

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 101

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PLOCHER.

4937H.02I

DANA RADEMAN MILLER, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing Sections 2, 3, and 7, of Article III of the Constitution of Missouri, and adopting three new sections in lieu thereof relating to regulating the legislature to limit the influence of partisan or other special interests, with penalty provisions.

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, 2020, 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Section A. Sections 2, 3, and 7, Article III, Constitution of Missouri, are repealed and three new sections adopted in lieu thereof, to be known as Sections 2, 3, and 7, to read as follows:

Section 2. (a) After December 6, 2018, no person serving as a member of ~~or employed~~ **by** the general assembly shall act or serve as a paid lobbyist, register as a paid lobbyist, or solicit prospective employers or clients to represent as a paid lobbyist during the time of such service until the expiration of two calendar years after the conclusion of the session of the general assembly in which the member ~~or employee~~ last served and where such service was after December 6, 2018.

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 (b) No person serving as a member of or employed by the general assembly shall accept
8 directly or indirectly a gift of any tangible or intangible item, service, or thing of value from any
9 paid lobbyist or lobbyist principal ~~[in excess of five dollars per occurrence]~~. This Article shall
10 not prevent candidates for the general assembly, including candidates for reelection, or
11 candidates for offices within the senate or house from accepting campaign contributions
12 consistent with this Article and applicable campaign finance law. Nothing in this section shall
13 prevent individuals from receiving gifts, family support or anything of value from those related
14 to them within the fourth degree by blood or marriage. ~~[The dollar limitations of this section~~
15 ~~shall be increased or decreased each year by the percentage of increase or decrease from the end~~
16 ~~of the previous calendar year of the Consumer Price Index, or successor index as published by~~
17 ~~the U.S. Department of Labor, or its successor agency, and rounded to the nearest dollar~~
18 ~~amount.]~~

19 (c) The general assembly shall make no law authorizing unlimited campaign
20 contributions to candidates for the general assembly, nor any law that circumvents the
21 contribution limits contained in this Constitution. In addition to other campaign contribution
22 limitations or restrictions provided for by law, the amount of contributions made to or accepted
23 by any candidate or candidate committee from any person other than the candidate in any one
24 election ~~[for the general assembly]~~ **to the office of state representative or state senator** shall
25 not exceed ~~[the following:~~

26 ~~—— (1) To elect an individual to the office of state senator, two thousand five hundred~~
27 ~~dollars; and~~

28 ~~—— (2) To elect an individual to the office of state representative,] two thousand dollars.~~

29 The contribution limits and other restrictions of this section shall also apply to any person
30 exploring a candidacy for ~~[a public office listed in this subsection]~~ **the office of state**
31 **representative or state senator.**

32 For purposes of this subsection, "base year amount" shall be the contribution limits
33 prescribed in this section. Contribution limits set forth herein shall be adjusted on the first day
34 of January in each even-numbered year hereafter by multiplying the base year amount by the
35 cumulative Consumer Price Index and rounded to the nearest dollar amount, for all years after
36 2018.

37 (d) No contribution to a candidate for legislative office shall be made or accepted,
38 directly or indirectly, in a fictitious name, in the name of another person, or by or through another
39 person in such a manner as to, or with the intent to, conceal the identity of the actual source of
40 the contribution. There shall be a rebuttable presumption that a contribution to a candidate for
41 public office is made or accepted with the intent to circumvent the limitations on contributions
42 imposed in this section when a contribution is received from a committee or organization that

43 is primarily funded by a single person, individual, or other committee that has already reached
44 its contribution limit under any law relating to contribution limitations. A committee or
45 organization shall be deemed to be primarily funded by a single person, individual, or other
46 committee when the committee or organization receives more than fifty percent of its annual
47 funding from that single person, individual, or other committee.

48 (e) In no circumstance shall a candidate be found to have violated limits on acceptance
49 of contributions if the Missouri ethics commission, its successor agency, or a court determines
50 that a candidate has taken no action to indicate acceptance of or acquiescence to the making of
51 an expenditure that is deemed a contribution pursuant to this section.

52 (f) No candidate shall accept contributions from any federal political action committee
53 unless the committee has filed the same financial disclosure reports that would be required of
54 a Missouri political action committee.

