

FIRST REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 27

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MACKEY.

0751H.011

DANA RADEMAN MILLER, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing Sections 30(a), 30(b), 31, 32(a), 32(b), 32(c), and 33 of Article VI of the Constitution of Missouri, and adopting seven new sections in lieu thereof relating to the consolidation of St. Louis County and St. Louis City.

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, 2026, 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 VI of the Constitution of the state of Missouri:

Section A. Sections 30(a), 30(b), 31, 32(a), 32(b), 32(c), and 33, Article VI, Constitution of Missouri, are repealed and seven new sections adopted in lieu thereof, to be known as Sections 34, 35, 36, 37, 38, 39, and 40, to read as follows:

Section 34. 1. As used in sections 34 to 40 of this article, the following terms mean:

(1) "Financing obligation", any bond, note, capital lease, or similar obligation of a metropolitan city, a municipality, a municipal district, or the St. Louis municipal corporation, as applicable, including any such obligations issued on behalf of any such entity and any such obligations issued to refinance or refund any such obligation;

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 (2) "General district service", any duty, service, or function of a metropolitan
8 city, a county, or a city, now or in the future assigned by law, charter, or ordinance of a
9 metropolitan city including, but not limited to:
- 10 (a) Public health, safety, and general welfare;
11 (b) Police, law enforcement, and municipal court;
12 (c) The licensing, taxing, and regulation of businesses, occupations, professions,
13 activities, and things;
14 (d) Transportation, infrastructure, and public works; and
15 (e) Economic development;
- 16 (3) "Mayor", the mayor of a metropolitan city;
17 (4) "Metropolitan city", the territory of the county of St. Louis, as extended to
18 include the territory of the city of St. Louis under sections 34 to 40 of this article;
19 (5) "Metropolitan council", the governing body of a metropolitan city;
20 (6) "Municipal district", a municipal district of a metropolitan city, composed of
21 the territory within the municipality as such territory existed immediately before the
22 effective date of sections 34 to 40 of this article;
- 23 (7) "Municipal district service", any duty, service, or function of the
24 municipality immediately before the effective date of sections 34 to 40 of this article
25 or in the future assigned to the municipal district by law, charter, or ordinance of a
26 metropolitan city and that is not otherwise a general district service provided or secured
27 by such metropolitan city within the territory of the municipal district including, but not
28 limited to:
- 29 (a) Fire protection, emergency medical, and related services;
30 (b) Parks and recreation;
31 (c) Proprietary and enterprise functions of the municipality;
32 (d) Facilities; and
33 (e) Administration of the municipal district;
- 34 (8) "Municipality", any incorporated city, town, or village located wholly within
35 the territory of the city of St. Louis, including the city of St. Louis, or in the county of St.
36 Louis as such entities existed immediately before the effective date of sections 34 to 40 of
37 this article;
- 38 (9) "St. Louis municipal corporation", the municipal district within the territory
39 of the city of St. Louis as such entity existed before the effective date of sections 34 to 40
40 of this article;
- 41 (10) "Special district", a political subdivision, municipal corporation, body
42 corporate and politic, authority, metropolitan district, taxing district, taxing subdistrict,
43 public corporation, or quasi-public corporation created under this constitution, state

44 law, a charter, ordinance, or resolution, located wholly or partially within the territory
45 in the city of St. Louis or the county of St. Louis as such entities existed immediately
46 before the effective date of sections 34 to 40 of this article. The term shall not be
47 construed to include:

48 (a) The county of St. Louis;

49 (b) A municipality;

50 (c) A school district; or

51 (d) A fire protection district;

52 (11) "Transition mayor", the transition mayor of a metropolitan city;

53 (12) "Transition period", the period between the effective date of sections 34 to
54 40 of this article and January first of the fifth year after the effective date of sections 34
55 to 40 of this article.

56 2. (1) Nothing in sections 34 to 40 of this article shall be construed to impair any
57 obligation of contract and the provisions of sections 34 to 40 of this article shall be
58 administered so as to preserve and protect any vested rights in such contract. Any
59 conflict in the provisions of contracts, bonds, franchises, deeds, obligations, or
60 instruments shall be resolved in a manner that protects and preserves any vested
61 rights and shall not impair the rights of any parties to such contracts, bonds, franchises,
62 deeds, obligations, or instruments.

63 (2) No action shall be taken to impair any contract with or any claim in favor of
64 or against the county of St. Louis or any municipality in existence immediately before
65 the effective date of sections 34 to 40 of this article or to impair or affect the validity of
66 any outstanding obligation of any kind incurred before the effective date of sections 34
67 to 40 of this article.

68 (3) All actions, causes of action, rights, duties, titles, claims, debts, judgments,
69 recognizances, fines, penalties, forfeitures, and obligations of any kind in favor of or
70 against the county of St. Louis or any municipality as of the effective date of sections 34
71 to 40 of this article shall continue in full force and effect in favor of or against the
72 metropolitan city or a municipal district, as the case may be.

73 (4) Except as otherwise provided in sections 34 to 40 of this article, all matters
74 pending before or under consideration by the county of St. Louis or any municipality
75 immediately before the effective date of sections 34 to 40 of this article may be acted
76 upon and disposed of as if originated, initiated, or introduced with the metropolitan city
77 or a municipal district, as the case may be.

78 (5) Notwithstanding any other provision of this constitution or state law to the
79 contrary, if the requisite vote of the electors of the county of St. Louis or of any
80 municipality has occurred with respect to the issuance of financing obligations before

81 the effective date of sections 34 to 40 of this article, the metropolitan city or a municipal
82 district, as the case may be, shall have the right to take any and all steps necessary to
83 issue the same financing obligations with the same effect as if such actions had been
84 taken by the metropolitan city or a municipal district and as if the vote had been of the
85 requisite vote of the electors of the metropolitan city or the municipal district, as the
86 case may be.

87 3. (1) Any employee transferred to the metropolitan city under sections 34 to 40
88 of this article shall be entitled to continue in service with the metropolitan city, with
89 seniority, rank, compensation, and accrued benefits intact, until otherwise provided by
90 ordinance or order of the metropolitan city. Any rights, protections, and privileges
91 attributed to any such employee by a civil service or similar system shall continue
92 unimpaired with respect to such employee in a corresponding civil service or similar
93 system of the metropolitan city. Notwithstanding any other provision of sections 34 to
94 40 of this article to the contrary, any employee transferred to the metropolitan city
95 under sections 34 to 40 of this article who was serving as chief, director, commissioner,
96 or similar rank or position as the head of a department or office of a municipality, or
97 any employee who was serving as assistant chief, deputy director, or similar rank or
98 position immediately subordinate to the head of such department or office, shall be
99 entitled to continue in service with the metropolitan city as provided in sections 34 to 40
100 of this article but shall not be entitled to the rank or position as the head of a
101 department or office of the metropolitan city or the immediate subordinate to the head
102 of a department or office of the metropolitan city.

103 (2) Any employee transferred to the St. Louis fire protection district under
104 sections 34 to 40 of this article shall be entitled to continue in service with the St. Louis
105 fire protection district with seniority, rank, compensation, and accrued benefits intact
106 until otherwise provided by the St. Louis fire protection district. Any rights,
107 protections, and privileges attributed to any such employee by a civil service or similar
108 system shall continue unimpaired with respect to any such employee in a corresponding
109 civil service or similar system of the St. Louis fire protection district.

110 (3) Unless otherwise provided by ordinance of the metropolitan city after the
111 transition period, any employee of the metropolitan city previously employed by the
112 county of St. Louis or any municipality, other than the city of St. Louis, who is not a
113 resident of the territory within the city of St. Louis as such territory existed before the
114 effective date of sections 34 to 40 of this article and who became an employee of the
115 metropolitan city as a result of the adoption of sections 34 to 40 of this article, shall be
116 entitled to receive annually from the metropolitan city a refundable tax credit in an

117 amount equal to the amount of taxation collected by the metropolitan city upon the
118 earnings of such employee.

119 4. (1) (a) All collective bargaining agreements under negotiation or in existence
120 with the county of St. Louis or any municipality immediately before the effective date of
121 sections 34 to 40 of this article shall, if being negotiated, continue to be negotiated and, if
122 in existence, continue in effect until the expiration of the terms of such agreements, at
123 which time new agreements shall be negotiated with the metropolitan city, municipal
124 district, or the St. Louis fire protection district, as the case may be.

125 (b) Upon the metropolitan city's assumption of the provision of a general district
126 service, the metropolitan city shall be the sole successor to any existing collective
127 bargaining agreement in effect immediately before the effective date of sections 34 to 40
128 of this article between a recognized or certified majority collective bargaining
129 representative and the county of St. Louis or the city of St. Louis related to such
130 general district service. The metropolitan city shall continue to recognize and bargain
131 in good faith with such collective bargaining representatives and shall abide by the
132 terms of any collective bargaining agreement in effect upon such assumption of the
133 provision of such general district service.

134 (2) If the adoption of sections 34 to 40 of this article results in the merger of one
135 or more collective bargaining units with another such unit represented by recognized or
136 certified collective bargaining representatives, any disputes concerning such merger
137 with respect to collective bargaining agreements with the city of St. Louis or the county
138 of St. Louis relating to the provision of a general district service assumed by the
139 metropolitan city including, but not limited to, the status of a representative or conflicts
140 between agreements, that cannot be resolved through negotiations shall be submitted to
141 interest arbitration, which shall bind all required parties and which shall be conducted
142 by an experienced labor interest arbitrator mutually selected by the metropolitan city
143 and the affected collective bargaining representatives.

144 (3) Nothing in sections 34 to 40 of this article shall be construed to affect, limit,
145 or impair the rights of employees to organize and bargain collectively as provided in
146 Article I, Section 29 of this constitution and the provisions of sections 34 to 40 of this
147 article shall be construed in harmony with Article I, Section 29 of this constitution.

148 5. (1) Nothing in sections 34 to 40 of this article shall be construed to deprive
149 any person of any vested, nonforfeitable, and contractual right or privilege to retire or
150 to retirement or pension benefits including, but not limited to, disability and death
151 benefits, if any, earned before the effective date of sections 34 to 40 of this article. All
152 vested, nonforfeitable, and contractual rights, protections, and privileges of employees,
153 eligible dependents, and beneficiaries in any retirement fund or pension system related

154 to the county of St. Louis or a municipality as of the effective date of sections 34 to 40 of
155 this article shall continue unimpaired until all benefits due such employees, eligible
156 dependents, and beneficiaries have been paid.

157 (2) (a) Employee members of a retirement fund or pension system who are
158 transferred to the metropolitan city or to the St. Louis fire protection district under
159 sections 34 to 40 of this article shall remain members of and continue to earn service
160 credit toward the benefits of such retirement fund or pension system including, but not
161 limited to, disability and death benefits, during such members' employment with the
162 metropolitan city.

