

HCS HJR 86, 72 & 119 -- CONSTITUTIONAL AMENDMENTS

SPONSOR: Black

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Elections and Elected Officials by a vote of 11 to 4. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 7 to 3.

The following is a summary of the House Committee Substitute for HJR 86.

Upon voter approval, this Constitutional amendment makes numerous changes to the initiative petition process and to the process of approving Constitutional amendments.

Currently, initiative petitions proposing amendments to the Constitution require signatures from 8% of the legal voters in 2/3 of the state's congressional districts in order to be placed on the ballot. This resolution would require signatures from 8% of the legal voters in all of the state's congressional districts in order to place a Constitutional amendment proposed by initiative petition on the ballot.

This resolution provides that voters in each Congressional district shall have the opportunity to review and comment on initiative petitions proposing amendments to the Constitution in a public forum administered by the Secretary of State.

The resolution specifies that only citizens of the United States who are residents of Missouri and properly registered to vote shall be considered legal voters.

This resolution prohibits foreign governments and political parties from sponsoring initiative petitions and from engaging in electoral activity in support of or opposition to an initiative petition.

The resolution requires any amendment to the Constitution to receive a majority of the votes cast both statewide and also in a majority of the state's congressional districts for approval.

The resolution requires the General Assembly to approve by a vote of at least four-sevenths of the members of each chamber any modification of a statutory measure submitted by initiative petition and approved by voters within two years of the effective date of the change. This shall not apply if a court of competent jurisdiction issues a final judgment that declares the measure unconstitutional or otherwise invalid.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that this resolution strikes a balance between making the constitution so easy to change that it becomes mutable and so difficult to change that its discovered faults cannot be remedied. A concurrent majority requirement incorporating some form of geographic agreement on a change to the constitution would better reflect the federal process of changing the constitution and protect rural areas from being consistently outvoted by major metropolitan areas.

Testifying in person for the bill were Representative Black; Mo Farm Bureau; Elizabeth Franklin; and Campaign For Life Missouri.

OPPOSERS: Those who oppose the bill say that any method of changing the constitution other than majority rule is undemocratic. The only alternative to majority rule is minority rule. Requiring a concurrent majority would give a very small number of people a veto over the will of the majority of the state. Zip code should not determine the weight of one's vote. Citizens only resort to the initiative petition process when they feel their voices aren't being heard by their elected representatives. This will discourage citizen participation in the democratic process and ensure that only the best-funded initiatives are approved.

Testifying in person against the bill were Arnie C. Dienoff; Bernadette Holzer; Elizabeth Franklin; Marilyn McLeod, League Of Women Voters Of Missouri; Winston Apple; Missouri Budget Project; Empower Missouri; Abortion Action Missouri (Formerly Pro Choice Missouri); Sierra Club Missouri Chapter; Advocates Of Planned Parenthood Of The St. Louis Region & Southwest Missouri; Béla C Holzer; Amy Mccarthy; Ann Stepp; Amy Hammerman, National Council Of Jewish Women; Ben Cowell; Brennen Drachnik; Andrew Amidei; Brittain "Brittney" Miner; Charles Lucas Fennewald; Cheryl Brown; Cheryl Hibbeler; Christopher Foster; Danielle Eickenhorst; Davonna Williams; Deanna Bergren; Denise Lieberman, Missouri Voter Protection Coalition; Dhruv Pathela; Ellie Bledsoe; Emilee Murphree; Fredrick Jamison; Isabella Zelaskowski; Jamie Howard; Jennifer L. Tracy; Jonathon Gartin; American Civil Liberties Union Of Missouri; Joseph A. Jeffries; Joseph Schlesinger; Kaden Wake; Kaijuanda Sutton; Karen Wright; Katie Hildebrand; Kay Mills; Kay Park, League Of Women Voters StL; Kimberley Hayes; Linda Rezac; Lou Hood; Madeline Friske; May Hall; Melanie Rose; Melisabeth Johnston; Nicole Matos; Missouri NEA; Philip Deitch; Rob Didriksen; Sarah Felts; Sarah Sheahan; Sarah Yoo; Sharon Schneeberger; Stephanie Guerin; Tara Lopez Hallmark; Tim Beiter, Missouri Workers Center;

Truman Oaks; Vanessa Western; Wendel Rubinstein; W. John Nekoua; Yvonne Reeves Chong; Jill Hamilton; Donnita Patterson Brown, Pulaski County Branch NAACP; and Daniel Chura, Missouri Jobs With Justice.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.