HOUSE CONCURRENT RESOLUTION NO. 57

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 BEGINNING MAY 8, 2004, THE BOARD SHALL CONSIST OF TWELVE MEMBERS APPOINTED BY THE GOVERNOR FOR SIX-YEAR TERMS; TO PROVIDE THAT ONE MEMBER SHALL BE APPOINTED FOR EACH OF THE EIGHT PUBLIC UNIVERSITIES FROM A LIST OF THREE NAMES PROVIDED BY THE ALUMNI ASSOCIATIONS FOR EACH UNIVERSITY, AND THAT ONE MEMBER SHALL BE APPOINTED FROM EACH OF THE STATE’S FOUR CONGRESSIONAL DISTRICTS AS SUCH DISTRICTS ARE CONSTITUTED ON JANUARY 1, 2004; 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 now existing in Mississippi, to wit: 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 of like kind which may be hereafter 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 members thereof to be appointed by the Governor of the state with the advice and consent of the Senate. The Governor shall appoint only men or women as such members as shall be qualified electors residing in the district from which each is appointed, and at
least twenty-five (25) years of age, and of the highest order of intelligence, character, learning, and fitness for the performance of such duties, to the end that such board shall perform the high and honorable duties thereof to the greatest advantage of the people of the state of such educational institutions, uninfluenced by any political considerations. From and after May 8, 2004, the board shall be reconstituted to consist of twelve (12) members to be appointed by the Governor as follows: (a) eight (8) members, one (1) for each of the state institutions of higher learning, from a list of three (3) names submitted to the Governor by the alumni association of each of such institutions, with four (4) of such members to serve an initial term of two (2) years, and with four (4) of such members to serve an initial term of four (4) years; and (b) four (4) members, one (1) from each of the four (4) congressional districts of the state as such districts are constituted on January 1, 2004, with each of such members to serve an initial term of six (6) years. A member appointed for an institution of higher learning must be a graduate of that institution or have attended that institution as a full-time student for at least two (2) academic years or four (4) semesters. The Governor shall make appointments to the board during the regular session of the Legislature of Mississippi that convenes immediately preceding the beginning of the members' terms of office. All appointees to the board subsequent to the initial appointees shall hold office for a period of six (6) years. The members of the board of trustees as constituted at the time the amendment proposed to this section by House Concurrent Resolution No. , 2002 Regular Session, is ratified by the electorate and inserted in the Constitution shall continue to hold office until their successors are appointed and take office on May 8, 2004. Any member of the board may be reappointed to the board if he or she meets the appointment requirements of this section and is otherwise qualified. 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 in the same manner as his or her
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 herein 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 reconstitutes the state college board.
Beginning May 8, 2004, the Governor shall appoint one member for
each of the eight public universities from a list of names
provided by the alumni associations for each university, and shall appoint one member from each of the four congressional districts as constituted on January 1, 2004. The existing twelve-year terms of members is reduced to six years."