

By: Representative Brown

To: Universities and
Colleges; Appropriations

HOUSE BILL NO. 1013

1 AN ACT TO CREATE A NEW SECTION TO BE CODIFIED AS SECTION
 2 37-101-26, MISSISSIPPI CODE OF 1972, TO CREATE THE BOARD OF
 3 TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING ENDOWMENT
 4 PARTNERSHIP TRUST FUND PROGRAM FOR THE PURPOSE OF PROVIDING
 5 CHALLENGE GRANTS TO INSTITUTIONS FOR ENDOWED FACULTY POSITIONS, TO
 6 PROVIDE FOR THE APPROPRIATION AND ALLOCATION OF FUNDS TO THE TRUST
 7 FUND, TO PROVIDE FOR THE DISBURSEMENT OF FUNDS TO INSTITUTIONS, TO
 8 AUTHORIZE THE BOARD OF TRUSTEES TO CREATE ENDOWED FACULTY
 9 POSITIONS, AND TO REQUIRE THE BOARD OF TRUSTEES TO ANNUALLY REPORT
 10 TO THE LEGISLATURE ON THE STATUS OF THE PROGRAM; AND FOR RELATED
 11 PURPOSES.

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

13 **SECTION 1.** The following shall be codified as Section
 14 37-101-26, Mississippi Code of 1972:

15 37-101-26. (1) There is created the Board of Trustees of
 16 State Institutions of Higher Learning Endowment Partnership Trust
 17 Fund. The purpose of the trust fund is to encourage a
 18 public/private partnership by the state institutions of higher
 19 learning and to assist in fund-raising for the institutions
 20 through a matching program to be known as the Board of Trustees of
 21 State Institutions of Higher Learning Endowment Partnership
 22 Program. Under this program, monies in the trust fund may be used
 23 to provide challenge grants for the specific purpose of raising
 24 funds to be used by the state institutions of higher learning in
 25 endowing faculty positions to attract and retain eminent scholars
 26 to the faculties of the state institutions.

27 (2) The members of the Board of Trustees of State
 28 Institutions of Higher Learning shall serve as trustees of the
 29 Board of Trustees of State Institutions of Higher Learning
 30 Endowment Partnership Trust Fund.

31 (3) The Board of Trustees of State Institutions of Higher
32 Learning Endowment Partnership Trust Fund shall be a budget unit
33 for purposes of the appropriation of state funds. The trust fund
34 shall consist of monies appropriated by the Legislature to the
35 trust fund by line item appropriation and any other funds that the
36 Board of Trustees of State Institutions of Higher Learning, in its
37 discretion, elects to allocate to the trust fund from any
38 available funds. The Legislature may not directly or indirectly
39 decrease any state appropriation for the operation or capital
40 support of the state institutions of higher learning due to the
41 creation and existence of the trust fund. Monies appropriated or
42 allocated to the trust fund are deemed to be contractually
43 obligated for the purposes specified in this section, and any
44 funds remaining in the trust fund at the end of the fiscal year
45 shall not lapse into the General Fund.

46 (4) The trustees of the Board of Trustees of State
47 Institutions of Higher Learning Endowment Partnership Program may
48 make challenge grants to state institutions. The trustees shall
49 adopt rules, regulations and standards governing the awarding of
50 challenge grants under this section.

51 (5) Money in the Board of Trustees of State Institutions of
52 Higher Learning Endowment Partnership Trust Fund may be disbursed
53 for matching endowed faculty positions in amounts not less than
54 Fifty Thousand Dollars (\$50,000.00) and no more than
55 Five Hundred Thousand Dollars (\$500,000.00) for each endowed
56 faculty position.

57 Depending on the total funds available in the Board of
58 Trustees of State Institutions of Higher Learning Endowment
59 Partnership Trust Fund, the amounts set forth in this subsection
60 may be revised at any time by the trustees of the Board of
61 Trustees of State Institutions of Higher Learning Endowment
62 Partnership Program in order to maximize the benefits that may
63 result from endowing one or more faculty positions in any fiscal

64 year. The entire amount of funds granted to a particular state
65 institution must be invested and maintained by that institution
66 and, together with any income from such investment, must be used
67 for the purpose of endowing a faculty position at that state
68 institution of higher learning. No funds may be disbursed under
69 this section except upon the express written condition that the
70 funds and the earnings on those funds be used as provided in this
71 section.

72 (6) Endowed faculty positions may be created by the Board of
73 Trustees of State Institutions of Higher Learning for any approved
74 program of study at a state institution. Persons selected to hold
75 such faculty positions must be selected under such procedures as
76 may be established by the Institutional Executive Officer of the
77 state institution at which the faculty position is established.

78 (7) Before December 1 of each year, the Board of Trustees of
79 State Institutions of Higher Learning shall submit a report to the
80 Chairs of the Appropriations and Universities and Colleges
81 Committees of the House of Representatives and Senate on the
82 status of the Board of Trustees of State Institutions of Higher
83 Learning Endowment Partnership Program. The report must include a
84 description of the endowed faculty program created at each
85 institution and the amount of funds granted from the Board of
86 Trustees of State Institutions of Higher Learning Endowment
87 Partnership Trust Fund in support of each endowed program.

88 **SECTION 2.** This act shall take effect and be in force from
89 and after July 1, 2007.