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AMENDMENT NO 6 PROPOSED TO**

Cmte Sub for House Bill No. 1634

BY: Representative Peranich

1 **AMEND** by inserting the following new section after Line 147
2 and renumbering the succeeding sections.

3 "**SECTION 3.** Upon application of any person for the issuance
4 of any permit regarding offshore drilling in the Mississippi Sound
5 within the territorial waters of Hancock, Harrison or Jackson
6 Counties, notice of such application shall be published by the
7 permitting agency for at least three (3) consecutive weeks in at
8 least one (1) newspaper published in the county where such
9 drilling is proposed. If within thirty (30) days following the
10 last publication of such notice twenty percent (20%) or one
11 thousand five hundred (1,500), whichever is less, of the qualified
12 electors of the county file a written protest against the issuance
13 of such permit with the board of supervisors of the county, then
14 an election shall be conducted in the county by the election
15 commissioners of the county on the question of whether or not to
16 permit offshore drilling in the territorial waters of the county.
17 Notice of the election shall be published for at least three (3)
18 consecutive weeks in at least one (1) newspaper published in the
19 county. The first publication of the notice shall be made not
20 less than twenty-one (21) days before the date fixed for the
21 election, and the last publication shall be made not more than
22 seven (7) days before that date. The advertisement shall be no

23 less than one-fourth ($\frac{1}{4}$) page in size and the type shall be no
24 smaller than eighteen (18) point and surrounded by a one-fourth
25 inch ($\frac{1}{4}$ ") solid black border.

26 The election shall be held, as far as is practicable, in the
27 same manner as other elections are held in counties. At the
28 election, all qualified electors of the county may vote, and the
29 ballots used at the election shall have printed thereon "FOR THE
30 ISSUANCE OF A PERMIT TO AUTHORIZE OFFSHORE DRILLING" and "AGAINST
31 THE ISSUANCE OF A PERMIT TO AUTHORIZE OFFSHORE DRILLING," and the
32 voter shall vote by placing a cross (x) or check mark (✓)
33 opposite his choice on the proposition.

34 When the results of the election on the question of the
35 issuance of a permit to allow offshore drilling in the territorial
36 waters of the county have been canvassed by the election
37 commissioners of the county and certified by them to the boards of
38 supervisors, it shall be the duty of the boards to determine and
39 adjudicate whether or not at least sixty percent (60%) of the
40 qualified electors who voted thereon in the election voted in
41 favor of the issuance of a permit to allow offshore drilling, and
42 unless at least sixty percent (60%) of the qualified electors in
43 the county who voted thereon in the election shall have voted in
44 favor of the issuance of a permit to allow offshore drilling, then
45 the permit may be issued. If at least sixty percent (60%) of the
46 qualified electors who vote thereon in the election vote in favor
47 of the issuance of a permit to allow offshore drilling, then
48 issuance of the permit shall not be prohibited."

49 **AMEND FURTHER** by deleting lines 334 and 335 in their entirety
50 and inserting the following in lieu thereof:

51 "**SECTION 6.** The Attorney General of the State of Mississippi
52 shall submit this act, immediately upon approval by the Governor,
53 or upon approval by the Legislature subsequent to a veto, to the

54 Attorney General of the United States or to the United States
55 District Court for the District of Columbia in accordance with the
56 provisions of the Voting Rights Act of 1965, as amended and
57 extended.

58 **SECTION 7.** This act shall take effect and be in force from
59 and after the date it is effectuated under Section 5 of the Voting
60 Rights Act of 1965, as amended and extended, or from and after
61 July 1, 2004, whichever date is later."

62 **AMEND FURTHER** the title to conform.