163 (b) The metropolitan city or the St. Louis fire protection district, as the case may
164 be, shall contribute proportionately to any such retirement fund or pension system for
165 each such employee member with respect to such members' employment with the
166 metropolitan city or the St. Louis fire protection district as required by law or ordinance
167 but any contribution or portion thereof attributed to benefits accrued before the
168 transfer of such employee to the metropolitan city or to the St. Louis fire protection
169 district shall remain an outstanding obligation satisfied solely from funds generated
170 within the territory in which such obligation was incurred as provided in sections 34 to
171 40 of this article, provided that the St. Louis fire protection district may assume any
172 such obligation for employees transferred to the district as provided in sections 34 to 40
173 of this article.

174 (c) The metropolitan city, municipal districts, and the St. Louis municipal
175 corporation may purchase from an insurance company, in accordance with federal
176 fiduciary standards under the federal Employment Retirement Income Security Act of
177 1974, or its successor laws, annuities to provide for such retirement or pension benefits
178 as necessary.

179 (3) (a) Notwithstanding any other provision of this constitution or state law to
180 the contrary, the members of the board of trustees or similar governing body for any
181 retirement fund or pension system created before the effective date of sections 34 to 40
182 of this article shall continue to hold office until a successor is appointed and serving.

183 (b) The successor for such members who are office holders of a municipality
184 shall be the assessor of the metropolitan city.

185 (c) The successor for such members who were required to be appointed by any
186 official of a municipality before the effective date of sections 34 to 40 of this article shall
187 be appointed by the mayor.

188 (4) Nothing in sections 34 to 40 of this article shall be construed to prohibit the
189 general assembly from providing by law for the modification of any pension or
190 retirement system created by state law or to prohibit the metropolitan city from

191 providing by charter or ordinance for the modification of any pension or retirement
192 system created by charter or ordinance of a municipality or the county of St. Louis
193 before the effective date of sections 34 to 40 of this article.

194 6. Notwithstanding any other provision of this constitution or state law to the
195 contrary, a geographic designation in this constitution or in state law that is based upon
196 the territorial boundaries of the county of St. Louis or of any municipality may continue
197 to be construed as the territorial boundaries of the county of St. Louis or the
198 municipality, as the case may be, as such boundaries existed immediately before the
199 effective date of sections 34 to 40 of this article.

200 7. Notwithstanding any other provision of this constitution or state law to the
201 contrary, any city, town, or village located partially but not wholly within the territory
202 of the metropolitan city shall remain unaffected by sections 34 to 40 of this article,
203 except that such city's, town's, or village's territory located within the metropolitan city
204 shall be detached and annexed to the metropolitan city upon the effective date of
205 sections 34 to 40 of this article. The metropolitan city shall annually distribute moneys
206 to such city, town, or village in an amount equal to the revenues generated within the
207 former territory of such city, town, or village and that would have otherwise been
208 received if the reorganization adopted under sections 34 to 40 of this article had not
209 occurred until otherwise provided by law. Notwithstanding any other provision of this
210 constitution or state law to the contrary, any municipal district with territory outside of
211 the metropolitan city may continue providing or securing the provision of municipal
212 district services within such territory and the metropolitan city may provide or secure
213 the provision of general district services within such territory until otherwise provided
214 by law.

215 8. Notwithstanding any other provision of sections 34 to 40 of this article to the
216 contrary, any charter provision in effect immediately before the effective date of sections
217 34 to 40 of this article requiring a public vote related to the sale, lease, or disposition of
218 any real estate designated as a public park shall continue to apply to the territory to
219 which such charter provision applied immediately before the effective date of sections 34
220 to 40 of this article until amended in the manner provided in sections 34 to 40 of this
221 article for amending the charter of the metropolitan city.

222 9. The general assembly may enact such laws as may be necessary and proper to
223 aid in effectuating sections 34 to 40 of this article and may regulate the metropolitan city
224 to the same extent and in the same manner as a constitutional charter county or a
225 constitutional charter city.

Section 35. 1. (1) (a) Upon the effective date of sections 34 to 40 of this article,
2 the territory of the county of St. Louis is extended to embrace the territory in the city of

3 St. Louis and the county of St. Louis, as such territory existed immediately before the
4 effective date of sections 34 to 40 of this article.

5 (b) The county of St. Louis expanded as provided in this subdivision shall
6 continue its corporate existence as a new political subdivision, body corporate and
7 politic, and municipal corporation, which is hereby created, with its name being "The
8 Metropolitan City of St. Louis".

9 (c) The seat of government of the metropolitan city shall be within the territory
10 of the city of St. Louis, as such territory existed immediately before the effective date of
11 sections 34 to 40 of this article.

12 (2) All rights, duties, personnel, property, contracts, records, assets, liabilities,
13 and obligations of any kind of the county of St. Louis including, but not limited to, the
14 payment of principal and interest on financing obligations, and any obligations related
15 to employee benefits including, but not limited to, pension, retirement, disability, death,
16 medical, life insurance, and similar benefits for employees, eligible dependents, and
17 beneficiaries, shall continue without impairment with the metropolitan city by operation
18 of sections 34 to 40 of this article.

19 2. The metropolitan city shall be a metropolitan city form of government, which
20 is hereby created, and shall possess all the powers and privileges of both a constitutional
21 charter county and a constitutional charter city including, but not limited to, any city
22 not within a county as such city existed immediately before the effective date of sections
23 34 to 40 of this article. The powers and privileges of the metropolitan city shall include,
24 but not be limited to, all powers and privileges of the county of St. Louis and of any
25 municipality as such county and municipality existed immediately before the effective
26 date of sections 34 to 40 of this article and all powers and privileges now or in the future
27 granted to the metropolitan city, to a county, or to a city under this constitution and the
28 laws of this state. Such powers and privileges shall be cumulative and shall be construed
29 broadly in favor of the metropolitan city.

30 3. The metropolitan city shall be governed by a charter. Notwithstanding any
31 other provision of this constitution or state law to the contrary, the initial charter of the
32 metropolitan city shall be the charter of the county of St. Louis as such charter existed
33 of January first of the year immediately after the effective date of sections 34 to 40 of
34 this article, except as otherwise provided in sections 34 to 40 of this article. The specific
35 mention of or the failure to mention a particular power or privilege in the initial charter
36 shall not limit in any way the powers and privileges granted in sections 34 to 40 of this
37 article to the metropolitan city. The initial charter shall be liberally construed in
38 harmony with and to effectuate sections 34 to 40 of this article. The initial charter may
39 be amended in the manner provided in sections 34 to 40 of this article and, after the

40 transition period, in the manner provided by charter, provided that any amendment
41 submitted by ordinance shall require the affirmative vote of two-thirds of the qualified
42 electors voting thereon.

43 4. (1) (a) Unless otherwise provided by charter after the transition period, there
44 shall be no elective officers of the metropolitan city other than the mayor, the members
45 of the metropolitan council, the assessor, and the prosecuting attorney.

46 (b) Elective officers shall be qualified voters of the metropolitan city and shall
47 possess such additional qualifications provided by charter. Except as otherwise
48 provided in sections 34 to 40 of this article, elective officers of the metropolitan city shall
49 be nominated and elected in the manner provided in the election laws for state and
50 county officers.

51 (c) No person duly serving in any office of the county of St. Louis or of any
52 municipality immediately before the effective date of sections 34 to 40 of this article shall
53 be disqualified from candidacy for elective office of the metropolitan city or of a
54 municipal district but shall forfeit such office upon assuming elective office of the
55 metropolitan city or of a municipal district.

56 (d) A vacancy shall exist in an office of the metropolitan city in the event of
57 death, resignation, or inability to serve of the person designated by sections 34 to 40 of
58 this article to assume such office.

59 (2) The salary for members of the metropolitan council shall be as provided for
60 members of the board of aldermen of the city of St. Louis immediately before the
61 effective date of sections 34 to 40 of this article and as may be fixed by ordinance. The
62 salary for all other elective officers of the metropolitan city shall be as provided for
63 corresponding officers of the county of St. Louis immediately before the effective date of
64 sections 34 to 40 of this article and as may be fixed by ordinance.

65 5. (1) Except as otherwise provided in sections 34 to 40 of this article with
66 respect to the transition period, the legislative power of the metropolitan city shall be
67 vested in the metropolitan council and shall include the exercise of legislative power
68 throughout the territory of the metropolitan city including, but not limited to, within the
69 territory of any municipal district, pertaining to any and all duties, services, and
70 functions now or in the future assigned to the metropolitan city, to a county, or to a city.

71 (2) The metropolitan council shall consist of thirty-three members as follows:

72 (a) The members of the county council of the county of St. Louis duly serving as
73 of the effective date of sections 34 to 40 of this article shall be entitled to continue service
74 as members of the county council of the county of St. Louis for the term of office for
75 which such members were elected or appointed and to receive compensation for the
76 exercise of the duties specified in sections 34 to 40 of this article;

77 **(b) The members initially elected to represent even-numbered districts after the**
78 **effective date of sections 34 to 40 of this article shall be elected for terms of two years to**
79 **provide for staggered terms;**

80 **(c) The members initially elected to represent odd-numbered districts after the**
81 **effective date of sections 34 to 40 of this article shall be elected for terms of four years;**

82 **(d) The members elected in elections after the initial election of members shall**
83 **serve a term of four years;**

84 **(e) Each member shall take office on January first of the year immediately after**
85 **such election; and**

86 **(f) Each member shall be elected by the qualified voters of the district in which**
87 **such member resides.**

88 **(3) Members of the metropolitan council shall be elected from districts**
89 **established as follows:**

90 **(a) Before April first of the third year after the effective date of sections 34 to 40**
91 **of this article, the mayor and transition mayor shall jointly appoint a member or**
92 **members of the faculty of one or more universities located within the metropolitan city**
93 **to prepare a plan to divide the metropolitan city into districts from which members of**
94 **the metropolitan council shall be elected. Such members shall possess relevant expertise**
95 **and shall be without partisan affiliation. The plan shall include a statement of the**
96 **boundaries of the initial districts and a map of such districts. Districts shall contain as**
97 **nearly equal population as practicable, shall be compact and contiguous, and shall**
98 **comply with all requirements of the United States Constitution and federal laws**
99 **including, but not limited to, the federal Voting Rights Act of 1965, as amended. Such**
100 **districts shall respect boundaries of municipal districts and communities of interest**
101 **whenever practicable;**

102 **(b) Before September first of the third year after the effective date of sections 34**
103 **to 40 of this article, the plan shall be submitted for adoption, with or without**
104 **amendment, by the county council of the county of St. Louis and the governing body of**
105 **the municipal district within the territory in the city of St. Louis as such territory**
106 **existed immediately before the effective date of sections 34 to 40 of this article. If, before**
107 **January first of the fourth year after the effective date of sections 34 to 40 of this article,**
108 **both fail to adopt identical plans with the characteristics required by this subdivision,**
109 **the plan as submitted shall be deemed approved by both as of such date. Upon**
110 **approval, the plan shall be filed with the official performing the duties of a county clerk**
111 **and the office or officers charged with conducting elections in the metropolitan city and**
112 **shall be deemed incorporated into the charter; and**

113 (c) On or before December thirty-first of the year after a federal decennial
114 census, beginning with the first federal decennial census after the transition period, the
115 districts shall be reapportioned, if necessary, in the manner provided in the charter and
116 with the characteristics provided in this subdivision.

117 (4) At the metropolitan council's first regular meeting after the transition
118 period, and every two years thereafter, the members of the metropolitan council shall
119 designate a president and vice president, whose term of office shall be for two years.

