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The consequences of getting this small textual point correct could be significant. Because SCV encourages voters to vote for one of the two major-party candidates, lest they feel they are wasting their vote, the odds of any state's presidential electors being assigned to a third-party candidate are currently low. Under RCV, however, many more voters might rank third-party candidates first, knowing that if those candidates did not get enough support in the initial or early rounds of the tabulation process and were eliminated, the voter's second-choice candidate would then receive their vote. RCV means that votes for candidates who might only get 15 percent of the vote are not wasted because if those candidates fail, the voter's second-ranked candidate then receives that voter's vote. But if a state statute or constitution implements RCV with a poorly worded "majority vote" requirement, the outcome would be unclear if no candidate managed to garner an outright majority of the total votes cast. Under the language of Foley's proposed "majority" vote provision, for example, would that mean that the state's electors would instead be awarded proportionally? That is not the intent, but it could be such a provision's unfortunate and unexpected effect. And, in that case, third-party candidates might receive a meaningful number of electoral-college votes.

In other words, the "majority-rule requirement" language set out above could drastically increase the risk that the electoral college itself fails to identify a "majority-of-majorities" winner. This would, ironically enough, activate the Twelfth Amendment's contingency provision and throw the presidential election to the House of Representatives to resolve.<sup>308</sup>

These concerns can easily be addressed in any reform proposal. An RCV provision for presidential elections can address preferential voting specifically or phrase the majority threshold in a way that more explicitly indicates this means a majority of votes *in the final round*.<sup>309</sup> As discussed above, this might be as simple as formulating the threshold to only require a majority of "votes received" rather than a majority of "votes cast."<sup>310</sup>

#### CONCLUSION

As reform advocates, voters, and political bodies press to put RCV on the agenda in more places, the policy debates must now contend with a legal debate as well: whether RCV violates state constitutional or statutory provisions that

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308. See U.S. CONST. amend. XII.

309. To be sure, if states moved en masse to selecting presidential electors using RCV, this shift might still increase the odds of a third-party candidate winning some non-trivial number of electoral college votes (since the chances of a third-party candidate winning all of a state's delegates outright could increase).

310. See *supra* Part III.B.1.





	<p><b>of qualified electors voting</b> for such office within the circuit or district which they serve.”).</p> <p>Amend. 80, § 18 (“Supreme Court Justices and Court of Appeals Judges shall be elected on a nonpartisan basis by a <b>majority of qualified electors</b> voting for such office.”).</p> <p>Amend. 29, § 5 (“Only the names of candidates for office nominated by an organized political party at a convention of delegates, or by a <b>majority of all the votes cast</b> for candidates for the office in a primary election, or by petition of electors as provided by law, shall be placed on the ballots in any election.”).</p>	<p>Amend. 80, § 18 (supreme court justices and court of appeals judges)</p> <p>Amend. 29, § 5 (primary candidates who may be placed on the general election ballot)</p>	
<b>California</b>	<p>Art II, § 5 (“The candidates who are the <b>top two vote-getters</b> at a voter-nominated primary election for a congressional or state elective office shall, regardless of party preference, compete in the ensuing general election.”).</p>	<p>Art. II, § 5 (all congressional and state offices)</p>	<p>Art. II, § 15 (“If the majority vote on the question is to recall, the officer is removed and, if there is a candidate, the candidate who receives a <b>plurality</b> is the successor.”).</p>
<b>Colorado</b>	<p>Art. IV, § 3 (“The joint candidates having the <b>highest number of votes</b> cast for governor and lieutenant governor, and the person having the <b>highest number of votes</b> for any other office, shall be declared duly elected.”).</p>	<p>Art. IV, § 1 (governor, lieutenant governor, secretary of state, state treasurer, attorney general)</p>	<p>Art. XXI, § 3 (“If the vote had in such recall elections shall recall the officer then the candidate who has received the <b>highest number of votes</b> for the office thereby vacated shall be declared elected for the remainder of the term... [for an office in the event of a recall election].”).</p>
<b>Connecticut</b>	<p>Art. III § 7 (“The person in each senatorial district having the <b>greatest number of votes</b> for senator shall be declared to be duly elected for such district, and the person in each assembly district having the <b>greatest number of votes</b> for representative shall be declared to be duly elected for such district.”).</p> <p>Art. IV § 4 (“[T]he person found upon the count...to have received the <b>greatest number of votes</b> for each of such offices, respectively, shall be elected thereto.”).</p>	<p>Art. III § 7 (state senators, state representatives)</p> <p>Art. IV § 4 (governor, lieutenant-governor, secretary, treasurer, comptroller, attorney general)</p>	<p>N/A</p>

