HOUSE CONCURRENT RESOLUTION NO. 34

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 213-A, MISSISSIPPI CONSTITUTION OF 1890, TO RECONSTITUTE THE MEMBERSHIP OF THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING BY PROVIDING THAT AFTER JANUARY 1, 2004, MEMBERS SHALL BE APPOINTED FROM SUPREME COURT DISTRICTS; AND FOR RELATED PURPOSES.

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

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

"Section 213-A. The state institutions of higher learning * * * in Mississippi * * * (University of Mississippi, Mississippi State University of Agriculture and Applied Science, Mississippi University for Women, University of Southern Mississippi, Delta State University, Alcorn State University, Jackson State University, Mississippi Valley State University, and any others * * * which may be * * * organized or established by the State of Mississippi) shall be under the management and control of a board of trustees to be known as the Board of Trustees of State Institutions of Higher Learning * * * The Governor shall appoint the members of the board with the advice and consent of the Senate. The Governor shall appoint only individuals who are qualified electors residing in the district from which each is appointed, * * * at least twenty-five (25) years of age, and of the highest order of intelligence, character, learning, and fitness for the performance of their duties, to the end that the board shall perform its high and honorable..."
duties ** to the greatest advantage of the people of the state

and the educational institutions, uninfluenced by any political

considerations. Upon the expiration of the terms of office of the

trustees serving on the board on January 1, 2004, there shall be

appointed four (4) members of such board from each Supreme Court
district of the state **. The term of office of the

trustees ** shall begin on the first Monday of May; and it

shall be the duty of the Governor to make such appointments during

the regular session of the Legislature of Mississippi immediately
preceeding the beginning of their terms of office. Each trustee
shall hold office for a period of twelve (12) years. The members
of the board of trustees as constituted on January 1, 2004, shall
serve the balance of their terms, at which time the Governor shall
appoint their successors from the Supreme Court district then
having the smallest number of members until the membership
includes four (4) members from each Supreme Court district. In
case of a vacancy on the board by death or resignation of a
member, or for any ** cause other than the expiration of such
member's term of office, the board shall elect his successor, who
shall hold office until the end of the next session of the
Legislature. During such ** session of the Legislature, the
Governor shall appoint the successor member of the board from the
Supreme Court district from which his predecessor was appointed,
to hold office until the end of the period for which such original
trustee was appointed **.

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

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

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

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

BE IT FURTHER RESOLVED, That the explanation of this proposed
amendment for the ballot shall read as follows: "This proposed
constitutional amendment provides that beginning in 2004, members
of the Board of Trustees of State Institutions of Higher Learning
shall be appointed by the Governor from Supreme Court districts.
The term of office of the members of the board, twelve years,
remains the same."