

By: Representative Moore

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 54

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION
2 202, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE FOR THE ELECTION
3 OF THE STATE SUPERINTENDENT OF PUBLIC EDUCATION BEGINNING AT THE
4 GENERAL STATE ELECTION IN 2007.

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

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

11 "Section 202. (1) Until the commencement of the term of
12 office of the State Superintendent of Public Education elected at
13 the general election in 2007, there shall be a State
14 Superintendent of Public Education who shall be appointed by the
15 State Board of Education, with the advice and consent of the
16 Senate, and serve at the board's will and pleasure.

17 (2) Beginning at the general election in 2007, there shall
18 be a State Superintendent of Public Education elected at the same
19 time and manner as the Governor, who shall hold the office for a
20 term of four (4) years, and until a successor is elected and
21 qualified. The first term of office of the elected State
22 Superintendent of Public Education shall commence in January 2008.

23 (3) The State Superintendent of Public Education shall
24 possess such qualifications as may be prescribed by law. The
25 State Superintendent shall be the chief administrative officer for
26 the State Department of Education and shall administer the
27 department in accordance with the policies established by the
28 State Board of Education. The State Superintendent shall perform

29 such other duties and receive such compensation as shall be
30 prescribed by law."

31 BE IT FURTHER RESOLVED, That this proposed amendment shall be
32 submitted by the Secretary of State to the qualified electors at
33 an election to be held on the first Tuesday after the first Monday
34 of November 2004, as provided by Section 273 of the Constitution
35 and by general law.

36 BE IT FURTHER RESOLVED, That the explanation of this proposed
37 amendment for the ballot shall read as follows: "This proposed
38 constitutional amendment changes the manner in which the State
39 Superintendent of Public Education is selected. The proposed
40 amendment provides that the State Superintendent of Public
41 Education shall be elected at the general state election held
42 every four years, beginning in 2007, rather than appointed by the
43 State Board of Education."

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