

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 46

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES EMERY (Sponsor), WRIGHT (159), MUNZLINGER, SMITH (14), DAY, MUSCHANY, SCHAAF, PHILLIPS, ERVIN, NANCE, DAVIS, FISHER, McGHEE, DEMPSEY, RUESTMAN, HUNTER, MYERS, WALLACE, FAITH, BROWN (30), SATER, BEARDEN, MOORE, SELF, RECTOR, CHINN, BIVINS, PARKER, LEMBKE, TILLEY, BLACK, BEAN, MAY, DEEKEN, QUINN, SANDER, CUNNINGHAM (145), WILSON (130), NIEVES, KELLY, SWINGER, COOPER (155), COOPER (158), WASSON, DEMPSEY, POLLOCK, THRELKELD, NOLTE, SMITH (118), KRAUS, SCHAD, WETER, DENISON, JONES, SCHLOTTACH, KINGERY, DOUGHERTY, KRATKY, WOOD, ICET, DETHROW, WELLS, BAKER (123), PARSON, RICHARD, VIEBROCK, JOHNSON (47), PORTWOOD, ROBB, WRIGHT (137) AND LOEHNER (Co-sponsors).

Read 1st time January 19, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3616L.01I

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing section 2 of article VII of the Constitution of Missouri, and adopting one new section in lieu thereof relating to impeachment trials.

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 following the first Monday in November, 2006, 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 VII of the Constitution of the state of Missouri:

Section A. Section 2, article VII, Constitution of Missouri, is repealed and one new section adopted in lieu thereof, to be known as section 2, to read as follows:

Section 2. The house of representatives shall have the sole power of impeachment. All impeachments shall be tried [before the supreme court, except that the governor or a member of the supreme court shall be tried by a special commission of seven eminent jurists to be elected

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.

4 by the senate. The supreme court or special commission shall take an oath to try impartially the
5 person impeached,] **by the senate; and when sitting for that purpose, the senators shall be**
6 **on oath or affirmation to do justice according to law and the evidence. When the governor**
7 **shall be tried, the chief justice of the supreme court shall preside;** and no person shall be
8 convicted without the concurrence of [five-sevenths of the court or special commission] **two-**
9 **thirds of all the senators present.**

✓