

By: Representative Snowden

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 36

1 A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO THE  
2 MISSISSIPPI CONSTITUTION OF 1890, TO REQUIRE THE LEGISLATURE TO  
3 ENACT GENERAL LAW AND TO PERMIT THE LEGISLATURE TO ENACT LOCAL AND  
4 PRIVATE LAW PRESCRIBING THE MANNER AND PROCEDURE BY WHICH COUNTIES  
5 AND CITIES MAY MERGE AND CONSOLIDATE TO FORM A METROPOLITAN  
6 GOVERNMENT; AND FOR RELATED PURPOSES.

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

11 Amend the Mississippi Constitution of 1890 by creating a new  
12 section to read as follows:

13 "Section \_\_\_\_ . The Legislature, by general law applicable to  
14 all counties and municipalities, shall enact legislation, and, by  
15 local and private law, may enact legislation from time to time,  
16 authorizing and prescribing the manner and procedure by which an  
17 incorporated municipality may merge and consolidate with one or  
18 more other incorporated municipalities located within the same  
19 county, or may merge and consolidate with the county, or may merge  
20 and consolidate both with the county and with one or more other  
21 incorporated municipalities located within the same county to form  
22 a metropolitan government. Such legislation shall prescribe the  
23 powers and duties that may be exercised by a metropolitan  
24 government and its governing authorities, including, but not  
25 limited to, powers and duties relating to taxation and finance,  
26 and shall prescribe the number, qualifications and manner of  
27 selecting the governing authorities and other public officials of  
28 the metropolitan government. Any legislation authorizing the  
29 establishment of a metropolitan government may require that the

30 various county offices and county officials as elsewhere provided  
31 for in this Constitution be maintained and continue to exist or  
32 may provide for the abolishment of such offices and officials and  
33 the establishment of different offices and officials for the  
34 metropolitan government."

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

40 BE IT FURTHER RESOLVED, That the explanation of this proposed  
41 amendment for the ballot shall read as follows: "This proposed  
42 constitutional amendment requires the Legislature to enact general  
43 law and permits the Legislature to enact local and private law  
44 prescribing the manner and procedure by which counties and cities  
45 may merge and consolidate to form a metropolitan government."

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