

By: Representative Bennett

To: Education

HOUSE BILL NO. 1247

1 AN ACT TO AMEND SECTION 37-29-65, MISSISSIPPI CODE OF 1972,
 2 TO REMOVE THE REQUIREMENT THAT THE COUNTY SUPERINTENDENT OF
 3 EDUCATION SHALL AUTOMATICALLY SERVE AS A MEMBER OF THE BOARD OF A
 4 COMMUNITY COLLEGE DISTRICT; TO PROVIDE THAT THE BOARD OF
 5 SUPERVISORS OF ANY COUNTY WITHIN A COMMUNITY COLLEGE DISTRICT MAY
 6 APPOINT THE COUNTY SUPERINTENDENT OR ANOTHER QUALIFIED ELECTOR
 7 FROM THE RESPECTIVE COUNTY AT LARGE TO SERVE ON THE BOARD OF
 8 TRUSTEES; TO AMEND SECTION 37-29-457, MISSISSIPPI CODE OF 1972, TO
 9 REMOVE THE REQUIREMENT THAT THE SUPERINTENDENT OF SPECIAL
 10 MUNICIPAL SEPARATE SCHOOL DISTRICT IN ADAMS COUNTY AUTOMATICALLY
 11 SERVE AS A MEMBER OF THE COPIAH-LINCOLN COMMUNITY COLLEGE DISTRICT
 12 BOARD OF TRUSTEES; AND FOR RELATED PURPOSES.

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

14 **SECTION 1.** Section 37-29-65, Mississippi Code of 1972, is
 15 amended as follows:

16 37-29-65. (1) Except as provided in this section and in
 17 Sections 37-29-409, 37-29-457 and 37-29-505, there shall be six
 18 (6) trustees from each county of the junior college district which
 19 originally entered into and gave financial aid in establishing the
 20 junior college. On June 30, 1992, the offices of the six (6)
 21 trustees from each of the original counties in the Northwest
 22 Community College District shall stand vacated. The board of
 23 supervisors of those respective counties shall appoint two (2)



24 members on July 1, 1992, to serve full terms of office as provided
25 in this section. * * * The board of supervisors of those
26 respective counties may appoint the county superintendent of
27 education * * * or another qualified elector of the respective
28 county at large, in accordance with subsection (6) of this
29 section, to be a member, and there shall be one (1) member from
30 each supervisors district. Counties which subsequent to the
31 establishment of the junior college joined the district shall have
32 only two (2) trustees * * *. However, the board of trustees so
33 constituted, by appropriate resolution, may enlarge its number to
34 six (6) trustees from each county * * *. The board of trustees
35 shall also be authorized within its discretion to reduce its
36 number to two (2) trustees at large from each county * * *. In
37 any case in which there is an equal number of trustees the board
38 of trustees may appoint another person to membership.

39 (2) The county superintendent, if appointed by the county
40 board of supervisors, may, in his discretion, choose not to serve
41 as a member of such board of trustees. Such decision not to serve
42 shall be in writing and entered on the minutes of the board of
43 trustees of the junior college district. The county board of
44 supervisors of any county whose county superintendent of
45 education * * * appointed under the authority of this section,
46 declines the appointment or resigns, pursuant to this * * *
47 subsection (2), shall fill the vacancy caused by such resignation
48 by appointing a member who is a qualified elector of the county at



49 large in accordance with subsection (6) of this section. In all
50 counties where the office of "administrative superintendent" is
51 abolished from and after January 1, 1992, the county board of
52 supervisors * * * may appoint one (1) additional member to the
53 board of trustees of their junior college district to serve * * *.
54 * * * No county superintendent whose school district is located
55 within the East Mississippi Community College District * * *
56 shall * * * serve on the board of trustees for that community
57 college district.

58 (3) From and after March 24, 1990, the Board of Trustees of
59 the East Mississippi Community College District shall consist of
60 twelve (12) members. The appointing authorities shall appoint a
61 new board of trustees as follows: Clay County shall be entitled
62 to two (2) members, Kemper County shall be entitled to two (2)
63 members, Lauderdale County shall be entitled to two (2) members,
64 Lowndes County shall be entitled to two (2) members, Noxubee
65 County shall be entitled to two (2) members and Oktibbeha County
66 shall be entitled to two (2) members. No member of the Board of
67 Trustees of the East Mississippi Community College District shall
68 have served on such board prior to March 24, 1990.

69 (4) The Board of Trustees of the Coahoma Community College
70 District shall consist of fourteen (14) members. The appointing
71 authorities shall appoint the new board of trustees as follows:
72 Coahoma County shall be entitled to six (6) members appointed in
73 the manner provided herein, Tunica County shall be entitled to two



74 (2) members, Quitman County shall be entitled to two (2) members,
75 Bolivar County shall be entitled to two (2) members, and
76 Tallahatchie County shall be entitled to two (2) members. Persons
77 who are currently serving as members of the board of Trustees of
78 the Mississippi Delta Community College District or Northwest
79 Community College District shall be eligible for appointment to
80 the board.

