

FIRST REGULAR SESSION

# SENATE JOINT RESOLUTION NO. 14

98TH GENERAL ASSEMBLY

---

---

INTRODUCED BY SENATOR DIXON.

Read 1st time February 3, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1502S.02I

---

---

## JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 51 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to gubernatorial appointments.

---

---

*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, 2016, 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 IV of the Constitution of the state of Missouri:

Section A. Section 51, article IV, Constitution of Missouri, is repealed and  
2 one new section adopted in lieu thereof, to be known as section 51, to read as  
3 follows:

Section 51. The appointment of all members of administrative boards and  
2 commissions and of all department and division heads, as provided by law, shall  
3 be made by the governor. All members of administrative boards and  
4 commissions, all department and division heads and all other officials appointed  
5 by the governor shall be made only by and with the advice and consent of the  
6 senate. The authority to act of any person whose appointment requires the advice  
7 and consent of the senate shall commence, if the senate is in session, upon  
8 receiving the advice and consent of the senate. If the senate is not in session, the  
9 authority to act shall commence immediately upon appointment by the governor  
10 but shall terminate if the advice and consent of the senate is not given within  
11 [thirty] **forty-five** days after the senate has convened in regular or special  
12 session. If the senate fails to give its advice and consent to any appointee, that

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

13 person shall not be reappointed by the governor to the same office or position. **In**  
14 **the absence of having a department head who has been appointed by**  
15 **the governor and received the advice and consent of the senate, the**  
16 **department shall be administered in the manner provided by law.**

Section B. Pursuant to chapter 116, RSMo, and other applicable  
2 constitutional provisions and laws of this state allowing the general assembly to  
3 adopt ballot language for the submission of referendum measures to the voters  
4 of this state, the official summary statement of the act proposed in section A of  
5 this act shall be as follows:

6 "Shall the Missouri constitution be amended to increase the time  
7 period for the Senate to give its advice and consent to interim  
8 gubernatorial appointments and authorize the General Assembly  
9 to determine by general law the manner in which a department  
10 shall be administered in the absence of a department head?"

✓

Bill

Copy