<b>Delaware</b>	Art. III, § 3 (“The person having the <b>highest number of votes</b> shall be Governor.”). Art. III, § 19 (“A Lieutenant-Governor shall be chosen at the same time, in the same manner, for the same term, and subject to the same provisions as the Governor.”).	Art. III, § 3 (governor) Art. III, § 19 (lieutenant governor)	N/A
<b>District of Columbia</b>	N/A	N/A	N/A
<b>Florida</b>	Art. VI, § 1 (“General elections shall be determined by a <b>plurality of votes</b> cast.”).	Art. VI, § 1 (all offices in general elections)	N/A
<b>Georgia</b>	N/A	N/A	N/A
<b>Hawaii</b>	Art. V, § 1 (“The person receiving the <b>highest number of votes</b> shall be the governor.”). Art. V, § 2 (“The lieutenant governor shall be elected at the same time, for the same term and in the same manner as the governor....”).	Art. V, § 1 (governor) Art. V, § 2 (lieutenant governor)	N/A
<b>Idaho</b>	Art. IV, § 2 (“[T]he persons, respectively, having the <b>highest number of votes</b> for the office voted for shall be elected.”).	Art. IV, § 1 (governor, lieutenant governor, secretary of state, state controller, state treasurer, attorney general, superintendent of public instruction)	N/A
<b>Illinois</b>	Art. V, § 5 (“The person having the <b>highest number of votes</b> for an office shall be declared elected.”).	Art. V, § 1 (governor, lieutenant governor, attorney general, secretary of state, comptroller, treasurer)	Art. III, § 7 (“[T]he candidate who receives the <b>highest number of votes</b> in the special successor election is elected Governor for the balance of the term [in recall election, if governor is successfully recalled].”).
<b>Indiana</b>	N/A	N/A	N/A
<b>Iowa</b>	Art. IV, § 4 (“The nominees for governor and lieutenant governor jointly having the	Art. IV, § 4 (governor, lieutenant governor)	N/A



	<b>highest number of votes</b> cast for them shall be declared duly elected.”).		
<b>Kansas</b>	N/A	N/A	N/A
<b>Kentucky</b>	<p>§ 6 (“All elections shall be free and equal.”).*</p> <p>§ 70 (“The slate of candidates having the <b>highest number of votes</b> cast jointly for them for Governor and Lieutenant Governor shall be elected.”).</p> <p><i>*McKinney v. Barber</i>, 203 S.W. 303, 306-07 (Ky. 1918) interpreted Section 6 to require that at least a plurality is needed to elect.</p>	§ 6 (all general elections)* § 70 (governor, lieutenant governor)	N/A
<b>Louisiana</b>	N/A	N/A	N/A
<b>Maine</b>	<p>Art. IV, pt. 1, § 5 (Representatives are “elected by a <b>plurality of all votes</b> returned.”).</p> <p>Art. IV, pt. 2, § 4 (“The governor shall...issue a summons to such persons, as shall appear to be elected by a <b>plurality of the votes</b>.”).</p> <p>Art. IV, pt. 2, § 5 (Senators are “elected by a <b>plurality of votes</b>.”).</p> <p>Art. V, pt. 1, § 3 ([I]n case of a choice by <b>plurality of all of the votes</b> returned [the legislators] shall declare and publish the same.”).</p> <p>Art. VI, § 6 (“Judges and registers of probate shall be elected by the people of their respective counties, by a <b>plurality of the votes</b> given in...”).</p> <p>Art. IX, § 10 (“Sheriffs shall be elected by the people of their respective counties, by a <b>plurality of the votes</b>.”).</p>	<p>Art. IV, pt. 1, § 5 (state representatives)</p> <p>Art. IV, pt. 2, § 4 (state senators)</p> <p>Art. IV, pt. 2, § 5 (state senators)</p> <p>Art. V, pt. 1, § 3 (governor)</p> <p>Art. VI, § 6 (judges and registers of probate [note: this provision was conditionally repealed in 1967. If the state legislature makes probate judges full-time rather than part-time, this provision will no longer apply]).</p> <p>Art. IX § 10 (sheriffs)</p>	N/A
<b>Maryland</b>	<p>Art. II, § 3 (“[T]he persons having the <b>highest number of votes</b> for these offices, and being constitutionally eligible, shall be the Governor and Lieutenant Governor.”).</p>	<p>Art. II, § 3 (governor, lieutenant governor)</p> <p>Art. IV, § 11 (select judges, Clerks of Court, Register of</p>	N/A

