

By: Representative McInnis

To: Constitution

## HOUSE CONCURRENT RESOLUTION NO. 35

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION  
2 213-A, MISSISSIPPI CONSTITUTION OF 1890, TO REDUCE FROM TWELVE  
3 YEARS TO SIX YEARS THE TERMS OF MEMBERS OF THE BOARD OF TRUSTEES  
4 OF STATE INSTITUTIONS OF HIGHER LEARNING AND TO PROVIDE THAT ALL  
5 APPOINTMENTS TO THE BOARD SHALL BE MADE FROM SUPREME COURT  
6 DISTRICTS; AND FOR RELATED PURPOSES.

7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF  
8 MISSISSIPPI, That the following amendment to the Mississippi  
9 Constitution of 1890 is proposed to the qualified electors of the  
10 state:

11 Amend Section 213-A, Mississippi Constitution of 1890, to  
12 read as follows:

13 "Section 213-A. The state institutions of higher learning  
14 now existing in Mississippi, to-wit: University of Mississippi,  
15 Mississippi State University of Agriculture and Applied Science,  
16 Mississippi University for Women, University of Southern  
17 Mississippi, Delta State University, Alcorn State University,  
18 Jackson State University, Mississippi Valley State University, and  
19 any others of like kind which may be hereafter organized or  
20 established by the State of Mississippi, shall be under the  
21 management and control of a board of trustees to be known as the  
22 Board of Trustees of State Institutions of Higher Learning, the  
23 members thereof to be appointed by the Governor of the state with  
24 the advice and consent of the Senate. The Governor shall appoint  
25 only men or women who are qualified electors residing in the  
26 district from which each is appointed, and who are at least  
27 twenty-five (25) years of age, and of the highest order of  
28 intelligence, character, learning and fitness for the performance

of such duties, to the end that such board shall perform the high and honorable duties thereof to the greatest advantage of the people of the state of such educational institutions, uninfluenced by any political considerations. There shall be appointed one (1) member of such board from each congressional district of the state as now existing, one (1) member from each Supreme Court district and two (2) members \* \* \* from the state at large. The terms of office of the trustees herein provided for shall begin May 8, 1944; and it shall be the duty of the Governor to make such appointments during the regular session of the Legislature of Mississippi in 1944; and one-third (1/3) of the membership of the board shall be appointed for a period of four (4) years; one-third (1/3) for a period of eight (8) years; and one-third (1/3) for a period of twelve (12) years; and thereafter, until May 8, 2000, their successors shall hold office for a period of twelve (12) years. The members appointed to the board for a full term of office beginning on or after May 8, 2000, shall hold office for a period of six (6) years from the expiration date of the previous term and shall be appointed from each of the Supreme Court districts on an alternating basis, to the end that when twelve (12) appointments have been made to the board for full terms of office beginning on or after May 8, 2000, the membership of the board shall consist of four (4) members from the Northern Supreme Court District, four (4) members from the Central Supreme Court District and four (4) members from the Southern Supreme Court District. In case of a vacancy on the board by death or resignation of a member, or from any other cause than the expiration of such member's term of office, the board shall elect his or her 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 Governor shall appoint the successor member of the board from the district from which his or her predecessor was appointed, to hold office until the end of the period for which such original trustee was appointed, to the end that beginning with appointments made for terms commencing on May 8, 2000, one-third (1/3) of such trustees' terms will expire each two (2) years.

66       The Legislature shall provide by law for the appointment of a  
67 trustee for the La Bauve Fund at the University of Mississippi and  
68 for the perpetuation of such fund.

69       The board shall have the power and authority to elect the  
70 heads of the various institutions of higher learning, and contract  
71 with all deans, professors and other members of the teaching  
72 staff, and all administrative employees of the institutions for a  
73 term not exceeding four (4) years; but the board shall have the  
74 power and authority to terminate any such contract at any time for  
75 malfeasance, inefficiency or contumacious conduct, but never for  
76 political reasons.

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

81       BE IT FURTHER RESOLVED, That this proposed amendment shall be  
82 submitted by the Secretary of State to the qualified electors at  
83 an election to be held on the first Tuesday after the first Monday  
84 of November 1999, as provided by Section 273 of the Constitution  
85 and by general law.

86       BE IT FURTHER RESOLVED, That the explanation of this proposed  
87 amendment for the ballot shall read as follows: "This proposed  
88 constitutional amendment reduces from twelve years to six years  
89 the terms of members of the Board of Trustees of State  
90 Institutions of Higher Learning and provides that all appointments  
91 to the board shall be made from Supreme Court districts."