120 (5) A vacancy in the metropolitan council shall be filled by appointment of the
121 president of the metropolitan council. A person appointed to fill such vacancy shall
122 have the same qualifications otherwise established for the office and shall serve until a
123 successor is duly serving after a special election for the unexpired or full term.

124 6. (1) (a) Except as otherwise provided in sections 34 to 40 of this article with
125 respect to the transition period, all executive and administrative power of the
126 metropolitan city shall be vested in the mayor. The mayor shall be the chief
127 executive officer of the metropolitan city and shall possess and exercise all the powers
128 and duties of the chief executive officer of a county and of a city now or in the future
129 granted.

130 (b) Notwithstanding any other provision of this constitution or state law to the
131 contrary, the initial mayor shall be the person duly serving as county executive of the
132 county of St. Louis on January first of the year immediately after the effective date of
133 sections 34 to 40 of this article, who shall assume office upon the effective date of
134 sections 34 to 40 of this article and hold office until a successor is duly serving.

135 (c) The mayor shall be elected at the general election occurring four years after
136 the effective date of sections 34 to 40 of this article, and every four years thereafter, and
137 shall take office on January first following election.

138 (d) Except as otherwise provided in sections 34 to 40 of this article with respect
139 to the transition period, a vacancy in the office of mayor shall be filled by the president
140 of the metropolitan council, who shall possess and exercise the powers and duties of the
141 office until a successor is serving after a special election for the unexpired or full term.
142 While so holding the office of mayor, a temporary vacancy shall exist in the office of the
143 president of the metropolitan council. The vice president of the metropolitan council
144 shall hold the office of president of the metropolitan council during any such vacancy,
145 with the right of succession to the office of mayor.

146 (e) Notwithstanding any provision of paragraph (d) of this subdivision to the
147 contrary, the transition mayor shall possess and exercise the powers and duties of the
148 office of mayor in the event of a vacancy in such office during the transition period. The
149 vacancy in the office of transition mayor thereby created shall be filled by appointment

150 of the transition mayor, now serving as mayor, from a list of no fewer than three
151 qualified voters nominated by resolution of the county council of the county of St. Louis.
152 If the county council of the county of St. Louis fails to submit such list within seven days
153 of the vacancy, the office shall be filled by appointment of the transition mayor, now
154 serving as the mayor.

155 (2) The mayor shall appoint no fewer than four deputy mayors, to serve at the
156 pleasure of the mayor and with such duties as directed by ordinance or executive order,
157 with respect to the following:

158 (a) Public health and safety;

159 (b) Economic development and innovation;

160 (c) Community development and housing;

161 (d) Community engagement and equity; and

162 (e) Other subjects as otherwise designated by charter.

163 (3) There shall be an assessor of the metropolitan city who shall possess and
164 exercise all the powers and duties of a county assessor now or in the future granted.
165 Notwithstanding any other provision of this constitution or state law to the contrary, the
166 initial assessor shall be the person duly serving as assessor of the county of St. Louis on
167 January first of the year immediately after the effective date of sections 34 to 40 of this
168 article. Such person shall assume office upon the effective date of sections 34 to 40 of
169 this article and hold office until a successor is duly serving. The assessor shall be elected
170 at the general election occurring four years after the effective date of sections 34 to 40 of
171 this article, and every four years thereafter, and shall take office on January first
172 following election. A vacancy in the office shall be filled by appointment of the mayor,
173 and the person so appointed shall hold office until January first after the next general
174 election, at which a successor shall be elected for the unexpired or full term.

175 (4) There shall be a prosecuting attorney of the metropolitan city who shall
176 possess and exercise all the powers and duties of a prosecuting attorney and the circuit
177 attorney for the city of St. Louis now or in the future granted. Notwithstanding any
178 other provision of this constitution or state law to the contrary, the initial prosecuting
179 attorney shall be the person duly serving as prosecuting attorney of the county of St.
180 Louis on January first of the year immediately after the effective date of sections 34 to
181 40 of this article. Such person shall assume office upon the effective date of sections 34
182 to 40 of this article and hold office until a successor is duly serving. The prosecuting
183 attorney shall be elected at the general election occurring four years after the effective
184 date of sections 34 to 40 of this article, and every four years thereafter, and shall take
185 office on January first following election. A vacancy in the office shall be filled by
186 appointment of the mayor, and the person so appointed shall hold office until January

187 first after the next general election, at which a successor shall be elected for the
188 unexpired or full term.

189 (5) There shall be a metropolitan city counselor appointed by the mayor, with
190 such qualifications provided by charter, who shall serve as the metropolitan city's
191 attorney and counselor at law and shall possess and exercise all the powers and duties of
192 a county counselor and a city attorney now or in the future granted.

193 (6) Except as otherwise provided in sections 34 to 40 of this article, the
194 metropolitan city shall have such departments and offices as established by the county
195 of St. Louis as of the effective date of sections 34 to 40 of this article and as may be
196 subsequently established by the metropolitan city. Except for the heads of a department
197 appointed by the majority of the circuit judges as provided by charter, the heads of each
198 department shall be appointed by the mayor and shall assume office upon appointment.
199 Upon the effective date of sections 34 to 40 of this article, a board or commission of the
200 county of St. Louis that is not the governing body of a special district shall continue as a
201 board or commission of the metropolitan city, until otherwise provided by charter or by
202 ordinance of the metropolitan city, with the members duly serving holding office until a
203 successor is duly appointed. The members of boards and commissions of the
204 metropolitan city shall be appointed by the mayor, or otherwise as designated by
205 charter, and shall exercise such duties and functions as assigned by law, charter,
206 ordinance, or order.

207 7. (1) (a) During the transition period, all executive and administrative power of
208 the metropolitan city shall be vested jointly in the mayor and transition mayor, who
209 shall together constitute the chief executive officer of the metropolitan city and who shall
210 jointly undertake or order the exercise or performance of any power, duty, or function
211 necessary and proper to faithfully execute the orderly administration and
212 implementation of sections 34 to 40 of this article.

213 (b) Notwithstanding any other provision of this constitution or state law to the
214 contrary, the transition mayor shall be the person serving as mayor of the city of St.
215 Louis on January first of the year immediately after the effective date of sections 34 to
216 40 of this article, who shall assume the office of transition mayor upon the effective date
217 of sections 34 to 40 of this article and hold office until January first of the fifth year after
218 the effective date of sections 34 to 40 of this article.

219 (c) During the transition period, the transition mayor shall concurrently exercise
220 the powers, privileges, duties, and functions of the chief executive officer of the
221 governing body of the municipal district within the territory of the city of St. Louis as it
222 existed immediately before the effective date of sections 34 to 40 of this article.

223 **(d) A vacancy in the office of transition mayor shall be filled by appointment of**
224 **the mayor from a list of no fewer than three qualified voters nominated by resolution of**
225 **the governing body of the municipal district within the territory of the city of St. Louis**
226 **as it existed immediately before the effective date of sections 34 to 40 of this article. If**
227 **the governing body of the municipal district fails to submit such list within seven days of**
228 **the vacancy, the office shall be filled by appointment of the mayor.**

229 **(2) (a) Notwithstanding any other provision of this constitution or state law to**
230 **the contrary, to the extent an executive or administrative power, duty, or function is**
231 **required to be exercised or performed by the metropolitan city during the transition**
232 **period, such power, duty, or function may be exercised or performed jointly by the**
233 **mayor and transition mayor or, at the mayor's and transition mayor's joint direction, by**
234 **an official or employee of the metropolitan city or of a municipal district, but shall be**
235 **deemed exercised or performed by the metropolitan city.**

236 **(b) Such powers, duties, and functions shall include, but not be limited to:**

237 **a. On or before February first of the third year after the effective date of sections**
238 **34 to 40 of this article, establishing procedures related to the joint exercise and**
239 **performance of the power, duties, and functions authorized by sections 34 to 40 of this**
240 **article including, but not limited to, a procedure for the resolution of any**
241 **nonconcurrence among the mayor and transition mayor;**

242 **b. On or before April first of the third year after the effective date of sections 34**
243 **to 40 of this article, making appointments to offices, departments, boards, and**
244 **commissions, except for officers appointed by a majority of the circuit judges as**
245 **provided in the charter, with such persons assuming office upon appointment;**

246 **c. Ordering the metropolitan city to provide or secure the provision of a general**
247 **district service within the territory of a municipal district;**

248 **d. Administering the budget for each year of the transition period in the manner**
249 **provided in sections 34 to 40 of this article;**

250 **e. Transferring and assigning the functions and duties of personnel;**

251 **f. Entering into contracts and agreements;**

252 **g. Transferring and accepting the transfer of property; and**

253 **h. Executing any necessary documents or instruments related thereto on behalf**
254 **of the metropolitan city.**

255 **(c) The mayor and transition mayor shall jointly undertake or order the exercise**
256 **or performance of such powers, duties, or functions under an executive order**
257 **contemporaneously transmitted to the county council of the county of St. Louis and**
258 **the governing body of each municipal district.**

259 **(3) (a) During the transition period, the mayor and transition mayor shall**
260 **jointly solicit public comment and, before November fifteenth of the fourth year after**
261 **the effective date of sections 34 to 40 of this article, shall jointly present to the public, at**
262 **meetings called for such purpose, a plan to create, organize, and abolish executive and**
263 **administrative departments, divisions, bureaus, commissions, boards, offices, and**
264 **employments, and transfer the functions and duties thereof, as necessary and proper to**
265 **effectuate sections 34 to 40 of this article and to ensure the proper and efficient**
266 **administration of the affairs of the metropolitan city.**

267 **(b) The plan shall provide for the exercise of executive and administrative**
268 **powers and duties of counties and county officers prescribed by this constitution and**
269 **laws of the state and shall provide for the exercise of executive and administrative**
270 **powers, privileges, duties, and functions of the metropolitan city prescribed in sections**
271 **34 to 40 of this article including, but not limited to, providing or securing the provision**
272 **of general district services throughout the territory of the metropolitan city.**

273 **(c) On or after January first of the fifth year after the effective date of sections**
274 **34 to 40 of this article, the plan shall be submitted to the metropolitan council and shall**
275 **take effect within thirty days of submission, unless disapproved by resolution adopted**
276 **by two-thirds of all members voting in the affirmative and except as otherwise provided**
277 **in this paragraph. If the plan affects the department of judicial administration, such**
278 **plan shall not become effective unless upon the concurrence of a majority of the circuit**
279 **judges within the metropolitan city.**

280 **(d) Upon taking effect, the plan shall take the place of and supersede charter**
281 **provisions, ordinances, resolutions, rules, regulations, and orders inconsistent with such**
282 **plan.**

