

By: Reynolds

To: Constitution

HOUSE CONCURRENT RESOLUTION NO. 65

1 A CONCURRENT RESOLUTION PROPOSING AMENDMENTS TO SECTION 140
2 AND SECTION 141, MISSISSIPPI CONSTITUTION OF 1890, TO ABOLISH THE
3 REQUIREMENT THAT THE GOVERNOR BE ELECTED BY BOTH A MAJORITY OF THE
4 POPULAR VOTE AND A MAJORITY OF THE ELECTORAL VOTES; TO PROVIDE
5 THAT THE PERSON WHO RECEIVES A MAJORITY OF THE POPULAR VOTE FOR
6 THE OFFICE OF GOVERNOR AT THE GENERAL ELECTION SHALL BE DECLARED
7 ELECTED; TO PROVIDE THAT IF NO CANDIDATE RECEIVES A MAJORITY OF
8 THE POPULAR VOTE, THEN THE GOVERNOR SHALL BE ELECTED BY THE HOUSE
9 OF REPRESENTATIVES; AND FOR RELATED PURPOSES.

10 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF
11 MISSISSIPPI, That the following amendments to the Mississippi
12 Constitution of 1890 are proposed to the qualified electors of the
13 state:

14 I.

15 Amend Section 140, Mississippi Constitution of 1890, to read
16 as follows:

17 "SECTION 140. The Governor of the state shall be elected by
18 the people in a general election to be held on the first Tuesday
19 after the first Monday of November of A.D. 2003, and on the first
20 Tuesday after the first Monday of November in every fourth year
21 thereafter * * *. The person receiving a majority of the number
22 of votes cast in the election for the office shall be declared
23 elected." * * *

24 II.

25 Amend Section 141, Mississippi Constitution of 1890, to read
26 as follows:

27 "SECTION 141. If no person * * * receives such majority,
28 then the House of Representatives shall proceed to choose a
29 Governor from the two (2) persons who * * * received the highest

30 number of * * * votes. The election shall be by viva voce vote,
31 which shall be recorded in the journal, in such manner as to show
32 for whom each member voted."

33 BE IT FURTHER RESOLVED, That these proposed amendments shall
34 be submitted by the Secretary of State to the qualified electors
35 at an election to be held on the first Tuesday after the first
36 Monday of November 2000, as provided by Section 273 of the
37 Constitution and by general law, with the amendments in this
38 resolution being voted on as one (1) amendment since the proposed
39 amendments pertain to one (1) subject.

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 abolishes the requirement that the
43 Governor, in order to be elected, must receive both a majority of
44 the popular vote and a majority of the electoral votes. Under the
45 amendment, the person who receives a majority of the popular vote
46 for Governor at the general election is declared elected. If no
47 candidate receives a majority, the House of Representatives
48 decides the winner."

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