

## REPORT OF CONFERENCE COMMITTEE

MADAM PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled RESOLUTION:

S. C. No. 522: Appointments to IHL to be from new Mississippi congressional districts; amend Constitution to provide for.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the resolving clause and inserting in lieu thereof the following:

13 That the following amendment to the Mississippi Constitution of  
14 1890 is proposed to the qualified electors of the state:  
15 Amend Section 213-A, Mississippi Constitution of 1890, to  
16 read as follows:  
17 Section 213-A. The state institutions of higher  
18 learning \* \* \* 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 \* \* \* which may be \* \* \* organized or established by  
24 the State of Mississippi, shall be under the management and  
25 control of a board of trustees to be known as the Board of  
26 Trustees of State Institutions of Higher Learning. The \* \* \*  
27 Governor \* \* \* shall appoint the members of the board with the  
28 advice and consent of the Senate. The Governor shall appoint only  
29 persons who are qualified electors residing in the district from  
30 which each is appointed, and at least twenty-five (25) years of  
31 age, and of the highest order of intelligence, character, learning  
32 and fitness for the performance of such duties, to the end that  
33 such board shall perform its high and honorable duties \* \* \* to  
34 the greatest advantage of the people of the state and such

35 educational institutions, uninfluenced by any political  
36 considerations. The board of trustees shall be composed of twelve  
37 (12) members. The members of the board of trustees as constituted  
38 on January 1, 2004, shall continue to serve until expiration of  
39 their respective terms of office. Appointments made to fill  
40 vacancies created by expiration of members' terms of office  
41 occurring after January 1, 2004, shall be as follows: The initial  
42 term of the members appointed in 2004 shall be for eleven (11)  
43 years; the initial term of the members appointed in 2008 shall be  
44 for ten (10) years; and the initial term of the members appointed  
45 in 2012 shall be for nine (9) years. After the expiration of the  
46 initial terms, all terms shall be for nine (9) years. Four (4)  
47 members of the board of trustees shall be appointed from each of  
48 the three (3) Mississippi Supreme Court districts and, as such  
49 vacancies occur, the Governor shall make appointments from the  
50 Supreme Court district having the smallest number of board members  
51 until the membership includes four (4) members from each district.

52 In case of a vacancy on the board by death or resignation of a  
53 member, or from any \* \* \* cause other than the expiration of such  
54 member's term of office, the board shall elect his successor, who  
55 shall hold office until the end of the next session of the  
56 Legislature. During such term of the session of the Legislature,  
57 the Governor shall appoint the successor member of the board from  
58 the district from which his predecessor was appointed, to hold  
59 office for the balance of the unexpired term for which such  
60 original trustee was appointed, to the end that one-third (1/3) of  
61 such trustees' terms will expire each three (3) years.

62 The Legislature shall provide by law for the appointment of a  
63 trustee for the La Bauve Fund at the University of Mississippi and  
64 for the perpetuation of such fund.

65 Such board shall have the power and authority to elect the  
66 heads of the various institutions of higher learning, and contract  
67 with all deans, professors and other members of the teaching  
68 staff, and all administrative employees of the institutions for a  
69 term not exceeding four (4) years; but the board may \* \* \*  
70 terminate any such contract at any time for malfeasance,

71 inefficiency or contumacious conduct, but never for political  
72 reasons.

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

77 BE IT FURTHER RESOLVED, That this amendment to the  
78 Constitution shall be submitted to the qualified electors of this  
79 state at an election to be held on the first Tuesday after the  
80 first Monday of November 2003, in the manner provided by Section  
81 273 of the Constitution and by law.

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

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 A CONCURRENT RESOLUTION PROPOSING TO AMEND SECTION 213-A,  
2 MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT APPOINTMENTS BY  
3 THE GOVERNOR AFTER JANUARY 1, 2004, TO FILL VACANCIES ON THE BOARD  
4 OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING CREATED BY  
5 EXPIRATION OF MEMBERS' TERMS OF OFFICE SHALL BE MADE FROM EACH OF  
6 THE THREE MISSISSIPPI SUPREME COURT DISTRICTS; TO PROVIDE THAT  
7 SUCH APPOINTMENTS SHALL BE MADE FROM THE SUPREME COURT DISTRICT  
8 HAVING THE SMALLEST NUMBER OF BOARD MEMBERS UNTIL THE ENTIRE  
9 MEMBERSHIP OF THE BOARD INCLUDES FOUR MEMBERS WHO ARE RESIDENTS OF  
10 EACH SUPREME COURT DISTRICT; TO PROVIDE FOR STAGGERED NINE-YEAR  
11 TERMS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

X  
Terry C. Burton

X  
Gray Tollison

X  
Ron Farris

CONFEREES FOR THE HOUSE

X  
Johnny W. Stringer

X  
Charlie Capps, Jr.

X  
Mike Lott