 290

BY SENATORS MURRAY, ALLAIN, BROOME, BROWN, CHABERT, DORSEY-COLOMB, LAFLEUR, LONG, MORRELL, PETERSON, GARY SMITH AND TARVER

POSTSECONDARY ED. Provides relative to the La. Universities Marine Consortium. (8/1/12)

1 AN ACT  
2 To amend and reenact R.S. 17:3451, 3453(B), (D) and (E), and 3456, to enact R.S.  
3 17:3453.1, and to repeal R.S. 17:3453(F), relative to the Louisiana Universities  
4 Marine Consortium for Research and Education; to provide relative to the purpose  
5 of the consortium and the membership of the executive board; to establish and  
6 provide for the membership and duties of an advisory council; to provide relative to  
7 development of a master plan; to provide for annual reporting requirements; and to  
8 provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:3451, 3453(B), (D) and (E), and 3456 are hereby amended and  
11 reenacted and R.S. 17:3453.1 is hereby enacted to read as follows:

12 §3451. Purpose

13 The purpose of this Chapter is to create the Louisiana Universities Marine  
14 Consortium for Research and Education **as a statewide entity** with the primary  
15 function of conducting research and promoting education in the marine sciences and  
16 marine technology, particularly where related to coastal resources and the impact of  
17 energy related industries upon these coastal resources. Such functions shall be

1 performed ~~principally at~~ **by** the Louisiana Universities Marine Consortium ~~Center~~  
2 on the Louisiana gulf coast.

3 \* \* \*

4 §3453. Executive Board of the Louisiana Universities Marine Consortium for  
5 Research and Education; creation; membership; terms of office;  
6 vacancies; compensation; organization; duties

7 \* \* \*

8 B.**(1)** The Executive Board of the Louisiana Universities Marine Consortium  
9 for Research and Education shall be composed ~~of the chancellor and one vice~~  
10 ~~chancellor, chosen by the chancellor, of Louisiana State University and Agricultural~~  
11 ~~and Mechanical College in Baton Rouge, the president and one vice president,~~  
12 ~~chosen by the president, of Nicholls State University, and the president and one vice~~  
13 ~~president, chosen by the president, of the University of Southwestern Louisiana~~ **as**  
14 **follows:**

15 **(a) The vice chancellor of research for Louisiana State University and**  
16 **Agricultural and Mechanical College, who shall serve as a voting member.**

17 **(b) A vice chancellor or dean, appointed by the chancellor of Louisiana**  
18 **State University and Agricultural and Mechanical College, who shall serve as**  
19 **a non-voting member.**

20 **(c) The vice president of research for Louisiana Tech University, who**  
21 **shall serve as a voting member.**

22 **(d) A vice president or dean, appointed by the president of Louisiana**  
23 **Tech University, who shall serve as a non-voting member.**

24 **(e) A vice president, appointed by the president of Nicholls State**  
25 **University, who shall serve as a voting member.**

26 **(f) A vice president or dean, appointed by the president of Nicholls State**  
27 **University, who shall serve as a non-voting member.**

28 **(g) The vice president of research for Tulane University, who shall serve**  
29 **as a voting member.**

1                    (h) A vice president or dean, appointed by the president of Tulane  
 2                    University, who shall serve as a non-voting member.

3                    (i) The vice president of research for the University of New Orleans, who  
 4                    shall serve as a voting member.

5                    (j) A vice president or dean, appointed by the president of the University  
 6                    of New Orleans, who shall serve as a non-voting member.

7                    (k) The vice president of research for the University of Louisiana at  
 8                    Lafayette, who shall serve as a voting member.

9                    (l) A vice president or dean, appointed by the president of the University  
 10                    of Louisiana at Lafayette, who shall serve as a non-voting member.

11                    (m) The chair of the board's Science and Education Advisory Council,  
 12                    who shall serve as a voting member.

13                    (n) A member of the staff of the Board of Regents, appointed by the  
 14                    commissioner of higher education, who shall serve as a non-voting member.

15                    (o) A representative from the State Board of Elementary and Secondary  
 16                    Education, appointed by the president of the board, who shall serve as a non-  
 17                    voting member.

18                    (2) Only voting members shall be counted for the purpose of constituting  
 19                    a quorum for the transaction of official business.

20                    \*           \*           \*

21                    D. Each member of the executive board shall serve without compensation  
 22                    except for reimbursement of all necessary travel expenses incurred in the  
 23                    performance of official duties of the ~~council~~ **board**, such expenses to be paid in  
 24                    conformity with regulations governing state officials.

25                    E.~~(1)~~ The executive board shall be chaired, for a one-year term, by ~~one of the~~  
 26                    ~~institutional chief executive officers.~~ The remaining two chief executive officers  
 27                    ~~shall be first vice chair and second vice chair respectively.~~ At the end of each term  
 28                    ~~the first vice chair shall become the chair, the second vice chair shall become the~~  
 29                    ~~first vice chair, and the chair shall become the second vice chair~~ **either a vice**

1 president or vice chancellor of research. No member may serve more than two  
2 consecutive terms as board chair.

3 ~~(2) The initial positions of the chief executive officers shall be chosen by~~  
4 ~~random drawing.~~

5 \* \* \*

6 §3453.1. Science and Education Advisory Council; creation; membership;  
7 duties

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

10 B. The Science and Education Advisory Council shall be composed of  
11 the following members:

12 (1) One representative from each four-year public college and  
13 university, each of whom shall be a faculty member appointed by the president  
14 or chancellor of each institution.

15 (2) One representative from each of the member institutions of the  
16 Louisiana Association of Independent Colleges and Universities, each of whom  
17 shall be a faculty member appointed by the president or chancellor of each  
18 institution.

19 (3) One representative from the Louisiana Community and Technical  
20 College System, appointed by the president of such system.

