

By: Senator(s) Hewes, Gollott, Robertson

To: Constitution

SENATE CONCURRENT RESOLUTION NO. 533

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION  
2 213-A OF THE MISSISSIPPI CONSTITUTION OF 1890 TO PROVIDE THAT FROM  
3 AND AFTER JANUARY 1, 2002, APPOINTMENTS TO THE BOARD OF TRUSTEES  
4 OF STATE INSTITUTIONS OF HIGHER LEARNING SHALL BE MADE FROM THE  
5 FOUR MISSISSIPPI CONGRESSIONAL DISTRICTS, AND TO PROVIDE A TERM OF  
6 OFFICE FOR SUCH NEW APPOINTMENTS; 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 now  
14 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 and 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. The members of the board of  
33 trustees as constituted on January 1, 2002, whose terms have not  
34 expired shall serve the balance of their terms, after which time  
35 the membership of the board shall be appointed as follows: There  
36 shall be appointed three (3) members of the board of trustees from  
37 each of the four (4) Mississippi congressional districts as they  
38 exist on January 1, 2002, and the Governor shall make appointments  
39 from the congressional district having the smallest number of  
40 board members until the membership includes three (3) members from  
41 each district as required. The term of office of the members  
42 appointed after January 1, 2002, shall be six (6) years. In case  
43 of a vacancy on said board by death or resignation of a member, or  
44 from any other cause than the expiration of such member's term of  
45 office, the board shall elect his successor, who shall hold office  
46 until the end of the next session of the Legislature. During such  
47 term of the session of the Legislature the Governor shall appoint  
48 the successor member of the board from the district from which his  
49 predecessor was appointed, to hold office until the end of the  
50 period for which such original trustee was appointed, to the end  
51 that one-third (1/3) of such trustees' terms will expire each four  
52 (4) years.

53 The Legislature shall provide by law for the appointment of a  
54 trustee for the La Bauve Fund at the University of Mississippi and  
55 for the perpetuation of such fund.

56 Such board shall have the power and authority to elect the  
57 heads of the various institutions of higher learning, and contract  
58 with all deans, professors and other members of the teaching  
59 staff, and all administrative employees of said institutions for a  
60 term not exceeding four (4) years; but said board shall have the  
61 power and authority to terminate any such contract at any time for

62 malfeasance, inefficiency or contumacious conduct, but never for  
63 political reasons.

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

68       BE IT FURTHER RESOLVED, That this amendment to the  
69 Constitution shall be submitted to the qualified electors of this  
70 state at an election to be held on the first Tuesday after the  
71 first Monday of November 2002, in the manner provided by Section  
72 273 of the Constitution and by law.

73       BE IT FURTHER RESOLVED, That the explanation of this proposed  
74 amendment for the ballot shall read as follows: "This proposed  
75 amendment provides that after January 1, 2002, new members of the  
76 twelve-member Board of Trustees of State Institutions of Higher  
77 Learning shall be composed of three (3) members from each of the  
78 Mississippi congressional districts and the term of office of such  
79 new appointments shall be for six (6) years."