March 27, 1979

OPINION LETTER NO. 95
Answer by Letter - Klaffenbach

Honorable James Mathewson
Representative, District 113
Room 407, Capitol Building
Jefferson City, Missouri 65101

Dear Representative Mathewson:

This letter is in answer to your question asking:

"The question is in regard to Article 6,
Section 27 of the Missouri Constitution
as it pertains to industrial revenue bond
elections.

"Question: What percentage is needed for
a vote of 'a majority of the qualified elec­
tors' as stated on the second line of Section
27 (50%, 2/3rds majority, 4/7ths majority)?"

Section 27, Article VI of the Constitution of Missouri,
provides in part as follows:

"Any city or incorporated town or village
in this state, by vote of a majority of the
qualified electors thereof voting thereon,
... may issue and sell its negotiable
interest bearing revenue bonds for the
purpose of paying all or part of the cost
of purchasing, construction, extending or
improving any of the following: ... (2)
plants to be leased or otherwise dis­
posed of pursuant to law to private persons
or corporations for manufacturing and indus­
trial development purposes, including the
real estate, buildings, fixtures and
machinery; ..." (Emphasis ours)
Honorable James Mathewson

In Himmel v. Leimkuehler, 329 S.W.2d 264, 270 (St.L.Ct.App. 1959), the court stated:

"... A majority, Webster's New International Dictionary, Second Edition, tells us, is 'the greater of two numbers that are regarded as parts of a whole or total; the number greater than half; more than half of any total * * *'

Therefore, the vote required is the vote of any number greater than half of the qualified electors voting thereon.

Very truly yours,

JOHN ASHCROFT
Attorney General