

By: Representative Bennett

To: Education

HOUSE BILL NO. 1247
(As Sent to Governor)

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 * * *
18 five (5) trustees from each county of the junior college district
19 which originally entered into and gave financial aid in
20 establishing the junior college. On June 30, 1992, the offices of
21 the six (6) trustees from each of the original counties in the
22 Northwest Community College District shall stand vacated. The
23 board of supervisors of those respective counties shall appoint



24 two (2) members on July 1, 1992, to serve full terms of office as
25 provided in this section. * * * The board of supervisors of those
26 respective counties shall appoint * * * one (1) member who is a
27 qualified elector from each supervisors district to serve as a
28 member, either of which may be the county superintendent of
29 education if he or she resides in a respective supervisors
30 district. Counties which subsequent to the establishment of the
31 junior college joined the district shall have only * * * one (1)
32 trustee. However, the board of trustees so constituted, by
33 appropriate resolution, may enlarge its number to six (6) trustees
34 from each county * * *. The board of trustees shall also be
35 authorized within its discretion to reduce its number to two (2)
36 trustees at large from each county * * *. In any case in which
37 there is an equal number of trustees the board of trustees may
38 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. * * * No
50 county superintendent whose school district is located within the
51 East Mississippi Community College District * * * shall * * *
52 serve on the board of trustees for that community college
53 district.

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

65 (4) The Board of Trustees of the Coahoma Community College
66 District shall consist of * * * nine (9) members. The appointing
67 authorities shall appoint the new board of trustees as follows:
68 Coahoma County shall be entitled to * * * five (5) members
69 appointed in the manner provided herein, Tunica County shall be
70 entitled to * * * one (1) member, Quitman County shall be entitled
71 to * * * one (1) member, Bolivar County shall be entitled to * * *
72 one (1) member, and Tallahatchie County shall be entitled to * * *
73 one (1) member. Persons who are currently serving as members of



74 the board of Trustees of the Mississippi Delta Community College
75 District or Northwest Community College District shall be eligible
76 for appointment to the board.

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

88 (6) The board of supervisors shall elect the requisite
89 number of discreet persons of good moral character, sufficient
90 education and experience, and of proven interest in public
91 education, who are qualified electors of the county, as trustees
92 of the junior college; and annually thereafter the board of
93 supervisors in like manner shall fill vacancies. All trustees so
94 appointed shall be listed in the minutes of the board of
95 supervisors and their appointment shall be certified by the
96 chancery clerk to the president of the junior college.

97 (7) Each junior college trustee may be paid, out of junior
98 college funds, a per diem as authorized in Section 25-3-69,



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

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

115 (9) No county superintendent of education, by virtue of his
116 or her office, shall be automatically placed on the board of
117 trustees for any community college district to which this section
118 applies. The number of trustees from each county shall be reduced
119 by one (1) member if such member is superintendent of education.
120 However, if the county board of supervisors, in making an
121 appointment to the community college district board of trustees,
122 chooses to appoint the county superintendent of education at the



123 expiration of the term of the at large member, the superintendent
124 may serve, unless otherwise disqualified.

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

127 37-29-457. (1) The operation and control of the
128 Copiah-Lincoln Junior College District shall be vested in a board
129 of trustees representing the seven (7) counties lying within the
130 district. The said board shall consist of * * * twenty (20)
131 members to be chosen as follows:

132 (a) Copiah County shall be entitled to * * * five (5)
133 members who shall be elected and serve according to Section
134 37-29-65.

135 (b) Lincoln County shall be entitled to * * * five (5)
136 members who shall be elected and serve according to Section
137 37-29-65.

138 (c) Lawrence County shall be entitled to * * * one (1)
139 member who shall be elected and serve according to Section
140 37-29-65.

141 (d) Franklin County shall be entitled to * * * one (1)
142 member who shall be elected and serve according to Section
143 37-29-65.

144 (e) Simpson County shall be entitled to * * * one (1)
145 member who shall be elected and serve according to Section
146 37-29-65.



147 (f) Jefferson County shall be entitled to * * * one (1)
148 member who shall be elected and serve according to Section
149 37-29-65.

150 (g) Adams County shall be entitled to * * * five (5)
151 members who shall be elected from the residents of said county by
152 the board of supervisors of Adams County within thirty (30) days
153 of February 4, 1975 * * *.

154 The terms of office for the members shall be five (5) years.
155 However, upon the first selection of trustees in the county, one
156 (1) shall be elected for a term of five (5) years, one (1) for a
157 term of four (4) years, one (1) for a term of three (3) years, one
158 (1) for a term of two (2) years, and one (1) for a term of one (1)
159 year, so as to prevent the retirement of more than one (1) member
160 in any one (1) year. The members elected from Adams County shall
161 have like qualifications and receive the same compensation as the
162 members from other counties as provided by Section 37-29-65.

163 (h) There shall be one (1) member of the board of
164 trustees who shall be elected by the members of the said board of
165 trustees from among the residents of the Copiah-Lincoln Junior
166 College District. Said member so chosen shall serve a five * * *
167 -year term and have the same powers and duties as the other board
168 members.

169 (2) Except as provided in * * * paragraph (g) of this
170 subsection (1), persons who are currently serving as members of



171 the board of trustees of the Copiah-Lincoln Junior College
172 District shall complete their terms without interruption.

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