	<p>Art. IV, § 11 (“[T]he person having the <b>greatest number of votes</b>, shall be declared to be elected.”).</p> <p>Art. IV, § 25 (“There shall be a Clerk of the Circuit Court for each County and Baltimore City, who shall be elected by a <b>plurality of the qualified voters</b> of said County or City.”).</p> <p>Art. XI-A, § 1 (“[T]he eleven nominees of the City of Baltimore or five nominees in the County receiving the <b>largest number of votes</b> shall constitute the charter board.”).</p>	<p>Wills, other officers within the judiciary department</p> <p>Art. IV, § 25 (circuit court clerks for counties and Baltimore City)</p> <p>Art. XI-A, § 1 (charter board members [11 for Baltimore City and 5 for each county])</p>	
<b>Massachusetts</b>	<p>Amend. Art. XIV (“In all elections of civil officers by the people of this commonwealth, whose election is provided for by the constitution, the person having the <b>highest number of votes</b> shall be deemed and declared to be elected.”).</p> <p>Amend. Art. II, § 3 (“[T]he nine candidates receiving the <b>highest number of votes</b> shall be declared elected.”).</p>	<p>Amend. Art. XIV (all civil officers)</p> <p>Amend. Art. II, § 3 (city or town charter commissioners; top nine [but each voter may vote for nine])</p>	N/A
<b>Michigan</b>	N/A	N/A	N/A
<b>Minnesota</b>	N/A	N/A	N/A
<b>Mississippi</b>	<p>Art. V, § 140 (“The person receiving a majority of the number of votes cast in the election for these [statewide] offices shall be declared elected. If no person receives a majority of the votes, then a runoff election shall be held under procedures prescribed by the Legislature in general law.”).</p>	<p>Art. V, § 140 (governor and all statewide elected officials)</p>	N/A
<b>Missouri</b>	<p>Art. IV, § 18 (“The persons having the <b>highest number of votes</b> for the respective offices shall be declared elected.”).</p> <p>Art. VI, § 19 (“[T]he thirteen candidates receiving the <b>highest number of votes</b> shall constitute the commission.”).</p>	<p>Art. IV, § 18 (governor, lieutenant governor, secretary of state, state auditor, state treasurer, attorney general)</p> <p>Art. VI, § 19 (city charter commissioners; top thirteen)</p>	N/A

		Art. XII, § 3(a) (“[T]he two candidates receiving the <b>highest number of votes</b> in each senatorial district shall be elected... the fifteen receiving the <b>highest number of votes</b> shall be elected.”).	Art. XII, § 3(a) (for constitutional convention: top two district delegates; top fifteen delegates-at-large)	
<b>Montana</b>	Art. IV, § 5 (“In all elections held by the people, the person or persons receiving the <b>largest number of votes</b> shall be declared elected.”).	Art. IV, § 5 (all elected offices)	N/A	
<b>Nebraska</b>	Art. IV, § 4 (“The person having the <b>highest number of votes</b> for each of said offices shall be declared duly elected.”).	Art. IV, § 1 (governor, lieutenant governor, secretary of state, Auditor of Public Accounts, State Treasurer, Attorney General, heads of other executive departments if established)	N/A	
<b>Nevada</b>	Art. V, § 4 (“The persons having the <b>highest number of votes</b> for the respective offices shall be declared elected.”). Art. XV, § 14 (“A <b>plurality of votes</b> given at an election by the people, shall constitute a choice, where not otherwise provided by this Constitution.”).	Art. V § 4 (U. S. senators and members of Congress, district, and state officers) Art. XV, § 14 (officers for which a separate election procedure is unnamed)	N/A	
<b>New Hampshire</b>	Pt. II, Art. 33 (“[H]e shall issue his summons to such persons as appear to be chosen senators and representatives, by a <b>plurality of votes</b> .”). Pt. II, Art. 42 (“[I]n case of an election by a <b>plurality of votes</b> through the state, the choice shall be by them declared and published.”). Pt. II, Art. 61 (“And the person having a <b>plurality of votes</b> in any county, shall be considered as duly elected a councilor.”).	Pt. II, Art. 33 (senators and representatives) Pt. II, Art. 42 (governor) Pt. II, Art. 61 (Executive Council members)	N/A	
<b>New Jersey</b>	Art. V, § 1, ¶ 4 (“The joint candidates receiving the <b>greatest number of votes</b> shall be elected.”).	Art. V, § 1, ¶ 4 (governor, lieutenant governor)	N/A	
<b>New Mexico</b>	Art. V, § 2 (“The joint candidates having the <b>highest number of votes</b> cast for governor and	Art. V, § 1 (governor, lieutenant governor, secretary	N/A	