55 **(g) Any person who intentionally violates the provisions of paragraph (b) of this**
56 **section shall be guilty of a class A misdemeanor.**

Section 3. (a) ~~[There is hereby established the post of "Nonpartisan State Demographer".~~
2 ~~The nonpartisan state demographer shall acquire appropriate information to develop procedures~~
3 ~~in preparation for drawing legislative redistricting maps on the basis of each federal census for~~
4 ~~presentation to the house apportionment commission and the senatorial apportionment~~
5 ~~commission.~~

6 ~~—— (b) The nonpartisan state demographer shall be selected through the following process.~~
7 ~~First, state residents may apply for selection to the state auditor using an application developed~~
8 ~~by the state auditor to determine an applicant's qualifications and expertise relevant to the~~
9 ~~position. Second, the state auditor shall deliver to the majority leader and minority leader of the~~
10 ~~senate a list of at least three applicants with sufficient expertise and qualifications, as determined~~
11 ~~by the state auditor, to perform the duties of the nonpartisan state demographer. Third, if the~~
12 ~~majority leader and minority leader of the senate together agree that a specific applicant should~~
13 ~~be selected to be the nonpartisan state demographer, that applicant shall be selected and the~~
14 ~~selection process shall cease. Fourth, if the majority leader and minority leader of the senate~~
15 ~~cannot together agree on an applicant, they may each remove a number of applicants on the state~~
16 ~~auditor's list equal to one-third of the total number of applicants on that list, rounded down to the~~
17 ~~next integer, and the state auditor shall then conduct a random lottery of the applicants remaining~~
18 ~~after removal to select the nonpartisan state demographer. The state auditor shall prescribe a~~
19 ~~time frame and deadlines for this application and selection process that both encourages~~
20 ~~numerous qualified applicants and avoids delay in selection. The nonpartisan state demographer~~
21 ~~shall serve a term of five years and may be reappointed. To be eligible for the nonpartisan state~~
22 ~~demographer position, an individual shall not have served in a partisan, elected position for four~~

23 years prior to the appointment. The nonpartisan state demographer shall be disqualified from
24 holding office as a member of the general assembly for four years following the date of the
25 presentation of his or her most recent legislative redistricting map to the house apportionment
26 commission or the senatorial apportionment commission.

27 ~~——(e)]~~ The house of representatives shall consist of one hundred sixty-three members
28 elected at each general election and ~~[apportioned]~~ **redistricted** as provided in this section.

29 ~~[(4)]~~ ~~(b) [Within ten days after the population of this state is reported to the President~~
30 ~~for each decennial census of the United States or, in the event that a reapportionment has been~~
31 ~~invalidated by a court of competent jurisdiction, within ten days after such a ruling has been~~
32 ~~made, the nonpartisan state demographer]~~ **The house independent bipartisan citizens**
33 **commission** shall ~~[begin the preparation of legislative districting plans and maps]~~ **redistrict the**
34 **house of representatives** using the following methods, listed in order of priority:

35 ~~[a.]~~ **(1)** Districts shall be ~~[established on the basis of total]~~ **as nearly equal as**
36 **practicable in population**~~]. Legislative districts shall each have a total population as nearly~~
37 ~~equal as practicable to the ideal population for such districts, determined by dividing the number~~
38 ~~of districts to be established into the total population of the state]~~ **, and districts shall be drawn**
39 **on the basis of one person, one vote, using data** reported in the federal decennial census.
40 **Districts are as nearly equal as practicable in population if no district deviates by more**
41 **than one percent from the ideal population of the district, as measured by dividing the**
42 **number of districts into the statewide population data being used, except that a district**
43 **may deviate by up to three percent if necessary to follow political subdivision lines**
44 **consistent with subdivision (4) of this subsection;**

