

By: Senator(s) Harden

To: Constitution

## SENATE CONCURRENT RESOLUTION NO. 528

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION  
2 213-A, MISSISSIPPI CONSTITUTION OF 1890, TO RECONSTITUTE THE  
3 MEMBERSHIP OF THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF  
4 HIGHER LEARNING BY PROVIDING THAT MEMBERS SHALL BE APPOINTED FROM  
5 CONGRESSIONAL DISTRICTS AS THE DISTRICTS EXIST AT THE TIME OF THE  
6 APPOINTMENT AND TO PROVIDE, IN CASE OF A VACANCY, THAT THE  
7 GOVERNOR SHALL APPOINT A MEMBER FOR THE REMAINDER OF THE TERM WITH  
8 THE ADVICE AND CONSENT OF THE SENATE.

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

13 Amend Section 213-A, Mississippi Constitution of 1890, to  
14 read as follows:

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

30 learning and fitness for the performance of their duties, to the  
31 end that the board shall perform its high and honorable  
32 duties \* \* \* to the greatest advantage of the people of the state  
33 and the educational institutions, uninfluenced by any political  
34 considerations. The Board of Trustees of State Institutions of  
35 Higher Learning shall be composed of twelve (12) members and shall  
36 be reconstituted as follows: The Governor shall appoint two (2)  
37 members \* \* \* from each congressional district \* \* \* as the  
38 districts exist at the time the appointments are made and shall  
39 appoint the remainder of the members from the state at large. The  
40 term of office of the trustees \* \* \* shall be \* \* \* twelve (12)  
41 years. The members of the board of trustees as constituted at the  
42 time this amendment is adopted and as constituted when  
43 congressional districts are altered shall \* \* \* continue to hold  
44 office until their respective terms expire \* \* \*. In case of a  
45 vacancy \* \* \*, the Governor shall appoint a \* \* \* member \* \* \* for  
46 the remainder of the term, with the advice and consent of the  
47 Senate.

48 The Legislature shall provide by law for the appointment of a  
49 trustee for the La Bauve Fund at the University of Mississippi and  
50 for the perpetuation of the fund.

51 The board shall have the power and authority to elect the  
52 heads of the various institutions of higher learning, and contract  
53 with all deans, professors and other members of the teaching  
54 staff, and all administrative employees of the institutions for a  
55 term not exceeding four (4) years; but the board shall have the  
56 power and authority to terminate any such contract at any time for  
57 malfeasance, inefficiency or contumacious conduct, but never for  
58 political reasons.

59 Nothing herein contained shall in any way limit or take away  
60 the power the Legislature had and possessed, if any, at the time  
61 of the adoption of this amendment, to consolidate, abolish or  
62 change the status of any of the above named institutions.

63 BE IT FURTHER RESOLVED, That this amendment to the  
64 Constitution shall be submitted to the qualified electors of this  
65 state at an election to be held on the first Tuesday after the  
66 first Monday of November 1999, in the manner provided by Section

67 273 of the Constitution and by law.

68 BE IT FURTHER RESOLVED, That the explanation of this proposed  
69 amendment for the ballot shall read as follows: "This proposed  
70 amendment provides that new members of the twelve-member Board of  
71 Trustees of State Institutions of Higher Learning shall be  
72 composed of two (2) members from each congressional district as  
73 they exist at the time of the appointment and the remainder of the  
74 members from the state at large. In case of a vacancy, the  
75 Governor appoints a member for the remainder of the term with the  
76 advice and consent of the Senate."