

By: Representatives Frierson, Davis, Pierce

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 15

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 FOR
5 SIX-YEAR TERMS FROM CONGRESSIONAL DISTRICTS AS THE DISTRICTS EXIST
6 AFTER EACH FEDERAL DECENNIAL CENSUS, BEGINNING WITH THE 2000
7 CENSUS.

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

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

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

29 learning, and fitness for the performance of their duties, to the
30 end that the board shall perform its high and honorable
31 duties * * * to the greatest advantage of the people of the state
32 and the educational institutions, uninfluenced by any political
33 considerations. There shall be appointed three (3) members of
34 such board from each congressional district of the state as such
35 districts are constituted following the most recent federal
36 decennial census, beginning with the 2000 federal decennial
37 census. The term of office of the trustees * * * provided for in
38 this section shall begin on the first Monday of May 2003; and it
39 shall be the duty of the Governor to make such appointments during
40 the regular session of the Legislature of Mississippi beginning in
41 2003. One-third (1/3) of the membership of the board shall be
42 appointed for a period of two (2) years; one-third (1/3) of the
43 membership shall be appointed for a period of four (4) years; and
44 one-third (1/3) of the membership shall be appointed for a period
45 of six (6) years. * * * Thereafter, their successors shall hold
46 office for a period of six (6) years. The appointments shall be
47 made so that the members whose terms expire in the same year are
48 from different congressional districts. The members of the board
49 of trustees as constituted at the time the 2001 amendment is
50 inserted in the Constitution * * * shall continue to hold office
51 until the members of the board, as reconstituted pursuant to the
52 2001 amendment, are appointed and take office. The Governor may
53 reappoint any member of the board holding office at the time the
54 2001 amendment is inserted in the Constitution if the member
55 resides within the congressional district from which he is being
56 appointed as such district exists following the 2000 federal
57 decennial census. In case of a vacancy on the board by death or
58 resignation of a member, or for any * * * cause other than the
59 expiration of such member's term of office, the board shall elect
60 his successor, who shall hold office until the end of the next
61 session of the Legislature. During such * * * session of the

62 Legislature, the Governor shall appoint the successor member of
63 the board from the district from which his predecessor was
64 appointed, to hold office until the end of the period for which
65 such original trustee was appointed, to the end that one-third
66 (1/3) of such trustees' terms will expire each two (2) years.

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

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

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

82 BE IT FURTHER RESOLVED, That this proposed amendment shall be
83 submitted by the Secretary of State to the qualified electors at
84 an election to be held on the first Tuesday after the first Monday
85 of November 2002, as provided by Section 273 of the Constitution
86 and by general law.

87 BE IT FURTHER RESOLVED, That the explanation of this proposed
88 amendment for the ballot shall read as follows: "This proposed
89 constitutional amendment provides that beginning in 2003, members
90 of the Board of Trustees of State Institutions of Higher Learning
91 shall be appointed from congressional districts as the districts
92 are drawn following the most recent federal decennial census. The
93 amendment also changes the term of office of the board members
94 from twelve (12) years to six (6) years."