

SECOND REGULAR SESSION

SENATE JOINT RESOLUTION NO. 31

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CHAPPELLE-NADAL.

Pre-filed December 9, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

4108S.011

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 30(a), 30(b), 31, 32(a), 32(b), 32(c), and 33 of article VI of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the city and county of St. Louis.

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 VI of the Constitution of the state of Missouri:

Section A. Sections 30(a), 30(b), 31, 32(a), 32(b), 32(c), and 33, article VI,
2 Constitution of Missouri, are repealed and one new section adopted in lieu
3 thereof, to be known as section 30, to read as follows:

**Section 30. The city of St. Louis shall become part of St. Louis
2 County and thereafter exist as a city within the county in the same
3 manner as any other city in the county of St. Louis.**

[Section 30(a). The people of the city of St. Louis and the
2 people of the county of St. Louis shall have power (1) to consolidate
3 the territories and governments of the city and county into one
4 political subdivision under the municipal government of the city of
5 St. Louis; or, (2) to extend the territorial boundaries of the county
6 so as to embrace the territory within the city and to reorganize and
7 consolidate the county governments of the city and county, and
8 adjust their relations as thus united, and thereafter the city may

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

9 extend its limits in the manner provided by law for other cities; or,
10 (3) to enlarge the present or future limits of the city by annexing
11 thereto part of the territory of the county, and to confer upon the
12 city exclusive jurisdiction of the territory so annexed to the city; or,
13 (4) to establish a metropolitan district or districts for the functional
14 administration of services common to the area included therein; or,
15 (5) to formulate and adopt any other plan for the partial or
16 complete government of all or any part of the city and the
17 county. The power so given shall be exercised by the vote of the
18 people of the city and county upon a plan prepared by a board of
19 freeholders consisting of nineteen members, nine of whom shall be
20 electors of the city and nine electors of the county and one an
21 elector of some other county. Upon the filing with the officials in
22 general charge of elections in the city of a petition proposing the
23 exercise of the powers hereby granted, signed by registered voters
24 of the city in such number as shall equal three percent of the total
25 vote cast in the city at the last general election for governor, and
26 the certification thereof by the election officials to the mayor, and
27 to the governor, then, within ten days after the certification the
28 mayor shall, with the approval of a majority of the board of
29 aldermen, appoint the city's nine members of the board, not more
30 than five of whom shall be members of or affiliated with the same
31 political party. Each member so appointed shall be given a
32 certificate certifying his appointment signed by the mayor and
33 attested by the seal of the city. Upon the filing with the officials
34 in general charge of elections in the county of a similar petition
35 signed by registered voters of the county, in such number as shall
36 equal three percent of the total vote cast in the county at the last
37 general election for governor, and the certification thereof by the
38 county election officials to the county supervisor of the county and
39 to the governor, within ten days after the certification, the county
40 supervisor shall, with the approval of a majority of the county
41 council, appoint the county's nine members of the board, not more
42 than five of whom shall be members of or affiliated with the same
43 political party. Each member so appointed shall be given a
44 certificate of his appointment signed by the county supervisor and

45 attested by the seal of the county.]

2 [Section 30(b). Upon certification of the filing of such
3 similar petitions by the officials in general charge of elections of
4 the city and the county, the governor shall appoint one member of
5 the board who shall be a resident of the state, but shall not reside
6 in either the city or the county, who shall be given a certificate of
7 his appointment signed by the governor and attested by the seal of
8 the state. The freeholders of the city and county shall fix
9 reasonable compensation and expenses for the freeholder appointed
10 by the governor and the cost shall be paid equally by the city and
11 county. The appointment of the board shall be completed within
12 thirty days after the certification of the filing of the petition, and
13 at ten o'clock on the second Monday after their appointment the
14 members of the board shall meet in the chamber of the board of
15 aldermen in the city hall of the city and shall proceed with the
16 discharge of their duties, and shall meet at such other times and
17 places as shall be agreed upon. On the death, resignation or
18 inability of any member of the board to serve, the appointing
19 authority shall select the successor. The board shall prepare and
20 propose a plan for the execution of the powers herein granted and
21 for the adjustment of all matters and issues arising
22 thereunder. The members of the board shall receive no
23 compensation for their services as members, but the necessary
24 expenses of the board shall be paid one-half by the county and
25 one-half by the city on vouchers signed by the chairman of the
26 board. The plan shall be signed in duplicate by the board or a
27 majority thereof, and one copy shall be returned to the officials
28 having general charge of elections in the city, and the other to such
29 officials in the county, within one year after the appointment of the
30 board. Said election officials shall cause separate elections to be
31 held in the city and county, on the day fixed by the freeholders, at
32 which the plan shall be submitted to the qualified voters of the city
33 and county separately. The elections shall not be less than ninety
34 days after the filing of the plan with said officials, and not on or
35 within seventy days of any state or county primary or general
election day in the city or county. The plan shall provide for the

