

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 65

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BLACK.

5143H.01I

D. ADAM CRUMBLISS, Chief Clerk

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.

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
2 the first Monday in November, 2016, or at a special election to be called by the governor for that
3 purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the
4 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Section A. Sections 2, 5, 7, and 9, article III, Constitution of Missouri, are repealed and four
2 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,**
2 **beginning with the one hundred second general assembly, one hundred twenty members,**
3 elected at each general election and apportioned in the following manner: Within sixty days after the
4 population of this state is reported to the President for each decennial census of the United States and,
5 in the event that a reapportionment has been invalidated by a court of competent jurisdiction **or upon**
6 **passage of an amendment altering the number of members,** within sixty days after notification by
7 the governor that such a ruling **or passage** has been made, the congressional district committee of each
8 of the two parties casting the highest vote for governor at the last preceding election shall meet and the
9 members of the committee shall nominate, by a majority vote of the members of the committee present,
10 provided that a majority of the elected members is present, two members of their party, residents in

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

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

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

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

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

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

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

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

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

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

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

65 No reapportionment shall be subject to the referendum.

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

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

8 members, five from each list, to reapportion the [thirty-four] **forty** senatorial districts and to establish
9 the numbers and boundaries of said districts.

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

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

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

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

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

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

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

41 of the apportionment commission. Thereafter senators shall be elected according to such districts until
42 a reapportionment is made as herein provided.

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

47 No reapportionment shall be subject to the referendum.

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

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