283 **(4) Notwithstanding any other provision of this constitution or state law to the**
284 **contrary, during the transition period, the county council of the county of St. Louis and**
285 **the governing body of the municipal district located within the territory of the city of St.**
286 **Louis as it existed immediately before the effective date of sections 34 to 40 of this**
287 **article, upon the joint recommendation of the mayor and transition mayor, shall adopt**
288 **resolutions, ordinances, and orders consistent with sections 34 to 40 of this article and**
289 **the orderly implementation and administration of sections 34 to 40 of this article. Such**
290 **resolutions, ordinances, and orders shall be deemed as on behalf of the metropolitan city**
291 **upon their adoption by both such bodies and the joint approval thereof by the mayor**
292 **and transition mayor, and such bodies may continue to separately adopt resolutions,**
293 **ordinances, and orders consistent with sections 34 to 40 of this article and the orderly**
294 **implementation and administration of SEC applying to such bodies' respective**
295 **territories.**

296 **(5) During the transition period, the governing body of a municipal district shall**
297 **administer the affairs of the municipal district. Unless upon the joint approval of the**
298 **mayor and transition mayor, no municipal district shall incur any new obligation**
299 **extending beyond the transition period with respect to the provision of general district**
300 **services, other than with respect to the refunding of financing obligations, nor shall such**
301 **municipal district dispose of such municipal district's property, except as required by**
302 **contract.**

303 **(6) During the transition period, it shall be the affirmative duty of any official or**
304 **employee of the metropolitan city, the county of St. Louis, or a municipal district to**
305 **cooperate in the orderly administration and implementation of sections 34 to 40 of this**
306 **article under the joint direction of the mayor and transition mayor and to refrain from**
307 **any official action that would impair or frustrate the orderly administration and**
308 **implementation of sections 34 to 40 of this article.**

309 **8. Notwithstanding any other provision of this constitution or state law to the**
310 **contrary, upon the effective date of sections 34 to 40 of this article, the powers and duties**
311 **of any county office of the city of St. Louis or the county of St. Louis shall be deemed**
312 **exercised or performed on behalf of the metropolitan city. Except as otherwise provided**
313 **in sections 34 to 40 of this article, before January first of the fourth year after the**
314 **effective date of sections 34 to 40 of this article, all property, contracts, records, and**
315 **personnel related to any such county office shall be transferred to the corresponding**
316 **office of the metropolitan city. Incumbents serving in such offices shall serve the**
317 **remainder of the term for which such individuals were elected or appointed, subject to**
318 **any right of resignation, and shall receive compensation for the performance of such**
319 **duties directed by the metropolitan city.**

320 **9. (1) The entire territory of the metropolitan city shall be a general services**
321 **district, throughout which the metropolitan city shall provide or secure the provision of**
322 **general district services including, but not limited to, within the territory of any**
323 **municipal district.**

324 **(2) Notwithstanding the provisions of subdivision (1) of this subsection to the**
325 **contrary, a municipal district shall continue to provide or secure the provision of a**
326 **general district service on behalf of the metropolitan city until such service is provided**
327 **or secured by the metropolitan city within the territory of the municipal district under**
328 **executive order or ordinance of the metropolitan city.**

329 **(3) Except as otherwise provided in sections 34 to 40 of this article, and**
330 **excluding any fund balance of a municipal district, any property, contracts, records, and**
331 **personnel of a municipal district related to providing or securing a general district**
332 **service shall be transferred to the metropolitan city upon the metropolitan city**

333 providing or securing the provision of a general district service within the territory of
334 the municipal district.

335 **10. (1) (a)** The metropolitan city shall enforce its ordinances, resolutions, rules,
336 regulations, and orders throughout its territory. Ordinances, resolutions, rules,
337 regulations, and orders of the county of St. Louis in effect immediately before the
338 effective date of sections 34 to 40 of this article shall remain effective as ordinances,
339 resolutions, rules, regulations, and orders of the metropolitan city and shall be enforced
340 by the metropolitan city until repealed, modified, or amended by the metropolitan city,
341 except to the extent of any conflict with sections 34 to 40 of this article. Charter
342 provisions, ordinances, resolutions, rules, regulations, and orders of any municipality in
343 effect immediately before the effective date of sections 34 to 40 of this article shall
344 become effective as ordinances, resolutions, rules, regulations, and orders of the
345 metropolitan city as if enacted or promulgated by the metropolitan city and shall be
346 enforced by the metropolitan city with respect to the territory to which they applied
347 immediately before the effective date of sections 34 to 40 of this article until repealed,
348 modified, or amended by the metropolitan city, except to the extent of any conflict with
349 sections 34 to 40 of this article.

350 **(b)** Notwithstanding the provisions of paragraph (a) of this subdivision to the
351 contrary, during the transition period, a municipal district may, under the direction of
352 the metropolitan city, continue to enforce such ordinances, resolutions, rules,
353 regulations, and orders within its territory, and such enforcement shall be deemed on
354 behalf of the metropolitan city. All ordinances, resolutions, rules, regulations, or orders
355 of the metropolitan city shall be construed to effectuate sections 34 to 40 of this article.

356 **(2) (a)** The metropolitan city counselor shall review all charter provisions,
357 ordinances, resolutions, rules, regulations, and orders and shall solicit public comments
358 related to such charter provisions, ordinances, resolutions, rules, regulations, and
359 orders.

360 **(b)** Before November fifteenth of the fourth year after the effective date of
361 sections 34 to 40 of this article, the metropolitan city counselor shall issue a report on
362 such modifications and revisions necessary or advisable including, but not limited to, to
363 resolve any conflicts whereby any rights, remedies, entitlements, or the enforcement
364 thereof, cannot reasonably be reconciled.

365 **(c)** The metropolitan council may adopt the report by ordinance and, upon
366 adoption, the charter, ordinances, resolutions, rules, regulations, and orders in effect
367 shall be deemed modified to reflect the report so adopted.

368 **11. (1) (a)** Upon the effective date of sections 34 to 40 of this article, the
369 jurisdiction of the municipal court for the county of St. Louis shall be extended to the

370 entire territory of the metropolitan city and shall constitute the municipal court for the
371 metropolitan city. The municipal court shall have jurisdiction to hear and determine
372 cases involving violations of ordinances in the manner provided by this constitution or
373 by law, rule, charter, or ordinance.

374 (b) Notwithstanding the provisions of paragraph (a) of this subdivision to the
375 contrary, during the transition period, a municipal court within the metropolitan city
376 immediately before the effective date of sections 34 to 40 of this article may continue to
377 operate as a division of the municipal court of the metropolitan city, with any act of such
378 division deemed performed on behalf of the municipal court of the metropolitan city.

379 (c) Before January first of the fifth year after the effective date of sections 34 to
380 40 of this article, property, contracts, records, and personnel of any municipal court
381 within the metropolitan city immediately before the effective date of sections 34 to 40 of
382 this article shall be transferred to the municipal court of the metropolitan city.

383 (2) (a) The metropolitan city may authorize the municipal court to operate
384 within divisions and in such locations as are convenient to residents of the metropolitan
385 city and that may correspond with the geographic boundaries of one or more municipal
386 courts immediately before the effective date of sections 34 to 40 of this article.

387 (b) Except as otherwise provided in sections 34 to 40 of this article, the municipal
388 court shall have such municipal judges, and the necessary nonjudicial personnel
389 assisting them, as provided by law and ordinance.

390 (c) Unless otherwise provided by ordinance of the metropolitan city respecting a
391 municipal court, the mayor shall appoint, with advice and consent of the metropolitan
392 council, the judges of the municipal court. The metropolitan city shall prescribe by
393 ordinance the tenure and compensation of the judges of the municipal court. Municipal
394 judges and necessary nonjudicial personnel shall serve full time unless otherwise
395 provided by charter of the metropolitan city.

396 (d) The compensation for any full-time judge of the municipal court shall not
397 exceed the compensation for an associate circuit judge.

398 (3) The clear proceeds of all penalties, forfeitures, and fines collected by the
399 municipal court shall be distributed annually to the schools of the metropolitan city
400 according to law.

Section 36. 1. (1) On January first of the fifth year after the effective date of
2 sections 34 to 40 of this article, the municipal district within the territory of the city of
3 St. Louis as it existed immediately before the effective date of sections 34 to 40 of this
4 article shall continue its corporate existence as a political subdivision and municipal
5 corporation, with its name being "The St. Louis Municipal Corporation".

6 **(2) The St. Louis municipal corporation shall exercise and perform such powers,**
7 **privileges, duties, and functions of the municipal district necessary and proper:**

8 **(a) For the satisfaction of outstanding obligations of any kind of the municipal**
9 **district; and**

10 **(b) To provide or secure the provision of a municipal district service not**
11 **otherwise provided or secured within such municipal district's territory, except as**
12 **otherwise provided by ordinance of the metropolitan city.**

13 **(3) (a) Except as otherwise provided in sections 34 to 40 of this article, all rights,**
14 **duties, personnel, property, contracts, records, assets, liabilities, and obligations of any**
15 **kind of the municipal district within the territory of the city of St. Louis as it existed**
16 **immediately before the effective date of sections 34 to 40 of this article including, but not**
17 **limited to, the payment of principal and interest on financing obligations, and any**
18 **obligation related to employee benefits including, but not limited to, pension, retirement,**
19 **disability, death, medical, life insurance, and similar benefits for employees, eligible**
20 **dependents, and beneficiaries, shall continue without impairment with the St. Louis**
21 **municipal corporation by operation of sections 34 to 40 of this article.**

22 **(b) Except as otherwise provided in sections 34 to 40 of this article, the St. Louis**
23 **municipal corporation and the territory within such municipal corporation shall**
24 **continue to be held responsible for any such outstanding obligation to the same extent as**
25 **the municipal district within the territory of the city of St. Louis as it existed**
26 **immediately before the effective date of sections 34 to 40 of this article, and any tax,**
27 **license, fee, or special assessment levied or imposed for the satisfaction of any**
28 **outstanding obligation shall continue to be levied or imposed within such municipal**
29 **corporation's territory until such obligation is satisfied or the obligation terminates**
30 **under the obligation's terms. The St. Louis municipal corporation may refinance or**
31 **refund any outstanding financing obligation in the manner provided by law for the**
32 **municipality. Any property or interest therein securing any outstanding financing**
33 **obligation shall remain the property of the St. Louis Municipal Corporation until such**
34 **financing obligation is satisfied unless otherwise provided under the terms of such**
35 **financing obligation.**

36 **(c) Notwithstanding any provision of paragraph (a) or (b) of this subdivision to**
37 **the contrary, the metropolitan city may assume any outstanding obligation of the St.**
38 **Louis municipal corporation. No such assumption shall impair any obligation of**
39 **contract.**

40 **2. (1) The governing body of the St. Louis municipal corporation shall be**
41 **composed of a board of directors of five qualified voters appointed by the transition**
42 **mayor. Three of such directors shall be appointed for terms of three years and two of**

43 such directors shall be appointed for terms of two years. Such initial members shall
44 assume office on January first of the fifth year after the effective date of sections 34 to 40
45 of this article and shall hold office until a successor is duly appointed by the mayor of
46 the metropolitan city.

47 (2) Notwithstanding any provision of subdivision (1) of this subsection to the
48 contrary, the members of the governing body of the municipal district shall serve the
49 remainder of the term of office for which such members were elected or appointed,
50 subject to any right of resignation, and shall receive compensation for the performance
51 of such duties as directed by the governing body of the St. Louis municipal corporation.

