

## **Amended LUMCON Legislation from Act 557, 1979; Act 1243, 1995; and Act 768, 2012**

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 28 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3451 through R.S. 17:3456, both inclusive, is hereby enacted to read as follows:

### **CHAPTER 18. LOUISIANA UNIVERSITIES MARINE CONSORTIUM FOR RESEARCH AND EDUCATION**

#### **§3451. Purpose**

The purpose of this Chapter is to create the Louisiana Universities Marine Consortium for Research and Education as a state wide entity with the primary function of conducting research and promoting education in the marine sciences and marine technology, particularly where related to coastal resources and the impact of energy related industries upon these coastal resources. Such functions shall be performed by the Louisiana Universities Marine Consortium on the Louisiana Gulf Coast.

#### **§3452. Louisiana Universities Marine Consortium for Research and Education; creation; membership**

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

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

A. There is hereby created the Executive Board of the Louisiana Universities Marine Consortium for Research and Education within the Department of Education as provided by R.S. 36:651(M) and 801.4. The executive board shall administer the affairs of the consortium. The executive board shall report to and be responsible to the Board of Regents on all fiscal and programmatic matters. The executive board shall appoint an executive director of the consortium who shall report to board. The executive board shall meet not less often than twice annually.

B.(1) The Executive Board of the Louisiana Universities Marine Consortium for Research and Education shall be composed as follows:

- (a) The vice chancellor of research for Louisiana State University and Agricultural and Mechanical College, who shall serve as a voting member.
- (b) 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.
- (c) The vice president of research for Louisiana Tech University, who shall serve as a voting member.
- (d) A vice president or dean, appointed by the president of Louisiana Tech University, who shall serve as a non-voting member.
- (e) A vice president, appointed by the president of Nicholls State University, who shall serve as a voting member.
- (f) A vice president or dean, appointed by the president of Nicholls State University, who shall serve as a non-voting member.
- (g) The vice president of research for Tulane University, who shall serve as a voting member.
- (h) A vice president or dean, appointed by the president of Tulane University, who shall serve as a non-voting member.
- (i) The vice president of research for the University of New Orleans, who shall serve as a voting member.

- (j) A vice president or dean, appointed by the president of the University of New Orleans, who shall serve as a non-voting member.
- (k) The vice president of research for the University of Louisiana at Lafayette, who shall serve as a voting member.
- (l) A vice president or dean, appointed by the president of the University of Louisiana at Lafayette, who shall serve as a non-voting member.
- (m) A vice president or dean, appointed by the president of the University of Louisiana at Monroe, who shall serve as a voting member.
- (n) A vice president or dean, appointed by the president of the University of Louisiana at Monroe, who shall serve as a non-voting member.
- (o) The chair of the board's Science and Education Advisory Council, who shall serve as a voting member.
- (p) 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.
- (q) 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.

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

C. The executive board shall be domiciled in East Baton Rouge Parish.

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

E. The executive board shall be chaired, for a one-year term, by either a vice president or vice chancellor of research. No member may serve more than two consecutive terms as board chair.

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

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

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

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

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 the 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 therefore.
  - (2) Actively seek and accept donations, bequests, or other forms of financial assistance for education 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 leases for an additional ten-year period, as provided for in R.S. 41:1211 et seq., shall remain in full force and effect.
  - (5) Purchase equipment, properly maintain, and make improvements to facilities necessary for the use of the consortium in accordance with applicable state laws.
  - (6)(a) Except as otherwise provided in this Chapter, approve the appointment of such administrative officers and other personnel as the executive board deems necessary and designate their titles. In making its appointments, the executive board shall give consideration to the recommendations of the executive director and, in proper cases, to the head of any college or university affected by the appointment. Appointments of classified employees shall be in conformity with applicable civil service laws, rules, and regulations.  
(b) The compensation of all officers and employees, except those classified civil service employees, shall be fixed by the executive board and the officers so appointed shall serve at the pleasure of the executive board.
  - (7) Formulate curricula and programs of study.
  - (8) Adopt, amend, or repeal rules and regulations necessary or proper for the business of the consortium.
  - (9) Affiliate with any institution giving any special course of instruction, upon such terms as the executive board deems expedient, which terms may include the retention by such institution of the control of proper, faculty, and staff.
  - (10) Enter into contracts and agreements with other public agencies with respect to cooperative enterprises and undertakings relating to or associated with college or university purposes and programs in accordance with applicable laws.
  - (11) Perform such other functions as are necessary or incidental to the supervision and management of the consortium.
  - (12) Employ the proceeds of all donations, grants, subscriptions, and bequests made to the consortium so as to affect the purposes of and in accordance with the terms and conditions of such donations, grants, subscriptions, and bequests.
  - (13) Establish such subcommittees as may be necessary to assist the executive board in the implementation of the provisions of this Chapter.
  - (14) Adopt necessary rules and regulations regarding the hours of employment and the accrual and use of sick leave and annual leave for all personnel employed by the consortium

- C. The executive board may enter into contracts and agreements with any public agency for the establishment of state or other public offices on the property and in buildings belonging to or under the control of the consortium. The executive board also may enter into contracts and agreements for joint construction, equipment, maintenance, and financing of such buildings, and enter into contracts and agreements for the joint financing, supervision, and conduct of cooperative enterprises and undertakings.
- D. The liability of any of the acts of the consortium or any of its employees, or persons associated with any property of the consortium, shall be the liability of the consortium as represented by the executive board.

§3455. Executive director; appointment; functions

The executive board may appoint a chief administrative officer who shall be the executive director of the consortium. The executive director of the consortium shall serve at the pleasure of the executive board and shall, with the approval of the executive board and subject to the applicable civil service laws, rules, and regulations of the state, appoint and remove all professional, research, technical, clerical, and stenographic employees of the consortium. The compensation of the executive director shall be fixed by the executive board. The executive director shall serve as secretary of the executive board, the executive committee, and any additional committees appointed by the executive board to assist in the implementation of the provisions of this Chapter.

§3456. Annual report; master plan

- A.(1) The executive board, in consultation with the Science and Education Advisory Council, shall formulate a five-year master plan for the consortium's marine science and education programs and initiatives and shall make timely revisions to such plan as warranted and necessary.
- (2) The initial master plan required by this Subsection shall be submitted to the Board of Regents not later than February 1, 2013.
- B.(1) On or before December thirty-first of each year, the executive director shall submit an annual report of the activities of the consortium to the executive board together with any additional information the executive board may require.
- (2) The chair of the executive board, the executive director of the board, and the chair of the Science and Education Advisory Council shall annually make a joint report to the Board of Regents regarding the consortium's efficacy in achieving its overall mission through implementation of the master plan.