

By: Representative McInnis

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 35

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION
2 213-A, MISSISSIPPI CONSTITUTION OF 1890, TO REDUCE FROM TWELVE
3 YEARS TO SIX YEARS THE TERMS OF MEMBERS OF THE BOARD OF TRUSTEES
4 OF STATE INSTITUTIONS OF HIGHER LEARNING AND TO PROVIDE THAT ALL
5 APPOINTMENTS TO THE BOARD SHALL BE MADE FROM SUPREME COURT
6 DISTRICTS; AND FOR RELATED PURPOSES.

7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF
8 MISSISSIPPI, That the following amendment to the Mississippi
9 Constitution of 1890 is proposed to the qualified electors of the
10 state:

11 Amend Section 213-A, Mississippi Constitution of 1890, to
12 read as follows:

13 "Section 213-A. The state institutions of higher learning
14 now existing in Mississippi, to-wit: University of Mississippi,
15 Mississippi State University of Agriculture and Applied Science,
16 Mississippi University for Women, University of Southern
17 Mississippi, Delta State University, Alcorn State University,
18 Jackson State University, Mississippi Valley State University, and
19 any others of like kind which may be hereafter organized or
20 established by the State of Mississippi, shall be under the
21 management and control of a board of trustees to be known as the
22 Board of Trustees of State Institutions of Higher Learning, the
23 members thereof to be appointed by the Governor of the state with
24 the advice and consent of the Senate. The Governor shall appoint
25 only men or women who are qualified electors residing in the
26 district from which each is appointed, and who are at least
27 twenty-five (25) years of age, and of the highest order of
28 intelligence, character, learning and fitness for the performance

29 of such duties, to the end that such board shall perform the high
30 and honorable duties thereof to the greatest advantage of the
31 people of the state of such educational institutions, uninfluenced
32 by any political considerations. There shall be appointed one (1)
33 member of such board from each congressional district of the state
34 as now existing, one (1) member from each Supreme Court district
35 and two (2) members * * * from the state at large. The terms of
36 office of the trustees herein provided for shall begin May 8,
37 1944; and it shall be the duty of the Governor to make such
38 appointments during the regular session of the Legislature of
39 Mississippi in 1944; and one-third (1/3) of the membership of the
40 board shall be appointed for a period of four (4) years; one-third
41 (1/3) for a period of eight (8) years; and one-third (1/3) for a
42 period of twelve (12) years; and thereafter, until May 8, 2000,
43 their successors shall hold office for a period of twelve (12)
44 years. The members appointed to the board for a full term of
45 office beginning on or after May 8, 2000, shall hold office for a
46 period of six (6) years from the expiration date of the previous
47 term and shall be appointed from each of the Supreme Court
48 districts on an alternating basis, to the end that when twelve
49 (12) appointments have been made to the board for full terms of
50 office beginning on or after May 8, 2000, the membership of the
51 board shall consist of four (4) members from the Northern Supreme
52 Court District, four (4) members from the Central Supreme Court
53 District and four (4) members from the Southern Supreme Court
54 District. In case of a vacancy on the board by death or
55 resignation of a member, or from any other cause than the
56 expiration of such member's term of office, the board shall elect
57 his or her successor, who shall hold office until the end of the
58 next session of the Legislature. During such term of the session
59 of the Legislature the Governor shall appoint the successor member
60 of the board from the district from which his or her predecessor
61 was appointed, to hold office until the end of the period for
62 which such original trustee was appointed, to the end that
63 beginning with appointments made for terms commencing on May 8,
64 2000, one-third (1/3) of such trustees' terms will expire each two
65 (2) years.

66 The Legislature shall provide by law for the appointment of a
67 trustee for the La Bauve Fund at the University of Mississippi and
68 for the perpetuation of such fund.

69 The board shall have the power and authority to elect the
70 heads of the various institutions of higher learning, and contract
71 with all deans, professors and other members of the teaching
72 staff, and all administrative employees of the institutions for a
73 term not exceeding four (4) years; but the board shall have the
74 power and authority to terminate any such contract at any time for
75 malfeasance, inefficiency or contumacious conduct, but never for
76 political reasons.

77 Nothing herein contained shall in any way limit or take away
78 the power the Legislature had and possessed, if any, at the time
79 of the adoption of this amendment, to consolidate, abolish or
80 change the status of any of the above named institutions."

81 BE IT FURTHER RESOLVED, That this proposed amendment shall be
82 submitted by the Secretary of State to the qualified electors at
83 an election to be held on the first Tuesday after the first Monday
84 of November 1999, as provided by Section 273 of the Constitution
85 and by general law.

86 BE IT FURTHER RESOLVED, That the explanation of this proposed
87 amendment for the ballot shall read as follows: "This proposed
88 constitutional amendment reduces from twelve years to six years
89 the terms of members of the Board of Trustees of State
90 Institutions of Higher Learning and provides that all appointments
91 to the board shall be made from Supreme Court districts."