

By: Representative Mettetal

To: Universities and
Colleges

HOUSE BILL NO. 934

1 AN ACT TO AMEND SECTION 37-106-47, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE AUTHORITY TO THE POSTSECONDARY EDUCATIONAL FINANCIAL
3 ASSISTANCE BOARD TO PROMULGATE RULES AND REGULATIONS FOR THE
4 ADMINISTRATION OF THE SOUTHERN REGIONAL EDUCATION BOARD CONTRACT
5 FORGIVABLE LOAN PROGRAM; TO BRING FORWARD SECTION 37-135-1,
6 MISSISSIPPI CODE OF 1972, WHICH CREATES THE COMPACT FOR THE
7 OPERATIONAL OF REGIONAL EDUCATIONAL INSTITUTIONS IN SOUTHERN
8 STATES, FOR THE PURPOSE OF AMENDMENT; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 37-106-47, Mississippi Code of 1972, is
11 amended as follows:

12 37-106-47. (1) (a) The board is authorized and empowered
13 to operate the following forgivable loan programs of like
14 character, operation and purpose to the foregoing enumerated
15 programs to encourage the participation of eligible worthy persons
16 in courses of instruction in its institutions: Graduate Teacher
17 Forgivable Loan, Counselor and School Administrator Forgivable
18 Loan, Southern Regional Education Board Doctoral Scholars
19 Forgivable Loan, and Veterinary Medicine Minority Forgivable Loan.

20 (b) In addition to the authority granted to the board
21 in paragraph (a) of this subsection, the board is authorized and



22 empowered to promulgate rules and regulations for the Southern
23 Regional Education Board Contract Forgivable Loan Program, created
24 through the regional education compact, as set forth in Section
25 37-135-1.

26 (2) In furtherance of such power and authority, the board is
27 authorized to adopt and implement rules and regulations declaring
28 and describing the goals and objectives of such forgivable loan
29 programs; to establish the eligibility requirements for entry into
30 such program and required for continuing participation for
31 succeeding years; to determine the maximum amount to be made
32 available to recipients; to delineate the terms and conditions of
33 contracts with recipients and establish the service requirements
34 for such contracts, if any; to enter into contracts pertaining to
35 such programs with recipients; to enter into loan agreements and
36 other contracts with financial institutions or other providers of
37 loan monies for forgivable loan and loan repayment participants;
38 and to allocate and utilize such funds as may be necessary for the
39 operation of such forgivable loan programs from the annual
40 appropriation for student financial aid. In issuing rules and
41 regulations governing the administration of the Graduate Teacher
42 Summer Scholarship (GTSS) program, the board shall provide that
43 certified teachers at the Oakley Youth Development Center under
44 the jurisdiction of the Department of Human Services shall be
45 fully eligible to participate in the program.



46 **SECTION 2.** Section 37-135-1, Mississippi Code of 1972, is
47 brought forward as follows:

48 37-135-1. The following compact of the southern states for
49 the purpose of operating regional educational institutions in the
50 southern states be, and the same is, hereby ratified and approved:

51 Whereas, the states who are parties hereto have during the
52 past several years conducted careful investigation looking toward
53 the establishment and maintenance of jointly owned and operated
54 regional educational institutions in the southern states in the
55 professional, technological, scientific, literary and other
56 fields, so as to provide greater educational advantages and
57 facilities for the citizens of the several states who reside
58 within such region, and

59 Whereas, Meharry Medical College of Nashville, Tennessee, has
60 proposed that its lands, buildings, equipment, and the net income
61 from its endowment be turned over to the southern states, or to an
62 agency acting in their behalf, to be operated as a regional
63 institution for medical, dental and nursing education upon terms
64 and conditions to be hereafter agreed upon between the southern
65 states and Meharry Medical College, which proposal, because of the
66 present financial condition of the institution, has been approved
67 by the said states who are parties, hereto, and

68 Whereas, the said states desire to enter into a compact with
69 each other providing for the planning and establishment of
70 regional educational facilities;



71 Now therefore, in consideration of the mutual agreements,
72 covenants and obligations assumed by the respective states who are
73 parties hereto (hereinafter referred to as "states"), the said
74 several states do hereby form a geographical district or region
75 consisting of the areas lying within the boundaries of the
76 contracting states which, for the purposes of this compact, shall
77 constitute an area for regional education supported by public
78 funds derived from taxation by the constituent states for the
79 establishment, acquisition, operation and maintenance of regional
80 educational schools and institutions for the benefit of citizens
81 of the respective states residing within the region so established
82 as may be determined from time to time in accordance with the
83 terms and provisions of this compact.