52 3. (1) As provided in sections 34 to 40 of this article for a municipal district, the
53 territory of the St. Louis municipal corporation shall continue as a taxing subdistrict of
54 the metropolitan city and shall continue as a separate taxing district. The St. Louis
55 municipal corporation may exercise only such taxing powers of the municipal district
56 authorized for its exercise by ordinance of the metropolitan city, except as otherwise
57 provided in sections 34 to 40 of this article for the satisfaction of any outstanding
58 obligation.

59 (2) Unless otherwise provided by ordinance of the metropolitan city, the
60 metropolitan city shall distribute moneys to the St. Louis municipal corporation in the
61 manner and for the purposes provided in sections 34 to 40 of this article with respect to
62 a municipal district. The metropolitan city may levy or impose a tax, license, fee, or
63 special assessment solely within the territory of the St. Louis municipal corporation in
64 the manner and for the purposes provided in sections 34 to 40 of this article with respect
65 to a tax, license, fee, or special assessment of the metropolitan city levied or imposed
66 solely within the territory of a municipal district.

67 (3) Unless otherwise provided by ordinance of the metropolitan city, the St.
68 Louis municipal corporation shall be deemed a municipal district for purposes of
69 determining the right to receive, and for the calculation and receipt of, distributions,
70 allocations, remittances, and reimbursements of any kind from the state or United
71 States government or from any other agency, public or private.

Section 37. 1. (1) (a) Upon the effective date of sections 34 to 40 of this article, a
2 municipality shall continue its corporate existence as a municipal district, with its name
3 being the term "Municipal District" preceded by the name of the municipality, less any
4 previous designation as to city, town, or village, unless otherwise designated by the
5 municipal district or by law. A municipal district of the metropolitan city, which is
6 hereby created, shall be a political subdivision, body corporate and politic, and
7 municipal corporation, exercising and performing such powers, privileges, duties, and
8 functions of the municipality necessary and proper:

9 **a. To provide or secure the provision of a municipal district service not otherwise**
10 **provided or secured within such municipal district's territory;**

11 **b. To provide or secure the provision of a general district service until provided**
12 **or secured by the metropolitan city within the territory of the municipal district under**
13 **an executive order or ordinance of the metropolitan city; and**

14 **c. For the satisfaction of outstanding obligations of any kind incurred by the**
15 **municipality before the effective date of sections 34 to 40 of this article.**

16 **(b) a. All rights, duties, personnel, property, contracts, records, assets, liabilities,**
17 **and obligations of any kind of the municipality including, but not limited to, the**
18 **payment of principal and interest on financing obligations and any obligation related to**
19 **employee benefits including, but not limited to, pension, retirement, disability, death,**
20 **medical, life insurance, and similar benefits for employees, eligible dependents, and**
21 **beneficiaries shall continue without impairment with the municipal district by operation**
22 **of sections 34 to 40 of this article.**

23 **b. Except as otherwise provided in sections 34 to 40 of this article, the municipal**
24 **district and the municipal district's territory shall continue to be held responsible for**
25 **any such outstanding obligation to the same extent as the municipality immediately**
26 **before the effective date of sections 34 to 40 of this article, and any tax, license, fee, or**
27 **special assessment levied or imposed for the satisfaction of any outstanding obligation**
28 **shall continue to be levied or imposed within such municipal district's territory until**
29 **such obligation is satisfied or the obligation terminates under the obligation's terms.**
30 **The municipal district may refinance or refund any outstanding financing obligation in**
31 **the manner provided by law for the municipality. Any property or interest therein**
32 **securing an outstanding financing obligation shall remain the property of the municipal**
33 **district until such financing obligation is satisfied unless otherwise provided under the**
34 **terms of such obligation.**

35 **c. Notwithstanding any provision of subparagraph a. or b. of this paragraph to**
36 **the contrary, the metropolitan city may assume any outstanding obligation of the**
37 **municipal district. No such assumption shall impair any obligation of contract.**

38 **(2) (a) The governing body of a municipal district shall be the governing body of**
39 **the municipality, exercising and performing such powers, privileges, duties, and**
40 **functions of the governing body of the municipality necessary and proper to effectuate**
41 **sections 34 to 40 of this article and for the proper and efficient administration of the**
42 **municipal district including, but not limited to, serving the function of a planning**
43 **commission and board of adjustment to the metropolitan city, in the manner authorized**
44 **by the metropolitan city, with respect to zoning ordinances applicable to territory of the**
45 **municipal district.**

46 **(b) Notwithstanding any other provision of this constitution or state law to the**
47 **contrary, the initial governing body shall consist of the members of the governing body**
48 **of the municipality duly serving immediately before the effective date of sections 34 to**
49 **40 of this article. Such members shall assume office with the municipal district upon the**
50 **effective date of sections 34 to 40 of this article and shall hold office until a successor is**
51 **duly serving after election, beginning with the first general municipal election after the**
52 **transition period.**

53 **(c) Upon the effective date of sections 34 to 40 of this article, a board or**
54 **commission of the municipality that is not the governing body of a special district shall**
55 **continue as a board or commission of the municipal district until otherwise provided by**
56 **the municipal district, by the metropolitan city, or by law, with the members duly**
57 **serving holding office until a successor is duly appointed in a manner consistent with**
58 **that of the municipality or as provided by law.**

59 **(3) The boundaries of a municipal district shall not be altered, except as**
60 **approved by ordinance of the metropolitan city. After the transition period, a municipal**
61 **district may merge or consolidate with one or more municipal districts or may be**
62 **dissolved as authorized by ordinance of the metropolitan city providing for the transfer**
63 **of any rights, duties, personnel, property, contracts, assets, liabilities, and obligations**
64 **and the procedure and effective date for such merger, consolidation, or dissolution.**
65 **Such ordinance may provide for creation of a new municipal district to assume the**
66 **powers, privileges, duties, and functions of any municipal districts so subsumed.**

67 **2. (1) (a) Notwithstanding any other provision of this constitution or state law to**
68 **the contrary, on January first of the fifth year after the effective date of sections 34 to 40**
69 **of this article, there is hereby established a fire protection district, coextensive with the**
70 **boundaries of the territory of the city of St. Louis as such city existed immediately**
71 **before the effective date of sections 34 to 40 of this article, to exercise the powers,**
72 **privileges, duties, and functions now vested or in the future granted to a fire protection**
73 **district under chapter 321 of the Revised Statutes of Missouri, or successor provisions,**
74 **with its name being "The St. Louis Fire Protection District". Such fire protection**
75 **district shall be a political subdivision, municipal corporation, and a body corporate and**
76 **politic, providing fire protection, emergency medical, and related services authorized by**
77 **law for a fire protection district.**

78 **(b) The St. Louis fire protection district shall be governed by a board of**
79 **directors with the powers, privileges, duties, and functions now or in the future granted**
80 **by law to such boards. The initial board shall be composed of five qualified voters**
81 **appointed by the transition mayor. Three of such directors shall be appointed for terms**
82 **of three years and two of such directors shall be appointed for terms of two years.**

83 Thereafter, such directors shall be elected to terms as provided by law for a fire
84 protection district and shall serve until successors are duly elected and qualified in the
85 manner provided by law for a fire protection district.

86 (c) Except as otherwise provided in sections 34 to 40 of this article, any property,
87 contracts, records, and personnel related to the provision of fire protection, emergency
88 medical, and related services within the territory of the city of St. Louis as such city
89 existed immediately before the effective date of sections 34 to 40 of this article shall be
90 transferred to the St. Louis fire protection district. Any employee so transferred who
91 has completed the training and instruction requirements applicable within the territory
92 of the city of St. Louis shall be deemed as having completed the training and instruction
93 requirements applicable to the territory of the metropolitan city.

94 (2) (a) a. For the fiscal year beginning on January first of the fifth year after the
95 effective date of sections 34 to 40 of this article, the board of directors shall certify to the
96 metropolitan city the amount necessary to be raised by taxation and, with other
97 revenues, to support the St. Louis fire protection district, and shall certify the rate of
98 levy that, when levied upon taxable property within the district as shown by the last
99 completed assessment, raises the amount of revenues necessary to be raised by taxation.

100 b. During the fiscal year beginning on January first of the fifth year after the
101 effective date of sections 34 to 40 of this article, the metropolitan city shall distribute to
102 the St. Louis fire protection district, from moneys generated solely within the territory
103 of the city of St. Louis as such city existed immediately before the effective date of
104 sections 34 to 40 of this article, the amount of revenues necessary to be raised by
105 taxation so certified by the board. In addition to such distribution, during such fiscal
106 year, the metropolitan city may, by ordinance, make appropriations to the St. Louis fire
107 protection district from moneys generated solely within the territory of the city of St.
108 Louis as such city existed immediately before the effective date of sections 34 to 40 of
109 this article.

110 (b) Notwithstanding any other provision of this constitution or state law to the
111 contrary, effective for the fiscal year beginning on January first of the sixth year after
112 the effective date of sections 34 to 40 of this article, the board of directors is hereby
113 authorized to levy on all taxable property within the territory of the St. Louis fire
114 protection district a tax sufficient to produce from all taxable property, exclusive of new
115 construction and improvements, substantially the same amount of revenue certified by
116 the board as necessary to be raised by taxation for the prior fiscal year, subject to voter
117 approval as required by this constitution. Upon such levy, the metropolitan city shall
118 adjust the rates of taxes, licenses, and fees levied or imposed by the metropolitan city
119 within the St. Louis fire protection district, other than a tax, license, or fee levied for the

120 satisfaction of any outstanding financing obligation, so to reduce the revenues generated
121 overall thereby by substantially the same amount of revenues generated by the levy of
122 the fire protection district.

123 (c) For each year beginning on or after January first of the seventh year after the
124 effective date of sections 34 to 40 of this article, the board of directors shall determine
125 the amount necessary to be raised by taxation and, with other revenues, to support the
126 St. Louis fire protection district, and shall set the rate of tax on all taxable property
127 within the territory of the district to raise the amount required in the manner provided
128 by law and this constitution for a fire protection district. The board may fix an
129 additional rate and may levy an additional tax for the purposes and in the manner
130 authorized by law for a fire protection district.

131 (d) Until such time as the board of directors has levied a tax authorized in
132 sections 34 to 40 of this article, the metropolitan city shall distribute moneys annually to
133 the St. Louis fire protection district in the manner provided in sections 34 to 40 of this
134 article for the fiscal year beginning on January first of the fifth year after the effective
135 date of sections 34 to 40 of this article.

136 (3) The St. Louis fire protection district may assume any outstanding obligations
137 related to the services to be provided by the district within the territory of the city of St.
138 Louis as such city existed immediately before the effective date of sections 34 to 40 of
139 this article including, but not limited to, the payment of principal and interest on
140 financing obligations, and any obligations related to employee benefits including, but
141 not limited to, pension, retirement, disability, death, medical, life insurance, and similar
142 benefits for employees, eligible dependents, and beneficiaries. No such assumption shall
143 impair any obligation of contract. The board of directors shall make provision for the
144 payment of principal, interest, and other amounts required to be paid on any
145 outstanding financing obligation so assumed by levy of a sufficient tax within the district
146 in the manner authorized by law for a fire protection district.

