

By: Representatives Lamar, Boyd

To: Universities and Colleges

HOUSE BILL NO. 870

1 AN ACT TO AMEND SECTION 37-101-3, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE FOR THE APPOINTMENT OF MEMBERS TO THE BOARD OF TRUSTEES
3 OF STATE INSTITUTIONS OF HIGHER LEARNING BY THE GOVERNOR,
4 LIEUTENANT GOVERNOR AND SPEAKER OF THE HOUSE OF REPRESENTATIVES
5 AFTER JANUARY 1, 2020, FOR VACANCIES CREATED BY EXPIRATION OF
6 MEMBERS' TERMS OF OFFICE; TO PROVIDE THAT THE GOVERNOR, LIEUTENANT
7 GOVERNOR AND SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL HAVE
8 ONE APPOINTMENT EACH MADE FROM EACH OF THE MISSISSIPPI SUPREME
9 COURT DISTRICTS; TO PRESCRIBE THE PROCESS FOR MAKING SUCH
10 APPOINTMENTS UPON THE EXPIRATIONS OF MEMBERS' TERMS BEGINNING WITH
11 APPOINTMENTS TO BE MADE IN 2021; AND FOR RELATED PURPOSES.

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

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

15 37-101-3. (1) (a) The Governor, Lieutenant Governor and
16 the Speaker of the House of Representatives, by and with the
17 advice and consent of the Senate, shall appoint the members of the
18 Board of Trustees of State Institutions of Higher Learning. The
19 board shall be composed of twelve (12) members, * * * consisting
20 of * * * four (4) members from each Mississippi Supreme Court
21 district * * *, each of whom shall serve a term of nine (9) years.
22 * * * The members of the board of trustees as constituted on



23 January 1, 2020, shall continue to serve until the expiration of
24 their respective terms of office. Appointments made to fill
25 vacancies created by expiration of members' terms of office
26 occurring after January 1, 2020, shall be as follows:

27 (i) Upon the expiration of members' terms of
28 office occurring in 2021, the Governor and the Lieutenant Governor
29 shall have one (1) appointment each, and the Speaker of the House
30 of Representatives shall have two (2) appointments;

31 (ii) Upon the expiration of members' terms of
32 office occurring in 2024, the Governor and the Speaker of the
33 House of Representatives shall have one (1) appointment each, and
34 the Lieutenant Governor shall two (2) appointments; and

35 (iii) Upon the expiration of members' terms of
36 office occurring in 2027, the Lieutenant Governor and the Speaker
37 of the House of Representatives shall have one (1) appointment
38 each, and the Governor shall two (2) appointments.

39 The frequency with which an appointing official shall have
40 two (2) appointments shall occur every nine (9) years from the
41 date when such official made his or her first two (2) initial
42 appointments.

43 (b) The current president, or his/her designee, of the
44 Student Body President's Council of Mississippi (SBPCM) shall have
45 a reserved seat at each meeting of the Board of Trustees of State
46 Institutions of Higher Learning. No less than once a year, the



47 board shall seek the * * * advice and counsel of the student body
48 president's organization.

49 (2) In case of a vacancy on said board by death or
50 resignation of a member or from any other cause than the
51 expiration of such member's term of office, the board shall elect
52 his or her successor who shall hold office until the end of the
53 next session of the Legislature. During such term of the session
54 of the Legislature, the * * * official who made the original
55 appointment of the trustee whose death or resignation created the
56 vacancy shall appoint the successor member of the board from the
57 district from which his or her predecessor was appointed to hold
58 office until the end of the period or term for which said original
59 trustee was appointed, to the end that one-third (1/3) of such
60 trustees' terms shall expire each * * * three (3) years.

61 (3) The Executive Director of the Mississippi Community
62 College Board, or his or her designee, and one (1) member of the
63 Mississippi Community College Board, to be designated by the
64 chairman of said board, shall attend all regular meetings of the
65 Board of Trustees of State Institutions of Higher Learning. Said
66 community/junior college representatives shall have no
67 jurisdiction or vote on any matter within the jurisdiction of the
68 board. The Executive Director of the Mississippi Community
69 College Board and any designee who is a state employee shall
70 receive no per diem for attending meetings of the board, but shall
71 be entitled to actual and necessary expense reimbursement and



72 mileage for attending meetings at locations other than Jackson,
73 Mississippi. The designee of the Mississippi Community College
74 Board shall receive per diem compensation as authorized by Section
75 25-3-69, Mississippi Code of 1972, for attending said meetings,
76 and shall be entitled to reimbursement for actual expense
77 reimbursement and mileage, which shall be paid from funds
78 appropriated to the Board of Trustees of State Institutions of
79 Higher Learning.

80 **SECTION 2.** This act shall take effect and be in force from
81 and after the date House Concurrent Resolution No. 31, 2020
82 Regular Session is ratified by the electorate.

