SENATE CONCURRENT RESOLUTION NO. 545

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 AFTER JANUARY 1, 2004, MEMBERS SHALL BE APPOINTED FROM SUPREME COURT DISTRICTS; TO REQUIRE MEMBERS TO HOLD A BACCALAUREATE DEGREE FROM A UNIVERSITY; 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 * * * (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 individuals who are qualified electors residing in the district from which each is appointed, * * * at least twenty-five (25) years of age, and of the highest order of intelligence, character, learning, and fitness for the performance of their duties, to the
end that the board shall perform its high and honorable duties to the greatest advantage of the people of the state and the educational institutions, uninfluenced by any political considerations. Each member of the board shall hold a baccalaureate degree from a university. Upon the expiration of the terms of office of the trustees serving on the board on January 1, 2004, there shall be appointed four (4) members of such board from each Supreme Court district of the state. The term of office of the trustees shall begin on the first Monday of May; and it shall be the duty of the Governor to make such appointments during the regular session of the Legislature of Mississippi immediately preceding the beginning of their terms of office. Each trustee shall hold office for a period of twelve (12) years. The members of the board of trustees as constituted on January 1, 2004, shall serve the balance of their terms, at which time the Governor shall appoint their successors from the Supreme Court district then having the smallest number of members until the membership includes four (4) members from each Supreme Court district. 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 from the Supreme Court district from which his 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 in this section 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 provides that beginning in 2004, members of the Board of Trustees of State Institutions of Higher Learning shall be appointed by the Governor from Supreme Court districts. Members must be college graduates."