

FIRST REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 11

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LEMBKE (Sponsor), COOPER (158), BEAN, BIVINS, ROARK,
EMERY, DENISON, THRELKELD, WRIGHT (159), ICET, MYERS,
BROWN (30) AND CUNNINGHAM (86) (Co-sponsors).

Read 1st time January 26, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0493L.011

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing section 25(a) of article V of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the judicial department.

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 V of the Constitution of the state of
5 Missouri:

Section A. Section 25(a), article V, Constitution of Missouri, is repealed and one new
2 section adopted in lieu thereof, to be known as section 25(a), to read as follows:

Section 25(a). Whenever a vacancy shall occur in the office of judge of any of the
2 following courts of this state, to wit: The supreme court, the court of appeals, or in the office of
3 circuit or associate circuit judge within the city of St. Louis and Jackson County, the governor
4 shall fill such vacancy by appointing one of three persons possessing the qualifications for such
5 office, who shall be nominated and whose names shall be submitted to the governor by a
6 nonpartisan judicial commission established and organized as hereinafter provided. [If the

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.

7 governor fails to appoint any of the nominees within sixty days after the list of nominees is
8 submitted, the nonpartisan judicial commission making the nomination shall appoint one of the
9 nominees to fill the vacancy.] **Any person who is appointed by the governor for a vacancy**
10 **on the supreme court or on the court of appeals shall be subject to the advice and consent**
11 **of the senate in the manner provided in section 51 of Article IV of this Constitution.**