

By: Senator(s) Little, Burton, Farris, King, Gordon, Johnson (19th), Jordan, Kirby, Lee, Mettetal, Moffatt, Minor, Nunnelee, Posey, Robertson, Hyde-Smith, White (29th), Hewes, Thames, Smith

To: Universities and Colleges; Constitution

COMMITTEE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 522

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 JULY 1, 2002, APPOINTMENTS TO THE BOARD OF TRUSTEES OF
4 STATE INSTITUTIONS OF HIGHER LEARNING SHALL BE MADE FROM THE FOUR
5 MISSISSIPPI CONGRESSIONAL DISTRICTS ON A PHASED-IN BASIS; AND FOR
6 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 July 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 July 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 said trustees
42 appointed after July 1, 2002, * * * shall be for a period of
43 twelve (12) years. * * * In case of a vacancy on said board by
44 death or resignation of a member, or from any other cause than the
45 expiration of such member's term of office, the board shall elect
46 his successor, who shall hold office until the end of the next
47 session of the Legislature. During such term of the session of
48 the Legislature the Governor shall appoint the successor member of
49 the board from the congressional district from which his
50 predecessor was appointed, to hold office until the end of the
51 period for which such original trustee was appointed, to the end
52 that one-third (1/3) of such trustees' terms will expire each four
53 (4) years.

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

57 Such board shall have the power and authority to elect the
58 heads of the various institutions of higher learning, and contract
59 with all deans, professors and other members of the teaching
60 staff, and all administrative employees of said institutions for a
61 term not exceeding four (4) years; but said board shall have the
62 power and authority to terminate any such contract at any time for



63 malfeasance, inefficiency or contumacious conduct, but never for
64 political reasons.

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

69 BE IT FURTHER RESOLVED, That this amendment to the
70 Constitution shall be submitted to the qualified electors of this
71 state at an election to be held on the first Tuesday after the
72 first Monday of November 2002, in the manner provided by Section
73 273 of the Constitution and by law.

74 BE IT FURTHER RESOLVED, That the explanation of this proposed
75 amendment for the ballot shall read as follows: "This proposed
76 amendment provides that after July 1, 2002, the 12-member Board of
77 Trustees of State Institutions of Higher Learning shall be
78 composed of three (3) members from each of the four (4)
79 Mississippi congressional districts, with new appointments to be
80 made from the congressional district having the smallest number of
81 board members."

