

By: Representative Fleming

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 11

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION
2 213-A, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT THE TERMS
3 OF OFFICE OF THE MEMBERS OF THE BOARD OF TRUSTEES OF STATE
4 INSTITUTIONS OF HIGHER LEARNING SHALL BE CONCURRENT WITH THE TERM
5 OF OFFICE OF THE APPOINTING GOVERNOR; TO PROHIBIT MEMBERS OF THE
6 BOARD FROM SERVING CONSECUTIVE TERMS; 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
14 learning * * * in Mississippi * * * (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 that may be * * * organized or established by the State
20 of Mississippi) shall be under the management and control of a
21 board of trustees to be known as the Board of Trustees of State
22 Institutions of Higher Learning * * *. The Governor shall appoint
23 the members of the board with the advice and consent of the
24 Senate. The Governor shall appoint individuals who are qualified
25 electors residing in the district from which each is
26 appointed, * * * at least twenty-five (25) years of age, and of
27 the highest order of intelligence, character, learning, and
28 fitness for the performance of their duties, to the end that the
29 board shall perform its high and honorable duties * * * to the



30 greatest advantage of the people of the state and the educational
31 institutions, uninfluenced by any political considerations. There
32 shall be appointed one (1) member of the board from each
33 congressional district of the state as those districts existed in
34 1944 and one (1) member from each Supreme Court district, and two
35 (2) members shall be appointed from the state at large. Beginning
36 in 2004, the term of office of each trustee shall be concurrent
37 with that of the Governor who appoints the trustee or until the
38 trustee's successor is appointed and qualified; and it shall be
39 the duty of the Governor to make the appointments as soon as
40 practicable after his taking office. Members of the board may not
41 be appointed to serve consecutive terms. In case of a vacancy on
42 the board by death or resignation of a member, or for any * * *
43 cause other than the expiration of that member's term of office,
44 the * * * Governor shall appoint the successor member of the board
45 from the district from which his predecessor was appointed, to
46 hold office until the end of the period for which the original
47 trustee was appointed * * *.

48 The Legislature shall provide by law for the appointment of a
49 trustee for the La Bauve Fund at the University of Mississippi and
50 for the perpetuation of such fund.

51 Such board shall have the power and authority to elect the
52 heads of the various institutions of higher learning, and contract
53 with all deans, professors and other members of the teaching
54 staff, and all administrative employees of the institutions for a
55 term not exceeding four (4) years; but the board shall have the
56 power and authority to terminate any such contract at any time for
57 malfeasance, inefficiency or contumacious conduct, but never for
58 political reasons.

59 Nothing herein contained shall in any way limit or take away
60 the power of the Legislature * * * to consolidate, abolish or
61 change the status of any of the above named institutions."



62 BE IT FURTHER RESOLVED, That this proposed amendment shall be
63 submitted by the Secretary of State to the qualified electors at
64 an election to be held on the first Tuesday after the first Monday
65 of November 2003, as provided by Section 273 of the Constitution
66 and by general law.

67 BE IT FURTHER RESOLVED, That the explanation of this proposed
68 amendment for the ballot shall read as follows: "This proposed
69 constitutional amendment changes the terms of office of members of
70 the Board of Trustees of State Institutions of Higher Learning.
71 The proposed amendment provides that beginning in 2004, such terms
72 of office shall be concurrent with the term of office of the
73 Governor who appointed the members to the board rather than for
74 twelve-year periods and prohibits board members from serving
75 consecutive terms."

