

By: Representative Hines

To:

1 AN ACT TO AMEND SECTION 37-101-3, MISSISSIPPI CODE OF 1972,  
2 TO RECONSTITUTE THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF  
3 HIGHER LEARNING BY REQUIRING THE GOVERNOR TO MAKE APPOINTMENTS  
4 FROM RECOMMENDATIONS SUBMITTED BY THE PRESIDENTS OF THE VARIOUS  
5 INSTITUTIONS OF HIGHER LEARNING; TO ESTABLISH A TERM OF FOUR YEARS  
6 FOR MEMBERS OF THE RECONSTITUTED BOARD; TO AMEND SECTION 37-101-5,  
7 MISSISSIPPI CODE OF 1972, TO DECREASE THE MINIMUM AGE REQUIREMENT  
8 FOR MEMBERS OF THE BOARD; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 37-101-3, Mississippi Code of 1972, is  
11 amended as follows:

12 37-101-3. (1) (a) The Board of Trustees of State  
13 Institutions of Higher Learning is composed of ten (10) members  
14 selected in the manner established in this section. The Governor,  
15 by and with the advice and consent of the Senate, shall  
16 appoint \* \* \* one (1) member of the Board of Trustees of State  
17 Institutions of Higher Learning \* \* \* from the state at  
18 large \* \* \* each president of a state institution of higher  
19 learning shall submit five (5) recommendations for a member to the  
20 Governor, and the Governor must select one (1) member from each  
21 president's recommendations. All state institutions of higher



22 learning student government association presidents shall appoint  
23 jointly one (1) person from their group to serve as a member. All  
24 members of the board shall serve for a term of four (4) years.

25 (b) In order to provide for an orderly transition, the  
26 term of each member of the board of trustees as constituted on  
27 July 1, 2019, will expire at midnight on December 31, 2019, at  
28 which time the term of office of the members of the reconstituted  
29 board will commence.

30 \* \* \* (c) No less than once a year, the board shall  
31 seek the advise and counsel of the student body president's  
32 organization.

33 (2) In case of a vacancy on \* \* \* the board by death or  
34 resignation of a member or from any other cause than the  
35 expiration of such member's term of office, the board shall elect  
36 his successor, who shall hold office until the end of the \* \* \*  
37 term for which \* \* \* the original trustee was appointed \* \* \*.

38 (3) The Executive Director of the Mississippi Community  
39 College Board, or his designee, and one (1) member of the  
40 Mississippi Community College Board, to be designated by the  
41 chairman of \* \* \* the board, shall attend all regular meetings of  
42 the Board of Trustees of State Institutions of Higher Learning.

43 \* \* \* The community \* \* \* and junior college representatives  
44 shall have no jurisdiction or vote on any matter within the  
45 jurisdiction of the board. The Executive Director of the  
46 Mississippi Community College Board and any designee who is a



state employee shall receive no per diem for attending meetings of the board, but shall be entitled to actual and necessary expense reimbursement and mileage for attending meetings at locations other than Jackson, Mississippi. The designee of the Mississippi Community College Board shall receive per diem compensation as authorized by Section 25-3-69 \* \* \* for attending \* \* \* the meetings, and shall be entitled to reimbursement for actual expense reimbursement and mileage, which shall be paid from funds appropriated to the Board of Trustees of State Institutions of Higher Learning.

**SECTION 2.** Section 37-101-5, Mississippi Code of 1972, is amended as follows:

37-101-5. There shall be appointed only men or women to membership on the Board of Trustees of State Institutions of Higher Learning \* \* \* who are qualified electors residing in the \* \* \* state and at least \* \* \* twenty-one (21) years of age and of the highest order of intelligence, character, learning and fitness for the performance of such duties to the end that such board shall perform the high and honorable duties thereof to the greatest advantage of the people of the state and of such institutions, uninfluenced by any political considerations.

**SECTION 3.** This act shall take effect and be in force from and after July 1, 2019, but only in the event that House Concurrent Resolution No. 6, 2018 Regular Session, providing for the reconstitution of the Board of Trustees of State Institutions



72 of Higher Learning, is approved by the electorate in a referendum  
73 held in November 2018, as certified by the Secretary of State.

