

By: Representative Weathersby

To: Universities and
Colleges

HOUSE BILL NO. 1106
(As Passed the House)

1 AN ACT TO BRING FORWARD SECTION 37-29-65, MISSISSIPPI CODE OF
2 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; AND FOR RELATED
3 PURPOSES.

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

5 **SECTION 1.** Section 37-29-65, Mississippi Code of 1972, is
6 brought forward as follows:

7 37-29-65. (1) Except as provided in this section and in
8 Sections 37-29-409, 37-29-457 and 37-29-505, there shall be five
9 (5) trustees from each county of the junior college district which
10 originally entered into and gave financial aid in establishing the
11 junior college. On June 30, 1992, the offices of the six (6)
12 trustees from each of the original counties in the Northwest
13 Community College District shall stand vacated. The board of
14 supervisors of those respective counties shall appoint two (2)
15 members on July 1, 1992, to serve full terms of office as provided
16 in this section. The board of supervisors of those respective
17 counties shall appoint one (1) member who is a qualified elector
18 from each supervisors district to serve as a member, either of



19 which may be the county superintendent of education if he or she
20 resides in a respective supervisors district. Counties which
21 subsequent to the establishment of the junior college joined the
22 district shall have only one (1) trustee. However, the board of
23 trustees so constituted, by appropriate resolution, may enlarge
24 its number to six (6) trustees from each county. The board of
25 trustees shall also be authorized within its discretion to reduce
26 its number to two (2) trustees at large from each county. In any
27 case in which there is an equal number of trustees the board of
28 trustees may appoint another person to membership.

29 (2) The county superintendent, if appointed by the county
30 board of supervisors, may, in his discretion, choose not to serve
31 as a member of such board of trustees. Such decision not to serve
32 shall be in writing and entered on the minutes of the board of
33 trustees of the junior college district. The county board of
34 supervisors of any county whose county superintendent of education
35 appointed under the authority of this section, declines the
36 appointment or resigns, pursuant to this subsection (2), shall
37 fill the vacancy caused by such resignation by appointing a member
38 who is a qualified elector of the county at large in accordance
39 with subsection (6) of this section. No county superintendent
40 whose school district is located within the East Mississippi
41 Community College District shall serve on the board of trustees
42 for that community college district.



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

(4) The Board of Trustees of the Coahoma Community College District shall consist of nine (9) members. The appointing authorities shall appoint the new board of trustees as follows: Coahoma County shall be entitled to five (5) members appointed in the manner provided herein, Tunica County shall be entitled to one (1) member, Quitman County shall be entitled to one (1) member, Bolivar County shall be entitled to one (1) member, and Tallahatchie County shall be entitled to one (1) member. Persons who are currently serving as members of the Board of Trustees of the Mississippi Delta Community College District or Northwest Community College District shall be eligible for appointment to the board.

(5) The terms of office shall be five (5) years; however, upon the first selection of trustees in each county, one (1) shall



68 be elected for a term of five (5) years, one (1) for a term of
69 four (4) years, one (1) for a term of three (3) years, one (1) for
70 a term of two (2) years, and one (1) for a term of one (1) year,
71 so as to prevent the retirement of more than one (1) member of any
72 one (1) county in any one (1) year. Where the board chooses or is
73 required by statute to reduce its number, the board shall specify
74 the expiration dates of such terms of office in order to prevent
75 the retirement of more than one (1) member of any one (1) county
76 in any one (1) year.

77 (6) The board of supervisors shall elect the requisite
78 number of discreet persons of good moral character, sufficient
79 education and experience, and of proven interest in public
80 education, who are qualified electors of the county, as trustees
81 of the junior college; and annually thereafter the board of
82 supervisors in like manner shall fill vacancies. All trustees so
83 appointed shall be listed in the minutes of the board of
84 supervisors and their appointment shall be certified by the
85 chancery clerk to the president of the junior college.

86 (7) Each junior college trustee may be paid, out of junior
87 college funds, a per diem as authorized in Section 25-3-69,
88 Mississippi Code of 1972, per meeting of said board and, in
89 addition thereto, the mileage authorized under Section 25-3-41,
90 Mississippi Code of 1972, per mile in coming to and returning from
91 said meeting, calculated upon the customary and normally traveled
92 route from the home of such trustee to the campus of said junior



93 college. Such allowance of per diem and mileage shall not,
94 however, be allowed for more than fifteen (15) meetings for any
95 one (1) fiscal year and shall only be paid for meetings actually
96 attended by such trustees.

97 (8) The provisions of this section, other than those
98 provisions pertaining to per diem compensation and travel
99 allowances for junior college trustees, shall not apply to any
100 existing publicly operated junior college, lying in and operated
101 by a county bordering on the Mississippi River, and the junior
102 college trustees of such junior college shall be appointed and
103 confirmed as heretofore.

104 (9) No county superintendent of education, by virtue of his
105 or her office, shall be automatically placed on the board of
106 trustees for any community college district to which this section
107 applies. The number of trustees from each county shall be reduced
108 by one (1) member if such member is superintendent of education.
109 However, if the county board of supervisors, in making an
110 appointment to the community college district board of trustees,
111 chooses to appoint the county superintendent of education at the
112 expiration of the term of the at large member, the superintendent
113 may serve, unless otherwise disqualified.

114 **SECTION 2.** This act shall take effect and be in force from
115 and after July 1, 2020, and shall stand repealed on June 30, 2020.