36 assessment and taxation of real estate in accordance with the use
37 to which it is being put at the time of the assessment, whether
38 agricultural, industrial or other use, giving due regard to the other
39 provisions of this constitution. If a majority of the qualified
40 electors of the city voting thereon, and a majority of the qualified
41 electors of the county voting thereon at the separate elections shall
42 vote for the plan, then, at such time as shall be prescribed therein,
43 the same shall become the organic law of the territory therein
44 defined, and shall take the place of and supersede all laws, charter
45 provisions and ordinances inconsistent therewith relating to said
46 territory. If the plan be adopted, copies thereof, certified to by said
47 election officials of the city and county, shall be deposited in the
48 office of the secretary of state and recorded in the office of the
49 recorder of deeds for the city, and in the office of the recorder of
50 deeds of the present county, and the courts of this state shall take
51 judicial notice thereof.]

[Section 31. The city of St. Louis, as now existing, is
2 recognized both as a city and as a county unless otherwise changed
3 in accordance with the provisions of this constitution. As a city it
4 shall continue for city purposes with its present charter, subject to
5 changes and amendments provided by the constitution or by law,
6 and with the powers, organization, rights and privileges permitted
7 by this constitution or by law. As a county, it shall not be required
8 to adopt a county charter but may, except for the office of circuit
9 attorney, amend or revise its present charter to provide for the
10 number, kinds, manner of selection, terms of office and salaries of
11 its county officers, and for the exercise of all powers and duties of
12 counties and county officers prescribed by the constitution and laws
13 of the state.]

[Section 32(a). The charter of the city of St. Louis now
2 existing, or as hereafter amended or revised, may be amended or
3 revised for city or county purposes from time to time by proposals
4 therefor submitted by the lawmaking body of the city to the
5 qualified voters thereof, at a general or special election held at
6 least sixty days after the publication of such proposals, and
7 accepted by three-fifths of the qualified electors voting for or

8 against each of said amendments or revisions so submitted.]

2 [Section 32(b). In the event of any amendment or revision
3 of the charter of the city of St. Louis which shall reorganize any
4 county office and/or transfer any or all of the duties, powers and
5 functions of any county officer who is then in office, the officer shall
6 serve out the remainder of his or her term, and the amendment or
7 revision of the charter of the city of St. Louis shall take effect, as
8 to such office, upon the expiration of the term of such office holder.
9 In the event of any amendment or revision of the charter of the city
10 of St. Louis which shall reorganize any county office and/or transfer
11 any or all of the duties, powers and functions of any county officer,
12 all of the staff of such office shall be afforded the opportunity to
13 become employees of the city of St. Louis with their individual
14 seniority and compensation unaffected and on such other
comparable terms and conditions as may be fair and equitable.]

2 [Section 32(c). An amendment or revision adopted pursuant
3 to section 32(a) of this article shall not deprive any person of any
4 right or privilege to retire and to retirement benefits, if any, to
5 which he or she was entitled immediately prior to the effective date
of that amendment or revision.]

2 [Section 33. Copies of any new or revised charter of the city
3 of St. Louis or of any amendments to the present, or to any new or
4 revised charter, with a certificate thereto appended, signed by the
5 chief executive and authenticated by the seal of the city, setting
6 forth the submission to and ratification thereof, by the qualified
7 voters of the city shall be made in duplicate, one of which shall be
8 deposited in the office of the secretary of state, and the other, after
9 being recorded in the office of the recorder of deeds of the city,
10 shall be deposited among the archives of the city, and thereafter all
courts of this state shall take judicial notice thereof.]

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