

HOUSE JOINT RESOLUTION R

December 4, 2003, Introduced by Reps. Hoogendyk, Sheen, Brandenburg, Voorhees, Drolet, Bradstreet, Vander Veen, Mortimer, Middaugh, Stahl, Ward, Pastor and Casperson and referred to the Committee on Higher Education.

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 4, 5, and 6 of article VIII, to require per capita funding and provide for legislative oversight of institutions of higher education.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to require per capita funding and provide for legislative oversight of institutions of higher education, is proposed, agreed to, and submitted to the people of the state:

ARTICLE VIII

Sec. 4. The legislature shall appropriate moneys **equitably** to maintain the University of Michigan, Michigan State University, Wayne State University, Eastern Michigan University, Michigan ~~College of Science and Technology~~ **Technological University**, Central Michigan University, Northern Michigan

1 University, Western Michigan University, Ferris ~~Institute~~ **State**
 2 **University**, Grand Valley State ~~College~~ **University**, Lake
 3 **Superior State University**, Oakland University, and Saginaw Valley
 4 **State University**, by whatever names ~~such~~ **these** institutions may
 5 hereafter be known, and other institutions of higher education
 6 established by law. **The legislature shall make an annual**
 7 **appropriation to each institution of higher education on a per**
 8 **capita basis, based on the projected in-state resident enrollment**
 9 **at that institution of higher education for the fiscal year.** The
 10 legislature shall be given ~~an~~ **a detailed** annual accounting of
 11 all income and expenditures by each of these educational
 12 institutions. ~~Formal sessions~~ **Sessions** of governing boards of
 13 ~~such~~ **these** institutions shall be open to the public **as**
 14 **prescribed by law.**

15 Sec. 5. (1) The regents of the University of Michigan and
 16 their successors in office shall constitute a body corporate
 17 known as the Regents of the University of Michigan; the trustees
 18 of Michigan State University and their successors in office shall
 19 constitute a body corporate known as the Board of Trustees of
 20 Michigan State University; **and** the governors of Wayne State
 21 University and their successors in office shall constitute a body
 22 corporate known as the Board of Governors of Wayne State
 23 University. ~~Each~~

24 (2) **Except as the legislature provides by law, each board**
 25 ~~shall have~~ **described in this section has** general supervision of
 26 its institution and the control and direction of all expenditures
 27 from the institution's funds. **The legislature shall not infringe**

1 upon the academic freedom of an institution of higher education
2 described in this section, but the legislature may direct or
3 condition the use of state funds by that institution.

4 (3) Each board **described in this section** shall, as often as
5 necessary, elect a president of the institution under its
6 supervision. ~~He shall be~~ **The president is** the principal
7 executive officer of the institution, ~~be~~ **is** ex-officio a member
8 of the board without the right to vote, and **shall** preside at
9 meetings of the board. ~~The~~

10 (4) **Each** board ~~of each institution~~ **described in this**
11 **section** shall consist of eight members who shall hold office for
12 terms of eight years and who shall be elected as provided by
13 law. The governor shall fill board vacancies by appointment.
14 Each appointee shall hold office until a successor has been
15 nominated and elected as provided by law.

16 Sec. 6. (1) Other institutions of higher education
17 established by law having authority to grant baccalaureate
18 degrees shall each be governed by a board of control which shall
19 be a body corporate. ~~The~~

20 (2) **Except as the legislature provides by law, each** board
21 ~~shall have~~ **described in this section has** general supervision of
22 the institution and the control and direction of all expenditures
23 from the institution's funds. ~~It~~ **The legislature shall not**
24 **infringe upon the academic freedom of an institution of higher**
25 **education described in this section, but the legislature may**
26 **direct or condition the use of state funds by that institution.**

27 (3) Each board described in this section shall, as often as

1 necessary, elect a president of the institution under its
2 supervision. ~~He shall be~~ **The president is** the principal
3 executive officer of the institution and ~~be~~ **is** ex-officio a
4 member of the board without the right to vote. The board may
5 elect one of its members or may designate the president ~~—~~ to
6 preside at board meetings.

7 **(4)** Each board ~~of control~~ **described in this section** shall
8 consist of eight members who shall hold office for terms of eight
9 years, not more than two of which shall expire in the same year,
10 and who shall be appointed by the governor by and with the advice
11 and consent of the senate. Vacancies shall be filled in like
12 manner.

13 Resolved further, That the foregoing amendment shall be
14 submitted to the people of the state at the next general election
15 in the manner provided by law.