WEST VIRGINIA LEGISLATURE
REGULAR THIRTY-DAY SESSION, 1956

ENROLLED

SENATE BILL NO. 11

(By Mr. President)

PASSED February 8, 1956

In Effect 90 days from Passage
AN ACT to approve "The Southern Regional Education Compact" and to authorize the State of West Virginia to become a party thereto, subject to the approval of other states now parties to the compact.

Be it enacted by the Legislature of West Virginia:

Section 1. Approval of Compact.—The following compact is hereby approved and ratified, and the state of West Virginia is hereby declared to be a party thereto, subject to the approval of other states now parties to the compact, and all agreements, covenants and obligations therein shall be binding upon the state of West Virginia.

The Southern Regional Education Compact

WHEREAS, The states who are parties hereto have during
the past several years conducted careful investigation looking toward the establishment and maintenance of jointly owned and operated regional educational institutions in the southern states in the professional, technological, scientific, literary and other fields, so as to provide greater educational advantages and facilities for the citizens of the several states who reside within such region; and

WHEREAS, Meharry Medical college of Nashville, Tennessee, has proposed that its lands, buildings, equipment, and the net income from its endowment, be turned over to the southern states, or to an agency acting in their behalf, to be operated as a regional institution for medical, dental and nursing education upon terms and conditions to be hereafter agreed upon between the southern states and Meharry Medical college, which proposal, because of the present financial condition of the institution, has been approved by the said states who are parties hereto; and

WHEREAS, The said states desire to enter into a compact with each other providing for the planning and estab-
lishment of regional educational facilities; now, therefore,

In consideration of the mutual agreements, covenants and obligations assumed by the respective states who are parties hereto (hereinafter referred to as "states"), the said several states do hereby form a geographical district or region consisting of the areas lying within the boundaries of the contracting states which, for the purposes of this compact, shall constitute an area for regional education supported by public funds derived from taxation by the constituent states and derived from other sources for the establishment, acquisition, operation and maintenance of regional educational schools and institutions for the benefit of citizens of the respective states residing within the region so established as may be determined from time to time in accordance with the terms and provisions of this compact.

The states do further hereby establish and create a joint agency which shall be known as the "Board of Control for Southern Regional Education" (hereinafter referred to as the "board"), the members of which board
shall consist of the governor of each state, *ex officio*, and
four additional citizens of each state to be appointed by
the governor thereof, with the advice and consent of the
Senate, at least one of whom shall be selected from the
field of education, and at least one of whom shall be a
member of the Legislature of that state. The governor
shall continue as a member of the board during his tenure
of office as governor of the state; but the members of the
board appointed by the governor shall hold office for a
period of four years, except that in the original appoint-
ments one board member so appointed by the governor
shall be designated at the time of his appointment to serve
an initial term of two years, one board member to serve
an initial term of three years, and the remaining board
members to serve the full term of four years, but there-
after the successor of each appointed board member shall
serve the full term of four years. Vacancies on the board
caused by death, resignation, refusal or inability to serve,
shall be filled by appointment by the governor for the
unexpired portion of the term. The officers of the board
shall be a chairman, a vice chairman, a secretary, a treas-
urer, and such additional officers as may be created by the
board from time to time. The board shall meet annually
and officers shall be elected to hold office until the next
annual meeting. The board shall have the right to formu-
late and establish by-laws not inconsistent with the pro-
visions of this compact to govern its own actions in the per-
formance of the duties delegated to it, including the right
to create and appoint an executive committee and a finance
committee with such powers and authority as the board
may delegate to them from time to time. The board may,
within its discretion, elect as its chairman, a person who is
not a member of the board, provided such person resides
within a signatory state; and upon such election, such per-
son shall become a member of the board with all the rights
and privileges of such membership.

It shall be the duty of the board to submit plans and rec-
ommendations to the states from time to time for their ap-
proval and adoption by appropriate legislative action for
the development, establishment, acquisition, operation and
maintenance of educational schools and institutions within
the geographical limits of the regional area of the states, of
such character and type and for such educational purposes, 
professional, technological, scientific, literary, or other-
wise, as they may deem and determine to be proper, neces-
sary or advisable. Title to all such educational institutions 
when so established by appropriate legislative actions of 
the states and to all properties and facilities used in con-
nection therewith shall be vested in said board as the 
agency of and for the use and benefit of the said states and 
the citizens thereof; and all such educational institutions 
shall be operated, maintained and financed in the manner 
herein set out, subject to any provisions or limitations 
which may be contained in the legislative acts of the 
state authorizing the creation, establishment and opera-
tion of such educational institutions.