147 3. (1) Notwithstanding any other provision of this constitution or state law to the
148 contrary, upon the effective date of sections 34 to 40 of this article, all special districts
149 and any provisions of this constitution or the laws of this state pertaining to special
150 districts shall continue unaffected and all special districts shall continue to exercise all
151 powers, privileges, duties, and functions authorized as of the effective date of sections 34
152 to 40 of this article, except that any power to appoint, nominate, or recommend an
153 appointment to the governing body of a special district possessed by any official of the
154 county of St. Louis or of a municipality immediately before the effective date of sections
155 34 to 40 of this article shall be exercised by the mayor, and any other power related to a
156 special district possessed by the county of St. Louis or by a municipality immediately

157 before the effective date of sections 34 to 40 of this article shall be exercised by the
158 metropolitan city, unless otherwise provided by law or under such law after the effective
159 date of sections 34 to 40 of this article.

160 (2) Nothing in sections 34 to 40 of this article shall be construed to prohibit the
161 general assembly from providing by law for the consolidation of special districts made
162 duplicative by the adoption of sections 34 to 40 of this article. No such consolidation
163 shall impair any obligation of contract.

164 (3) Notwithstanding any other provision of this constitution or state law to the
165 contrary, nothing in sections 34 to 40 of this article shall be construed as affecting any
166 fire protection district located wholly or partially within the territory in the city of St.
167 Louis or the county of St. Louis immediately before the effective date of sections 34 to 40
168 of this article, or any provisions of this constitution or the laws of this state pertaining to
169 such fire protection district, and such laws and constitutional provisions shall continue
170 in operation with respect to such fire protection district as if the reorganization adopted
171 under sections 34 to 40 of this article had not occurred.

172 4. Notwithstanding any other provision of this constitution or state law to the
173 contrary, nothing in sections 34 to 40 of this article shall be construed as affecting any
174 school district or school, or any provisions of this constitution or the laws of this state
175 pertaining to such school district or school, and such laws and constitutional provisions
176 shall continue in operation with respect to such school district or school as if the
177 reorganization adopted under sections 34 to 40 of this article had not occurred
178 including, but not limited to, any law that constitutes the territorial boundaries of any
179 school district based on the territorial boundaries of any municipality.

Section 38. 1. (1) After the effective date of sections 34 to 40 of this article, the
2 general assembly shall provide by law for a board of election commissioners or other
3 election authority to perform such duties and possess such powers as provided by law
4 with respect to the conduct of elections within the metropolitan city. Until such time as
5 the general assembly has provided for a board of election commissioners or other
6 election authority, the respective boards of election commissioners shall cooperate in the
7 performance of the duties provided by law for a board of election commissioners in the
8 conduct of elections within the metropolitan city.

9 (2) After the effective date of sections 34 to 40 of this article, the general
10 assembly shall provide for party committees of the metropolitan city organized in the
11 manner and to perform such duties provided by law for county party committees. Until
12 such time as the general assembly has provided for such party committees, the
13 respective party committees shall cooperate in the performance of duties provided by
14 law for county party committees.

15 **2. (1) (a) Notwithstanding any other provision of this constitution or state law to**
16 **the contrary, during the transition period, neither the metropolitan city nor any**
17 **municipal district thereof shall have the power to submit any question to voters with**
18 **respect to the continued levy or imposition of any tax initially levied or imposed by a**
19 **municipality before the effective date of sections 34 to 40 of this article. Upon the failure**
20 **to submit any question to voters with respect to the continued imposition or levy of any**
21 **tax on earnings, such tax shall be reduced in the manner provided by law and any tax on**
22 **payroll expense initially levied or imposed by a municipality before the effective date of**
23 **sections 34 to 40 of this article shall be reduced by one-twentieth of one percent annually**
24 **until such tax is eliminated.**

25 **(b) Notwithstanding any other provision of this constitution or state law to the**
26 **contrary and notwithstanding any reduction of such levies, the St. Louis municipal**
27 **corporation shall satisfy any outstanding financing obligations from available revenues,**
28 **and the metropolitan city shall distribute to the St. Louis municipal corporation, from**
29 **revenues generated within the territory of the St. Louis municipal corporation, such**
30 **revenues as may be required for the satisfaction of any such outstanding financing**
31 **obligation.**

32 **(2) (a) Notwithstanding any other provision of this constitution or state law to**
33 **the contrary, in the event of the death, resignation, or inability to serve of both persons**
34 **designated by sections 34 to 40 of this article to serve in the offices of mayor and**
35 **transition mayor before the effective date of sections 34 to 40 of this article, the**
36 **prosecuting attorney of the metropolitan city and the assessor of the metropolitan city**
37 **shall jointly possess and exercise the powers and duties of the office of mayor and**
38 **transition mayor and shall jointly act as the chief executive officer of the metropolitan**
39 **city until such time as a mayor is elected by the qualified voters of the metropolitan city**
40 **at the general municipal election in the third year after the effective date of sections 34**
41 **to 40 of this article and has assumed office ten days thereafter.**

42 **(b) Notwithstanding any other provision of sections 34 to 40 of this article to the**
43 **contrary, the mayor so elected shall constitute the chief executive officer of the**
44 **metropolitan city and shall exercise and perform any power, duty, or function otherwise**
45 **to be jointly exercised by the mayor and the transition mayor during the transition**
46 **period and shall exercise and perform any power, duty, or function of mayor until**
47 **January first of the seventh year after the effective date of sections 34 to 40 of this**
48 **article, when a successor elected at the general election in November of the sixth year**
49 **after the effective date of sections 34 to 40 of this article is duly serving. Except for the**
50 **election of the mayor as provided in this paragraph, during the transition period,**
51 **neither the metropolitan city nor any municipal district thereof shall have the power to**

52 call an election or to submit any question to voters with respect to any other office of the
53 metropolitan city or of any municipal district.

54 (3) Nothing in sections 34 to 40 of this article shall be construed to prevent a
55 special district from submitting any question to voters, and the costs of submitting such
56 shall be borne according to law, unless otherwise provided by ordinance of the
57 metropolitan city.

Section 39. 1. (1) General district services and the satisfaction of outstanding
2 obligations of any kind of the metropolitan city shall be financed with moneys generated
3 throughout the territory of the metropolitan city, including within the territory of any
4 municipal district thereof, or otherwise secured by the metropolitan city. Municipal
5 district services provided or secured by a municipal district within its territory and the
6 satisfaction of outstanding obligations of any kind of a municipal district shall be
7 financed with moneys generated within the territory of the municipal district, or
8 otherwise secured by the municipal district.

9 (2) Notwithstanding any other provision of this constitution or state law to the
10 contrary, the metropolitan city shall be empowered to take any and all actions necessary
11 and proper to ensure the satisfaction of outstanding obligations incurred before the
12 effective date of sections 34 to 40 of this article and to prevent any impairment of such
13 obligations.

14 2. (1) (a) Except as otherwise provided in sections 34 to 40 of this article, the tax
15 structure, tax rates, and level of services in effect immediately before the effective date
16 of sections 34 to 40 of this article shall remain in effect until modified by the
17 metropolitan city.

18 (b) Notwithstanding any other provision of this constitution or state law to the
19 contrary, in order to maintain the tax structure, tax rates, and level of services, all taxes,
20 licenses, fees, and special assessments levied or imposed by the county of St. Louis or by
21 a municipality shall continue as a tax, license, fee, or special assessment of the
22 metropolitan city with respect to the territory to which such taxes, licenses, fees, and
23 special assessments applied immediately before the effective date of sections 34 to 40 of
24 this article, until modified by the metropolitan city, but shall remain subject to any duty
25 or requirement regarding the use of moneys generated by such taxes, licenses, fees, and
26 special assessments and shall remain subject to any requirement imposed by law for
27 voter approval of the continued levy or imposition of any such tax initially levied or
28 imposed before the effective date of sections 34 to 40 of this article.

29 (c) Notwithstanding any other provision of this constitution or state law to the
30 contrary, the continuation of any such taxes, licenses, fees, and special assessments shall

31 not be deemed an action by a political subdivision in levying, increasing, or broadening
32 the base of an existing tax, license, or fee.

33 (2) (a) The metropolitan city shall distribute to the municipal district moneys
34 generated by any tax, license, fee, or special assessment of the metropolitan city initially
35 levied by the municipality as required for the satisfaction of any outstanding obligation.
36 If any outstanding obligation is subject to the appropriation of moneys for such
37 obligation, the governing body of the municipal district shall determine whether and to
38 what extent moneys shall be appropriated for such obligation.

39 (b) Except as otherwise provided in sections 34 to 40 of this article, the
40 metropolitan city shall distribute any remaining moneys generated by any property tax
41 or special assessment of the metropolitan city initially levied by the municipality to the
42 municipal district for providing or securing the provision of municipal district services
43 within its territory, and for providing or securing the provision of a general district
44 service, until such service is provided or secured by the metropolitan city within the
45 territory of the municipal district under an executive order or ordinance of the
46 metropolitan city.

47 (c) Except as otherwise provided in sections 34 to 40 of this article, the
48 metropolitan city shall, from any remaining moneys generated by any sales or use tax of
49 the metropolitan city initially levied or imposed by the municipality, distribute to the
50 municipal district as moneys necessary for providing or securing the provision of
51 municipal district services within its territory, and for providing or securing the
52 provision of a general district service, until such service is provided or secured by the
53 metropolitan city within the territory of the municipal district under an executive order
54 or ordinance of the metropolitan city.

55 3. (1) Each municipal district shall constitute a taxing subdistrict of the
56 metropolitan city.

57 (2) Notwithstanding any other provision of this constitution or state law to the
58 contrary:

59 (a) Taxes, licenses, fees, or special assessments of the metropolitan city levied or
60 imposed solely within the territory of a municipal district may be different from taxes,
61 licenses, fees, or special assessments of the metropolitan city levied or imposed generally
62 throughout such city's territory;

63 (b) The metropolitan city may levy or impose a tax, license, fee, or special
64 assessment solely within the territory of a municipal district in order to ensure the
65 satisfaction of any outstanding obligation incurred by the municipality before the
66 effective date of sections 34 to 40 of this article including, but not limited to, financing
67 obligations; and

68 (c) The metropolitan city may levy or impose a tax, license, fee, or special
69 assessment solely within the territory of a municipal district to provide or secure the
70 provision of, or to increase the level of, any services provided or secured within the
71 territory of the municipal district. Any such tax levied or imposed shall be subject to
72 voter approval to the extent required by this constitution for the municipality, and the
73 metropolitan city may issue financing obligations for the purposes provided in sections
74 34 to 40 of this article, subject to the requirements of this constitution for voter approval
75 thereof.

76 4. (1) (a) In addition to constituting a taxing subdistrict of the metropolitan city,
77 each municipal district shall be a separate taxing district, with the taxing powers
78 specified in sections 34 to 40 of this article and as may be provided by law.

79 (b) A municipal district may, in the manner and to the extent authorized before
80 the effective date of sections 34 to 40 of this article for the municipality, exercise the
81 following taxing powers for providing or securing the provision of municipal district
82 services and providing or securing the provision of a general district service until such
83 service is provided or secured by the metropolitan city within the territory of the
84 municipal district:

85 a. Continue to levy a property tax or special assessment previously levied by the
86 municipality, or levy a property tax or special assessment, which new levy may be in
87 addition to any such property tax or special assessment of the metropolitan city; and

88 b. Continue to levy a tax upon utilities previously levied by the municipality or
89 levy a tax upon utilities within the municipal district, which shall be in the place of any
90 such tax upon utilities the metropolitan city is authorized to levy within the territory of
91 the municipal district.

