

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE JOINT RESOLUTION NO. 60

## 96TH GENERAL ASSEMBLY

5220L.02C

D. ADAM CRUMBLISS, Chief Clerk

---

---

### JOINT RESOLUTION

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

---

---

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Section A. Sections 2 and 9, article III, Constitution of Missouri, are repealed and two new sections adopted in lieu thereof, to be known as sections 2 and 9, to read as follows:

Section 2. The house of representatives shall consist of one hundred sixty-three members **and, beginning with the one hundred second general assembly, one hundred two 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 members is present, two members of their party, residents in that district, as nominees for reapportionment commissioners. Neither party shall select more than one nominee from any one

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.

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 **and two former members of the house of representatives** to  
16 reapportion the state into one hundred and sixty-three representative districts **and, beginning**  
17 **with the one hundred second general assembly, one hundred two districts**, and to establish  
18 the numbers and boundaries of said districts.

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

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

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

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

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

45 Each district shall be composed of contiguous territory as compact as may be **and shall**  
46 **follow existing county boundary lines as nearly as possible; except that, avoiding or**  
47 **limiting the crossing of natural boundaries, such as waterways, may be considered when**  
48 **determining district boundaries. In the event a county boundary line must be crossed in**

49 **order to meet the equal population and compactness requirements, each remaining portion**  
50 **of such county shall be as nearly equal in population, utilizing a horizontal and vertical**  
51 **measurement method, to insure as square-shaped a district, as may be possible.**

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

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

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

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

73 No reapportionment shall be subject to the referendum.

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

✓