	<p>lieutenant governor and the person having the <b>highest number of votes</b> for any other office, as shown by said returns, shall be declared duly elected.”).</p> <p>Art. VII, § 5 (“[T]he person who receives the <b>highest number of votes</b> for any office, except as provided in this section, and except in the cases of the offices of governor and lieutenant governor, shall be declared elected to that office. The joint candidates receiving the <b>highest number of votes</b> for the offices of governor and lieutenant governor shall be declared elected to those offices. . . In a municipal election, the candidate that receives the <b>most votes</b> for an office shall be declared elected to that office, unless the municipality has provided for runoff elections.”).</p>	<p>of state, state auditor, state treasurer, attorney general, commissioner of public lands)</p> <p>Art. VII, § 5 (any office except for those offices for which the state legislature or municipality has decided to provide runoff elections)</p>	
<p><b>New York</b></p>	<p>Art. IV, § 1 (“The respective persons having the <b>highest number of votes</b> cast jointly for them for governor and lieutenant-governor respectively shall be elected.”).</p>	<p>Art. IV, § 1 (governor, lieutenant-governor)</p>	<p>N/A</p>
<p><b>North Carolina</b></p>	<p>N/A</p>	<p>N/A</p>	<p>N/A</p>
<p><b>North Dakota</b></p>	<p>Art. IV, § 12 (“If two or more candidates for the same office receive an equal and <b>highest number of votes</b>, the secretary of state shall choose one of them by the toss of a coin.”).</p> <p>Art. V, § 3 (“The joint candidates having the <b>highest number of votes</b> must be declared elected.”).</p> <p>Art. V, § 5 (“If two or more candidates for any executive office other than for governor and lieutenant governor receive an equal and <b>highest number of votes</b>, the legislative assembly in joint session shall choose one of them for the office.”).</p>	<p>Art. IV, § 12 (state representatives and state senators)</p> <p>Art. V, § 3 (governor and lieutenant governor)</p> <p>Art. V, § 2 (agriculture commissioner, attorney general, auditor, insurance commissioner, three public service commissioners, secretary of state, superintendent of public instruction, tax commissioner, treasurer)</p>	<p>Art. III, § 10 (“When the election results have been officially declared, the candidate receiving the <b>highest number of votes</b> shall be deemed elected for the remainder of the term [for a recall election].”).</p>

<b>Ohio</b>	<p>Art. III, § 3 (“The joint candidates having the <b>highest number of votes</b> cast for governor and lieutenant governor and the person having the highest number of votes for any other office shall be declared duly elected.”).</p> <p>Art. X, § 4 (“Candidates shall be declared elected in the <b>order of the number of votes received</b>, beginning with the candidate receiving the largest number; but not more than seven candidates residing in the same city or village may be elected.”).</p>	<p>Art. III, §§ 2, 3 (governor, lieutenant governor, secretary of state, attorney general, auditor of state)</p> <p>Art. X, § 4 (15 county charter commissioners)</p>	N/A
<b>Oklahoma</b>	<p>Art. VI, § 5 (“The persons respectively having the <b>highest number of votes</b> for either of the said offices shall be declared duly elected.”).</p>	<p>Art. VI, § 1 (governor, lieutenant governor, state auditor and inspector, attorney general, state treasurer, superintendent of public instruction, commissioner of labor, commissioner of insurance, other executive offices created)</p>	N/A
<b>Oregon</b>	<p>Art. V, § 5 (“The person having the <b>highest number of votes</b> for Governor, shall be elected.”).</p> <p>Art. II, § 16 (“In all elections authorized by this constitution until otherwise provided by law, the person or persons receiving the <b>highest number of votes</b> shall be declared elected, but <b>provision may be made by law for elections by equal proportional representation of all the voters for every office which is filled by the election of two or more persons whose official duties, rights and powers are equal and concurrent</b>. Every qualified elector resident in his precinct and registered as may be required by law, may vote for one person under the title for each office. <b>Provision may be made by law for the voter's direct or indirect expression of his first, second or additional choices among the candidates for any</b></p>	<p>Art. V, § 5 (governor)</p> <p>Art. II, § 16 (all offices; specific offices provided; nominations of political parties and organizations)</p>	N/A