45 ~~[b.]~~ **(2)** Districts shall be established in a manner so as to comply with all requirements
46 of the United States Constitution and applicable federal laws, including, but not limited to, the
47 Voting Rights Act of 1965 (as amended). ~~[Notwithstanding any other provision of this Article,~~
48 ~~districts shall not be drawn with the intent or result of denying or abridging the equal opportunity~~
49 ~~of racial or language minorities to participate in the political process or diminishing their ability~~
50 ~~to elect representatives of their choice, whether by themselves or by voting in concert with other~~
51 ~~persons.]~~ **The following principles shall take precedence over any other part of this**
52 **constitution: no district shall be drawn in a manner which results in a denial or**
53 **abridgment of the right of any citizen of the United States to vote on account of race or**
54 **color; and no district shall be drawn such that members of any community of citizens**
55 **protected by the preceding clause have less opportunity than other members of the**
56 **electorate to participate in the political process and to elect representatives of their choice;**

57 ~~[Districts shall be designed in a manner that achieves both partisan fairness and,~~
58 ~~secondarily, competitiveness. "Partisan fairness" means that parties shall be able to translate~~

59 ~~their popular support into legislative representation with approximately equal efficiency.~~
60 ~~"Competitiveness" means that parties' legislative representation shall be substantially and~~
61 ~~similarly responsive to shifts in the electorate's preferences.~~

62 ~~—— To this end, the nonpartisan state demographer shall calculate the average electoral~~
63 ~~performance of the two parties receiving the most votes in the three preceding elections for~~
64 ~~governor, for United States Senate, and for President of the United States. This index shall be~~
65 ~~defined as the total votes received by each party in the three preceding elections for governor,~~
66 ~~for United States Senate, and for President of the United States, divided by the total votes cast~~
67 ~~for both parties in these elections. Using this index, the nonpartisan state demographer shall~~
68 ~~calculate the total number of wasted votes for each party, summing across all of the districts in~~
69 ~~the plan. "Wasted votes" are votes cast for a losing candidate or for a winning candidate in~~
70 ~~excess of the fifty percent threshold needed for victory. In any plan of apportionment and map~~
71 ~~of the proposed districts submitted to the respective apportionment commission, the nonpartisan~~
72 ~~state demographer shall ensure the difference between the two parties' total wasted votes, divided~~
73 ~~by the total votes cast for the two parties, is as close to zero as practicable.~~

74 ~~—— To promote competitiveness, the nonpartisan state demographer shall use the electoral~~
75 ~~performance index to simulate elections in which the hypothetical statewide vote shifts by one~~
76 ~~percent, two percent, three percent, four percent, and five percent in favor of each party. The~~
77 ~~vote in each individual district shall be assumed to shift by the same amount as the statewide~~
78 ~~vote. The nonpartisan state demographer shall ensure that, in each of these simulated elections,~~
79 ~~the difference between the two parties' total wasted votes, divided by the total votes cast for the~~
80 ~~two parties, is as close to zero as practicable;~~

81 ~~—— c.] (3) Subject to the requirements of [paragraphs a. and b. of this subdivision]~~
82 **subdivisions (1) and (2) of this subsection**, districts shall be composed of contiguous territory
83 **as compact as may be.** Areas which meet only at the points of adjoining corners are not
84 contiguous. **In general, compact districts are those which are square, rectangular, or**
85 **hexagonal in shape to the extent permitted by natural or political boundaries;**

86 ~~[d.] (4) To the extent consistent with [paragraphs a. to c. of this subdivision, district~~
87 ~~boundaries shall coincide with the boundaries of political subdivisions of the state. The number~~
88 ~~of counties and cities divided among more than one district shall be as small as possible. When~~
89 ~~there is a choice between dividing local political subdivisions, the more populous subdivisions~~
90 ~~shall be divided before the less populous, but this preference shall not apply to a legislative~~
91 ~~district boundary drawn along a county line which passes through a city that lies in more than~~
92 ~~one county] subdivisions (1) to (3) of this subsection, communities shall be preserved.~~
93 **Districts shall satisfy this requirement if district lines follow political subdivision lines to**
94 **the extent possible, using the following criteria, in order of priority. First, each county**

shall wholly contain as many districts as its population allows. Second, if a county wholly contains one or more districts, the remaining population shall be wholly joined in a single district made up of population from outside the county. If a county does not wholly contain a district, then no more than two segments of a county shall be combined with an adjoining county. Third, split counties and county segments, defined as any part of the county that is in a district not wholly within that county, shall each be as few as possible. Fourth, as few municipal lines shall be crossed as possible;

~~[e. Preference shall be that districts are compact in form, but the standards established by paragraphs a. to d. of this subdivision take precedence over compactness where a conflict arises between compactness and these standards. In general, compact districts are those which are square, rectangular, or hexagonal in shape to the extent permitted by natural or political boundaries.]~~

(5) Districts shall be drawn in a manner that achieves both partisan fairness and, secondarily, competitiveness, but the standards established by subdivisions (1) to (4) of this subsection shall take precedence over partisan fairness and competitiveness. "Partisan fairness" means that parties shall be able to translate their popular support into legislative representation with approximately equal efficiency. "Competitiveness" means that parties' legislative representation shall be substantially and similarly responsive to shifts in the electorate's preferences.

