

HOUSE JOINT RESOLUTION LLL

September 10, 2008, Introduced by Reps. Opsommer, Hoogendyk and Pavlov and referred to the Committee on 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 for resident students 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 for resident students 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

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

20 Sec. 6. Other institutions of higher education established by
21 law having authority to grant baccalaureate degrees shall each be
22 governed by a board of control which shall be a body corporate. ~~The~~
23 **SUBJECT TO SECTION 10 OF THIS ARTICLE, THE** board shall have general
24 supervision of the institution and the control and direction of all
25 expenditures from the institution's funds. It shall, as often as
26 necessary, elect a president of the institution under its
27 supervision. ~~He~~ **THE PRESIDENT** shall be the principal executive

1 officer of the institution and be ex-officio a member of the board
2 without the right to vote. The board may elect one of its members,
3 or may designate the president, to preside at board meetings. Each
4 board of control shall consist of eight members who shall hold
5 office for terms of eight years, not more than two of which shall
6 expire in the same year, and who shall be appointed by the governor
7 by and with the advice and consent of the senate. Vacancies shall
8 be filled in like manner.

9 **SEC. 10. BEGINNING ON THE EFFECTIVE DATE OF THIS SECTION, THE**
10 **BOARD OF AN INSTITUTION OF HIGHER EDUCATION DESCRIBED IN SECTION 5**
11 **OR 6 OF THIS ARTICLE SHALL NOT CHARGE ITS STUDENTS WHO ARE**
12 **RESIDENTS OF THIS STATE TUITION RATES THAT EXCEED ITS TUITION RATES**
13 **FOR THOSE STUDENTS IN EFFECT ON JANUARY 1, 2009 FOR THE REMAINDER**
14 **OF THAT ACADEMIC YEAR, AND IN SUBSEQUENT ACADEMIC YEARS SHALL NOT**
15 **INCREASE ITS TUITION RATES FOR STUDENTS WHO ARE RESIDENTS OF THIS**
16 **STATE FROM ONE ACADEMIC YEAR TO THE NEXT ACADEMIC YEAR BY MORE THAN**
17 **THE INCREASE IN THE IMMEDIATELY PRECEDING CALENDAR YEAR IN THE**
18 **DETROIT CONSUMER PRICE INDEX AS REPORTED BY THE UNITED STATES**
19 **DEPARTMENT OF LABOR.**

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