

FIRST REGULAR SESSION

SENATE JOINT RESOLUTION NO. 10

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR LEMBKE.

Read 1st time January 20, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

0874L.01I

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing section 2 of article VII of the Constitution of Missouri, and adopting one new section in lieu thereof relating to impeachment trials.

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
2 Tuesday next following the first Monday in November, 2010, or at a special
3 election to be called by the governor for that purpose, there is hereby submitted
4 to the qualified voters of this state, for adoption or rejection, the following
5 amendment to article VII of the Constitution of the state of Missouri:

Section A. Section 2, article VII, Constitution of Missouri, is repealed and
2 one new section adopted in lieu thereof, to be known as section 2, to read as
3 follows:

Section 2. The house of representatives shall have the sole power of
2 impeachment. All impeachments shall be tried [before the supreme court, except
3 that the governor or a member of the supreme court shall be tried by a special
4 commission of seven eminent jurists to be elected by the senate. The supreme
5 court or special commission shall take an oath to try impartially the person
6 impeached,] **by the senate; and when sitting for that purpose, the**
7 **senators shall be on oath or affirmation to do justice according to law**
8 **and the evidence. When the governor shall be tried, the chief justice**
9 **of the supreme court shall preside;** and no person shall be convicted without
10 the concurrence of [five-sevenths of the court or special commission] **two-thirds**
11 **of all the senators present.**

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EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.