

SECOND REGULAR SESSION

# SENATE JOINT RESOLUTION NO. 35

89TH GENERAL ASSEMBLY

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INTRODUCED BY SENATORS SCHNEIDER AND HOWARD.

Read 1st time February 10, 1998, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

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## JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment to article III of the Constitution of Missouri by adding thereto one new section relating to powers of the legislature concerning rulemaking and the right of citizens to petition for redress of grievances for bureaucratic abuse of rulemaking function.

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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 Tuesday next following the first Monday in November, 1998, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article III of the Constitution of the State of Missouri:

Section A. Article III, Constitution of Missouri, is amended by adding thereto one new section, to be known as section 40, to read as follows:

**Section 40. 1. Any citizen may petition the general assembly for redress of grievances upon the grounds that any rule or regulation adopted by any agency is unreasonably burdensome, inequitable, beyond the scope of statutory authority, in conflict with state law, or is more restrictive than is necessary to carry out the purposes of the statute granting rule making authority by filing the same with the joint committee on administrative rules, and the general assembly may, upon a finding after hearing that such rule or portion thereof is unreasonably burdensome, inequitable, beyond the scope of statutory authority, in conflict with state law, or more restrictive than necessary to carry out the purposes of the statute granting rule making authority, annul the same by resolution adopted by the senate and the house of representatives. Such resolution shall meet the passage requirements of a bill but need not be presented to the governor who shall not be empowered to impose such rule notwithstanding the objection of the general assembly.**

**2. The authority of agencies to propose or to adopt rules and regulations, except those relating to its organization or internal management, shall be authorized only for the purpose and to the extent delegated by the general assembly subject to such limitations as may be provided, including specification of effective dates.**

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Unofficial

Bill

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