

By: Representative Bain

To: Universities and  
Colleges

HOUSE BILL NO. 883

1 AN ACT TO AMEND SECTION 37-29-65, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE FOR THE REVISED COMPOSITION OF THE BOARDS OF TRUSTEES  
3 FOR THE NORTHEAST MISSISSIPPI COMMUNITY COLLEGE DISTRICT AND THE  
4 COAHOMA COMMUNITY COLLEGE DISTRICT TO REPRESENT THE BOARDS' MAKE  
5 UP AS IT EXISTED BEFORE JULY 1, 2019; AND FOR RELATED PURPOSES.

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

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

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



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

32 (2) The county superintendent, if appointed by the county  
33 board of supervisors, may, in his discretion, choose not to serve  
34 as a member of such board of trustees. Such decision not to serve  
35 shall be in writing and entered on the minutes of the board of  
36 trustees of the community college district. The county board of  
37 supervisors of any county whose county superintendent of education  
38 appointed under the authority of this section, declines the  
39 appointment or resigns, pursuant to this subsection (2), shall  
40 fill the vacancy caused by such resignation by appointing a member  
41 who is a qualified elector of the county at large in accordance  
42 with subsection ( \* \* \*7) of this section. No county  
43 superintendent whose school district is located within the East



44 Mississippi Community College District shall serve on the board of  
45 trustees for that community college district.

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

57 (4) From and after July 1, 2022, the Board of Trustees of  
58 the Coahoma Community College District shall consist of \* \* \*  
59 fourteen (14) members. The appointing authorities shall appoint  
60 the new board of trustees as follows: Coahoma County shall be  
61 entitled to \* \* \* six (6) members appointed in the manner provided  
62 herein, Tunica County shall be entitled to \* \* \* two (2) members,  
63 Quitman County shall be entitled to \* \* \* two (2) members, Bolivar  
64 County shall be entitled to \* \* \* two (2) members, and  
65 Tallahatchie County shall be entitled to \* \* \* two (2) members,  
66 one (1) of whom may be a superintendent of education within the  
67 county. One (1) member from each county that comprises the  
68 Coahoma Community College District shall be the county



69 superintendent of education. Persons who are currently serving as  
70 members of the Board of Trustees of the Mississippi Delta  
71 Community College District or Northwest Community College District  
72 shall not be eligible for appointment to the board.

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

84 (6) (a) From and after July 1, 2022, the Board of Trustees  
85 of the Northeast Mississippi Community College District shall  
86 consist of fifteen (15) members from the Prentiss, Alcorn, Tippah,  
87 Tishomingo and Union Counties. The appointing authorities, being  
88 the respective county boards of supervisors, shall appoint the  
89 trustees as follows:

90 (i) Prentiss County shall be entitled to six (6)  
91 members;

92 (ii) Alcorn County shall be entitled to two (2)  
93 members;



94 (iii) Tippah County shall be entitled to two (2)  
95 members;

96 (iv) Tishomingo County shall be entitled to two  
97 (2) members;

98 (v) Union County shall be entitled to two (2)  
99 members; and

100 (vi) One (1) member shall be elected at-large by  
101 the members of the board, which shall be made from each of the  
102 counties having only two (2) members on a rotational basis at the  
103 expiration of each term.

104 (b) Of the members so appointed under paragraph (a) of  
105 this subsection, one (1) of the trustees from each county may be  
106 the county superintendent of education, provided that the  
107 president of the Northeast Community College submits a letter of  
108 recommendation to the boards of supervisors of each county  
109 requesting the appointment of the county superintendent of  
110 education. However, each county board of supervisors retains the  
111 sole discretion to appoint any qualified elector residing in the  
112 county to the board of trustees for the community college district  
113 despite the receipt of such recommendation. If the board of  
114 supervisors accepts the recommendation of the president of  
115 Northeast Community College for the appointment of the county  
116 superintendent of education for a term, the recommendation shall  
117 only be valid for the term of the superintendent then appointed by  
118 the board of supervisors, and must be renewed upon the expiration



119 of the term of the appointed superintendent with the submission of  
120 a new recommendation by the president for continued representation  
121 on the board by the county superintendent of education.

122 (c) The terms of office of each trustee shall be five  
123 (5) years. The members of the board of trustees serving on July  
124 1, 2021, shall continue to serve until their terms expire. Where  
125 the board chooses or is required by statute to reduce or increase  
126 its number, the board shall specify the expiration dates of such  
127 terms of office in order to prevent the retirement of more than  
128 one (1) member of any one (1) county in any one (1) year.

129 ( \* \* \*7) The board of supervisors shall elect the requisite  
130 number of discreet persons of good moral character, sufficient  
131 education and experience, and of proven interest in public  
132 education, who are qualified electors of the county, as trustees  
133 of the community college; and annually thereafter the board of  
134 supervisors in like manner shall fill vacancies. All trustees so  
135 appointed shall be listed in the minutes of the board of  
136 supervisors and their appointment shall be certified by the  
137 chancery clerk to the president of the community college.

138 ( \* \* \*8) Each community college trustee may be paid, out of  
139 community college funds, a per diem as authorized in Section  
140 25-3-69, Mississippi Code of 1972, per meeting of said board and,  
141 in addition thereto, the mileage authorized under Section 25-3-41,  
142 Mississippi Code of 1972, per mile in coming to and returning from  
143 said meeting, calculated upon the customary and normally traveled



144 route from the home of such trustee to the campus of said  
145 community college. Such allowance of per diem and mileage shall  
146 not, however, be allowed for more than fifteen (15) meetings for  
147 any one (1) fiscal year and shall only be paid for meetings  
148 actually attended by such trustees.

149 ( \* \* \*9) The provisions of this section, other than those  
150 provisions pertaining to per diem compensation and travel  
151 allowances for community college trustees, shall not apply to any  
152 existing publicly operated community college, lying in and  
153 operated by a county bordering on the Mississippi River, and the  
154 community college trustees of such community college shall be  
155 appointed and confirmed as heretofore.

156 ( \* \* \*10) No county superintendent of education, by virtue  
157 of his or her office, shall be automatically placed on the board  
158 of trustees for any community college district to which this  
159 section applies. The number of trustees from each county shall be  
160 reduced by one (1) member if such member is superintendent of  
161 education. However, if the county board of supervisors, in making  
162 an appointment to the community college district board of  
163 trustees, chooses to appoint the county superintendent of  
164 education at the expiration of the term of the at large member,  
165 the superintendent may serve, unless otherwise disqualified.

166 **SECTION 2.** This act shall take effect and be in force from  
167 and after July 1, 2022.

