SENATE CONCURRENT RESOLUTION NO. 522
(As Adopted by the Senate and House)

A CONCURRENT RESOLUTION PROPOSING TO AMEND SECTION 213-A, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT APPOINTMENTS BY THE GOVERNOR AFTER JANUARY 1, 2004, TO FILL VACANCIES ON THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING CREATED BY EXPIRATION OF MEMBERS' TERMS OF OFFICE SHALL BE MADE FROM EACH OF THE THREE MISSISSIPPI SUPREME COURT DISTRICTS; TO PROVIDE THAT SUCH APPOINTMENTS SHALL BE MADE FROM THE SUPREME COURT DISTRICT HAVING THE SMALLEST NUMBER OF BOARD MEMBERS UNTIL THE ENTIRE MEMBERSHIP OF THE BOARD INCLUDES FOUR MEMBERS WHO ARE RESIDENTS OF EACH SUPREME COURT DISTRICT; TO PROVIDE FOR STAGGERED NINE-YEAR TERMS; 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, 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 * * * 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 persons who are 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 its high and honorable duties to
the greatest advantage of the people of the state and such
educational institutions, uninfluenced by any political
considerations. The board of trustees shall be composed of twelve
(12) members. The members of the board of trustees as constituted
on January 1, 2004, shall continue to serve until expiration of
their respective terms of office. Appointments made to fill
vacancies created by expiration of members' terms of office
occurring after January 1, 2004, shall be as follows: The initial
term of the members appointed in 2004 shall be for eleven (11)
years; the initial term of the members appointed in 2008 shall be
for ten (10) years; and the initial term of the members appointed
in 2012 shall be for nine (9) years. After the expiration of the
initial terms, all terms shall be for nine (9) years. Four (4)
members of the board of trustees shall be appointed from each of
the three (3) Mississippi Supreme Court districts and, as such
vacancies occur, the Governor shall make appointments from the
Supreme Court district having the smallest number of board members
until the membership includes four (4) members from each district.
In case of a vacancy on the board by death or resignation of a
member, or from 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 term of the session of the Legislature,
the Governor shall appoint the successor member of the board from
the district from which his predecessor was appointed, to hold
office for the balance of the unexpired term for which such
original trustee was appointed, to the end that one-third (1/3) of
such trustees' terms will expire each three (3) years.
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 may * * * 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 amendment to the Constitution shall be submitted to the qualified electors of this state at an election to be held on the first Tuesday after the first Monday of November 2003, in the manner provided by Section 273 of the Constitution and by law.

BE IT FURTHER RESOLVED, That the explanation of this proposed amendment for the ballot shall read as follows: "This proposed amendment provides that after January 1, 2004, as vacancies occur, the twelve-member Board of Trustees of State Institutions of Higher Learning shall be appointed from each of the three Mississippi Supreme Court districts, until there are four members from each Supreme Court district. The terms of office are reduced from twelve years to nine years. The terms are staggered so that all members appointed after 2012 will have a term of nine years."