84 (a) The states do further hereby establish and create a
85 joint agency which shall be known as the Board of Control for
86 Southern Regional Education (hereinafter referred to as the
87 "board"), the members of which board shall consist of the governor
88 of each state, ex officio, and four (4) additional citizens of
89 each state to be appointed by the governor thereof, at least one
90 (1) of whom shall be selected from the field of education, and at
91 least one (1) of whom shall be a member of the legislature of that
92 state. In making his appointments, the governor shall appoint
93 persons as broadly representative as possible of the variety of
94 higher education at institutions in the state. The governor shall
95 continue as a member of the board during his tenure of office as



96 governor of the state but the members of the board appointed by
97 the governor shall hold office for a period of four (4) years,
98 except that in the original appointment one (1) board member so
99 appointed by the governor shall be designated at the time of his
100 appointment to serve an initial term of three (3) years, but
101 thereafter his successor shall serve the full term of four (4)
102 years. Vacancies on the board caused by death, resignation,
103 refusal or inability to serve, shall be filled by appointment by
104 the governor for the unexpired portion of the term. The officers
105 of the board shall be a chairman, a vice chairman, a secretary, a
106 treasurer and such additional officers as may be created by the
107 board from time to time.

108 (b) It shall be the duty of the board to submit plans
109 and recommendations to the states from time to time for their
110 approval and adoption by appropriate legislative action for the
111 development, establishment, acquisition, operation and maintenance
112 of educational schools and institutions within the geographical
113 limits of the regional area of the states, of such character and
114 type and for such educational purposes, professional,
115 technological, scientific, literary or otherwise, as they may deem
116 and determine to be proper, necessary or advisable. Title to all
117 such educational institutions when so established by appropriate
118 legislative actions of the states and to all properties and
119 facilities used in connection therewith shall be vested in said
120 board as the agency of and for the use and benefit of the said



121 states and the citizens thereof, and all such educational
122 institutions shall be operated, maintained and financed in the
123 manner herein set out, subject to any provisions or limitations
124 which may be contained in the legislative acts of the states
125 authorizing the creation, establishment and operation of such
126 educational institutions.

127 (c) In addition to the power and authority heretofore
128 granted, the board shall have the power to enter into such
129 agreements or arrangements with any of the states and with
130 educational institutions or agencies, as may be required in the
131 judgment of the board, to provide adequate services and facilities
132 for the graduate, professional, and technical education for the
133 benefit of the citizens of the respective states residing within
134 the region.

135 (d) The board shall have such additional and general
136 power and authority as may be vested in it by the states from time
137 to time by legislative enactments of the said states.

138 (e) Any two (2) or more states who are parties of this
139 compact shall have the right to enter into supplemental agreements
140 providing for the establishment, financing and operation of
141 regional educational institutions for the benefit of citizens
142 residing within an area which constitutes a portion of the general
143 region herein created, such institutions to be financed
144 exclusively by such states and to be controlled exclusively by the
145 members of the board representing such states, provided such



146 agreement is submitted to and approved by the board prior to the
147 establishment of such institutions.

148 Each state agrees that, when authorized by the legislature,
149 it will from time to time make available and pay over to said
150 board such funds as may be required for the establishment,
151 acquisition, operation and maintenance of such regional
152 educational institutions as may be authorized by the states under
153 the terms of this compact, the contribution of each state at all
154 times to be in the proportion that its population bears to the
155 total combined population of the states who are parties hereto as
156 shown from time to time by the most recent official published
157 report of the bureau of census of the United States of America or
158 upon such other basis as may be agreed upon.

