

*****Adopted*****

AMENDMENT No. 1 PROPOSED TO

Senate Concurrent NO. 522

By Representative(s) Committee

**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 learning
18 now existing 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 of like kind which may be hereafter organized or
24 established by the State of Mississippi, shall be under the
25 management and control of a board of trustees to be known as the
26 Board of Trustees of State Institutions of Higher Learning, the
27 members thereof to be appointed by the Governor of the state with
28 the advice and consent of the Senate. The Governor shall appoint
29 only men and women as such members as shall be qualified electors
30 residing in the district from which each is appointed, and at
31 least twenty-five (25) years of age, and of the highest order of
32 intelligence, character, learning and fitness for the performance

33 of such duties, to the end that such board shall perform the high
34 and honorable duties thereof to the greatest advantage of the
35 people of the state of such educational institutions, uninfluenced
36 by any political considerations. The terms of office of the
37 members of the board of trustees shall be twelve (12) years from
38 the expiration date of the previous term. The members of the
39 board of trustees as constituted on January 1, 2004, shall
40 continue to serve until expiration of their respective terms of
41 office. Appointments made to fill vacancies created by expiration
42 of members' terms of office occurring after January 1, 2004, shall
43 be as follows: There shall be appointed four (4) members of the
44 board of trustees from each of the three (3) Mississippi Supreme
45 Court districts as such districts exist on January 1, 2004, and,
46 as such vacancies occur, the Governor shall make appointments from
47 the Supreme Court districts having the smallest number of board
48 members until the membership includes four (4) members who are
49 residents of each of the districts. Thereafter, each subsequent
50 appointee shall be a resident of the same district as his or her
51 predecessor. In case of a vacancy on the board by death or
52 resignation of a member, or from any other cause than the
53 expiration of such member's term of office, the board shall elect
54 his successor, who shall hold office until the end of the next
55 session of the Legislature. During such term of the session of
56 the Legislature the Governor shall appoint the successor member of
57 the board from the Supreme Court district from which his
58 predecessor was appointed, to hold office until the end of the
59 period for which such original trustee was appointed, to the end
60 that one-third (1/3) of such trustees' terms will expire each four
61 (4) 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 terminate any
70 such contract at any time for malfeasance, inefficiency or
71 contumacious conduct, but never for political reasons.

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

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

81 BE IT FURTHER RESOLVED, That the explanation of this proposed
82 amendment for the ballot shall read as follows: "This proposed
83 amendment provides that appointments by the Governor after January
84 1, 2004, to the twelve-member Board of Trustees of State
85 Institutions of Higher Learning shall be made from each of the
86 three Mississippi Supreme Court districts, with new appointments
87 to be made from the Supreme Court district having the smallest
88 number of board members until the entire membership of the board
89 includes four members who are residents of each Supreme Court
90 district."

**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 AS SUCH DISTRICTS
7 EXIST ON JANUARY 1, 2004; TO PROVIDE THAT SUCH APPOINTMENTS SHALL
8 BE MADE FROM THE SUPREME COURT DISTRICT HAVING THE SMALLEST NUMBER
9 OF BOARD MEMBERS UNTIL THE ENTIRE MEMBERSHIP OF THE BOARD INCLUDES
10 FOUR MEMBERS WHO ARE RESIDENTS OF EACH SUPREME COURT DISTRICT; AND
11 FOR RELATED PURPOSES.