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

24 \* \* \*

25 §3456. Annual report; master plan

26 A.(1) The executive board, in consultation with the Science and  
27 Education Advisory Council, shall formulate a five-year master plan for the  
28 consortium's marine science and education programs and initiatives and shall  
29 make timely revisions to such plan as warranted and necessary.

1                    **(2) The initial master plan required by this Subsection shall be submitted**  
 2                    **to the Board of Regents not later than February 1, 2013.**

3                    **B.(1)** On or before December thirty-first of each year, the executive director  
 4                    shall submit an annual report of the activities of the consortium to the executive  
 5                    board together with any additional information the executive board may require.

6                    **(2) The chair of the executive board, the executive director of the board,**  
 7                    **and the chair of the Science and Education Advisory Council shall annually**  
 8                    **make a joint report to the Board of Regents regarding the consortium's efficacy**  
 9                    **in achieving its overall mission through implementation of the master plan.**

10                   Section 2. R.S. 17:3453(F) is hereby repealed.

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The original instrument was prepared by Jeanne Johnston. The following  
 digest, which does not constitute a part of the legislative instrument, was  
 prepared by Linda Nugent.

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#### DIGEST

Murray (SB 290)

Present law creates the Louisiana Universities Marine Consortium (LUMCON) for the purpose of conducting research and promoting education in the marine sciences and marine technology, with a focus on coastal resources. Further provides that such functions be performed primarily at the LUMCON center on the La. gulf coast.

Proposed law retains the purpose specified in present law but specifies that LUMCON is a statewide entity and removes the restriction that such functions be performed primarily at the LUMCON Center.

Present law provides that the LUMCON executive board be composed of:

1. The chancellor and one vice chancellor, chosen by the chancellor of Louisiana State University and Agricultural and Mechanical College in Baton Rouge.
2. The president and one vice president, chosen by the president of Nicholls State University.
3. The president and one vice president, chosen by the president of the University of Southwestern Louisiana.

Proposed law reconfigures the membership of the LUMCON executive board and provides for voting and non-voting members as follows:

1. The vice chancellor of research for Louisiana State University and Agricultural and Mechanical College, who shall serve as a voting member.
2. A vice chancellor or dean, appointed by the chancellor of Louisiana State University and Agricultural and Mechanical College, who shall serve as a non-voting member.
3. The vice president of research for Louisiana Tech University, who shall serve as a

voting member.

4. A vice president or dean, appointed by the president of Louisiana Tech University, who shall serve as a non-voting member.
5. A vice president, appointed by the president of Nicholls State University, who shall serve as a voting member.
6. A vice president or dean, appointed by the president of Nicholls State University, who shall serve as a non-voting member.
7. The vice president of research for Tulane University, who shall serve as a voting member.
8. A vice president or dean, appointed by the president of Tulane University, who shall serve as a non-voting member.
9. The vice president of research for the University of New Orleans, who shall serve as a voting member.
10. A vice president or dean, appointed by the president of the University of New Orleans, who shall serve as a non-voting member.
11. The vice president of research for the University of Louisiana at Lafayette, who shall serve as a voting member.
12. A vice president or dean, appointed by the president of the University of Louisiana at Lafayette, who shall serve as a non-voting member.
13. The chair of the board's Science and Education Advisory Council, who shall serve as a voting member.
14. A member of the staff of the Board of Regents, appointed by the commissioner of higher education, who shall serve as a non-voting member.
15. A representative from the State Board of Elementary and Secondary Education, appointed by the president of the board, who shall serve as a non-voting member.

Further provides that only voting members will be counted for purposes of constituting a quorum for the transaction of business.

Present law provides that the executive board be chaired for a one-year term by one of the postsecondary institution chief executive officers and provides for a vice chair and second vice chair.

Proposed law retains the one-year term for the board chair but specifies that the chair shall be either a vice president or vice chancellor of research. Restricts members to no more than two consecutive terms as board chair and deletes provisions relative to additional offices.

Present law requires the executive board to create an advisory council composed of representatives from member institutions and public and private agencies that use the consortium's facilities. Further provides for representation from each 4-year postsecondary institution offering a baccalaureate degree in science and engineering and one representative from the La. Assoc. of Independent Colleges and Universities. Provides that the advisory council would meet as necessary at the request of the executive board to respond to requests and provide perspective.

Proposed law retains the advisory function of the council but repeals the remaining

provisions and instead statutorily creates the Science and Education Advisory Council with the following membership:

1. One faculty representative from each 4-year public college and university, appointed by the president or chancellor of each institution.
2. One faculty representative from each of the member institutions of the Louisiana Association of Independent Colleges and Universities, appointed by the president or chancellor.
3. One representative from the Louisiana Community and Technical College System, appointed by the president of such system.

Present law requires the LUMCON executive director to submit an annual report of the consortium's activities to the executive board by Dec. 31<sup>st</sup> of each year.

Proposed law retains these provisions and additionally requires that:

1. The executive board, in consultation with the board's advisory council, formulate a 5-year master plan for the consortium's program and initiatives and make revisions as warranted and necessary. The initial master plan must be submitted to the Bd. of Regents not later than February 1, 2013.
2. The chair of the executive board, the board's executive director, and the chair of the advisory council shall annually make a joint report to the Bd. of Regents regarding the consortium's efficacy in achieving its overall mission through implementation of the master plan.

Effective August 1, 2012.

(Amends R.S. 17:3451, 3453(B), (D) and (E), and 3456; adds R.S. 17:3453.1; repeals R.S. 17:3453(F))

#### Summary of Amendments Adopted by Senate

##### Senate Floor Amendments to engrossed bill.

1. Changes the voting member from Nicholls State University from the "vice president of research" to a "vice president, appointed by the university president".