81 (5) The terms of office shall be five (5) years; however,
82 upon the first selection of trustees in each county, one (1) shall
83 be elected for a term of five (5) years, one (1) for a term of
84 four (4) years, one (1) for a term of three (3) years, one (1) for
85 a term of two (2) years, and one (1) for a term of one (1) year,
86 so as to prevent the retirement of more than one (1) member of any
87 one (1) county in any one (1) year. Where the board chooses or is
88 required by statute to reduce its number, the board shall specify
89 the expiration dates of such terms of office in order to prevent
90 the retirement of more than one (1) member of any one (1) county
91 in any one (1) year.

92 (6) The board of supervisors shall elect the requisite
93 number of discreet persons of good moral character, sufficient
94 education and experience, and of proven interest in public
95 education, who are qualified electors of the county, as trustees
96 of the junior college; and annually thereafter the board of
97 supervisors in like manner shall fill vacancies. All trustees so
98 appointed shall be listed in the minutes of the board of



99 supervisors and their appointment shall be certified by the
100 chancery clerk to the president of the junior college.

101 (7) Each junior college trustee may be paid, out of junior
102 college funds, a per diem as authorized in Section 25-3-69,
103 Mississippi Code of 1972, per meeting of said board and, in
104 addition thereto, the mileage authorized under Section 25-3-41,
105 Mississippi Code of 1972, per mile in coming to and returning from
106 said meeting, calculated upon the customary and normally traveled
107 route from the home of such trustee to the campus of said junior
108 college. Such allowance of per diem and mileage shall not,
109 however, be allowed for more than fifteen (15) meetings for any
110 one (1) fiscal year and shall only be paid for meetings actually
111 attended by such trustees.

112 (8) The provisions of this section, other than those
113 provisions pertaining to per diem compensation and travel
114 allowances for junior college trustees, shall not apply to any
115 existing publicly operated junior college, lying in and operated
116 by a county bordering on the Mississippi River, and the junior
117 college trustees of such junior college shall be appointed and
118 confirmed as heretofore.

119 **SECTION 2.** Section 37-29-457, Mississippi Code of 1972, is
120 amended as follows:

121 37-29-457. (1) The operation and control of the
122 Copiah-Lincoln Junior College District shall be vested in a board
123 of trustees representing the seven (7) counties lying within the



124 district. The said board shall consist of twenty-seven (27)
125 members to be chosen as follows:

126 (a) Copiah County shall be entitled to six (6) members
127 who shall be elected and serve according to Section 37-29-65.

128 (b) Lincoln County shall be entitled to six (6) members
129 who shall be elected and serve according to Section 37-29-65.

130 (c) Lawrence County shall be entitled to two (2)
131 members who shall be elected and serve according to Section
132 37-29-65.

133 (d) Franklin County shall be entitled to two (2)
134 members who shall be elected and serve according to Section
135 37-29-65.

136 (e) Simpson County shall be entitled to two (2) members
137 who shall be elected and serve according to Section 37-29-65.

138 (f) Jefferson County shall be entitled to two (2)
139 members who shall be elected and serve according to Section
140 37-29-65.

141 (g) Adams County shall be entitled to six (6) members
142 who shall be elected from the residents of said county by the
143 board of supervisors of Adams County within thirty (30) days of
144 February 4, 1975 * * *.

145 The terms of office for the members shall be five (5) years.
146 However, upon the first selection of trustees in the county, one
147 (1) shall be elected for a term of five (5) years, one (1) for a
148 term of four (4) years, one (1) for a term of three (3) years, one



149 (1) for a term of two (2) years, and one (1) for a term of one (1)
150 year, so as to prevent the retirement of more than one (1) member
151 in any one (1) year. The members elected from Adams County shall
152 have like qualifications and receive the same compensation as the
153 members from other counties as provided by Section 37-29-65.

154 (h) There shall be one (1) member of the board of
155 trustees who shall be elected by the members of the said board of
156 trustees from among the residents of the Copiah-Lincoln Junior
157 College District. Said member so chosen shall serve a five * * *
158 -year term and have the same powers and duties as the other board
159 members.

160 (2) Except as provided in * * * paragraph (g) of this
161 subsection (1), persons who are currently serving as members of
162 the board of trustees of the Copiah-Lincoln Junior College
163 District shall complete their terms without interruption.

164 **SECTION 3.** This act shall take effect and be in force from
165 and after July 1, 2019.