159 (f) This compact shall not take effect or be binding
160 upon any state unless and until it shall be approved by proper
161 legislative action of as many as six (6) or more of the states
162 whose governors have subscribed hereto within a period of eighteen
163 (18) months from the date hereof. When and if six (6) or more
164 states shall have given legislative approval to this compact
165 within said eighteen (18) months period, it shall be and become
166 binding upon such six (6) or more states sixty (60) days after the
167 date of legislative approval by the sixth state and the governors
168 of such six (6) or more states shall forthwith name the members of
169 the board from their states as hereinabove set out, and the board
170 shall then meet on call of the governor of any state approving



171 this compact, at which time the board shall elect officers, adopt
172 bylaws, appoint committees and otherwise fully organize. Other
173 states whose names are subscribed hereto shall thereafter become
174 parties hereto upon approval of this compact by legislative action
175 within two (2) years from the date hereof, upon such conditions as
176 may be agreed upon at the time.

177 (g) After becoming effective this compact shall
178 thereafter continue without limitation of time, provided, however,
179 that it may be terminated at any time by unanimous action of the
180 states and provided, further, that any state may withdraw from
181 this compact if such withdrawal is approved by its legislature,
182 such withdrawal to become effective two (2) years after written
183 notice thereof to the board accompanied by a certified copy of the
184 requisite legislative action, but such withdrawal shall not
185 relieve the withdrawing state from its obligations hereunder
186 accruing up to the effective date of such withdrawal. Any state
187 so withdrawing shall ipso facto cease to have any claim to or
188 ownership of any of the property held or vested in the board or to
189 any of the funds of the board held under the terms of this
190 compact.

191 If any state shall at any time become in default in the
192 performance of any of its obligations assumed herein or with
193 respect to any obligation imposed upon said state as authorized by
194 and in compliance with the terms and provisions of this compact,
195 all rights, privileges and benefits of such defaulting state, its



196 members on the board and its citizens shall ipso facto be and
197 become suspended from and after the date of such default. Unless
198 such default shall be remedied and made good within a period of
199 one (1) year immediately following the date of such default this
200 compact may be terminated with respect to such defaulting state by
201 an affirmative vote of three-fourths (3/4) of the members of the
202 board (exclusive of the members representing the state in
203 default), from and after which time such state shall cease to be a
204 party to this compact and shall have no further claim to or
205 ownership of any of the property held by or vested in the board or
206 to any of the funds of the board held under the terms of this
207 compact, but such termination shall in no manner release such
208 defaulting state from any accrued obligation or otherwise affect
209 this compact or the rights, duties, privileges or obligations of
210 the remaining states thereunder.

211 (h) In witness whereof this compact has been approved
212 and signed by the governors of the several states, subject to the
213 approval of their respective legislatures in the manner
214 hereinabove set out, as of the _____ day of _____, 1948.

215 State of Florida,

State of Tennessee,

216 By _____

By _____

217 Governor

Governor

218 State of Maryland,

Commonwealth of Virginia,

219 By _____

By _____

220 Governor

Governor



| | | |
|-----|---------------------------|--------------------------|
| 221 | State of Georgia, | State of Arkansas, |
| 222 | By _____ | By _____ |
| 223 | Governor | Governor |
| 224 | State of Louisiana, | State of North Carolina, |
| 225 | By _____ | By _____ |
| 226 | Governor | Governor |
| 227 | State of Alabama, | State of South Carolina, |
| 228 | By _____ | By _____ |
| 229 | Governor | Governor |
| 230 | State of Mississippi, | State of Texas, |
| 231 | By _____ | By _____ |
| 232 | Governor | Governor |
| 233 | Commonwealth of Kentucky, | State of Oklahoma, |
| 234 | By _____ | By _____ |
| 235 | Governor | Governor |
| 236 | State of West Virginia, | |
| 237 | By _____ | |
| 238 | Governor | |

239 **SECTION 3.** This act shall take effect and be in force from
240 and after July 1, 2016.

