

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Joint Resolution No. 67, Page 1, Section A, Line
2 2, by inserting after all of said section and line the following:

3
4 "Section 3. (a) [~~The~~] Before the 2030 decennial census, the house of representatives shall
5 consist of one hundred sixty-three members elected at each general election and redistricted as
6 provided in this section. Beginning after the 2030 decennial census, the house of representatives
7 shall consist of one hundred thirty-six members elected at each general election and redistricted as
8 provided in this section.

9 (b) The house independent bipartisan citizens commission shall redistrict the house of
10 representatives using the following methods, listed in order of priority:

11 (1) Districts shall be as nearly equal as practicable in population, and shall be drawn on the
12 basis of one person, one vote. Districts are as nearly equal as practicable in population if no district
13 deviates by more than one percent from the ideal population of the district, as measured by dividing
14 the number of districts into the statewide population data being used, except that a district may
15 deviate by up to three percent if necessary to follow political subdivision lines consistent with
16 subdivision (4) of this subsection;

17 (2) Districts shall be established in a manner so as to comply with all requirements of the
18 United States Constitution and applicable federal laws, including, but not limited to, the Voting
19 Rights Act of 1965 (as amended). The following principles shall take precedence over any other
20 part of this constitution: no district shall be drawn in a manner which results in a denial or
21 abridgment of the right of any citizen of the United States to vote on account of race or color; and
22 no district shall be drawn such that members of any community of citizens protected by the
23 preceding clause have less opportunity than other members of the electorate to participate in the
24 political process and to elect representatives of their choice;

25 (3) Subject to the requirements of subdivisions (1) and (2) of this subsection, districts shall
26 be composed of contiguous territory as compact as may be. Areas which meet only at the points of
27 adjoining corners are not contiguous. In general, compact districts are those which are square,
28 rectangular, or hexagonal in shape to the extent permitted by natural or political boundaries;

29 (4) To the extent consistent with subdivisions (1) to (3) of this subsection, communities shall
30 be preserved. Districts shall satisfy this requirement if district lines follow political subdivision
31 lines to the extent possible, using the following criteria, in order of priority. First, each county shall
32 wholly contain as many districts as its population allows. Second, if a county wholly contains one
33 or more districts, the remaining population shall be wholly joined in a single district made up of
34 population from outside the county. If a county does not wholly contain a district, then no more
35 than two segments of a county shall be combined with an adjoining county. Third, split counties
36 and county segments, defined as any part of the county that is in a district not wholly within that

Action Taken _____ Date _____

1 county, shall each be as few as possible. Fourth, as few municipal lines shall be crossed as possible;

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

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

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

24 (c) Within sixty days after the population of this state is reported to the President for each
25 decennial census of the United States or, in the event that a redistricting plan has been invalidated by
26 a court of competent jurisdiction, within sixty days that such a ruling has been made, the state
27 committee and the congressional district committees of each of the two political parties casting the
28 highest vote for governor at the last preceding general election shall meet and the members of each
29 committee shall nominate, by a majority vote of the elected members of the committee present,
30 provided that a majority of the elected members is present, members of their party, residents in that
31 district, in the case of a congressional district committee, as nominees for the house independent
32 bipartisan citizens commission. No party shall select more than one nominee from any one state
33 legislative district. The congressional district committees shall each submit to the governor their list
34 of two elected nominees. The state committees shall each submit to the governor their list of five
35 elected nominees. Within thirty days thereafter, the governor shall appoint a house independent
36 bipartisan citizens commission consisting of one nominee from each list submitted by each
37 congressional district committee and two nominees from each list submitted by each state
38 committee to redistrict the state into one hundred and sixty-three representative districts and to
39 establish the numbers and boundaries of said districts. No person shall be appointed to both the
40 house independent bipartisan citizens commission and the senate independent bipartisan citizens
41 commission during the same redistricting cycle.

42 If any committee fails to submit a list within such time, the governor shall appoint a member
43 of his or her own choice from the political party of the committee failing to submit a list, provided
44 that in the case of a congressional district committee failing to submit a list, the person appointed to
45 the commission by the governor shall reside in the congressional district of such committee.

46 Members of the commission shall be disqualified from holding office as members of the
47 general assembly for four years following the date of the filing by the commission of its final
48 redistricting plan.

49 For the purposes of this Article, the term congressional district committee or congressional

1 district refers to the congressional district committee or the congressional district from which a
 2 congressman was last elected, or, in the event members of congress from this state have been elected
 3 at large, the term congressional district committee refers to those persons who last served as the
 4 congressional district committee for those districts from which congressmen were last elected, and
 5 the term congressional district refers to those districts from which congressmen were last elected.
 6 Any action pursuant to this section by the congressional district committee shall take place only at
 7 duly called meetings, shall be recorded in their official minutes and only members present in person
 8 shall be permitted to vote.

9 (d) The commissioners so selected shall, on the fifteenth day, excluding Sundays and state
 10 holidays, after all members have been appointed, meet in the capitol building and proceed to
 11 organize by electing from their number a chairman, vice chairman and secretary. The commission
 12 shall adopt an agenda establishing at least three hearing dates on which hearings open to the public
 13 shall be held to hear objections or testimony from interested persons. A copy of the agenda shall be
 14 filed with the clerk of the house of representatives within twenty-four hours after its adoption.
 15 Executive meetings may be scheduled and held as often as the commission deems advisable.

