

By: Representative Fleming

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 9

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; AND FOR RELATED PURPOSES.

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

13 Amend Section 213-A, Mississippi Constitution of 1890, to
14 read as follows:

15 "Section 213-A. The state institutions of higher learning
16 now existing in Mississippi, to wit: University of Mississippi,
17 Mississippi State University of Agriculture and Applied Science,
18 Mississippi University for Women, University of Southern
19 Mississippi, Delta State University, Alcorn State University,
20 Jackson State University, Mississippi Valley State University, and
21 any others of like kind which may be hereafter organized or
22 established by the State of Mississippi, shall be under the
23 management and control of a separate board of trustees for each of
24 such institutions, the members thereof to be chosen in such
25 manner, meet such qualifications, serve for such terms and
26 exercise such powers and duties as the Legislature, by general
27 law, prescribes. However, the Board of Trustees of State
28 Institutions of Higher Learning and the members of the board of
29 trustees as constituted at the time this amendment shall be
30 inserted in the Constitution as a part thereof shall continue to



31 exist and the members shall continue to hold office until separate
32 boards of trustees for each of the institutions of higher learning
33 are established by general law.

34 The Legislature shall provide by law for the appointment of a
35 trustee for the La Bauve Fund at the University of Mississippi and
36 for the perpetuation of such fund.

37 * * *

38 Nothing herein contained shall in any way limit or take away
39 the power the Legislature had and possessed, if any, at the time
40 of the adoption of this amendment, to consolidate, abolish or
41 change the status of any of the above-named institutions."

42 BE IT FURTHER RESOLVED, That this proposed amendment shall be
43 submitted by the Secretary of State to the qualified electors at
44 an election to be held on the first Tuesday after the first Monday
45 of November 2002, as provided by Section 273 of the Constitution
46 and by general law.

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

53 BE IT FURTHER RESOLVED, That the Attorney General of the
54 State of Mississippi shall submit this resolution, immediately
55 upon adoption by the Legislature, to the Attorney General of the
56 United States or to the United States District Court for the
57 District of Columbia, in accordance with the provisions of the
58 Voting Rights Act of 1965, as amended and extended.

