

By: Representative Bain

To: Universities and
Colleges

HOUSE BILL NO. 883
(As Passed the House)

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. Except as otherwise provided for membership appointments
68 from Tallahatchie County, one (1) member from each of the



69 remaining four (4) counties that comprise the Coahoma Community
70 College District shall be the county superintendent of education.
71 Persons who are currently serving as members of the Board of
72 Trustees of the Mississippi Delta Community College District or
73 Northwest Community College District shall not be eligible for
74 appointment to the board.

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

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

92 (i) Prentiss County shall be entitled to six (6)
93 members;



94 (ii) Alcorn County shall be entitled to two (2)
95 members;

96 (iii) Tippah County shall be entitled to two (2)
97 members;

98 (iv) Tishomingo County shall be entitled to two
99 (2) members;

100 (v) Union County shall be entitled to two (2)
101 members; and

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

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



119 only be valid for the term of the superintendent then appointed by
120 the board of supervisors, and must be renewed upon the expiration
121 of the term of the appointed superintendent with the submission of
122 a new recommendation by the president for continued representation
123 on the board by the county superintendent of education.

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

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

140 (* * *8) Each community college trustee may be paid, out of
141 community college funds, a per diem as authorized in Section
142 25-3-69, Mississippi Code of 1972, per meeting of said board and,
143 in addition thereto, the mileage authorized under Section 25-3-41,



144 Mississippi Code of 1972, per mile in coming to and returning from
145 said meeting, calculated upon the customary and normally traveled
146 route from the home of such trustee to the campus of said
147 community college. Such allowance of per diem and mileage shall
148 not, however, be allowed for more than fifteen (15) meetings for
149 any one (1) fiscal year and shall only be paid for meetings
150 actually attended by such trustees.

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

158 (* * *10) No county superintendent of education, by virtue
159 of his or her office, shall be automatically placed on the board
160 of trustees for any community college district to which this
161 section applies. * * *

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

