

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 45

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES FLOOK (Sponsor),
RUESTMAN, COX AND MCGHEE (Co-sponsors).

Pre-filed December 5, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

3669L.01I

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing sections 2, 9, 20, 20(a), and 25 of article III of the Constitution of Missouri, and adopting five new sections in lieu thereof relating to the general assembly.

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 III of the Constitution of the state of Missouri:

Section A. Sections 2, 9, 20, 20(a), and 25, article III, Constitution of Missouri, are repealed and five new sections adopted in lieu thereof, to be known as sections 2, 9, 20, 20(a), and 25, to read as follows:

Section 2. The house of representatives shall consist of one hundred sixty-three members **and, beginning with the ninety-seventh general assembly, one hundred thirty-seven members**, elected at each general election and apportioned in the following manner: Within sixty days after the population of this state is reported to the President for each decennial census of the United States and, in the event that a reapportionment has been invalidated by a court of competent jurisdiction, within sixty days after notification by the governor that such a ruling has been made, the congressional district committee of each of the two parties casting the highest

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.

8 vote for governor at the last preceding election shall meet and the members of the committee
9 shall nominate, by a majority vote of the members of the committee present, provided that a
10 majority of the elected members is present, two members of their party, residents in that district,
11 as nominees for reapportionment commissioners. Neither party shall select more than one
12 nominee from any one state legislative district. The congressional committees shall each submit
13 to the governor their list of elected nominees. Within thirty days the governor shall appoint a
14 commission consisting of one name from each list to reapportion the state into one hundred and
15 sixty-three representative districts **and, beginning with the ninety-seventh general assembly,**
16 **one hundred thirty-seven districts**, and to establish the numbers and boundaries of said
17 districts.

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

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

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

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

40 The commission shall reapportion the representatives by dividing the population of the
41 state by the number one hundred sixty-three **and, beginning with the ninety-seventh general**
42 **assembly, the number one hundred thirty-seven**, and shall establish each district so that the
43 population of that district shall, as nearly as possible, equal that figure.

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

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

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

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

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

66 No reapportionment shall be subject to the referendum.

Section 9. Until the convening of the [Seventy-fourth] **ninety-seventh** general assembly
2 the house of representatives shall consist of one hundred sixty-three members elected from the
3 one hundred sixty-three representative districts, as they existed [January 1, 1965] **during the**
4 **ninety-sixth general assembly. Beginning with the ninety-seventh general assembly, the**
5 **house of representatives shall consist of one hundred thirty-seven members pursuant to**
6 **section 2 of this article.**

Section 20. The general assembly shall meet on the first Wednesday after the first
2 Monday in January following each general election. **During even-numbered years, no bill**
3 **other than an appropriation bill shall be introduced or considered, unless a special session**
4 **is called under section 20(b) of this article or under section 9 of article IV. Compensation**
5 **of members of the general assembly during even-numbered years shall be an amount equal**
6 **to one-half of members' compensation during odd-numbered years, as provided by law.**
7 **Beginning in 2009, and every ten years thereafter, a zero-based budgeting process shall be**

8 **used, and no bill other than an appropriation bill or a bill repealing statutes which have**
9 **expired, sunset, terminated, or are otherwise deemed appropriate to repeal, shall be**
10 **introduced or considered, unless a special session is called under section 20(b) of this article**
11 **or under section 9 of article IV.** The general assembly may provide by law for the introduction
12 of bills during the period between the first day of December and the first Wednesday after the
13 first Monday of January.

14 The general assembly shall reconvene on the first Wednesday after the first Monday of
15 January after adjournment at midnight on May thirtieth of the preceding **odd-numbered** year.
16 **The general assembly shall reconvene on the first Wednesday after the first Monday of**
17 **January after adjournment at midnight on March thirty-first of the preceding even-**
18 **numbered year.** A majority of the elected members of each house shall constitute a quorum to
19 do business, but a smaller number may adjourn from day to day, and may compel the attendance
20 of absent members in such manner and under such penalties as each house may provide. The
21 sessions of each house shall be held with open doors, except in cases which may require secrecy
22 but not including the final vote on bills, resolutions and confirmations. Neither house shall,
23 without the consent of the other, adjourn for more than ten days at any one time, nor to any other
24 place than that in which the two houses may be sitting.

Section 20(a). **In odd-numbered years,** the general assembly shall adjourn at midnight
2 on May thirtieth, **and in even-numbered years shall adjourn at midnight on March thirty-**
3 **first,** until the first Wednesday after the first Monday of January of the following year, unless
4 it has adjourned prior thereto. All bills in either house remaining on the calendar after 6:00 p.m.
5 on the first Friday following the second Monday in May **in odd-numbered years, or after 6:00**
6 **p.m. on the third Friday following the first Monday in March in even-numbered years,** are
7 tabled. The period between the first Friday following the second Monday in May and May
8 thirtieth **in odd-numbered years and between the third Friday following the first Monday**
9 **in March and March thirty-first in even-numbered years** shall be devoted to the enrolling,
10 engrossing, and the signing in open session by officers of the respective houses of bills passed
11 prior to 6:00 p.m. on the first Friday following the second Monday in May **in odd-numbered**
12 **years and prior to 6:00 p.m. on the third Friday following the first day in March in even-**
13 **numbered years.**

14 The general assembly shall automatically stand adjourned sine die at 6:00 p.m. on the
15 sixtieth calendar day after the date of its convening in special session unless it has adjourned sine
16 die prior thereto.

Section 25. **In odd-numbered years,** no bill other than an appropriation bill shall be
2 introduced in either house after the sixtieth legislative day unless consented to by a majority of
3 the elected members of each house or the governor shall request a consideration of the proposed

4 legislation by a special message. No appropriation bill shall be taken up for consideration after
5 6:00 p.m. on the first Friday following the first Monday in May [of each year] **in odd-numbered**
6 **years or after 6:00 p.m. on the third Friday following the first Monday in March in even-**
7 **numbered years.**

✓