

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 86

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES GATSCHENBERGER (Sponsor), TILLEY, FUNDERBURK, JONES (89), FRANZ, ZERR, RIDDLE, BLACK, COOKSON, ELMER, ENTLICHER, DENISON, LASATER, SHUMAKE, RICHARDSON, CAUTHORN, DAY, BAHR, WIELAND, SCHATZ, CONWAY (14), McCAHERTY, JONES (117), WALLINGFORD, COX, CASEY, PIERSON, ELLINGER, CONWAY (27), TAYLOR, WEBBER, CIERPIOT, HINSON, STREAM, FUHR, FRAKER, KOENIG, WYATT, FRANKLIN, MOLENDORP, CURTMAN, SCHAD, SMITH (150), GOSEN, TORPEY, KELLEY (126), FISHER, KEENEY, BROWN (50), SCHIEFFER, LANT, LONG, REIBOLDT, NETH, SOMMER, BERRY, ROWLAND, HOUGHTON, WHITE, NANCE, PARKINSON, BRANDOM, McGHEE, KELLY (24), WETER, NOLTE AND SCHARNHORST (Co-sponsors).

6182L.011

D. ADAM CRUMBLISS, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing sections 3(a), 3(b), and 3(c) of article XII of the Constitution of Missouri, relating to a state constitutional convention.

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

Section A. Sections 3(a), 3(b), and 3(c), article XII, Constitution of Missouri, are
2 repealed.

[Section 3(a). At the general election on the first Tuesday following the
2 first Monday in November 1962, and every twenty years thereafter, the secretary
3 of state shall, and at any general or special election the general assembly by law
4 may, submit to the electors of the state the question "Shall there be a convention
5 to revise and amend the constitution?" The question shall be submitted on a
6 separate ballot without party designation, and if a majority of the votes cast

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 thereon is for the affirmative, the governor shall call an election of delegates to
8 the convention on a day not less than three nor more than six months after the
9 election on the question. At the election the electors of the state shall elect fifteen
10 delegates-at-large and the electors of each state senatorial district shall elect two
11 delegates. Each delegate shall possess the qualifications of a senator; and no
12 person holding any other office of trust or profit (officers of the organized militia,
13 school directors, justices of the peace and notaries public excepted) shall be
14 eligible to be elected a delegate. To secure representation from different political
15 parties in each senatorial district, in the manner prescribed by its senatorial
16 district committee each political party shall nominate but one candidate for
17 delegate from each senatorial district, the certificate of nomination shall be filed
18 in the office of the secretary of state at least thirty days before the election, each
19 candidate shall be voted for on a separate ballot bearing the party designation,
20 each elector shall vote for but one of the candidates, and the two candidates
21 receiving the highest number of votes in each senatorial district shall be elected.
22 Candidates for delegates-at-large shall be nominated by nominating petitions
23 only, which shall be signed by electors of the state equal to five percent of the
24 legal voters in the senatorial district in which the candidate resides until
25 otherwise provided by law, and shall be verified as provided by law for initiative
26 petitions, and filed in the office of the secretary of state at least thirty days before
27 the election. All such candidates shall be voted for on a separate ballot without
28 party designation, and the fifteen receiving the highest number of votes shall be
29 elected. Not less than fifteen days before the election, the secretary of state shall
30 certify to the county clerk of the county the name of each person nominated for
31 the office of delegate from the senatorial district in which the county, or any part
32 of it, is included, and the names of all persons nominated for delegates-at-large.]
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2 [Section 3(b). The delegates so elected shall be convened at the seat of
3 government by proclamation of the governor within six months after their
4 election. The facilities of the legislative chambers and legislative quarters shall
5 be made available for the convention and the delegates. Upon convening all
6 delegates shall take an oath or affirmation to support the Constitution of the
7 United States and of the state of Missouri, and to discharge faithfully their duties
8 as delegates to the convention, and shall receive for their services the sum of ten
9 dollars per diem and mileage as provided by law for members of the general
10 assembly. A majority of the delegates shall constitute a quorum for the
11 transaction of business, and no constitution or amendment to this constitution
12 shall be submitted to the electors for approval or rejection unless by the assent of
13 a majority of all the delegates-elect, the yeas and nays being entered on the
14 journal. The convention may appoint such officers, employees and assistants as
15 it may deem necessary, fix their compensation, provide for the printing of its
documents, journals, proceedings and a record of its debates, and appropriate

16 money for the expenditures incurred. The sessions of the convention shall be
17 held with open doors, and it shall determine the rules of its own proceedings,
18 choose its own officers, and be the judge of the election, returns and
19 qualifications of its delegates. In case of a vacancy by death, resignation or other
20 cause, the vacancy shall be filled by the governor by the appointment of another
21 delegate of the political party of the delegate causing the vacancy.]
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2 [Section 3(c). Any proposed constitution or constitutional amendment
3 adopted by the convention shall be submitted to a vote of the electors of the state
4 at such time, in such manner and containing such separate and alternative
5 propositions and on such official ballot as may be provided by the convention,
6 at a special election not less than sixty days nor more than six months after the
7 adjournment of the convention. Upon the approval of the constitution or
8 constitutional amendments the same shall take effect at the end of thirty days
after the election. The result of the election shall be proclaimed by the governor.]

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