

By: Representatives Lott, Cameron, Formby,  
Jennings, Martinson, Moore (60th), Robertson,  
Wells-Smith

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 69

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 WHEN VACANCIES OCCUR ON THE BOARD,  
5 NEW MEMBERS SHALL BE APPOINTED FROM SUPREME COURT DISTRICTS, AND  
6 TO REQUIRE THE BOARD TO INCLUDE ALUMNI REPRESENTATION OF EACH  
7 STATE INSTITUTION OF HIGHER LEARNING; AND FOR RELATED PURPOSES.

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

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

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



30 end that the board shall perform its high and honorable  
31 duties \* \* \* to the greatest advantage of the people of the state  
32 and the educational institutions, uninfluenced by any political  
33 considerations. The members of the board of trustees as  
34 constituted at the time the amendment proposed to this section by  
35 House Concurrent Resolution No. , 2002 Regular Session, is  
36 ratified by the electorate and inserted in the Constitution shall  
37 serve the balance of their terms, after which time there shall be  
38 appointed four (4) members of the board from each Supreme Court  
39 district of the state. The board membership must include at  
40 least: one (1) person who has been awarded a baccalaureate degree  
41 by the University of Mississippi; one (1) person who has been  
42 awarded a baccalaureate degree by Mississippi State University of  
43 Agriculture and Applied Science; one (1) person who has been  
44 awarded a baccalaureate degree by the University of Southern  
45 Mississippi; one (1) person who has been awarded a baccalaureate  
46 degree by Jackson State University; one (1) person who has been  
47 awarded a baccalaureate degree by Mississippi University for  
48 Women; one (1) person who has been awarded a baccalaureate degree  
49 by Delta State University; one (1) person who has been awarded a  
50 baccalaureate degree by Alcorn State University; and one (1)  
51 person who has been awarded a baccalaureate degree by Mississippi  
52 Valley State University. However, no more than two (2) persons  
53 who have been awarded a baccalaureate degree by the same  
54 institution of higher learning may serve on the board  
55 simultaneously. The term of office of the trustees \* \* \* provided  
56 for in this section shall begin on the first Monday of May; and it  
57 shall be the duty of the Governor to make such appointments during  
58 the regular session of the Legislature of Mississippi immediately  
59 preceding the beginning of their terms of office. The term of  
60 office of members of the board shall be for a period of twelve  
61 (12) years. After the time the amendment proposed to this section  
62 by House Concurrent Resolution No. , 2002 Regular Session, is



63 ratified by the electorate and inserted in the Constitution, the  
64 Governor shall make appointments from the Supreme Court district  
65 having the smallest number of board members until the membership  
66 includes four (4) members from each Supreme Court district. In  
67 case of a vacancy on the board by death or resignation of a  
68 member, or for any \* \* \* cause other than the expiration of such  
69 member's term of office, the board shall elect his successor, who  
70 shall hold office until the end of the next session of the  
71 Legislature. During such \* \* \* session of the Legislature, the  
72 Governor shall appoint the successor member of the board from the  
73 district from which his predecessor was appointed, to hold office  
74 until the end of the period for which such original trustee was  
75 appointed \* \* \*.

76 The Legislature shall provide by law for the appointment of a  
77 trustee for the La Bauve Fund at the University of Mississippi and  
78 for the perpetuation of such fund.

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

87 Nothing in this section shall in any way limit or take away  
88 the power the Legislature had and possessed, if any, at the time  
89 of the adoption of this amendment, to consolidate, abolish or  
90 change the status of any of the above named institutions."

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



96 BE IT FURTHER RESOLVED, That the explanation of this proposed  
97 amendment for the ballot shall read as follows: "This proposed  
98 constitutional amendment provides that the twelve members of the  
99 Board of Trustees of State Institutions of Higher Learning shall  
100 be appointed from Supreme Court districts rather than  
101 congressional districts, with new appointments to be made from the  
102 Supreme Court district having the smallest number of board  
103 members. The amendment also requires the board to include alumni  
104 representation of each state institution of higher learning."

