

By: Senator(s) Gordon

To: Universities and
Colleges; Appropriations

SENATE BILL NO. 2799

1 AN ACT TO CREATE A NEW SECTION TO BE CODIFIED AS SECTION
2 37-101-26, MISSISSIPPI CODE OF 1972, TO CREATE THE BOARD OF
3 TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING ENDOWMENT
4 PARTNERSHIP TRUST FUND PROGRAM FOR THE PURPOSE OF PROVIDING
5 CHALLENGE GRANTS TO INSTITUTIONS FOR ENDOWED FACULTY POSITIONS AND
6 PROFESSORSHIPS, TO PROVIDE FOR THE APPROPRIATION AND ALLOCATION OF
7 FUNDS TO THE TRUST FUND, TO PROVIDE FOR THE DISBURSEMENT OF FUNDS
8 TO INSTITUTIONS, TO AUTHORIZE THE BOARD OF TRUSTEES TO CREATE
9 ENDOWED FACULTY POSITIONS AND PROFESSORSHIPS, AND TO REQUIRE THE
10 BOARD OF TRUSTEES TO ANNUALLY REPORT TO THE LEGISLATURE ON THE
11 STATUS OF THE PROGRAM; AND FOR RELATED PURPOSES.

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

13 **SECTION 1.** The following shall be codified as Section
14 37-101-26, Mississippi Code of 1972:

15 37-101-26. (1) There is created the Board of Trustees of
16 State Institutions of Higher Learning Endowment Partnership Trust
17 Fund. The purpose of the trust fund is to encourage a
18 public/private partnership by the state institutions of higher
19 learning and to assist in fundraising for the institutions through
20 a matching program to be known as the Board of Trustees of State
21 Institutions of Higher Learning Endowment Partnership Program.
22 Under this program, monies in the trust fund may be used to
23 provide challenge grants for the specific purpose of raising funds
24 to be used by the state institutions of higher learning in
25 endowing faculty positions to attract and retain eminent scholars
26 to the faculties of the state institutions.

27 (2) The members of the Board of Trustees of State
28 Institutions of Higher Learning shall serve as trustees of the
29 Board of Trustees of State Institutions of Higher Learning
30 Endowment Partnership Trust Fund.

31 (3) The Board of Trustees of State Institutions of Higher
32 Learning Endowment Partnership Trust Fund shall be a budget unit
33 for purposes of the appropriation of state funds. The trust fund
34 shall consist of monies appropriated by the Legislature to the
35 trust fund by line item appropriation and any other funds that the
36 Board of Trustees of State Institutions of Higher Learning, in its
37 discretion, elects to allocate to the trust fund from any
38 available funds. The Legislature may not directly or indirectly
39 decrease any state appropriation for the operation or capital
40 support of the state institutions of higher learning due to the
41 creation and existence of the trust fund. Monies appropriated or
42 allocated to the trust fund are deemed to be contractually
43 obligated for the purposes specified in this section, and any
44 funds remaining in the trust fund at the end of the fiscal year
45 shall not lapse into the General Fund.

46 (4) The trustees of the Board of Trustees of State
47 Institutions of Higher Learning Endowment Partnership Program may
48 make challenge grants to state institutions. The trustees shall
49 adopt rules, regulations and standards governing the awarding of
50 challenge grants under this section.

51 (5) Money in the Board of Trustees of State Institutions of
52 Higher Learning Endowment Partnership Trust Fund may be disbursed
53 for matching endowed faculty positions in amounts not less than
54 Fifty Thousand Dollars (\$50,000.00) and no more than Five Hundred
55 Thousand Dollars (\$500,000.00) for each endowed faculty position.

56 Depending on the total funds available in the Board of
57 Trustees of State Institutions of Higher Learning Endowment
58 Partnership Trust Fund, the amounts set forth in this subsection
59 may be revised at any time by the trustees of the Board of
60 Trustees of State Institutions of Higher Learning Endowment
61 Partnership Program in order to maximize the benefits that may
62 result from endowing one or more faculty positions in any fiscal
63 year. The entire amount of funds granted to a particular state

64 institution must be invested and maintained by that institution
65 and, together with any income from such investment, must be used
66 for the purpose of endowing a faculty position at the state
67 institutions of higher learning. No funds may be disbursed under
68 this section except upon the express written condition that the
69 funds and the earnings on those funds be used as provided in this
70 section.

71 (6) Endowed faculty positions may be created by the Board of
72 Trustees of State Institutions of Higher Learning for any approved
73 program of study at a state institution. Persons selected to hold
74 such faculty positions must be selected under such procedures as
75 may be established by the Institutional Executive Officer of the
76 state institution at which the faculty position is established.

77 (7) Before December 1 of each year, the Board of Trustees of
78 State Institutions of Higher Learning shall submit a report to the
79 Chairs of the Appropriations and Universities and Colleges
80 Committees of the House of Representatives and Senate on the
81 status of the Board of Trustees of State Institutions of Higher
82 Learning Endowment Partnership Program. The report must include a
83 description of the endowed faculty programs created at each
84 institution and the amount of funds granted from the Board of
85 Trustees of State Institutions of Higher Learning Endowment
86 Partnership Trust Fund in support of each endowed program.

87 **SECTION 2.** This act shall take effect and be in force from
88 and after July 1, 2007.