

FIRST REGULAR SESSION

# HOUSE JOINT RESOLUTION NO. 13

## 96TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES BLACK (Sponsor) AND KANDER (Co-sponsor).

0474L.011

D. ADAM CRUMBLISS, Chief Clerk

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### JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing sections 2, 5, 7, and 9 of article III of the Constitution of Missouri, and adopting four new sections in lieu thereof relating to the general assembly.

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*Be it resolved by the House of Representatives, the Senate concurring therein:*

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2012, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article III of the Constitution of the state of Missouri:

Section A. Sections 2, 5, 7, and 9, article III, Constitution of Missouri, are repealed and four new sections adopted in lieu thereof, to be known as sections 2, 5, 7, and 9, to read as follows:

Section 2. The house of representatives shall consist of one hundred sixty-three members **and, beginning with the ninety-eighth general assembly, one hundred twenty members**, elected at each general election and apportioned in the following manner: Within sixty days after the population of this state is reported to the President for each decennial census of the United States and, in the event that a reapportionment has been invalidated by a court of competent jurisdiction **or upon passage of an amendment altering the number of members**, within sixty days after notification by the governor that such a ruling **or passage** has been made, the congressional district committee of each of the two parties casting the highest vote for governor at the last preceding election shall meet and the members of the committee shall nominate, by a majority vote of the members of the committee present, provided that a majority of the elected

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

11 members is present, two members of their party, residents in that district, as nominees for  
12 reapportionment commissioners. Neither party shall select more than one nominee from any one  
13 state legislative district. The congressional committees shall each submit to the governor their  
14 list of elected nominees. Within thirty days the governor shall appoint a commission consisting  
15 of one name from each list to reapportion the state into one hundred and sixty-three  
16 representative districts **and, beginning with the ninety-eighth general assembly, one hundred**  
17 **twenty districts**, and to establish the numbers and boundaries of said districts.

18 If any of the congressional committees fails to submit a list within such time the governor  
19 shall appoint a member of his own choice from that district and from the political party of the  
20 committee failing to make the appointment.

21 Members of the commission shall be disqualified from holding office as members of the  
22 general assembly for four years following the date of the filing by the commission of its final  
23 statement of apportionment.

24 For the purposes of this article, the term congressional district committee or  
25 congressional district refers to the congressional district committee or the congressional district  
26 from which a congressman was last elected, or, in the event members of congress from this state  
27 have been elected at large, the term congressional district committee refers to those persons who  
28 last served as the congressional district committee for those districts from which congressmen  
29 were last elected, and the term congressional district refers to those districts from which  
30 congressmen were last elected. Any action pursuant to this section by the congressional district  
31 committee shall take place only at duly called meetings, shall be recorded in their official  
32 minutes and only members present in person shall be permitted to vote.

33 The commissioners so selected shall on the fifteenth day, excluding Sundays and  
34 holidays, after all members have been selected, meet in the capitol building and proceed to  
35 organize by electing from their number a [chairman] **chair**, vice [chairman] **chair** and secretary  
36 and shall adopt an agenda establishing at least three hearing dates on which hearings open to the  
37 public shall be held. A copy of the agenda shall be filed with the clerk of the house of  
38 representatives within twenty-four hours after its adoption. Executive meetings may be scheduled  
39 and held as often as the commission deems advisable.

40 The commission shall reapportion the representatives by dividing the population of the  
41 state by the number one hundred sixty-three **and, beginning with the ninety-eighth general**  
42 **assembly, the number one hundred twenty**, and shall establish each district so that the  
43 population of that district shall, as nearly as possible, equal that figure.

44 Each district shall be composed of contiguous territory as compact as may be.

45 Not later than five months after the appointment of the commission, the commission shall  
46 file with the secretary of state a tentative plan of apportionment and map of the proposed districts

47 and during the ensuing fifteen days shall hold such public hearings as may be necessary to hear  
48 objections or testimony of interested persons.

49 Not later than six months after the appointment of the commission, the commission shall  
50 file with the secretary of state a final statement of the numbers and the boundaries of the districts  
51 together with a map of the districts, and no statement shall be valid unless approved by at least  
52 seven-tenths of the members.

53 After the statement is filed members of the house of representatives shall be elected  
54 according to such districts until a reapportionment is made as herein provided, except that if the  
55 statement is not filed within six months of the time fixed for the appointment of the commission,  
56 it shall stand discharged and the house of representatives shall be apportioned by a commission  
57 of six members appointed from among the judges of the appellate courts of the state of Missouri  
58 by the state supreme court, a majority of whom shall sign and file its apportionment plan and  
59 map with the secretary of state within ninety days of the date of the discharge of the  
60 apportionment commission. Thereafter members of the house of representatives shall be elected  
61 according to such districts until a reapportionment is made as herein provided.

