

SECOND REGULAR SESSION

SENATE JOINT RESOLUTION NO. 48

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR DIXON.

Read 1st time January 26, 2012, and ordered printed.

TERRY L. SPIELER, Secretary.

5476S.011

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 2 and 7 of article III of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to holding office as a member of the general assembly after serving on an apportionment commission.

Be it resolved by the Senate, the House of Representatives concurring therein:

That at the next general election to be held in the state of Missouri, on
2 Tuesday next following the first Monday in November, 2012, or at a special
3 election to be called by the governor for that purpose, there is hereby submitted
4 to the qualified voters of this state, for adoption or rejection, the following
5 amendment to article III of the Constitution of the state of Missouri:

Section A. Sections 2 and 7, article III, Constitution of Missouri, is
2 repealed and two new sections adopted in lieu thereof, to be known as sections
3 2 and 7, to read as follows:

Section 2. The house of representatives shall consist of one hundred
2 sixty-three members elected at each general election and apportioned in the
3 following manner: Within sixty days after the population of this state is reported
4 to the President for each decennial census of the United States and, in the event
5 that a reapportionment has been invalidated by a court of competent jurisdiction,
6 within sixty days after notification by the governor that such a ruling has been
7 made, the congressional district committee of each of the two parties casting the
8 highest vote for governor at the last preceding election shall meet and the
9 members of the committee shall nominate, by a majority vote of the members of
10 the committee present, provided that a majority of the elected members is
11 present, two members of their party, residents in that district, as nominees for
12 reapportionment commissioners. Neither party shall select more than one
13 nominee from any one state legislative district. The congressional committees

14 shall each submit to the governor their list of elected nominees. Within thirty
15 days the governor shall appoint a commission consisting of one name from each
16 list to reapportion the state into one hundred and sixty-three representative
17 districts and to establish the numbers and boundaries of said districts.

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

21 Members of the commission shall be disqualified from holding office as
22 members of the general assembly for four years following the date of the filing by
23 the commission of its final statement of apportionment **or the date by which**
24 **the commission stands discharged because of its failure to file a final**
25 **statement with the secretary of state.**

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

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

45 The commission shall reapportion the representatives by dividing the
46 population of the state by the number one hundred sixty-three and shall establish
47 each district so that the population of that district shall, as nearly as possible,
48 equal that figure.

49 Each district shall be composed of contiguous territory as compact as may

50 be.

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

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

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

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

75 No reapportionment shall be subject to the referendum.

Section 7. Within sixty days after the population of this state is reported
2 to the President for each decennial census of the United States, and within sixty
3 days after notification by the governor that a reapportionment has been
4 invalidated by a court of competent jurisdiction, the state committee of each of
5 the two political parties casting the highest vote for governor at the last
6 preceding election shall, at a committee meeting duly called, select by a vote of
7 the individual committee members, and thereafter submit to the governor a list
8 of ten persons, and within thirty days thereafter the governor shall appoint a
9 commission of ten members, five from each list, to reapportion the thirty-four
10 senatorial districts and to establish the numbers and boundaries of said districts.

11 If either of the party committees fails to submit a list within such time the
12 governor shall appoint five members of his own choice from the party of the
13 committee so failing to act.

14 Members of the commission shall be disqualified from holding office as
15 members of the general assembly for four years following the date of the filing by
16 the commission of its final statement of apportionment **or the date by which**
17 **the commission stands discharged because of its failure to file a final**
18 **statement with the secretary of state.**

19 The commissioners so selected shall on the fifteenth day, excluding
20 Sundays and holidays, after all members have been selected, meet in the capitol
21 building and proceed to organize by electing from their number a chairman, vice
22 chairman and secretary and shall adopt an agenda establishing at least three
23 hearing dates on which hearings open to the public shall be held. A copy of the
24 agenda shall be filed with the secretary of the senate within twenty-four hours
25 after its adoption. Executive meetings may be scheduled and held as often as the
26 commission deems advisable.

27 The commission shall reapportion the senatorial districts by dividing the
28 population of the state by the number thirty-four and shall establish each district
29 so that the population of that district shall, as nearly as possible, equal that
30 figure; no county lines shall be crossed except when necessary to add sufficient
31 population to a multi-district county or city to complete only one district which
32 lies partly within such multi-district county or city so as to be as nearly equal as
33 practicable in population. Any county with a population in excess of the quotient
34 obtained by dividing the population of the state by the number thirty-four is
35 hereby declared to be a multi-district county.

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

41 Not later than six months after the appointment of the commission, the
42 commission shall file with the secretary of state a final statement of the numbers
43 and the boundaries of the districts together with a map of the districts, and no
44 statement shall be valid unless approved by at least seven members.

45 After the statement is filed senators shall be elected according to such
46 districts until a reapportionment is made as herein provided, except that if the

47 statement is not filed within six months of the time fixed for the appointment of
48 the commission, it shall stand discharged and the senate shall be apportioned by
49 a commission of six members appointed from among the judges of the appellate
50 courts of the state of Missouri by the state supreme court, a majority of whom
51 shall sign and file its apportionment plan and map with the secretary of state
52 within ninety days of the date of the discharge of the apportionment
53 commission. Thereafter senators shall be elected according to such districts until
54 a reapportionment is made as herein provided.

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

59 No reapportionment shall be subject to the referendum.

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Bill

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