To this end, the average electoral performance of the two political parties receiving the most votes in the three preceding general elections for governor, for United States Senate, and for President of the United States shall be calculated. This index shall be defined as the total votes received by each party in the three preceding general elections for governor, for United States Senate, and for President of the United States, divided by the total votes cast for both parties in these elections. Using this index, the total number of wasted votes for each party, summing across all of the districts in the plan shall be calculated. "Wasted votes" are votes cast for a losing candidate or for a winning candidate in excess of the threshold needed for victory. In any redistricting plan and map of the proposed districts, the difference between the two parties' total wasted votes, divided by the total votes cast for the two parties, shall not exceed fifteen percent.

To promote competitiveness, the electoral performance index shall be used to simulate elections in which the hypothetical statewide vote shifts by one percent, two percent, three percent, four percent, and five percent in favor of each party. The vote in each individual district shall be assumed to shift by the same amount as the statewide vote. In each of these simulated elections, the difference between the two parties' total wasted votes, divided by the total votes cast for the two parties, shall not exceed fifteen percent.

131 ~~[(2)]~~ (c) Within ~~[sixty]~~ **ten** days after the population of this state is reported to the
132 President for each decennial census of the United States or, in the event that a ~~[reapportionment]~~
133 **redistricting plan** has been invalidated by a court of competent jurisdiction, within ~~[sixty]~~ **ten**
134 days that such a ruling has been made, **the state committee and** the congressional district
135 ~~[committee]~~ **committees** of each of the two **political** parties casting the highest vote for governor
136 at the last preceding **general** election shall meet and the members of ~~[the]~~ **each** committee shall
137 nominate, by a majority vote of the **elected** members of the committee present, provided that a
138 majority of the elected members is present, ~~[two]~~ members of their party, residents in that
139 district, **in the case of a congressional district committee**, as nominees for ~~[reapportionment]~~
140 ~~commissioners]~~ **the house independent bipartisan citizens commission**. ~~[Neither]~~ **No** party
141 shall select more than one nominee from any one state legislative district. The congressional
142 **district** committees shall each submit to the governor their list of **two** elected nominees. **The**
143 **state committees shall each submit to the governor their list of five elected nominees.**
144 Within thirty days **thereafter**, the governor shall appoint a **house independent bipartisan**
145 **citizens** commission consisting of one ~~[name]~~ **nominee** from each list **submitted by each**
146 **congressional district committee and two nominees from each list submitted by each state**
147 **committee to [reapportion] redistrict** the state into one hundred and sixty-three representative
148 districts and to establish the numbers and boundaries of said districts. **No person shall be**
149 **appointed to both the house independent bipartisan citizens commission and the senate**
150 **independent bipartisan citizens commission during the same redistricting cycle.**

151 If any ~~[of the congressional committees]~~ **committee** fails to submit a list within such
152 time, the governor shall appoint a member of his **or her** own choice ~~[from that district and]~~ from
153 the political party of the committee failing to ~~[make the appointment]~~ **submit a list, provided**
154 **that in the case of a congressional district committee failing to submit a list, the person**
155 **appointed to the commission by the governor shall reside in the congressional district of**
156 **such committee.**

157 Members of the commission shall be disqualified from holding office as members of the
158 general assembly for four years following the date of the filing by the commission of its final
159 ~~[statement of apportionment]~~ **redistricting plan.**

160 For the purposes of this Article, the term congressional district committee or
161 congressional district refers to the congressional district committee or the congressional district
162 from which a congressman was last elected, or, in the event members of congress from this state
163 have been elected at large, the term congressional district committee refers to those persons who
164 last served as the congressional district committee for those districts from which congressmen
165 were last elected, and the term congressional district refers to those districts from which
166 congressmen were last elected. Any action pursuant to this section by the congressional district

167 committee shall take place only at duly called meetings, shall be recorded in their official
168 minutes and only members present in person shall be permitted to vote.

