

By: Representatives West, Clarke, Wallace

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 57

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION  
 2 213-A, MISSISSIPPI CONSTITUTION OF 1890, TO RECONSTITUTE THE  
 3 MEMBERSHIP OF THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF  
 4 HIGHER LEARNING BY PROVIDING THAT BEGINNING MAY 8, 2004, THE BOARD  
 5 SHALL CONSIST OF TWELVE MEMBERS APPOINTED BY THE GOVERNOR FOR  
 6 SIX-YEAR TERMS; TO PROVIDE THAT ONE MEMBER SHALL BE APPOINTED FOR  
 7 EACH OF THE EIGHT PUBLIC UNIVERSITIES FROM A LIST OF THREE NAMES  
 8 PROVIDED BY THE ALUMNI ASSOCIATIONS FOR EACH UNIVERSITY, AND THAT  
 9 ONE MEMBER SHALL BE APPOINTED FROM EACH OF THE STATE'S FOUR  
 10 CONGRESSIONAL DISTRICTS AS SUCH DISTRICTS ARE CONSTITUTED ON  
 11 JANUARY 1, 2004; AND FOR RELATED PURPOSES.

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

16 Amend Section 213-A, Mississippi Constitution of 1890, to  
 17 read as follows:

18 "Section 213-A. The state institutions of higher learning  
 19 now existing in Mississippi, to wit: University of Mississippi,  
 20 Mississippi State University of Agriculture and Applied Science,  
 21 Mississippi University for Women, University of Southern  
 22 Mississippi, Delta State University, Alcorn State University,  
 23 Jackson State University, Mississippi Valley State University, and  
 24 any others of like kind which may be hereafter organized or  
 25 established by the State of Mississippi, shall be under the  
 26 management and control of a board of trustees to be known as the  
 27 Board of Trustees of State Institutions of Higher Learning, the  
 28 members thereof to be appointed by the Governor of the state with  
 29 the advice and consent of the Senate. The Governor shall appoint  
 30 only men or women as such members as shall be qualified electors  
 31 residing in the district from which each is appointed, and at



32 least twenty-five (25) years of age, and of the highest order of  
33 intelligence, character, learning, and fitness for the performance  
34 of such duties, to the end that such board shall perform the high  
35 and honorable duties thereof to the greatest advantage of the  
36 people of the state of such educational institutions, uninfluenced  
37 by any political considerations. From and after May 8, 2004, the  
38 board shall be reconstituted to consist of twelve (12) members to  
39 be appointed by the Governor as follows: (a) eight (8) members,  
40 one (1) for each of the state institutions of higher learning,  
41 from a list of three (3) names submitted to the Governor by the  
42 alumni association of each of such institutions, with four (4) of  
43 such members to serve an initial term of two (2) years, and with  
44 four (4) of such members to serve an initial term of four (4)  
45 years; and (b) four (4) members, one (1) from each of the four (4)  
46 congressional districts of the state as such districts are  
47 constituted on January 1, 2004, with each of such members to serve  
48 an initial term of six (6) years. A member appointed for an  
49 institution of higher learning must be a graduate of that  
50 institution or have attended that institution as a full-time  
51 student for at least two (2) academic years or four (4) semesters.  
52 The Governor shall make \* \* \* appointments to the board during the  
53 regular session of the Legislature of Mississippi that convenes  
54 immediately preceding the beginning of the members' terms of  
55 office. All appointees to the board subsequent to the initial  
56 appointees shall hold office for a period of six (6) years. The  
57 members of the board of trustees as constituted at the time the  
58 amendment proposed to this section by House Concurrent Resolution  
59 No. , 2002 Regular Session, is ratified by the electorate and  
60 inserted in the Constitution \* \* \* shall continue to hold office  
61 until their successors are appointed and take office on May 8,  
62 2004. Any member of the board may be reappointed to the board if  
63 he or she meets the appointment requirements of this section and  
64 is otherwise qualified. In case of a vacancy on the board by



65 death or resignation of a member, or for any \* \* \* cause other  
66 than the expiration of such member's term of office, the board  
67 shall elect his or her successor, who shall hold office until the  
68 end of the next session of the Legislature. During such \* \* \*  
69 session of the Legislature the Governor shall appoint the  
70 successor member of the board in the same manner as his or her  
71 predecessor was appointed, to hold office until the end of the  
72 period for which such original trustee was appointed \* \* \*.

73 The Legislature shall provide by law for the appointment of a  
74 trustee for the La Bauve Fund at the University of Mississippi and  
75 for the perpetuation of such fund.

76 Such board shall have the power and authority to elect the  
77 heads of the various institutions of higher learning, and contract  
78 with all deans, professors and other members of the teaching  
79 staff, and all administrative employees of the institutions for a  
80 term not exceeding four (4) years; but the board shall have the  
81 power and authority to terminate any such contract at any time for  
82 malfeasance, inefficiency or contumacious conduct, but never for  
83 political reasons.

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

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

93 BE IT FURTHER RESOLVED, That the explanation of this proposed  
94 amendment for the ballot shall read as follows: "This proposed  
95 constitutional amendment reconstitutes the state college board.  
96 Beginning May 8, 2004, the Governor shall appoint one member for  
97 each of the eight public universities from a list of names



98 provided by the alumni associations for each university, and shall  
99 appoint one member from each of the four congressional districts  
100 as constituted on January 1, 2004. The existing twelve-year terms  
101 of members is reduced to six years."

