

By: Representatives Baker (74th), Moore

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 48

1 A CONCURRENT RESOLUTION PROPOSING AMENDMENTS TO SECTIONS 202  
2 AND 203, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE FOR THE  
3 APPOINTMENT OF THE STATE SUPERINTENDENT OF PUBLIC EDUCATION BY THE  
4 GOVERNOR; TO ABOLISH THE STATE BOARD OF EDUCATION; AND FOR RELATED  
5 PURPOSES.

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

10 I.

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

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

17 (2) From and after January 1, 2007, there shall be a State  
18 Superintendent of Public Education who shall be appointed by the  
19 Governor, with the advice and consent of the Senate, and serve at  
20 the Governor's will and pleasure.

21 (3) The State Superintendent of Public Education shall  
22 possess such qualifications as may be prescribed by law. The  
23 State Superintendent shall be the chief administrative officer for  
24 the State Department of Education and shall administer the  
25 department and establish the policies of the department. The  
26 State Superintendent shall perform such other duties and receive  
27 such compensation as shall be prescribed by law."

28 II.

29 Amend Section 203, Mississippi Constitution of 1890, to read  
30 as follows:

31 "Section 203. From and after January 1, 2007, the State  
32 Board of Education shall be abolished and the powers and duties of  
33 the State Board of Education shall be performed by the State  
34 Superintendent of Public Education."

35 BE IT FURTHER RESOLVED, That these proposed amendments shall  
36 be submitted by the Secretary of State to the qualified electors  
37 at an election to be held on the first Tuesday after the first  
38 Monday of November 2006, as provided by Section 273 of the  
39 Constitution and by general law, with the amendments in this  
40 resolution being voted on as one (1) amendment since the proposed  
41 amendments pertain to one (1) subject.

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 provides that beginning January 1, 2007,  
45 the Governor shall appoint the State Superintendent of Public  
46 Education, with the advice and consent of the Senate, who will  
47 serve at the Governor's will and pleasure. The amendment also  
48 abolishes the State Board of Education and transfers all the  
49 board's powers and duties to the State Superintendent of Public  
50 Education."