FIRST REGULAR SESSION

SENATE JOINT RESOLUTION NO. 10

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR LEMBKE.

Read 1st time January 10, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

08138.011

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 members of the House of Representatives.

Be it resolved by the Senate, the House of Representatives 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Section A. Sections 2 and 9, article III, Constitution of Missouri, is repealed and two new sections adopted in lieu thereof, to be known as sections 2 and 9, to read as follows: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 three 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, within sixty days after notification by the governor that such a ruling 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

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.
nominees for reapportionment commissioners. Neither party shall select more
than one nominee from any one state legislative district. The congressional
committees shall each submit to the governor their list of elected
nominees. Within thirty days the governor shall appoint a commission consisting
of one name from each list to reapportion the state into one hundred and
sixty-three representative districts and, beginning with the one hundred
second general assembly, one hundred three districts, and to establish the
numbers and boundaries of said districts.

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

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

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

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

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

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

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

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

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

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

No reapportionment shall be subject to the referendum.

Section 9. Until the convening of the [Seventy-fourth General Assembly
the House of Representatives] one hundred second general assembly, the
house of representatives shall consist of one hundred sixty-three members
elected from the one hundred sixty-three representative districts, as they existed
[January 1, 1965] during the one hundred first general
assembly. Beginning with the one hundred second general assembly, the house of representatives shall consist of one hundred three members pursuant to section 2 of this article.