

By: Senator(s) Blackmon

To: Universities and
Colleges; Constitution

SENATE CONCURRENT RESOLUTION NO. 545

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 AFTER JANUARY 1, 2004, MEMBERS
5 SHALL BE APPOINTED FROM SUPREME COURT DISTRICTS; TO REQUIRE
6 MEMBERS TO HOLD A BACCALAUREATE DEGREE FROM A UNIVERSITY; AND FOR
7 RELATED PURPOSES.

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

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

14 "Section 213-A. The state institutions of higher
15 learning * * * in Mississippi * * * (University of Mississippi,
16 Mississippi State University of Agriculture and Applied Science,
17 Mississippi University for Women, University of Southern
18 Mississippi, Delta State University, Alcorn State University,
19 Jackson State University, Mississippi Valley State University, and
20 any others * * * which may be * * * organized or established by
21 the State of Mississippi) shall be under the management and
22 control of a board of trustees to be known as the Board of
23 Trustees of State Institutions of Higher Learning * * *. The
24 Governor shall appoint the members of the board with the advice
25 and consent of the Senate. The Governor shall appoint only
26 individuals who are qualified electors residing in the district
27 from which each is appointed, * * * at least twenty-five (25)
28 years of age, and of the highest order of intelligence, character,
29 learning, and fitness for the performance of their duties, to the



30 end that the board shall perform its high and honorable
31 duties * * * to the greatest advantage of the people of the state
32 and the educational institutions, uninfluenced by any political
33 considerations. Each member of the board shall hold a
34 baccalaureate degree from a university. Upon the expiration of
35 the terms of office of the trustees serving on the board on
36 January 1, 2004, there shall be appointed four (4) members of such
37 board from each Supreme Court district of the state * * *. The
38 term of office of the trustees * * * shall begin on the first
39 Monday of May; and it shall be the duty of the Governor to make
40 such appointments during the regular session of the Legislature of
41 Mississippi immediately preceding the beginning of their terms of
42 office. Each trustee shall hold office for a period of twelve
43 (12) years. The members of the board of trustees as constituted
44 on January 1, 2004, shall serve the balance of their terms, at
45 which time the Governor shall appoint their successors from the
46 Supreme Court district then having the smallest number of members
47 until the membership includes four (4) members from each Supreme
48 Court district. In case of a vacancy on the board by death or
49 resignation of a member, or for any * * * cause other than the
50 expiration of such member's term of office, the board shall elect
51 his successor, who shall hold office until the end of the next
52 session of the Legislature. During such * * * session of the
53 Legislature, the Governor shall appoint the successor member of
54 the board from the Supreme Court district from which his
55 predecessor was appointed, to hold office until the end of the
56 period for which such original trustee was appointed * * *.

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

60 Such board shall have the power and authority to elect the
61 heads of the various institutions of higher learning, and contract
62 with all deans, professors and other members of the teaching



63 staff, and all administrative employees of the institutions for a
64 term not exceeding four (4) years; but the board shall have the
65 power and authority to terminate any such contract at any time for
66 malfeasance, inefficiency or contumacious conduct, but never for
67 political reasons.

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

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

78 BE IT FURTHER RESOLVED, That the explanation of this proposed
79 amendment for the ballot shall read as follows: "This proposed
80 constitutional amendment provides that beginning in 2004, members
81 of the Board of Trustees of State Institutions of Higher Learning
82 shall be appointed by the Governor from Supreme Court districts.
83 Members must be college graduates.

