

By: Senator(s) Harden

To: Constitution

SENATE CONCURRENT RESOLUTION NO. 509

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 office
44 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 2002, 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."

