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ELECTING THE PRESIDENT

The Constitution, adopted March 4, 1789, set the way in which the President and the Vice President are elected.

From the Constitution of the United States:

Article 2. Section 1.

"The executive power shall be vested in a president of the United States of America. He shall hold his office during the term of four years, and, together with the vice-president, chosen for the same term, be elected as follows:

Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the state may be entitled in the Congress; but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector."

1. According to the first paragraph, how long does a President hold office?

2. How long does the Vice President hold office?

3. The number of electors from each state equals the number of _____ plus the number of _____ in Congress.

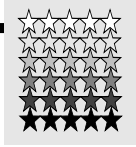
4. Can a senator or member of the House of Representatives be an elector?

★ Paragraph three states that the person who receives the most electoral votes becomes President if that person has a majority of votes. The person with the second highest number of electoral votes becomes Vice President. In the case

of a tie or if no one has a majority of votes, the members of the House of Representatives vote to break the tie.



In the election of 1800, Thomas Jefferson and Aaron Burr had the same number of electoral votes. The House of Representatives voted 36 times before the tie was broken. Jefferson became President and Burr became his Vice President.



A CHANGE IN THE CONSTITUTION

The 12th Amendment, passed in 1804, changed the way the President and Vice President are elected. Today, electors vote for President and Vice President separately.

The 12th Amendment states that the person with the most votes for Vice President is elected if he or she has a majority of votes. If no one has a majority, the decision is made by a vote in the Senate.

The presidential candidate with the most electoral votes becomes the President if he or she has a majority of votes. If no candidate has a majority, the House of Representatives decides by vote from the top three candidates. If no one is chosen by January 20, the person elected Vice President will become President.

The word *majority* is important. It means "more than half."

Other requirements: To become President, a person must be . . .

A natural born citizen of the United States; and

Age 35 or older; and

A resident of the United States for over 14 years.

Other sections of the Constitution determine . . .

Who becomes President if the President dies or becomes disabled; and

The President's and Vice President's salary; and

The President's powers and duties; and

The method of removing a President or Vice President from office if convicted of "treason, bribery or other high crimes and misdemeanors."

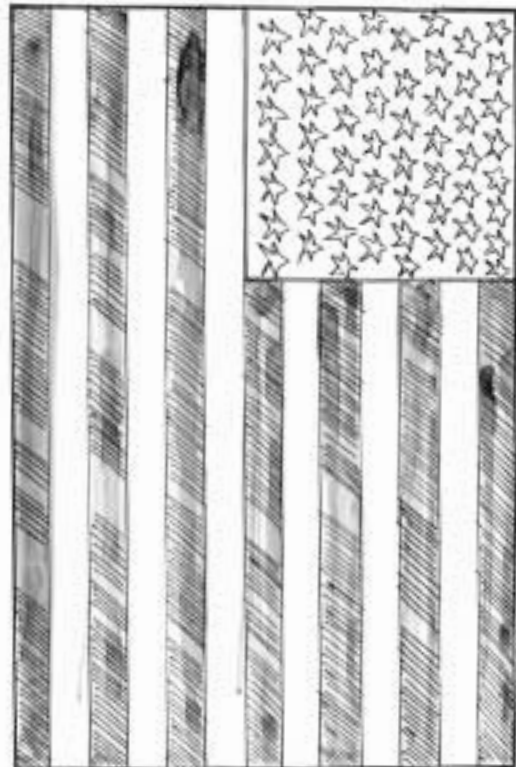
Here's an example:

Person A	30 votes
Person B	28 votes
Person C	32 votes

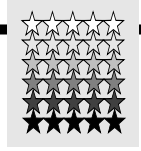
1. How many total votes were there?

2. To have a majority, one person must get more than half the total number of votes. In this case, a majority equals _____ or more votes.
3. Which person had the most votes?

4. Does that person have a majority?



OTHER CHANGES



The 20th Amendment, passed in 1933, states that the terms of the President and Vice President will end at noon on the twentieth of January, following the election. Previously, the terms did not end until March 4.

The election for President and Vice President is held in November. Before this change, a person who was not reelected still remained President for four months.

★ *Why do you think the dates were changed?*

1. How many times can a person be elected President? _____

2. If a person who was not elected President serves as President for more than two years, how many more times can that person be elected?

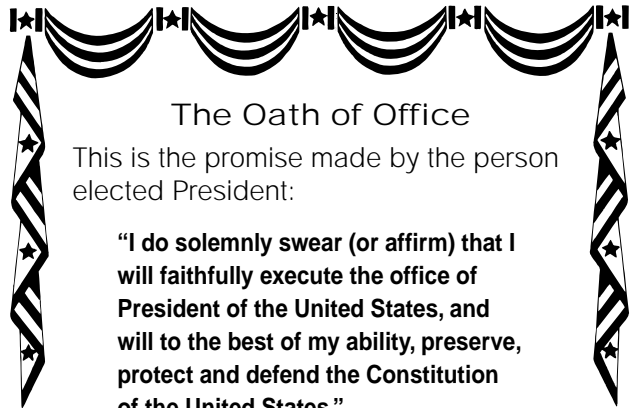
3. Do you think it's a good idea to limit the number of times a person can be President? Why or why not?



By tradition set by Washington, Jefferson, Madison and Monroe, the President served no more than two terms, but it was not against the law to be elected more than two times. The Constitution did not set any limit. Franklin D. Roosevelt was elected four times.

The 22nd Amendment, passed in 1951 states that:

“No person shall be elected to the office of President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once.”



The Oath of Office

This is the promise made by the person elected President:

“I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States.”