

# HOUSE JOINT RESOLUTION E

March 12, 2003, Introduced by Reps. Drolet, Milosch, Brandenburg, Bradstreet, Garfield and Hoogendyk and referred to the Committee on Higher Education.

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 5 and 6 of article VIII and adding section 10 to article VIII, to limit tuition increases at institutions of higher education established by law.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to limit tuition increases at institutions of higher education established by law, is proposed, agreed to, and submitted to the people of the state.

## ARTICLE VIII

Sec. 5. The regents of the University of Michigan and their successors in office shall constitute a body corporate known as the Regents of the University of Michigan; the trustees of Michigan State University and their successors in office shall

1 constitute a body corporate known as the Board of Trustees of  
2 Michigan State University; the governors of Wayne State  
3 University and their successors in office shall constitute a body  
4 corporate known as the Board of Governors of Wayne State  
5 University. ~~Each~~ **Subject to section 10 of this article, each**  
6 board shall have general supervision of its institution and the  
7 control and direction of all expenditures from the institution's  
8 funds. Each board shall, as often as necessary, elect a  
9 president of the institution under its supervision. ~~He~~ **The**  
10 **president** shall be the principal executive officer of the  
11 institution, be ex-officio a member of the board without the  
12 right to vote and preside at meetings of the board. The board of  
13 each institution shall consist of eight members who shall hold  
14 office for terms of eight years and who shall be elected as  
15 provided by law. The governor shall fill board vacancies by  
16 appointment. Each appointee shall hold office until a successor  
17 has been nominated and elected as provided by law.

18       Sec. 6. Other institutions of higher education established  
19 by law having authority to grant baccalaureate degrees shall each  
20 be governed by a board of control which shall be a body  
21 corporate. ~~The~~ **Subject to section 10 of this article, the**  
22 board shall have general supervision of the institution and the  
23 control and direction of all expenditures from the institution's  
24 funds. It shall, as often as necessary, elect a president of the  
25 institution under its supervision. ~~He~~ **The president** shall be  
26 the principal executive officer of the institution and be  
27 ex-officio a member of the board without the right to vote. The

1 board may elect one of its members, or may designate the  
2 president, to preside at board meetings. Each board of control  
3 shall consist of eight members who shall hold office for terms of  
4 eight years, not more than two of which shall expire in the same  
5 year, and who shall be appointed by the governor by and with the  
6 advice and consent of the senate. Vacancies shall be filled in  
7 like manner.

8       **Sec. 10. Beginning on the effective date of this section,**  
9 **the board of an institution of higher education described in**  
10 **section 5 or 6 of this article shall not charge its students**  
11 **tuition rates that exceed its tuition rates in effect on January**  
12 **1, 2004 for the remainder of that academic year, and in**  
13 **subsequent academic years shall not increase its tuition rates**  
14 **from one academic year to the next academic year by more than the**  
15 **increase in the immediately preceding calendar year in the**  
16 **general price level, as defined in section 33 of article IX, or**  
17 **five percent, whichever is less.**

18       Resolved further, That the foregoing amendment shall be  
19 submitted to the people of the state at a special election held  
20 on February 24, 2004 in the manner provided by law.