

By: Representative Snowden

To: Constitution

## HOUSE CONCURRENT RESOLUTION NO. 31

1 A CONCURRENT RESOLUTION PROPOSING AMENDMENTS TO SECTION 140  
2 AND SECTION 252, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT  
3 ELECTIONS FOR STATEWIDE ELECTIVE OFFICES HELD AFTER THE ELECTION  
4 IN 2007 SHALL OCCUR IN 2010 AND EVERY FOUR YEARS THEREAFTER.

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

9 I.

10 Amend Section 140, Mississippi Constitution of 1890, to read  
11 as follows:

12 "Section 140. The Governor of the state shall be chosen in  
13 the following manner: On the first Tuesday after the first Monday  
14 of November of A.D. 2007, on the first Tuesday after the first  
15 Monday of November, A.D. 2010, and on the first Tuesday after the  
16 first Monday of November in every fourth year thereafter, until  
17 the day shall be changed by law, an election shall be held in the  
18 several counties and districts created for the election of members  
19 of the House of Representatives in this state, for Governor, and  
20 the person receiving in any county or such legislative district  
21 the highest number of votes cast therein, for said office, shall  
22 be holden to have received as many votes as such county or  
23 district is entitled to members in the House of Representatives,  
24 which last named votes are hereby designated "electoral votes."  
25 In all cases where a representative is apportioned to two (2) or  
26 more counties or districts, the electoral vote based on such  
27 representative, shall be equally divided among such counties or  
28 districts. The returns of said election shall be certified by the

29 election commissioners, or the majority of them, of the several  
30 counties and transmitted, sealed, to the seat of government,  
31 directed to the Secretary of State, and shall be by him safely  
32 kept and delivered to the Speaker of the House of Representatives  
33 on the first day of the next ensuing session of the Legislature.

34 The Speaker shall, on the same day he shall have received  
35 said returns, open and publish them in the presence of the House  
36 of Representatives, and said House shall ascertain and count the  
37 vote of each county and legislative district and decide any  
38 contest that may be made concerning the same, and said decision  
39 shall be made by a majority of the whole number of members of the  
40 House of Representatives concurring therein by a viva voce vote,  
41 which shall be recorded in its journal; provided, in case the two  
42 (2) highest candidates have an equal number of votes in any county  
43 or legislative district, the electoral vote of such county or  
44 legislative district shall be considered as equally divided  
45 between them. The person found to have received a majority of all  
46 the electoral votes, and also a majority of the popular vote,  
47 shall be declared elected."

48 II.

49 Amend Section 252, Mississippi Constitution of 1890, to read  
50 as follows:

51 "Section 252. The term of office of all elective officers  
52 under this Constitution shall be four (4) years, except as  
53 otherwise provided herein. The term of office for officers  
54 elected under this Constitution in the year 2007 shall be three  
55 (3) years. A general election for all elective officers shall be  
56 held on the Tuesday next after the first Monday of November, A.D.  
57 2007, on the first Tuesday next after the first Monday of  
58 November, A.D. 2010, and on the first Tuesday next after the first  
59 Monday of November in every four (4) years thereafter; provided,  
60 the Legislature may change the day and date of general elections  
61 to any day and date in October, November or December."

62 BE IT FURTHER RESOLVED, That these proposed amendments shall  
63 be submitted by the Secretary of State to the qualified electors  
64 at an election to be held on the first Tuesday after the first  
65 Monday of November 2006, as provided by Section 273 of the  
66 Constitution and by general law, with the amendments in this  
67 resolution being voted on as one amendment since the proposed  
68 amendments pertain to one subject.

69 BE IT FURTHER RESOLVED, That the explanation of this proposed  
70 amendment for the ballot shall read as follows: "This proposed  
71 constitutional amendment provides that after the election held for  
72 statewide public officials in 2007, future elections for statewide  
73 public officials shall occur in 2010 and every four years  
74 thereafter."

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