	<p><b>office.</b> For an office which is filled by the election of one person it may be required by law that the person elected shall be the final choice of a majority of the electors voting for candidates for that office.”).</p>		
<p><b>Pennsylvania</b></p>	<p>Art. IV, § 2 (“The person having the <b>highest number of votes</b> shall be Governor . . .”).          Art. IV, § 4 (“A Lieutenant Governor shall be chosen jointly with the Governor by the casting by each voter of a single vote applicable to both offices. . .”).          Art. IX, § 4 (“In the election of these officers each qualified elector shall vote for no more than two persons, and the three persons receiving the <b>highest number of votes</b> shall be elected.”).</p>	<p>Art. IV, § 2 (governor)          Art. IV, § 4 (lieutenant governor)          Art. IX, § 4 (three county commissioners)</p>	<p>N/A</p>
<p><b>Puerto Rico</b></p>	<p>Art. VI, § 4 (“[A]ny candidate who receives <b>more votes than any other candidate</b> for the same office shall be declared elected.”).          Art. III, § 7 (“In order to select additional members of the Legislative Assembly from a minority party in accordance with these provisions, its candidates at large who have not been elected shall be the first to be declared elected <b>in the order of the votes that they have obtained</b>, and thereafter its district candidates who, not having been elected, have obtained in their respective districts the <b>highest proportion of the total number of votes</b> cast as compared to the proportion of votes cast in favor of other candidates of the same party not elected to an equal office in the other districts.”).</p>	<p>Art. VI, § 4 (all popularly elected officials)          Art. III, § 7 (senators at large, representatives at large)</p>	<p>N/A</p>
<p><b>Rhode Island</b></p>	<p>Art. IV, § 2 (“In all elections held by the people for state, city, town, ward or district officers, the person or candidate receiving the <b>largest number of votes</b> cast shall be declared elected.”).          Art. XIII, § 6 (“Upon approval of the question submitted the nine candidates who individually receive</p>	<p>Art. IV, § 2 (all state, city, town, ward, or district officers)          Art. XIII, § 6 (9 city or town charter commissioners)</p>	<p>N/A</p>

		the <b>greater number of votes</b> shall be declared elected and shall constitute the charter commission.”).		
<b>South Carolina</b>	Art. IV, § 5 (“In the general election for Governor, the person having the <b>highest number of votes</b> shall be Governor.”). Art. IV, § 8 (“A Lieutenant Governor must be chosen at the same time, in the same manner, . . . as the Governor.”).	Art. IV, § 5 (governor) Art. IV, § 8 (lieutenant governor)	N/A	
<b>South Dakota</b>	Art. IV, § 2 (“The candidates having the <b>highest number of votes</b> cast jointly for them shall be elected.”).	Art. IV, § 2 (governor, lieutenant governor)	N/A	
<b>Tennessee</b>	Art. III, § 2 (“The person having the <b>highest number of votes</b> shall be Governor . . .”).	Art. III, § 2 (governor)	N/A	
<b>Texas</b>	Art. IV, § 3 (“The person, voted for at said election, having the <b>highest number of votes</b> for each of said offices respectively, and being constitutionally eligible, shall be declared by the Speaker, under sanction of the Legislature, to be elected to said office.”). Art. IV, § 16 (“There shall also be a Lieutenant Governor, who shall be chosen at every election for Governor by the same voters, in the same manner, continue in office for the same time, and possess the same qualifications.”). Art. IV, § 3a (“If, at the time the Legislature shall canvass the election returns for the offices of Governor and Lieutenant Governor, the person receiving the <b>highest number of votes</b> for the office of Governor, as declared by the Speaker, has died, fails to qualify, or for any other reason is unable to assume the office of Governor, then the person having the <b>highest number of votes</b> for the office of Lieutenant Governor shall become Governor for the full term to which the person was elected as Governor.”).	Art. IV, § 1 (governor, lieutenant governor, comptroller of public accounts, commissioner of the general land office, attorney general) Art. IV, § 16 (lieutenant governor)	N/A	

