

By: Senator(s) Bryan

To: Constitution

SENATE CONCURRENT RESOLUTION NO. 554

1 A CONCURRENT RESOLUTION PROPOSING TO AMEND THE MISSISSIPPI  
2 CONSTITUTION OF 1890 BY AMENDING SECTION 140 TO PROVIDE THAT THE  
3 GOVERNOR SHALL BE ELECTED AT A GENERAL ELECTION AND THE PERSON  
4 RECEIVING THE HIGHEST NUMBER OF POPULAR VOTES SHALL BE ELECTED; TO  
5 REPEAL SECTION 141 MISSISSIPPI CONSTITUTION OF 1890, TO ABOLISH  
6 THE REQUIREMENT THAT THE GOVERNOR BE ELECTED BY VOTE OF THE HOUSE  
7 OF REPRESENTATIVES IF NO PERSON RECEIVES BOTH A MAJORITY OF THE  
8 POPULAR VOTE AND A MAJORITY OF THE ELECTORAL VOTES; AND FOR  
9 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. 2007, and on the first  
20 Tuesday after the first Monday of November in every fourth year  
21 thereafter. \* \* \* The person receiving the highest number of  
22 popular votes shall be declared elected.

23 \* \* \*

24 II.

25 Amend the Mississippi Constitution of 1890 by repealing  
26 Section 141 which reads as follows:

27 Section 141. If no person shall receive such majorities,  
28 then the House of Representatives shall proceed to choose a  
29 Governor from the two (2) persons who shall have received the  
30 highest number of popular votes. The election shall be by viva

31 voce vote, which shall be recorded in the journal, in such manner  
32 as to show 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 2004, 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 provides that the Governor shall be  
43 elected at the general election and the person receiving the  
44 highest number of popular votes shall be elected Governor."

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