92 (c) The governing body of the municipal district shall set the rate of any
93 property tax or special assessment levied by the municipal district in the manner
94 provided by law and this constitution for the municipality.

95 (2) A municipal district may, in the manner and to the extent authorized for the
96 municipality and as may be provided by law, charter, or ordinance of the metropolitan
97 city, continue to impose and collect licenses and fees previously imposed and collected by
98 the municipality, or impose and collect licenses and fees for providing or securing the
99 provision of municipal district services, and for providing or securing the provision of a
100 general district service until such service is provided or secured by the metropolitan city
101 within the territory of the municipal district.

102 (3) A municipal district may issue financing obligations for the purposes
103 described in subdivisions (1) and (2) of this subsection in the manner provided by law
104 and this constitution for the municipality.

105 **(4) The fiscal year of each municipal district shall be the same as the fiscal year**
106 **for the metropolitan city. The governing body of a municipal district shall administer**
107 **the revenues generated from taxes, licenses, fees, and special assessments, along with**
108 **any funds otherwise secured by the municipal district, in a manner consistent with that**
109 **provided for the municipality and as may be provided by law, charter, or ordinance of**
110 **the metropolitan city under an annual budget adopted by the governing body, beginning**
111 **with an annual budget for the fiscal year beginning on January first of the fifth year**
112 **after the effective date of sections 34 to 40 of this article.**

113 **(5) (a) Except as otherwise provided by law, charter, or ordinance of the**
114 **metropolitan city, not later than ninety days before the first day of each fiscal year,**
115 **beginning with the fiscal year beginning on January first of the fifth year after the**
116 **effective date of sections 34 to 40 of this article, the governing body of a municipal**
117 **district shall submit to the metropolitan city a true and accurate estimate of:**

118 **a. All outstanding obligations of any kind including, but not limited to, the**
119 **principal, interest, and other amounts required to be paid on any financing obligations**
120 **for the ensuing fiscal year;**

121 **b. The expenditures necessary to provide or secure the provision of municipal**
122 **district services for the ensuing fiscal year; and**

123 **c. The funds, revenues, taxes, licenses, fees, and special assessments for such**
124 **purposes for the ensuing fiscal year.**

125 **(b) Except as otherwise provided in sections 34 to 40 of this article with respect**
126 **to the transition period and as may be otherwise provided by law, charter, or ordinance**
127 **of the metropolitan city after the effective date of sections 34 to 40 of this article, the**
128 **metropolitan city shall make distributions under sections 34 to 40 of this article in**
129 **accordance with the estimate so certified by the municipal district.**

130 **5. (1) The metropolitan city shall be entitled to receive all moneys from the state**
131 **or the United States government or from any other agency, public or private, to the**
132 **extent and in the manner in which any county or city of the state is, or may in the future**
133 **be, entitled to receive such moneys. The metropolitan city shall be deemed both a city**
134 **and a county for determining the right to receive moneys from the state or the United**
135 **States government or from any other agency, public or private.**

136 **(2) A municipal district shall be entitled to receive all moneys from the state or**
137 **the United States government or from any other agency, public or private, that are in**
138 **furtherance of any power conferred upon a municipal district. A municipal district**
139 **shall be deemed a political subdivision of the state and a municipal corporation for the**
140 **purpose of determining the right to receive moneys from the state or the United States**
141 **government or from any other agency, public or private.**

142 **(3) Notwithstanding any other provision of this constitution or state law to the**
143 **contrary, all apportionments, distributions, allocations, remittances, and**
144 **reimbursements of any kind from the state or the United States government or from**
145 **any other agency, public or private, to counties, cities, towns, or villages that the county**
146 **of St. Louis or any municipality was eligible to receive immediately before the effective**
147 **date of sections 34 to 40 of this article including, but not limited to, the proceeds of taxes,**
148 **licenses, and fees apportioned and distributed under this constitution or state law, shall**
149 **be calculated in the same manner as if the reorganization under sections 34 to 40 of this**
150 **article had not occurred. Any such apportionments, distributions, allocations,**
151 **remittances, and reimbursements shall be made to the metropolitan city, which shall**
152 **distribute to the municipal district such portion thereof required for the satisfaction of**
153 **any outstanding obligation, or necessary for providing or securing the provision of**
154 **municipal district services within such city's territory, and for providing or securing the**
155 **provision of a general district service until such service is provided or secured by the**
156 **metropolitan city within the territory of the municipal district.**

157 **6. (1) (a) Notwithstanding any other provision of this constitution or state law to**
158 **the contrary, except as otherwise provided in sections 34 to 40 of this article, the budget**
159 **of the metropolitan city and the municipal districts thereof for each year of the**
160 **transition period shall be the combined adopted budgets for the county of St. Louis and**
161 **for each municipality covering the twelve-month period beginning on January first of**
162 **the year immediately after the effective date of sections 34 to 40 of this article, along**
163 **with any supplemental or emergency appropriations, and any additional appropriations**
164 **necessary for the satisfaction of any obligations of the county of St. Louis or any**
165 **municipality adopted during the twelve-month period beginning on January first of the**
166 **second year after the effective date of sections 34 to 40 of this article.**

167 **(b) Such budget shall be the complete financial plan for the metropolitan city**
168 **and the municipal districts thereof for each year of the transition period. The amounts**
169 **appropriated in such budget shall be deemed effective for each year of the transition**
170 **period, and the taxes, licenses, fees, and special assessments levied and imposed in**
171 **support thereof are hereby levied and imposed at the rates provided in such budget for**
172 **each year of the transition period in order to create and provide new revenues in**
173 **support of such appropriations.**

174 **(c) Notwithstanding any other provision of this constitution or state law to the**
175 **contrary, no adjustment to the rate of any levy in such budget shall be required during**
176 **the transition period.**

177 **(2) (a) The mayor and transition mayor shall jointly administer the budget for**
178 **each year of the transition period. The mayor and transition mayor may jointly control**

179 the rate at which any appropriation is expended by allotment, may jointly reduce
180 expenditures below appropriations, and may jointly transfer appropriations to ensure
181 the proper and efficient administration of the metropolitan city and the municipal
182 districts thereof during the transition period. The mayor and transition mayor shall not
183 reduce any appropriation for the payment of principal and interest on financing
184 obligations.

185 (b) Notwithstanding any other provision of this constitution or state law to the
186 contrary, if jointly recommended by the mayor and transition mayor, the county council
187 of the county of St. Louis and the governing body of the municipal district located
188 within the territory of the city of St. Louis as it existed immediately before the effective
189 date of sections 34 to 40 of this article shall by ordinance make supplemental or
190 emergency appropriations from available moneys, and such ordinances shall be deemed
191 on behalf of the metropolitan city upon the adoption of such ordinances by both such
192 bodies and the joint approval thereof by the mayor and transition mayor.

193 (3) During the transition period, the metropolitan city shall distribute, to the
194 municipal district, moneys generated from any tax, license, fee, or special assessment of
195 the metropolitan city initially levied by the municipality:

196 (a) As required for the satisfaction of any outstanding obligation of the
197 municipal district including, but not limited to, financing obligations of the
198 municipality;

199 (b) As necessary for providing or securing the provision of municipal district
200 services within such city's territory; and

201 (c) As necessary for providing or securing the provision of a general district
202 service until such service is provided or secured by the metropolitan city within the
203 territory of the municipal district under an executive order or ordinance of the
204 metropolitan city.

205 7. (1) Before November sixteenth of the fourth year after the effective date of
206 sections 34 to 40 of this article, the mayor and transition mayor shall jointly recommend
207 and publish a balanced budget for the metropolitan city, which shall provide a complete
208 financial plan for the metropolitan city for the ensuing fiscal year and shall include
209 proposed tax rates, all estimated income and revenue, all proposed expenditures, and
210 such other matters as may be necessary or advisable.

211 (2) The metropolitan city shall set the rate of any property tax or special
212 assessment of the metropolitan city including, but not limited to, any property tax or
213 special assessment of the metropolitan city levied solely within the territory of a
214 municipal district, in the manner provided in this constitution and by law, except that
215 the rate of the property tax levy for general county purposes levied solely within the

216 territory of the county of St. Louis as it existed immediately before the effective date of
217 sections 34 to 40 of this article shall be reduced for each subclass of real property and
218 for personal property to yield revenues no greater than half of the amount of revenues
219 generated by such levy during the prior fiscal year.

220 (3) Beginning on January first of the fifth year after the effective date of sections
221 34 to 40 of this article, the budget may be adopted in the manner provided by charter
222 and ordinance, except as otherwise provided in sections 34 to 40 of this article. The
223 amounts appropriated and the taxes, licenses, fees, and special assessments levied or
224 imposed in support thereof for the current fiscal year shall be deemed appropriated and
225 levied or imposed for the ensuing fiscal year on a month-to-month basis, with all items
226 prorated accordingly, until such time as the metropolitan council adopts the budget.
227 The mayor may object to one or more items or portions of items of appropriation, other
228 than an appropriation for the payment of principal and interest on financing
229 obligations, in any ordinance presented and such items or portions of items shall not
230 take effect unless separately reconsidered and adopted by the metropolitan council with
231 two-thirds of all members voting in the affirmative, the objections of the mayor
232 notwithstanding.

233 (4) (a) Following adoption of the annual budget, the mayor may:
234 a. Control the rate at which any appropriation is expended by allotment;
235 b. Reduce expenditures below appropriations whenever the actual revenues are
236 less than the revenues upon which the appropriations were based; and
237 c. Transfer appropriations to ensure the proper and efficient administration of
238 the metropolitan city.

239 (b) The mayor shall not reduce any appropriation for the payment of principal
240 and interest on financing obligations.

241 (c) If recommended by the mayor, the metropolitan council may by ordinance
242 make supplemental or emergency appropriations from available moneys during the
243 fiscal year.

244 8. (1) Not later than sixty days before each fiscal year, beginning with the fiscal
245 year beginning on January first of the sixth year after the effective date of sections 34 to
246 40 of this article, the mayor shall recommend to the metropolitan council a balanced
247 budget, which shall provide a complete financial plan for the metropolitan city for the
248 ensuing fiscal year and shall include proposed tax rates, all estimated income and
249 revenue, all proposed expenditures, and such other matters as may be necessary or
250 advisable.

251 (2) The metropolitan city shall annually set the rate of any property tax or
252 special assessment of the metropolitan city including, but not limited to, any property

253 tax or special assessment of the metropolitan city levied solely within the territory of a
254 municipal district, in the manner provided in this constitution and by state law, except
255 that the property tax levy of the metropolitan city for general county purposes levied
256 solely within the territory of the county of St. Louis as it existed immediately before the
257 effective date of sections 34 to 40 of this article shall be levied throughout the territory of
258 the metropolitan city for each subclass of real property and for personal property, and
259 shall be in place of the corresponding property tax levy of the metropolitan city for
260 general county purposes levied solely within the territory of the city of St. Louis as it
261 existed immediately before the effective date of sections 34 to 40 of this article.

