

FIRST REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 1

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES CUNNINGHAM (86) (Sponsor), RUESTMAN, STEVENSON,
MUNZLINGER, LEMBKE, EMERY SANDER, DAY, BAKER (123) AND NOLTE (Co-sponsors).

Pre-filed December 1, 2006 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

0416L.01I

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing section 3 of article V of the Constitution of Missouri, and adopting one new section in lieu thereof relating to state court jurisdiction.

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, 2008, 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 V of the Constitution of the state of Missouri:

Section A. Section 3, article V, Constitution of Missouri, is repealed and one new section adopted in lieu thereof, to be known as section 3, to read as follows:

Section 3. The supreme court shall have exclusive appellate jurisdiction in all cases involving the validity of a treaty or statute of the United States, or of a statute or provision of the constitution of this state, the construction of the revenue laws of this state, the title to any state office and in all cases where the punishment imposed is death. The court of appeals shall have general appellate jurisdiction in all cases except those within the exclusive jurisdiction of the supreme court. **Neither the supreme court nor any inferior court of the state shall have the power to instruct or order the state or any county, city, or political subdivision thereof, or an official of the state or of any county, city, or political subdivision thereof, to levy or**

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.

9 **increase taxes. Neither the supreme court nor any inferior court of the state shall have the**
10 **power to instruct or order the state or any county, city, or political subdivision thereof, or**
11 **an official of the state or of any county, city, or political subdivision thereof, on how to**
12 **spend, allocate, or budget fiscal resources in a manner inconsistent with duly enacted and**
13 **effective legislation; provided, however, that nothing herein shall be construed to affect the**
14 **inherent authority of the judiciary to compel reasonable funding of judicial operations.**

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