In addition to the power and authority heretofore 
granted, the board shall have the power to enter into such 
agreements or arrangements with any of the states and 
with educational institutions or agencies, as may be re-
quired in the judgment of the board, to provide adequate 
services and facilities for the graduate, professional, and 
technical education for the benefit of the citizens of the re-
spective states residing within the region, and such addi-
tional and general power and authority as may be vested
in the board from time to time by legislative enactment
of the said states.

Any two or more states who are parties of this compact
shall have the right to enter into supplemental agreements
providing for the establishment, financing and operation of
regional educational institutions for the benefit of citizens
residing within an area which constitutes a portion of the
general region herein created, such institutions to be fi-
nanced exclusively by such states and to be controlled ex-
clusively by the members of the board representing such
states provided such agreement is submitted to and ap-
proved by the board prior to the establishment of such
institution.

Each state agrees that, when authorized by the legisla-
ture, it will from time to time make available and pay over
to said board such funds as may be required for the estab-
ishment, acquisition, operation and maintenance of such
regional educational institutions as may be authorized by
the states under the terms of this compact, the contribu-
tion of each state at all times to be in the proportion that its population bears to the total combined population of the states who are parties hereto as shown from time to time by the most recent official published report of the bureau of the census of the United States of America; or upon such other basis as may be agreed upon.

This compact shall not take effect or be binding upon any state unless and until it shall be approved by proper legislative action of as many as six or more of the states whose governors have subscribed hereto within a period of eighteen months from the date hereof. When and if six or more states shall have given legislative approval of this compact within said eighteen months period, it shall be and become binding upon such six or more states sixty days after the date of legislative approval by the sixth state; and the governors of such six or more states shall forthwith name the members of the board from their states as hereinabove set out, and the board shall then meet on call of the governor of any state approving this compact, at which time the board shall elect officers, adopt by-laws, appoint committees and otherwise fully organize.
Other states whose names are subscribed hereto shall thereafter become parties hereto upon approval of this compact by legislative action within two years from the date hereof, upon such conditions as may be agreed upon at the time: Provided, however, That with respect to any state whose constitution may require amendment in order to permit legislative approval of the compact, such state or states shall become parties hereto upon approval of this compact by legislative action within seven years from the date hereof, upon such conditions as may be agreed upon at the time.

After becoming effective this compact shall thereafter continue without limitation of time: Provided, however, That it may be terminated at any time by unanimous action of the states; and Provided further, That any state may withdraw from this compact if such withdrawal is approved by its legislature, such withdrawal to become effective two years after written notice thereof to the board accompanied by a certified copy of the requisite legislative action, but such withdrawal shall not relieve the withdrawing state
from its obligations hereunder accruing up to the effective date of such withdrawal. Any state so withdrawing shall *ipso facto* cease to have any claim to or ownership of any of the property held or vested in the board or to any of the funds of the board held under the terms of this compact.

If any state shall at any time become in default in the performance of any of its obligations assumed herein or with respect to any obligation imposed upon said state as authorized by and in compliance with the terms and provisions of this compact, all rights, privileges and benefits of such defaulting state, its members on the board and its citizens shall *ipso facto* be and become suspended from and after the date of such default. Unless such default shall be remedied and made good within a period of one year immediately following the date of such default, this compact may be terminated with respect to such defaulting state by an affirmative vote of three-fourths of the members of the board (exclusive of the members representing the state in default), from and after which time such state shall cease to be a party
to this compact and shall have no further claim to or own-
ership of any of the property held by or vested in the
board or to any of the funds of the board held under
the terms of this compact; but such termination shall
in no manner release such defaulting state from any
accrued obligations or otherwise affect this compact or
the rights, duties, privileges or obligations of the remain-
ing states thereunder.

IN WITNESS WHEREOF this compact has been ap-
proved and signed by governors of the several states,
subject to the approval of their respective legislatures in
the manner hereinabove set out, as of the eighth day of
February, one thousand nine hundred forty-eight.

STATE OF ALABAMA
By James E. Folsom, Governor

STATE OF FLORIDA
By Millard F. Caldwell, Governor

STATE OF KENTUCKY
By Earle D. Clements, Governor

STATE OF MARYLAND
By Wm. Preston Lane, Jr., Governor

STATE OF NORTH CAROLINA
By R. Gregg Cherry, Governor

STATE OF ARKANSAS
By Ben Laney, Governor

STATE OF GEORGIA
By M. E. Thompson, Governor

STATE OF LOUISIANA
By J. H. Davis, Governor

STATE OF MISSISSIPPI
By F. L. Wright, Governor

STATE OF OKLAHOMA
By Roy J. Turner, Governor

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Sec. 2. Engrossed Copies to be Furnished Other States.—

2 Immediately upon the enactment hereof, the Governor
3 shall sign and send to the Governor of each state that
4 is a party to the above compact an engrossed copy of
5 this act.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect 90 days from passage.

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the 1st day of February, 1956.

Governor

FEB 15 '56

SECRETARY OF STATE