169 ~~[(3) Within six months after the population of this state is reported to the President for~~
170 ~~each decennial census of the United States or, in the event that a reapportionment has been~~
171 ~~invalidated by a court of competent jurisdiction, within six months after such a ruling has been~~
172 ~~made, the nonpartisan state demographer shall make public and file with the secretary of state~~
173 ~~and with the house apportionment commission a tentative plan of apportionment and map of the~~
174 ~~proposed districts, as well as all demographic and partisan data used in the creation of the plan~~
175 ~~and map.]~~

176 (d) The commissioners so selected shall, ~~[within ten days of receiving the tentative plan~~
177 ~~of apportionment and map of the proposed districts,]~~ **on the fifteenth day, excluding Sundays**
178 **and state holidays, after all members have been appointed,** meet in the capitol building and
179 proceed to organize by electing from their number a chairman, vice chairman and secretary. The
180 commission shall adopt an agenda establishing at least three hearing dates on which hearings
181 open to the public shall be held to hear objections or testimony from interested persons. A copy
182 of the agenda shall be filed with the clerk of the house of representatives within twenty-four
183 hours after its adoption. Executive meetings may be scheduled and held as often as the
184 commission deems advisable.

185 ~~[The commission may make changes to the tentative plan of apportionment and map of~~
186 ~~the proposed districts received from the nonpartisan state demographer provided that such~~
187 ~~changes are consistent with this section and approved by a vote of at least seven-tenths of the~~
188 ~~commissioners. If no changes are made or approved as provided for in this subsection, the~~
189 ~~tentative plan of apportionment and map of proposed districts shall become final. Not later than~~
190 ~~two months of receiving the tentative plan of apportionment and map of the proposed districts,~~
191 ~~the commission shall file with the secretary of state a final statement of the numbers and the~~
192 ~~boundaries of the districts together with a map of the districts.]~~

193 (e) Not later than five months after the appointment of the commission, the
194 commission shall file with the secretary of state a tentative redistricting plan and map of
195 the proposed districts and during the ensuing fifteen days shall hold such public hearings
196 as may be necessary to hear objections or testimony of interested persons. The commission
197 shall make public the tentative redistricting plan and map of the proposed districts, as well
198 as all demographic and partisan data used in the creation of the plan and map.

199 (f) Not later than six months after the appointment of the commission, the
200 commission shall file with the secretary of state a final statement of the numbers and the
201 boundaries of the districts together with a map of the districts, and no statement shall be
202 valid unless approved by at least seven-tenths of the members.

(g) After the final statement is filed, members of the house of representatives shall be elected according to such districts until a new redistricting plan is made as provided in this section, except that if the final statement is not filed within six months of the time fixed for the appointment of the commission, the commission shall stand discharged and the house of representatives shall be redistricted using the same methods and criteria as described in subsection (b) of this section by a commission of six members appointed from among the judges of the appellate courts of the state of Missouri by the state supreme court, a majority of whom shall sign and file its redistricting plan and map with the secretary of state within ninety days of the date of the discharge of the house independent bipartisan citizens commission. The judicial commission shall make public the tentative redistricting plan and map of the proposed districts, as well as all demographic and partisan data used in the creation of the plan and map. Thereafter, members of the house of representatives shall be elected according to such districts until a redistricting plan is made as provided in this section.

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

(i) No ~~reapportionment~~ redistricting plan shall be subject to the referendum.

(j) Any action expressly or implicitly alleging that a redistricting plan violates this Constitution, federal law, or the United States Constitution shall be filed in the circuit court of Cole County and shall name the body that approved the challenged redistricting plan as a defendant. Only an eligible Missouri voter who sustains an individual injury by virtue of residing in a district that exhibits the alleged violation, and whose injury is remedied by a differently drawn district, shall have standing. If the court renders a judgment in which it finds that a completed redistricting plan exhibits the alleged violation, its judgment shall adjust only those districts, and only those parts of district boundaries, necessary to bring the map into compliance. The supreme court shall have exclusive appellate jurisdiction upon the filing of a notice of appeal within ten days after the judgment has become final.