<b>Utah</b>	<p>Art. VII, § 2 (“The candidates respectively having the <b>highest number of votes</b> cast for the office voted for shall be elected.”).</p> <p>Art. XI, § 5 (“[T]he fifteen candidates receiving a <b>majority of the votes</b> cast at such election, shall constitute the charter commission, and shall proceed to frame a charter.”).</p>	<p>Art. VII, § 1 (governor, lieutenant governor, state auditor, state treasurer, attorney general)</p> <p>Art. XI, § 5 (15 charter commissioners)</p>	N/A
<b>Vermont</b>	<p>Ch. II, § 47 (“[A]nd declare the person who has the <b>major part of the votes</b>, to be Governor for the two years ensuing. The Lieutenant-Governor and the Treasurer shall be chosen in the manner above directed.”).</p>	<p>Ch. II, § 47 (governor, lieutenant governor, treasurer)</p>	N/A
<b>Virginia</b>	<p>Art. V, § 2 (“The person having the <b>highest number of votes</b> shall be declared elected [governor].”).</p> <p>Art. V, § 13 (“A Lieutenant Governor shall be elected at the same time . . . and the manner and ascertainment of his election, in all respects, shall be the same [as the Governor].”).</p> <p>Art. V, § 15 (“An Attorney General shall be elected . . . and the fact of his election shall be ascertained in the same manner [as the Governor].”).</p>	<p>Art. V, § 2 (governor)</p> <p>Art. V, § 13 (lieutenant governor)</p> <p>Art. V, § 15 (attorney general)</p>	N/A
<b>Washington</b>	<p>Art. III, § 4 (“The person having the <b>highest number of votes</b> shall be declared duly elected. . . .”).</p>	<p>Art. III, § 1 (governor, lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, commissioner of public lands)</p>	N/A
<b>West Virginia</b>	<p>Art. VII, § 3 (“The person having the <b>highest number of votes</b> for either of said offices, shall be declared duly elected thereto. . . .”).</p> <p>Art. IX, § 10 (“If two or more persons residing in the same district shall receive the <b>greater number of</b></p>	<p>Art. VII, § 1 (governor, secretary of state, auditor, treasurer, commissioner of agriculture, attorney general)</p>	N/A



	<p><b>votes</b> cast at any election, then only the one of such persons receiving the <b>highest number</b> shall be declared elected, and the person living in another district, who shall receive the <b>next highest number</b> of votes, shall be declared elected.”).</p> <p>Art. V, § 3 (“The persons respectively having the <b>highest number of votes</b> cast jointly for them for governor and lieutenant governor shall be elected.”).</p>	<p>Art. IX, § 9, 10 (county commissioners [three, no two from the same district])</p> <p>Art. V, § 3 (governor, lieutenant governor)</p>	
<p><b>Wisconsin</b></p>			<p>Art. XIII, § 12(4)(a) (“The 2 persons receiving the <b>highest number of votes in the recall primary</b> shall be the 2 candidates in the recall election, except that if any candidate receives a <b>majority of the total number of votes cast</b> in the recall primary, that candidate shall assume the office for the remainder of the term and a recall election shall not be held” [nonpartisan primary nomination in a recall election].”).</p> <p>Art. XIII, § 12(4)(b) (“The person receiving the <b>highest number of votes</b> in the recall primary for each political party shall be that party’s candidate in the recall election [partisan primary nomination in a recall election].”).</p> <p>Art. XIII, § 12(5) (“The person who receives the <b>highest number of votes</b> in the recall election shall be elected for the remainder of the term.”).</p>
<p><b>Wyoming</b></p>	<p>Art. IV, § 3 (“The person having the <b>highest number of votes</b> for governor shall be declared elected....”).</p>	<p>Art. IV, § 3 (governor)</p>	<p>N/A</p>