62 Each member of the commission shall receive as compensation fifteen dollars a day for  
63 each day the commission is in session but not more than one thousand dollars, and, in addition,  
64 shall be reimbursed for his actual and necessary expenses incurred while serving as a member  
65 of the commission.

66 No reapportionment shall be subject to the referendum.

Section 5. The senate shall consist of thirty-four members **and, beginning with the**  
2 **ninety-eighth general assembly, forty members**, elected by the qualified voters of the  
3 respective districts for four years. For the election of senators, the state shall be divided into  
4 convenient districts of contiguous territory, as compact and nearly equal in population as may  
5 be.

Section 7. Within sixty days after the population of this state is reported to the President  
2 for each decennial census of the United States, and within sixty days after notification by the  
3 governor that **either** a reapportionment has been invalidated by a court of competent jurisdiction  
4 **or an amendment has been passed altering the number of members**, the state committee of  
5 each of the two political parties casting the highest vote for governor at the last preceding  
6 election shall, at a committee meeting duly called, select by a vote of the individual committee  
7 members, and thereafter submit to the governor a list of ten persons, and within thirty days  
8 thereafter the governor shall appoint a commission of ten members, five from each list, to  
9 reapportion the [thirty-four] **forty** senatorial districts and to establish the numbers and  
10 boundaries of said districts.

11           If either of the party committees fails to submit a list within such time the governor shall  
12 appoint five members of his own choice from the party of the committee so failing to act.

13           Members of the commission shall be disqualified from holding office as members of the  
14 general assembly for four years following the date of the filing by the commission of its final  
15 statement of apportionment.

16           The commissioners so selected shall on the fifteenth day, excluding Sundays and  
17 holidays, after all members have been selected, meet in the capitol building and proceed to  
18 organize by electing from their number a chairman, vice chairman and secretary and shall adopt  
19 an agenda establishing at least three hearing dates on which hearings open to the public shall be  
20 held. A copy of the agenda shall be filed with the secretary of the senate within twenty-four  
21 hours after its adoption. Executive meetings may be scheduled and held as often as the  
22 commission deems advisable.

23           The commission shall reapportion the senatorial districts by dividing the population of  
24 the state by the number [thirty-four] **forty** and shall establish each district so that the population  
25 of that district shall, as nearly as possible, equal that figure; no county lines shall be crossed  
26 except when necessary to add sufficient population to a multi-district county or city to complete  
27 only one district which lies partly within such multi-district county or city so as to be as nearly  
28 equal as practicable in population. Any county with a population in excess of the quotient  
29 obtained by dividing the population of the state by the number [thirty-four] **forty** is hereby  
30 declared to be a multi-district county.

31           Not later than five months after the appointment of the commission, the commission shall  
32 file with the secretary of state a tentative plan of apportionment and map of the proposed districts  
33 and during the ensuing fifteen days shall hold such public hearings as may be necessary to hear  
34 objections or testimony of interested persons.

35           Not later than six months after the appointment of the commission, the commission shall  
36 file with the secretary of state a final statement of the numbers and the boundaries of the districts  
37 together with a map of the districts, and no statement shall be valid unless approved by at least  
38 seven members.

39           After the statement is filed senators shall be elected according to such districts until a  
40 reapportionment is made as herein provided, except that if the statement is not filed within six  
41 months of the time fixed for the appointment of the commission, it shall stand discharged and  
42 the senate shall be apportioned by a commission of six members appointed from among the  
43 judges of the appellate courts of the state of Missouri by the state supreme court, a majority of  
44 whom shall sign and file its apportionment plan and map with the secretary of state within ninety  
45 days of the date of the discharge of the apportionment commission. Thereafter senators shall be  
46 elected according to such districts until a reapportionment is made as herein provided.

47           Each member of the commission shall receive as compensation fifteen dollars a day for  
48 each day the commission is in session, but not more than one thousand dollars, and, in addition,  
49 shall be reimbursed for his actual and necessary expenses incurred while serving as a member  
50 of the commission.

51           No reapportionment shall be subject to the referendum.

          Section 9. Until the convening of the [Seventy-fourth] **ninety-eighth** general assembly  
2 the house of representatives shall consist of one hundred sixty-three members elected from the  
3 one hundred sixty-three representative districts, as they existed [January 1, 1965] **during the**  
4 **ninety-sixth general assembly. Beginning with the ninety-eighth general assembly, the**  
5 **house of representatives shall consist of one hundred twenty members pursuant to section**  
6 **2 of this article.**

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