Section 7. (a) ~~Within ten days after the population of this state is reported to the President for each decennial census of the United States or, in the event that a reapportionment has been invalidated by a court of competent jurisdiction, within ten days after such a ruling has been made, the nonpartisan state demographer authorized in Article III, Section 3 shall begin the preparation of senatorial districting plans and maps using the same methods and criteria as those~~

6 ~~required by Article III, Section 3 for the establishment of districts for the house of~~
7 ~~representatives.~~

8 ~~——(b)] Within [sixty] ten days after the population of this state is reported to the President~~
9 ~~for each decennial census of the United States, or within [sixty] ten days after a~~
10 ~~[reapportionment] redistricting plan has been invalidated by a court of competent jurisdiction,~~
11 ~~the state committee and the congressional district committees of each of the two political~~
12 ~~parties casting the highest vote for governor at the last preceding general election shall, at a~~
13 ~~committee meeting duly called, select by a vote of the individual committee members, and~~
14 ~~thereafter submit to the governor a list of ten persons, and] meet and the members of each~~
15 ~~committee shall nominate, by a majority vote of the elected members of the committee~~
16 ~~present, provided that a majority of the elected members is present, members of their~~
17 ~~party, residents in that district, in the case of a congressional district committee, as~~
18 ~~nominees for the senate independent bipartisan citizens commission. No party shall select~~
19 ~~more than one nominee from any one state legislative district. The congressional district~~
20 ~~committees shall each submit to the governor their list of two elected nominees. The state~~
21 ~~committees shall each submit to the governor their list of five elected nominees. Within~~
22 ~~thirty days thereafter the governor shall appoint a senate independent bipartisan citizens~~
23 ~~commission consisting of [ten members, five] two nominees from each list submitted by each~~
24 ~~state committee and one nominee from each list submitted by each congressional district~~
25 ~~committee, to [reapportion] redistrict the thirty-four senatorial districts and to establish the~~
26 ~~numbers and boundaries of said districts. No person shall be appointed to both the house~~
27 ~~independent bipartisan citizens commission and the senate independent bipartisan citizens~~
28 ~~commission during the same redistricting cycle.~~

29 ~~If [either of the party committees] any committee fails to submit a list within such time,~~
30 ~~the governor shall appoint [five members] a member of his or her own choice from the political~~
31 ~~party of the committee [so] failing to [act] submit a list, provided that in the case of a~~
32 ~~congressional district committee failing to submit a list, the person appointed to the~~
33 ~~commission by the governor shall reside in the congressional district of such committee.~~

34 ~~Members of the commission shall be disqualified from holding office as members of the~~
35 ~~general assembly for four years following the date of the filing by the commission of its final~~
36 ~~[statement of apportionment] redistricting plan.~~

37 ~~[(c) Within six months after the population of this state is reported to the President for~~
38 ~~each decennial census of the United States or in the event that a reapportionment has been~~
39 ~~invalidated by a court of competent jurisdiction, within six months after such a ruling has been~~
40 ~~made, the nonpartisan state demographer shall file with the secretary of state and with the~~

41 ~~senatorial apportionment commission a tentative plan of apportionment and map of the proposed~~
42 ~~districts.]~~

43 **(b)** The commissioners so selected shall ~~[within ten days of receiving the tentative plan~~
44 ~~of apportionment and map of the proposed districts required by this subsection], on the fifteenth~~
45 **day, excluding Sundays and state holidays, after all members have been appointed,** meet
46 in the capitol building and proceed to organize by electing from their number a chairman, vice
47 chairman and secretary. The commission shall adopt an agenda establishing at least three
48 hearing dates on which hearings open to the public shall be held to hear objections or testimony
49 from interested persons. A copy of the agenda shall be filed with the secretary of the senate
50 within twenty-four hours after its adoption. Executive meetings may be scheduled and held as
51 often as the commission deems advisable. ~~[The commission may make changes to the tentative~~
52 ~~plan of apportionment and map of the proposed districts received from the nonpartisan state~~
53 ~~demographer provided that such changes are consistent with this section and the methods and~~
54 ~~criteria required by Section 3 of this Article for the establishment of districts for the house of~~
55 ~~representatives and approved by a vote of at least seven-tenths of the commissioners. If no~~
56 ~~changes are made or approved as provided for in this subsection, the tentative plan of~~
57 ~~apportionment and map of proposed districts shall become final. Not later than two months after~~
58 ~~receiving the tentative plan of apportionment and map of the proposed districts, the commission~~
59 ~~shall file with the secretary of state a final statement of the numbers and the boundaries of the~~
60 ~~districts together with a map of the districts.]~~

