

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."