

By: Representatives Flaggs, Nicholson

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 6

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 APPOINTED TO THE BOARD  
5 AFTER JANUARY 1, 2003, SHALL BE APPOINTED FROM CONGRESSIONAL  
6 DISTRICTS AS THE DISTRICTS EXIST AFTER EACH FEDERAL DECENNIAL  
7 CENSUS; AND FOR RELATED PURPOSES.

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 \* \* \* (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 \* \* \* organized or established by  
21 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 two (2) members of such  
34 board from each congressional district of the state as those  
35 districts are constituted following the most recent federal  
36 decennial census, beginning with the 2000 federal decennial  
37 census, and four (4) members shall be appointed from the state at  
38 large. The term of office of the trustees \* \* \* provided for in  
39 this section shall begin on the first Monday of May; and it shall  
40 be the duty of the Governor to make such appointments during the  
41 regular session of the Legislature of Mississippi immediately  
42 preceding the beginning of their terms of office. All members  
43 appointed to the board after January 1, 2003, and their  
44 successors, shall hold office for a period of twelve (12) years.  
45 The appointments shall be made, wherever possible, so that the  
46 members whose terms expire in the same year are from different  
47 congressional districts. The members of the board of trustees as  
48 constituted at the time the amendment proposed to this section by  
49 House Concurrent Resolution No. , 2002 Regular Session, is  
50 ratified by the electorate and inserted in the Constitution \* \* \*  
51 shall continue to hold office until the members of the board, as  
52 reconstituted pursuant to the amendment proposed to this section  
53 by House Concurrent Resolution No. , 2002 Regular Session, are  
54 appointed and take office. The Governor may reappoint any member  
55 of the board holding office at the time the amendment proposed to  
56 this section by House Concurrent Resolution No. , 2002 Regular  
57 Session, is ratified by the electorate and inserted in the  
58 Constitution if the member resides within the congressional  
59 district from which he is being appointed as such district exists  
60 following the 2000 federal decennial census. In case of a vacancy  
61 on the board by death or resignation of a member, or for any \* \* \*  
62 cause other than the expiration of such member's term of office,



63 the board shall elect his successor, who shall hold office until  
64 the end of the next session of the Legislature. During such \* \* \*  
65 session of the Legislature, the Governor shall appoint the  
66 successor member of the board from the district from which his  
67 predecessor was appointed, to hold office until the end of the  
68 period for which such original trustee was appointed \* \* \*.

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

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

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

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

89 BE IT FURTHER RESOLVED, That the explanation of this proposed  
90 amendment for the ballot shall read as follows: "This proposed  
91 constitutional amendment provides that members appointed to the  
92 Board of Trustees of State Institutions of Higher Learning after  
93 January 1, 2003, shall be appointed from congressional districts  
94 as the districts are drawn following the most recent federal  
95 decennial census. \* \* \* "