61 **(c)** The senate independent bipartisan citizens commission shall redistrict the senate
62 using the same methods and criteria as those required by subsection (b), Section 3 of this
63 article for the redistricting of the house of representatives.

64 **(d)** Not later than five months after the appointment of the senate independent
65 bipartisan citizens commission, the commission shall file with the secretary of state a
66 tentative redistricting plan and map of the proposed districts and during the ensuing
67 fifteen days shall hold such public hearings as may be necessary to hear objections or
68 testimony of interested persons. The commission shall make public the tentative
69 redistricting plan and map of the proposed districts, as well as all demographic and
70 partisan data used in the creation of the plan and map.

71 **(e)** Not later than six months after the appointment of the commission, the
72 commission shall file with the secretary of state a final statement of the numbers and the
73 boundaries of the districts together with a map of the districts, and no statement shall be
74 valid unless approved by at least seven-tenths of the members.

75 **(f)** After the final statement is filed, senators shall be elected according to such
76 districts until a new redistricting plan is made as provided in this section, except that if the

77 **final statement is not filed within six months of the time fixed for the appointment of the**
78 **commission, the commission shall stand discharged and the senate shall be redistricted**
79 **using the same methods and criteria as described in subsection (b) of Section 3 of this**
80 **article by a commission of six members appointed from among the judges of the appellate**
81 **courts of the state of Missouri by the state supreme court, a majority of whom shall sign**
82 **and file its redistricting plan and map with the secretary of state within ninety days of the**
83 **date of the discharge of the senate independent bipartisan citizens commission. The**
84 **judicial commission shall make public the tentative redistricting plan and map of the**
85 **proposed districts, as well as all demographic and partisan data used in the creation of the**
86 **plan and map. Thereafter, senators shall be elected according to such districts until a**
87 **redistricting plan is made as provided in this section.**

88 (g) Each member of the commission shall receive as compensation fifteen dollars a day
89 for each day the commission is in session, but not more than one thousand dollars, and, in
90 addition, shall be reimbursed for his **or her** actual and necessary expenses incurred while serving
91 as a member of the commission.

92 (h) No ~~reapportionment~~ **redistricting plan** shall be subject to the referendum.

93 (i) **Any action expressly or implicitly alleging that a redistricting plan violates this**
94 **Constitution, federal law, or the United States Constitution shall be filed in the circuit**
95 **court of Cole County and shall name the body that approved the challenged redistricting**
96 **plan as a defendant. Only an eligible Missouri voter who sustains an individual injury by**
97 **virtue of residing in a district that exhibits the alleged violation, and whose injury is**
98 **remedied by a differently drawn district, shall have standing. If the court renders a**
99 **judgment in which it finds that a completed redistricting plan exhibits the alleged violation,**
100 **its judgment shall adjust only those districts, and only those parts of district boundaries,**
101 **necessary to bring the map into compliance. The supreme court shall have exclusive**
102 **appellate jurisdiction upon the filing of a notice of appeal within ten days after the**
103 **judgment has become final.**

Section B. Pursuant to chapter 116, and other applicable constitutional provisions and
2 laws of this state allowing the general assembly to adopt ballot language for the submission of
3 this joint resolution to the voters of this state, the official summary statement of this resolution
4 shall be as follows:

5 "Shall the Missouri Constitution be amended to:

- 6 • Ban lobbyist gifts to legislators, with criminal penalties;
- 7 • Reduce campaign contribution limits;
- 8 • Ensure that the independent bipartisan citizens' commission prepare state
- 9 legislative district maps that are equal in population, follow the U.S.

10 Constitution and federal law, and are as compact and contiguous as
11 possible?".

✓