

By: Senator(s) Dawkins, Walls

To: Constitution

SENATE CONCURRENT RESOLUTION NO. 535

1 A CONCURRENT RESOLUTION PROPOSING TO AMEND THE MISSISSIPPI
2 CONSTITUTION OF 1890 CREATING A NEW SECTION 255 TO REQUIRE THE
3 GOVERNOR TO CALL A SPECIAL SESSION IN THE FIRST YEAR FOLLOWING THE
4 2000 DECENNIAL CENSUS AND EVERY TEN YEARS THEREAFTER FOR THE
5 PURPOSE OF REDISTRICTING THE CONGRESSIONAL DISTRICTS OF THIS
6 STATE; TO PROVIDE THAT SUCH REDISTRICTING SHALL BE ACCOMPLISHED BY
7 PASSAGE OF A JOINT RESOLUTION; TO PROVIDE THAT IF THE LEGISLATURE
8 SHALL FAIL TO ADOPT SUCH JOINT RESOLUTION, A FIVE-MEMBER
9 COMMISSION COMPOSED OF THE CHIEF JUSTICE OF THE SUPREME COURT AS
10 CHAIRMAN, THE ATTORNEY GENERAL, SECRETARY OF STATE, THE SPEAKER OF
11 THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE
12 SENATE SHALL CONVENE AND WITHIN THIRTY DAYS OF THE ADJOURNMENT OF
13 SUCH SPECIAL SESSION REDISTRICT THE CONGRESSIONAL DISTRICTS OF
14 THIS STATE; AND FOR RELATED PURPOSES.

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

19 Section 255. Not later than October 31 in the first year
20 following the 2010 decennial census and every ten (10) years
21 thereafter, the Governor shall call a special session to
22 redistrict by joint resolution the congressional districts of this
23 state in accordance with all applicable constitutional and
24 statutory law. Such special session shall not exceed thirty (30)
25 consecutive days, during which no other business shall be
26 conducted and it shall be the mandatory duty of the Legislature to
27 adopt a joint resolution redistricting the congressional districts
28 of this state. Should such special session not adopt the joint
29 resolution as required by this section, a five-member commission
30 consisting of the Chief Justice of the Supreme Court as chairman,
31 the Attorney General, the Secretary of State, the Speaker of the
32 House of Representatives and the President Pro Tempore of the
33 Senate shall immediately convene and within thirty (30) days of



34 the adjournment of such special session redistrict the
35 congressional districts of this state. Such redistricting shall
36 be final upon filing with the Office of the Secretary of State.

37 BE IT FURTHER RESOLVED, That this proposed amendment shall be
38 submitted by the Secretary of State to the qualified electors at
39 an election to be held on the first Tuesday after the First Monday
40 of November 2002, as provided by Section 273 of the Constitution
41 and by general law.

42 BE IT FURTHER RESOLVED, That the explanation of this proposed
43 amendment for the ballot shall read as follows: "This proposed
44 constitutional amendment requires the Governor to call a special
45 session for the purpose of redistricting the state's congressional
46 districts in the year following a decennial census. If the
47 special session adjourns without adopting a joint resolution
48 redistricting the congressional districts, a commission composed
49 of the Chief Justice of the Supreme Court, the Attorney General,
50 the Secretary of State, the Speaker of the House of
51 Representatives and the President Pro Tempore of the Mississippi
52 Senate is required to convene and redistrict the congressional
53 districts."

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

