

By: Representative Fleming

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 1

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION
2 213-A, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT THE TERMS
3 OF OFFICE OF THE MEMBERS OF THE BOARD OF TRUSTEES OF STATE
4 INSTITUTIONS OF HIGHER LEARNING SHALL BE CONCURRENT WITH THE TERM
5 OF OFFICE OF THE APPOINTING GOVERNOR; TO PROHIBIT MEMBERS OF THE
6 BOARD FROM SERVING CONSECUTIVE TERMS; 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 as such members as shall be qualified electors
26 residing in the district from which each is appointed, and at
27 least 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 such districts existed in 1944 and one (1) member from each
35 Supreme Court district, and two (2) members shall be appointed
36 from the state at large. Beginning in 2004, the term of office of
37 each trustee herein provided for shall be concurrent with that of
38 the Governor who appointed the trustee or until the trustee's
39 successor is appointed and qualified; and it shall be the duty of
40 the Governor to make such appointments as soon as practicable
41 after his taking office. Members of the board may not be
42 appointed to serve consecutive terms. In case of a vacancy on the
43 board by death or resignation of a member, or from any other cause
44 than the expiration of such member's term of office, the * * *
45 Governor shall appoint the successor member of the board from the
46 district from which his predecessor was appointed, to hold office
47 until the end of the period for which such original trustee was
48 appointed * * *.

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

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

60 Nothing herein contained shall in any way limit or take away
61 the power of the Legislature * * * to consolidate, abolish or
62 change the status of any of the above named institutions."



63 BE IT FURTHER RESOLVED, That this proposed amendment shall be
64 submitted by the Secretary of State to the qualified electors at
65 an election to be held on the first Tuesday after the first Monday
66 of November 2003, as provided by Section 273 of the Constitution
67 and by general law.

68 BE IT FURTHER RESOLVED, That the explanation of this proposed
69 amendment for the ballot shall read as follows: "This proposed
70 constitutional amendment changes the terms of office of members of
71 the Board of Trustees of State Institutions of Higher Learning.
72 The proposed amendment provides that beginning in 2004, such terms
73 of office shall be concurrent with the term of office of the
74 Governor who appointed the members to the board rather than for
75 twelve-year periods and prohibits board members from serving
76 consecutive terms."