262 (3) The budget may be adopted in the manner provided by charter and
263 ordinance, except as otherwise provided in sections 34 to 40 of this article. The amounts
264 appropriated and the taxes, licenses, fees, and special assessments levied or imposed in
265 support thereof for the current fiscal year shall be deemed appropriated and levied or
266 imposed for the ensuing fiscal year on a month-to-month basis, with all items prorated
267 accordingly, until such time as the metropolitan council adopts the budget. The mayor
268 may object to one or more items or portions of items of appropriation, other than an
269 appropriation for the payment of principal and interest on financing obligations, in any
270 ordinance presented and such items or portions of items shall not take effect unless
271 separately reconsidered and adopted by the metropolitan council with two-thirds of all
272 members voting in the affirmative, the objections of the mayor notwithstanding.

273 (4) (a) Following adoption of the annual budget, the mayor may:
274 a. Control the rate at which any appropriation is expended by allotment;
275 b. Reduce expenditures below appropriations whenever the actual revenues are
276 less than the revenues upon which the appropriations were based; and
277 c. Transfer appropriations within any department of the budget to ensure the
278 proper and efficient administration of the metropolitan city.

279 (b) The mayor shall not reduce any appropriation for the payment of principal
280 and interest on financing obligations.

281 (c) If recommended by the mayor, the metropolitan council may by ordinance
282 make supplemental or emergency appropriations from available moneys during the
283 fiscal year.

Section 40. 1. (1) Notwithstanding any other provision of this constitution or
2 state law to the contrary, upon the effective date of sections 34 to 40 of this article, the
3 judicial conference of the state of Missouri, as established by law, is hereby authorized
4 to submit a circuit realignment plan in the manner provided by section 478.073 of the
5 Revised Statutes of Missouri, or its successor statute, for the alteration of the

6 **geographical boundaries of the judicial circuits to create a single judicial circuit for the**
 7 **metropolitan city.**

8 **(2) No judge shall be removed from office during such judge's term by reason of**
 9 **any alteration of the geographical boundaries of any judicial circuit under sections 34 to**
 10 **40 of this article.**

11 **(3) Such plan shall become effective on January first of the year after the session**
 12 **of the general assembly to which it is submitted unless a bill providing such is presented**
 13 **to the governor and is duly enacted.**

14 **(4) Nothing in sections 34 to 40 of this article shall be construed to prohibit the**
 15 **general assembly from providing by law for the alteration of the geographical**
 16 **boundaries of the judicial circuits as authorized by this constitution.**

17 **2. Notwithstanding any other provision of this constitution or state law to the**
 18 **contrary, the judges of the circuit courts for the city of St. Louis and for the county of St.**
 19 **Louis shall continue as judges of any judicial circuit for the metropolitan city and the**
 20 **number of judges for any such circuit shall be the number authorized by law for both**
 21 **circuits as of the effective date of sections 34 to 40 of this article, unless subsequently**
 22 **modified in the manner provided by law.**

23 **3. Whenever a vacancy occurs in the office of circuit judge or associate circuit**
 24 **judge of a circuit court within the metropolitan city, the vacancy shall be filled in the**
 25 **manner provided by Article V, Sections 25(a)-(g) of this constitution.**

2 ~~[Section 30(a). The people of the city of St. Louis and the people of~~
 3 ~~the county of St. Louis shall have power (1) to consolidate the territories and~~
 4 ~~governments of the city and county into one political subdivision under the~~
 5 ~~municipal government of the city of St. Louis; or, (2) to extend the territorial~~
 6 ~~boundaries of the county so as to embrace the territory within the city and to~~
 7 ~~reorganize and consolidate the county governments of the city and county, and~~
 8 ~~adjust their relations as thus united, and thereafter the city may extend its~~
 9 ~~limits in the manner provided by law for other cities; or, (3) to enlarge the~~
 10 ~~present or future limits of the city by annexing thereto part of the territory of~~
 11 ~~the county, and to confer upon the city exclusive jurisdiction of the territory so~~
 12 ~~annexed to the city; or, (4) to establish a metropolitan district or districts for~~
 13 ~~the functional administration of services common to the area included therein;~~
 14 ~~or, (5) to formulate and adopt any other plan for the partial or complete~~
 15 ~~government of all or any part of the city and the county. The power so given~~
 16 ~~shall be exercised by the vote of the people of the city and county upon a plan~~
 17 ~~prepared by a board of freeholders consisting of nineteen members, nine of~~
 18 ~~whom shall be electors of the city and nine electors of the county and one an~~
 19 ~~elector of some other county. Upon the filing with the officials in general~~
 20 ~~charge of elections in the city of a petition proposing the exercise of the~~
 21 ~~powers hereby granted, signed by registered voters of the city in such number~~
 as shall equal three percent of the total vote cast in the city at the last general

22 election for governor, and the certification thereof by the election officials to
23 the mayor, and to the governor, then, within ten days after the certification the
24 mayor shall, with the approval of a majority of the board of aldermen, appoint
25 the city's nine members of the board, not more than five of whom shall be
26 members of or affiliated with the same political party. Each member so
27 appointed shall be given a certificate certifying his appointment signed by the
28 mayor and attested by the seal of the city. Upon the filing with the officials in
29 general charge of elections in the county of a similar petition signed by
30 registered voters of the county, in such number as shall equal three percent of
31 the total vote cast in the county at the last general election for governor, and
32 the certification thereof by the county election officials to the county
33 supervisor of the county and to the governor, within ten days after the
34 certification, the county supervisor shall, with the approval of a majority of the
35 county council, appoint the county's nine members of the board, not more than
36 five of whom shall be members of or affiliated with the same political party.
37 Each member so appointed shall be given a certificate of his appointment
38 signed by the county supervisor and attested by the seal of the county.]

2 [Section 30(b). Upon certification of the filing of such similar petitions
3 by the officials in general charge of elections of the city and the county, the
4 governor shall appoint one member of the board who shall be a resident of the
5 state, but shall not reside in either the city or the county, who shall be given a
6 certificate of his appointment signed by the governor and attested by the seal
7 of the state. The freeholders of the city and county shall fix reasonable
8 compensation and expenses for the freeholder appointed by the governor and
9 the cost shall be paid equally by the city and county. The appointment of the
10 board shall be completed within thirty days after the certification of the filing
11 of the petition, and at ten o'clock on the second Monday after their
12 appointment the members of the board shall meet in the chamber of the board
13 of aldermen in the city hall of the city and shall proceed with the discharge of
14 their duties, and shall meet at such other times and places as shall be agreed
15 upon. On the death, resignation or inability of any member of the board to
16 serve, the appointing authority shall select the successor. The board shall
17 prepare and propose a plan for the execution of the powers herein granted and
18 for the adjustment of all matters and issues arising thereunder. The members
19 of the board shall receive no compensation for their services as members, but
20 the necessary expenses of the board shall be paid one half by the county and
21 one half by the city on vouchers signed by the chairman of the board. The
22 plan shall be signed in duplicate by the board or a majority thereof, and one
23 copy shall be returned to the officials having general charge of elections in the
24 city, and the other to such officials in the county, within one year after the
25 appointment of the board. Said election officials shall cause separate elections
26 to be held in the city and county, on the day fixed by the freeholders, at which
27 the plan shall be submitted to the qualified voters of the city and county
28 separately. The elections shall not be less than ninety days after the filing of
29 the plan with said officials, and not on or within seventy days of any state or
30 county primary or general election day in the city or county. The plan shall
provide for the assessment and taxation of real estate in accordance with the

31 use to which it is being put at the time of the assessment, whether agricultural,
32 industrial or other use, giving due regard to the other provisions of this
33 constitution. If a majority of the qualified electors of the city voting thereon,
34 and a majority of the qualified electors of the county voting thereon at the
35 separate elections shall vote for the plan, then, at such time as shall be
36 prescribed therein, the same shall become the organic law of the territory
37 therein defined, and shall take the place of and supersede all laws, charter
38 provisions and ordinances inconsistent therewith relating to said territory. If
39 the plan be adopted, copies thereof, certified to by said election officials of the
40 city and county, shall be deposited in the office of the secretary of state and
41 recorded in the office of the recorder of deeds for the city, and in the office of
42 the recorder of deeds of the present county, and the courts of this state shall
43 take judicial notice thereof.]

2 [Section 31. The city of St. Louis, as now existing, is recognized both
3 as a city and as a county unless otherwise changed in accordance with the
4 provisions of this constitution. As a city it shall continue for city purposes with
5 its present charter, subject to changes and amendments provided by the
6 constitution or by law, and with the powers, organization, rights and privileges
7 permitted by this constitution or by law. As a county, it shall not be required to
8 adopt a county charter but may, except for the office of circuit attorney, amend
9 or revise its present charter to provide for the number, kinds, manner of
10 selection, terms of office and salaries of its county officers, and for the
11 exercise of all powers and duties of counties and county officers prescribed by
the constitution and laws of the state.]

2 [Section 32(a). The charter of the city of St. Louis now existing, or as
3 hereafter amended or revised, may be amended or revised for city or county
4 purposes from time to time by proposals therefor submitted by the lawmaking
5 body of the city to the qualified voters thereof, at a general or special election
6 held at least sixty days after the publication of such proposals, and accepted by
7 three-fifths of the qualified electors voting for or against each of said
amendments or revisions so submitted.]

2 [Section 32(b). In the event of any amendment or revision of the
3 charter of the city of St. Louis which shall reorganize any county office and/or
4 transfer any or all of the duties, powers and functions of any county officer
5 who is then in office, the officer shall serve out the remainder of his or her
6 term, and the amendment or revision of the charter of the city of St. Louis shall
7 take effect, as to such office, upon the expiration of the term of such office
8 holder. In the event of any amendment or revision of the charter of the city of
9 St. Louis which shall reorganize any county office and/or transfer any or all of
10 the duties, powers and functions of any county officer, all of the staff of such
11 office shall be afforded the opportunity to become employees of the city of St.
12 Louis with their individual seniority and compensation unaffected and on such
other comparable terms and conditions as may be fair and equitable.]

2 ~~[Section 32(c). An amendment or revision adopted pursuant to section~~
3 ~~32(a) of this article shall not deprive any person of any right or privilege to~~
4 ~~retire and to retirement benefits, if any, to which he or she was entitled~~
 ~~immediately prior to the effective date of that amendment or revision.]~~

2 ~~[Section 33. Copies of any new or revised charter of the city of St.~~
3 ~~Louis or of any amendments to the present, or to any new or revised charter,~~
4 ~~with a certificate thereto appended, signed by the chief executive and~~
5 ~~authenticated by the seal of the city, setting forth the submission to and~~
6 ~~ratification thereof, by the qualified voters of the city shall be made in~~
7 ~~duplicate, one of which shall be deposited in the office of the secretary of state,~~
8 ~~and the other, after being recorded in the office of the recorder of deeds of the~~
9 ~~city, shall be deposited among the archives of the city, and thereafter all courts~~
 ~~of this state shall take judicial notice thereof.]~~

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