

By: Senator(s) Bryan, Williamson

To: Constitution

SENATE CONCURRENT RESOLUTION NO. 555

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 BY A MAJORITY OF
4 THE POPULAR VOTE AND TO ELIMINATE THE ELECTORAL VOTE FOR GOVERNOR;
5 TO AMEND SECTION 141 MISSISSIPPI CONSTITUTION OF 1890, TO REMOVE
6 THE REQUIREMENT THAT THE GOVERNOR BE ELECTED BY VOTE OF THE HOUSE
7 OF REPRESENTATIVES IF NO PERSON RECEIVES A MAJORITY OF THE
8 ELECTORAL VOTES; AND FOR RELATED PURPOSES.

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

13 I.

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

16 Section 140. The Governor of the state shall be elected by
17 the people in a general election to be held on the first Tuesday
18 after the first Monday of November of A.D. 2007, and on the first
19 Tuesday after the first Monday of November in every fourth year
20 thereafter. * * *

21 * * * The person receiving * * * a majority of the popular
22 vote shall be declared elected.

23 II.

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

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

30 which shall be recorded in the journal, in such manner as to show
31 for whom each member voted.

32 BE IT FURTHER RESOLVED, That these proposed amendments shall
33 be submitted by the Secretary of State to the qualified electors
34 at an election to be held on the first Tuesday after the first
35 Monday of November 2004, as provided by Section 273 of the
36 Constitution and by general law, with the amendments in this
37 resolution being voted on as one (1) amendment since the proposed
38 amendments pertain to one (1) subject.

39 BE IT FURTHER RESOLVED, That the explanation of this proposed
40 amendment for the ballot shall read as follows: "This proposed
41 constitutional amendment provides that the Governor shall be
42 elected at the general election by a majority of the popular vote
43 and eliminates the electoral vote. If no person receives a
44 majority of the popular vote, the House of Representatives elects
45 the Governor from the two candidates who received the highest
46 number of popular votes."

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