

By: Representative Fleming

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 6

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION
2 213-A, MISSISSIPPI CONSTITUTION OF 1890, TO ABOLISH THE BOARD OF
3 TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING; TO PROVIDE THAT
4 THE LEGISLATURE, BY GENERAL LAW, SHALL ESTABLISH A SEPARATE BOARD
5 OF TRUSTEES FOR EACH STATE INSTITUTION OF HIGHER LEARNING AND
6 SHALL PRESCRIBE THE MANNER OF CHOOSING THE MEMBERS THEREOF, THE
7 QUALIFICATIONS AND TERMS OF OFFICE OF MEMBERS, AND THE POWERS AND
8 DUTIES OF SUCH BOARDS OF TRUSTEES; TO PROVIDE THAT THE AMENDMENT
9 PROPOSED TO SECTION 213-A, MISSISSIPPI CONSTITUTION OF 1890, BY
10 HOUSE CONCURRENT RESOLUTION NO. _____, 2004 REGULAR SESSION, SHALL
11 SUPERCEDE AND SHALL BE IN SUBSTITUTION FOR AND IN LIEU OF THE
12 AMENDMENT PROPOSED TO SECTION 213-A BY SENATE CONCURRENT
13 RESOLUTION NO. 522, 2002 REGULAR SESSION; AND FOR RELATED
14 PURPOSES.

15 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF
16 MISSISSIPPI, That the following amendment to the Mississippi
17 Constitution of 1890 is proposed to the qualified electors of the
18 state:

19 Amend Section 213-A, Mississippi Constitution of 1890, to
20 read as follows:

21 "Section 213-A. The state institutions of higher
22 learning * * * in Mississippi, to wit: University of Mississippi,
23 Mississippi State University of Agriculture and Applied Science,
24 Mississippi University for Women, University of Southern
25 Mississippi, Delta State University, Alcorn State University,
26 Jackson State University, Mississippi Valley State University, and
27 any others * * * which may be * * * organized or established by
28 the State of Mississippi, shall be under the management and
29 control of a separate board of trustees for each of such
30 institutions, the members thereof to be chosen in such manner,
31 meet such qualifications, serve for such terms and exercise such
32 powers and duties as the Legislature, by general law, prescribes.
33 However, the Board of Trustees of State Institutions of Higher

34 Learning and the members of the board of trustees as constituted
35 at the time this amendment is inserted in the Constitution as a
36 part thereof shall continue to exist and the members shall
37 continue to hold office until separate boards of trustees for each
38 of the institutions of higher learning are established by general
39 law.

40 The Legislature shall provide by law for the appointment of a
41 trustee for the La Bauve Fund at the University of Mississippi and
42 for the perpetuation of such fund.

43 * * *

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

48 BE IT FURTHER RESOLVED, That the explanation of this proposed
49 amendment for the ballot shall read as follows: "This proposed
50 constitutional amendment abolishes the Board of Trustees of State
51 Institutions of Higher Learning and provides that the Legislature,
52 by general law, shall establish a separate board of trustees for
53 each state institution of higher learning."

54 BE IT FURTHER RESOLVED, That House Concurrent Resolution No.
55 _____, 2004 Regular Session, supersedes Senate Concurrent
56 Resolution No. 522, 2002 Regular Session (Chapter 703, Laws of
57 2002).

58 BE IT FURTHER RESOLVED, That the Secretary of State shall
59 give public notice of an election to be conducted and held on the
60 first Tuesday after the first Monday of November 2004, in the
61 manner provided by law for statewide general elections, for the
62 purpose of submitting the amendment to Section 213-A, Mississippi
63 Constitution of 1890, as proposed by House Concurrent Resolution
64 No. _____, 2004 Regular Session, in substitution for and in lieu of
65 the amendment to Section 213-A, Mississippi Constitution of 1890,
66 as proposed by Senate Concurrent Resolution No. 522, 2002 Regular

67 Session, and for the purpose of submitting any other proposed
68 amendments to the Constitution to the qualified electors of this
69 state for ratification or rejection.