

FIRST REGULAR SESSION

# HOUSE JOINT RESOLUTION NO. 7

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES KINGERY (Sponsor), PHILLIPS, WHORTON, MYERS, CURLS,  
WILSON (119), MEADOWS, VOGT AND MEINERS (Co-sponsors).

Read 1<sup>st</sup> time January 6, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0448L.011

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### JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing sections 2, 8, and 11 of article III of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to the general assembly.

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*Be it resolved by the House of Representatives, the Senate concurring therein:*

That at the next general election to be held in the state of Missouri, on Tuesday next  
2 following the first Monday in November, 2006, or at a special election to be called by the  
3 governor for that purpose, there is hereby submitted to the qualified voters of this state, for  
4 adoption or rejection, the following amendment to article III of the Constitution of the state of  
5 Missouri:

6 Section A. Sections 2, 8, and 11, article III, Constitution of Missouri, are repealed and  
7 three new sections adopted in lieu thereof, to be known as sections 2, 8, and 11, to read as  
8 follows:

Section 2. The house of representatives shall consist of one hundred sixty-three members  
2 elected at each general election, **except as otherwise provided in section 11 of this article**, and  
3 apportioned in the following manner: Within sixty days after the population of this state is  
4 reported to the President for each decennial census of the United States and, in the event that a  
5 reapportionment has been invalidated by a court of competent jurisdiction, within sixty days after

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

6 notification by the governor that such a ruling has been made, the congressional district  
7 committee of each of the two parties casting the highest vote for governor at the last preceding  
8 election shall meet and the members of the committee shall nominate, by a majority vote of the  
9 members of the committee present, provided that a majority of the elected members is present,  
10 two members of their party, residents in that district, as nominees for reapportionment  
11 commissioners. Neither party shall select more than one nominee from any one state legislative  
12 district. The congressional committees shall each submit to the governor their list of elected  
13 nominees. Within thirty days the governor shall appoint a commission consisting of one name  
14 from each list to reapportion the state into one hundred and sixty-three representative districts  
15 and to establish the numbers and boundaries of said districts.

16 If any of the congressional committees fails to submit a list within such time the governor  
17 shall appoint a member of his **or her** own choice from that district and from the political party  
18 of the committee failing to make the appointment.

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

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

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

39 The commission shall reapportion the representatives by dividing the population of the  
40 state by the number one hundred sixty-three and shall establish each district so that the  
41 population of that district shall, as nearly as possible, equal that figure.

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

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

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

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

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

64 No reapportionment shall be subject to the referendum.

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

Section 11. **1.** The first election of senators and representatives under this constitution,  
2 shall be held at the general election in the year one thousand nine hundred and forty-six when  
3 the whole number of representatives and the senators from the districts having even numbers,  
4 who shall compose the first class, shall be elected, and two years thereafter the whole number  
5 of representatives and the senators from districts having odd numbers, who shall compose the  
6 second class, shall be elected, and so on at each succeeding general election.

7           **2. Beginning with the 2008 general election and every four years thereafter,**  
8 **representatives from districts having odd numbers shall be elected for terms of four years.**  
9 **Beginning with the 2010 general election and every four years thereafter, representatives**  
10 **from districts having even numbers shall be elected for terms of four years.**