HOUSE CONCURRENT RESOLUTION NO. 51

A CONCURRENT RESOLUTION PROPOSING AMENDMENTS TO SECTION 140
AND SECTION 252, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT
ELECTIONS FOR STATEWIDE, LEGISLATIVE AND COUNTY ELECTIVE OFFICES
SHALL OCCUR IN THE SAME YEARS AS THE PRESIDENTIAL ELECTION.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF
MISSISSIPPI, That the following amendments to the Mississippi
Constitution of 1890 are proposed to the qualified electors of the
state:

I.

Amend Section 140, Mississippi Constitution of 1890, to read
as follows:

"Section 140. The Governor of the state shall be chosen in
the following manner: On the first Tuesday after the first Monday
of November of A.D. 2004, and on the first Tuesday after the first
Monday of November in every fourth year thereafter, until the day
shall be changed by law, an election shall be held in the several
counties and districts created for the election of members of the
House of Representatives in this state, for Governor, and the
person receiving in any county or such legislative district the
highest number of votes cast therein, for said office, shall be
held as many votes as such county or district
is entitled to members in the House of Representatives, which last
named votes are hereby designated "electoral votes." In all cases
where a representative is apportioned to two (2) or more counties
or districts, the electoral vote based on such representative,
shall be equally divided among such counties or districts. The
returns of said election shall be certified by the election
commissioners, or the majority of them, of the several counties
and transmitted, sealed, to the seat of government, directed to
the Secretary of State, and shall be by him safely kept and
delivered to the Speaker of the House of Representatives on the
first day of the next ensuing session of the Legislature.

The Speaker shall, on the same day he shall have received
said returns, open and publish them in the presence of the House
of Representatives, and said House shall ascertain and count the
vote of each county and legislative district and decide any
contest that may be made concerning the same, and said decision
shall be made by a majority of the whole number of members of the
House of Representatives concurring therein by a viva voce vote,
which shall be recorded in its journal; provided, in case the two
(2) highest candidates have an equal number of votes in any county
or legislative district, the electoral vote of such county or
legislative district shall be considered as equally divided
between them. The person found to have received a majority of all
the electoral votes, and also a majority of the popular vote,
shall be declared elected."

II.

Amend Section 252, Mississippi Constitution of 1890, to read
as follows:

"Section 252. The term of office of all elective officers
under this Constitution shall be four years, except as otherwise
provided herein. A general election for all elective officers
shall be held on the Tuesday next after the first Monday of
November, A.D. 2004, and every four (4) years thereafter;
provided, the Legislature may change the day and date of general
elections to any day and date in October, November or December."

BE IT FURTHER RESOLVED, That these proposed amendments shall
be submitted by the Secretary of State to the qualified electors
at an election to be held on the first Tuesday after the first
Monday of November 2002, as provided by Section 273 of the
Constitution and by general law, with the amendments in this
resolution being voted on as one (1) amendment since the proposed
amendments pertain to one (1) subject.

BE IT FURTHER RESOLVED, That the explanation of this proposed
amendment for the ballot shall read as follows: "This proposed
constitutional amendment will provide that elections of statewide,
legislative and county public officials shall occur in the same
years as the presidential election."