

By: Representative Stringer

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 68

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 BEGINNING MAY 8, 2004, THE BOARD
5 SHALL CONSIST OF ELEVEN MEMBERS APPOINTED FOR EIGHT-YEAR TERMS; TO
6 PROVIDE THAT THE GOVERNOR SHALL APPOINT FIVE MEMBERS, ONE FROM THE
7 STATE AT LARGE AND ONE FROM EACH OF THE FOUR CONGRESSIONAL
8 DISTRICTS OF THE STATE, AND THAT THE LIEUTENANT GOVERNOR AND THE
9 SPEAKER OF THE HOUSE SHALL EACH APPOINT THREE MEMBERS, ONE FROM
10 EACH OF THE SUPREME COURT DISTRICTS; AND FOR RELATED PURPOSES.

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

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

17 "Section 213-A. The state institutions of higher learning
18 now existing in Mississippi, to wit: University of Mississippi,
19 Mississippi State University of Agriculture and Applied Science,
20 Mississippi University for Women, University of Southern
21 Mississippi, Delta State University, Alcorn State University,
22 Jackson State University, Mississippi Valley State University, and
23 any others of like kind which may be hereafter organized or
24 established by the State of Mississippi, shall be under the
25 management and control of a board of trustees to be known as the
26 Board of Trustees of State Institutions of Higher Learning. The
27 members of the board shall be appointed * * * with the advice and
28 consent of the Senate. Each appointee must be a qualified
29 elector, must reside in the congressional district or Supreme
30 Court district from which he or she is appointed if required under
31 this section, must be at least twenty-five (25) years of age, and



32 must be of the highest order of intelligence, character, learning,
33 and fitness for the performance of such duties, to the end that
34 such board shall perform the high and honorable duties thereof to
35 the greatest advantage of the people of the state of such
36 educational institutions, uninfluenced by any political
37 considerations. From and after May 8, 2004, the board shall be
38 reconstituted to consist of eleven (11) members to be appointed as
39 follows: (a) the Governor shall appoint one (1) member from the
40 state at large for an initial term of six (6) years, and one (1)
41 member from each congressional district of the state as such
42 districts are constituted on January 1, 2004, with two (2) of such
43 members serving an initial term of two (2) years and two (2) of
44 such members serving an initial term of four (4) years; (b) the
45 Lieutenant Governor shall appoint one (1) member from each Supreme
46 Court district of the state as such districts are constituted on
47 January 1, 2004, with one (1) of such members serving an initial
48 term of two (2) years, one (1) of such members serving an initial
49 term of four (4) years; and one (1) of such members serving an
50 initial term of six (6) years; and (c) the Speaker of the House
51 shall appoint one (1) member from each Supreme Court district of
52 the state as such districts are constituted on January 1, 2004,
53 with one (1) of such members serving an initial term of two (2)
54 years, one (1) of such members serving an initial term of four (4)
55 years; and one (1) of such members serving an initial term of six
56 (6) years. Each appointing authority shall make such appointments
57 during the regular session of the Legislature of Mississippi that
58 convenes immediately preceding the beginning of the members' terms
59 of office. All appointees to the board subsequent to the initial
60 appointees shall hold office for a period of eight (8) years. The
61 members of the board of trustees as constituted at the time the
62 amendment proposed to this section by House Concurrent Resolution
63 No. _____, 2002 Regular Session, is ratified by the electorate and
64 inserted in the Constitution * * * shall continue to hold office



65 until their successors are appointed and take office. Any member
66 of the board may be reappointed to the board if he or she meets
67 the residence requirements of this section and is otherwise
68 qualified. In case of a vacancy on the board by death or
69 resignation of a member, or for any * * * cause other than the
70 expiration of the member's term of office, the board shall elect
71 his or her successor, who shall hold office until the end of the
72 next session of the Legislature. During such * * * session of the
73 Legislature the appointing authority shall appoint the successor
74 member of the board and, if the member is required under this
75 section to be appointed from a congressional district or a Supreme
76 Court district, the successor shall be appointed from the same
77 congressional district or Supreme Court district from which his or
78 her predecessor was appointed * * *.

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

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

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

94 BE IT FURTHER RESOLVED, That this proposed amendment shall be
95 submitted by the Secretary of State to the qualified electors at
96 an election to be held on the first Tuesday after the first Monday



97 of November 2002, as provided by Section 273 of the Constitution
98 and by general law.

99 BE IT FURTHER RESOLVED, That the explanation of this proposed
100 amendment for the ballot shall read as follows: "This proposed
101 constitutional amendment reduces the membership of the Board of
102 Trustees of State Institutions of Higher Learning from twelve to
103 eleven members and reduces the members' terms of office from
104 twelve years to eight years. The Governor is given five
105 appointments, one from the state at large and one from each of the
106 four congressional districts; and the Lieutenant Governor and
107 Speaker of the House are given three appointments each, one from
108 each Supreme Court District."

