HOUSE CONCURRENT RESOLUTION NO. 31

A CONCURRENT RESOLUTION PROPOSING TO AMEND SECTION 213-A, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE FOR THE APPOINTMENT OF MEMBERS TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING BY THE GOVERNOR, LIEUTENANT GOVERNOR AND SPEAKER OF THE HOUSE OF REPRESENTATIVES AFTER JANUARY 1, 2020, FOR VACANCIES CREATED BY THE EXPIRATION OF MEMBERS' TERMS OF OFFICE; TO PROVIDE THAT THE GOVERNOR, LIEUTENANT GOVERNOR AND SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL HAVE ONE APPOINTMENT EACH MADE FROM EACH OF THE MISSISSIPPI SUPREME COURT DISTRICTS; TO PRESCRIBE THE PROCESS FOR MAKING SUCH APPOINTMENTS UPON THE EXPIRATIONS OF MEMBERS' TERMS BEGINNING WITH APPOINTMENTS TO BE MADE IN 2021; 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, to wit: 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, Lieutenant Governor and Speaker of
the House of Representatives shall appoint the members of the
board with the advice and consent of the Senate. The * * *
appointing officials shall appoint only persons who are qualified
electors residing in the district from which each is appointed,
and at least twenty-five (25) years of age, and of the highest
order of intelligence, character, learning and fitness for the
performance of such 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. The board of
trustees shall be composed of twelve (12) members * * * who shall
be appointed for a term of nine (9) years. * * * Four (4) members
of the board of trustees shall be appointed from each of the three
(3) Mississippi Supreme Court districts and, as such vacancies
occur, the Governor, Lieutenant Governor and Speaker of the House
of Representatives shall make appointments from the Supreme Court
district having the smallest number of board members until the
membership includes four (4) members from each district. The
members of the board of trustees as constituted on January 1,
2020, shall continue to serve until the expiration of their
respective terms of office. Appointments made to fill vacancies created by expiration of members' terms of office occurring after January 1, 2020, shall be as follows: upon the expiration of members' terms of office occurring in 2021, the Governor and the Lieutenant Governor shall have one (1) appointment each, and the Speaker of the House of Representatives shall have two (2) appointments; upon the expiration of members' terms of office occurring in 2024, the Governor and the Speaker of the House of Representatives shall have one (1) appointment each, and the Lieutenant Governor shall have two (2) appointments; upon the expiration of members' terms of office occurring in 2027, the Lieutenant Governor and the Speaker of the House of Representatives shall have one (1) appointment each, and the Governor shall have two (2) appointments. The frequency with which an appointing official shall have two (2) appointments shall occur every nine (9) years from the date when such official made his or her first two (2) initial appointments. In case of a vacancy on the board by death or resignation of a member, or from 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 term of the session of the Legislature, the ** official who made the original appointment of the trustee whose death or resignation created the vacancy shall appoint the successor member of the board from the district from which his predecessor was
appointed, to hold office for the balance of the unexpired term for which such original trustee was appointed, to the end that one-third (1/3) of such trustees' terms will expire each three (3) years.

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.

* * * The 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 may terminate any such contract at any time for malfeasance, inefficiency or contumacious conduct, but never for political reasons.

Nothing herein 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 amendment to the Constitution shall be submitted to the qualified electors of this state at an election to be held on the first Tuesday after the first Monday of November 2020, in the manner provided by Section 273 of the Constitution and by law.
BE IT FURTHER RESOLVED, That the explanation of this proposed amendment for the ballot shall read as follows: "This proposed amendment provides that after January 1, 2020, as vacancies occur, the twelve-member Board of Trustees of State Institutions of Higher Learning shall be appointed from each of the three (3) Mississippi Supreme Court districts by the Governor, the Lieutenant Governor and the Speaker of the House of Representatives of the State of Mississippi."