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

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

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

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

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

44 (j) Any action expressly or implicitly alleging that a redistricting plan violates this
 45 Constitution, federal law, or the United States Constitution shall be filed in the circuit court of Cole
 46 County and shall name the body that approved the challenged redistricting plan as a defendant.
 47 Only an eligible Missouri voter who sustains an individual injury by virtue of residing in a district
 48 that exhibits the alleged violation, and whose injury is remedied by a differently drawn district, shall
 49 have standing. If the court renders a judgment in which it finds that a completed redistricting plan

1 exhibits the alleged violation, its judgment shall adjust only those districts, and only those parts of
 2 district boundaries, necessary to bring the map into compliance. The supreme court shall have
 3 exclusive appellate jurisdiction upon the filing of a notice of appeal within ten days after the
 4 judgment has become final.

5 Section 7. (a) Within sixty days after the population of this state is reported to the President
 6 for each decennial census of the United States, or within sixty days after a redistricting plan has
 7 been invalidated by a court of competent jurisdiction, the state committee and the congressional
 8 district committees of each of the two political parties casting the highest vote for governor at the
 9 last preceding general election shall meet and the members of each committee shall nominate, by a
 10 majority vote of the elected members of the committee present, provided that a majority of the
 11 elected members is present, members of their party, residents in that district, in the case of a
 12 congressional district committee, as nominees for the senate independent bipartisan citizens
 13 commission. No party shall select more than one nominee from any one state legislative district.
 14 The congressional district committees shall each submit to the governor their list of two elected
 15 nominees. The state committees shall each submit to the governor their list of five elected
 16 nominees. Within thirty days thereafter the governor shall appoint a senate independent bipartisan
 17 citizens commission consisting of two nominees from each list submitted by each state committee
 18 and one nominee from each list submitted by each congressional district committee, to redistrict the
 19 thirty-four senatorial districts and to establish the numbers and boundaries of said districts. No
 20 person shall be appointed to both the house independent bipartisan citizens commission and the
 21 senate independent bipartisan citizens commission during the same redistricting cycle.

22 Beginning after the 2030 decennial census, the number of senators shall not total more than
 23 one-fourth the membership of the house of representatives. Each senatorial district shall contain
 24 four representative districts.

25 If any committee fails to submit a list within such time, the governor shall appoint a member
 26 of his or her own choice from the political party of the committee failing to submit a list, provided
 27 that in the case of a congressional district committee failing to submit a list, the person appointed to
 28 the commission by the governor shall reside in the congressional district of such committee.

29 Members of the commission shall be disqualified from holding office as members of the
 30 general assembly for four years following the date of the filing by the commission of its final
 31 redistricting plan.

32 (b) The commissioners so selected shall, on the fifteenth day, excluding Sundays and state
 33 holidays, after all members have been appointed, meet in the capitol building and proceed to
 34 organize by electing from their number a chairman, vice chairman and secretary. The commission
 35 shall adopt an agenda establishing at least three hearing dates on which hearings open to the public
 36 shall be held to hear objections or testimony from interested persons. A copy of the agenda shall be
 37 filed with the secretary of the senate within twenty-four hours after its adoption. Executive
 38 meetings may be scheduled and held as often as the commission deems advisable.

39 (c) The senate independent bipartisan citizens commission shall redistrict the senate using
 40 the same methods and criteria as those required by subsection (b), section 3 of this Article for the
 41 redistricting of the house of representatives.

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

48 (e) Not later than six months after the appointment of the commission, the commission shall
 49 file with the secretary of state a final statement of the numbers and the boundaries of the districts

1 together with a map of the districts, and no statement shall be valid unless approved by at least
2 seven-tenths of the members.

3 (f) After the final statement is filed, senators shall be elected according to such districts until
4 a new redistricting plan is made as provided in this section, except that if the final statement is not
5 filed within six months of the time fixed for the appointment of the commission, the commission
6 shall stand discharged and the senate shall be redistricted using the same methods and criteria as
7 described in subsection (b) of section 3 of this Article by a commission of six members appointed
8 from among the judges of the appellate courts of the state of Missouri by the state supreme court, a
9 majority of whom shall sign and file its redistricting plan and map with the secretary of state within
10 ninety days of the date of the discharge of the senate independent bipartisan citizens commission.
11 The judicial commission shall make public the tentative redistricting plan and map of the proposed
12 districts, as well as all demographic and partisan data used in the creation of the plan and map.
13 Thereafter, senators shall be elected according to such districts until a redistricting plan is made as
14 provided in this section.

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

19 (h) No redistricting plan shall be subject to the referendum.

20 (i) Any action expressly or implicitly alleging that a redistricting plan violates this
21 Constitution, federal law, or the United States Constitution shall be filed in the circuit court of Cole
22 County and shall name the body that approved the challenged redistricting plan as a defendant.
23 Only an eligible Missouri voter who sustains an individual injury by virtue of residing in a district
24 that exhibits the alleged violation, and whose injury is remedied by a differently drawn district, shall
25 have standing. If the court renders a judgment in which it finds that a completed redistricting plan
26 exhibits the alleged violation, its judgment shall adjust only those districts, and only those parts of
27 district boundaries, necessary to bring the map into compliance. The supreme court shall have
28 exclusive appellate jurisdiction upon the filing of a notice of appeal within ten days after the
29 judgment has become final."; and
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31 Further amend said bill, Page 2, Section B, Line 7, by deleting said line and inserting in lieu thereof
32 the following:

33 "General Assembly;

34 * Reduce the size of the Missouri House of Representatives; and"; and
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36

37 Further amend said bill by amending the title, enacting clause, and intersectional references
38 accordingly.