

SECOND REGULAR SESSION

# SENATE JOINT RESOLUTION NO. 28

98TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR HOLSMAN.

Pre-filed December 1, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4949S.011

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## JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 2, 5, 7, 8, and 9 of article III of the Constitution of Missouri, and adopting five new sections in lieu thereof relating to members of the general assembly.

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*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 III of the Constitution of the state of Missouri:

Section A. Sections 2, 5, 7, 8, and 9, article III, Constitution of Missouri,  
2 are repealed and five new sections adopted in lieu thereof, to be known as  
3 sections 2, 5, 7, 8, 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 twenty 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  
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 twenty districts** and to establish  
20 the 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 twenty** 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 5. The senate shall consist of thirty-four members **and,**  
2 **beginning with the one hundred second general assembly, forty**  
3 **members** elected by the qualified voters of the respective districts for four  
4 years. For the election of senators, the state shall be divided into convenient  
5 districts of contiguous territory, as compact and nearly equal in population as  
6 may be.

Section 7. Within sixty days after the population of this state is reported  
2 to the President for each decennial census of the United States, and within sixty  
3 days after notification by the governor that a reapportionment has been

4 invalidated by a court of competent jurisdiction, the state committee of each of  
5 the two political parties casting the highest vote for governor at the last  
6 preceding election shall, at a committee meeting duly called, select by a vote of  
7 the individual committee members, and thereafter submit to the governor a list  
8 of ten persons, and within thirty days thereafter the governor shall appoint a  
9 commission of ten members, five from each list, to reapportion the thirty-four  
10 senatorial districts **and, beginning with the one hundred second general**  
11 **assembly, forty districts** and to establish the numbers and boundaries of said  
12 districts.

13 If either of the party committees fails to submit a list within such time the  
14 governor shall appoint five members of his own choice from the party of the  
15 committee so failing to act.

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

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

27 The commission shall reapportion the senatorial districts by dividing the  
28 population of the state by the number thirty-four **and, beginning with the one**  
29 **hundred second general assembly, forty** and shall establish each district so  
30 that the population of that district shall, as nearly as possible, equal that figure;  
31 no county lines shall be crossed except when necessary to add sufficient  
32 population to a multi-district county or city to complete only one district which  
33 lies partly within such multi-district county or city so as to be as nearly equal as  
34 practicable in population. Any county with a population in excess of the quotient  
35 obtained by dividing the population of the state by the number thirty-four **and,**  
36 **beginning with the one hundred second general assembly, forty** is hereby  
37 declared to be a multi-district county.

38 Not later than five months after the appointment of the commission, the  
39 commission shall file with the secretary of state a tentative plan of apportionment

40 and map of the proposed districts and during the ensuing fifteen days shall hold  
41 such public hearings as may be necessary to hear objections or testimony of  
42 interested persons.

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

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

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

61 No reapportionment shall be subject to the referendum.

Section 8. No one shall be elected to serve more than [~~eight~~] **twelve** years  
2 total in any one house of the General Assembly nor more than [~~sixteen~~] **twenty-**  
3 **four** years total in both houses of the General Assembly. In applying this  
4 section, service in the General Assembly resulting from an election prior to  
5 December 3, 1992, or service of less than one year, in the case of a member of the  
6 house of representatives, or two years, in the case of a member of the senate, by  
7 a person elected after the effective date of this section to complete the term of  
8 another person, shall not be counted.

Section 9. Until the convening of the [~~Seventy-fourth~~] **One Hundred**  
2 **Second** General Assembly the House of Representatives shall consist of one  
3 hundred sixty-three members elected from the one hundred sixty-three  
4 representative districts **and the senate shall consist of thirty-four districts,**  
5 as they existed [~~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 twenty  
8 members elected from one hundred twenty districts, pursuant to  
9 section two of this article, and the senate shall consist of forty members  
10 elected from forty districts, pursuant to section five of this article.

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Unofficial

Bill

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