

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.

0813S.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
2 Tuesday next following the first Monday in November, 2012, 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 III of the Constitution of the state of Missouri:

Section A. Sections 2 and 9, article III, Constitution of Missouri, is
2 repealed and two new sections adopted in lieu thereof, to be known as sections
3 2 and 9, to read as follows:

Section 2. The house of representatives shall consist of one hundred
2 sixty-three members **and, beginning with the one hundred second general**
3 **assembly, one hundred three members**, elected at each general election and
4 apportioned in the following manner: Within sixty days after the population of
5 this state is reported to the President for each decennial census of the United
6 States and, in the event that a reapportionment has been invalidated by a court
7 of competent jurisdiction, within sixty days after notification by the governor that
8 such a ruling has been made, the congressional district committee of each of the
9 two parties casting the highest vote for governor at the last preceding election
10 shall meet and the members of the committee shall nominate, by a majority vote
11 of the members of the committee present, provided that a majority of the elected
12 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.

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

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

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

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

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

46 The commission shall reapportion the representatives by dividing the
47 population of the state by the number one hundred sixty-three **and, beginning**

48 **with the one hundred second general assembly, one hundred three,** and
49 shall establish each district so that the population of that district shall, as nearly
50 as possible, equal that figure.

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

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

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

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

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

77 No reapportionment shall be subject to the referendum.

Section 9. Until the convening of the [Seventy-fourth General Assembly
2 the House of Representatives] **one hundred second general assembly, the**
3 **house of representatives** shall consist of one hundred sixty-three members
4 elected from the one hundred sixty-three representative districts, as they existed
5 [January 1, 1965] **during the one hundred first general**

6 assembly. Beginning with the one hundred second general assembly,
7 the house of representatives shall consist of one hundred three
8 members pursuant to section 2 of this article.

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Unofficial

Bill

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