HOUSE CONCURRENT RESOLUTION NO. 27

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 202, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE FOR THE ELECTION OF THE STATE SUPERINTENDENT OF PUBLIC EDUCATION BEGINNING AT THE GENERAL STATE ELECTION IN 2004.

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

Amend Section 202, Mississippi Constitution of 1890, to read as follows:

"Section 202. (1) Until the commencement of the term of office of the State Superintendent of Public Education elected at the general election in 2004, there shall be a State Superintendent of Public Education who shall be appointed by the State Board of Education, with the advice and consent of the Senate, and serve at the board's will and pleasure.

(2) Beginning at the general election in 2004, there shall be a State Superintendent of Public Education elected at the same time and manner as the Governor, who shall hold the office for a term of four (4) years, and until a successor is elected and qualified. The first term of office of the elected State Superintendent of Public Education shall commence in January 2005.

(3) The State Superintendent of Public Education shall possess such qualifications as may be prescribed by law. The State Superintendent shall be the chief administrative officer for the State Department of Education and shall administer the department in accordance with the policies established by the State Board of Education. The State Superintendent shall perform
such other duties and receive such compensation as shall be
prescribed by law."

BE IT FURTHER RESOLVED, That this proposed amendment 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 2003, as provided by Section 273 of the Constitution
and by general law.

BE IT FURTHER RESOLVED, That the explanation of this proposed
amendment for the ballot shall read as follows: "This proposed
constitutional amendment changes the manner in which the State
Superintendent of Public Education is selected. The proposed
amendment provides that the State Superintendent of Public
Education shall be elected at the general state election held
every four years, beginning in 2004, rather than appointed by the
State Board of Education."

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