

FIRST REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 39

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GATSCHENBERGER.

2249H.011

D. ADAM CRUMBLISS, 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 one new section in lieu thereof relating to the city and county of St. Louis.

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, 2014, 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 VI of the Constitution of the state of
5 Missouri:

Section A. Sections 30(a), 30(b), 31, 32(a), 32(b), 32(c), and 33, article VI, Constitution
2 of Missouri, are repealed and one new section adopted in lieu thereof, to be known as section 30,
3 to read as follows:

**Section 30. The city of St. Louis and St. Louis County shall become a single
2 governing entity with duplicative functions and services eliminated to the extent feasible
3 and operating under the charter of the current St. Louis County.**

[Section 30(a). The people of the city of St. Louis and the people of the
2 county of St. Louis shall have power (1) to consolidate the territories and
3 governments of the city and county into one political subdivision under the
4 municipal government of the city of St. Louis; or, (2) to extend the territorial
5 boundaries of the county so as to embrace the territory within the city and to
6 reorganize and consolidate the county governments of the city and county, and
7 adjust their relations as thus united, and thereafter the city may extend its limits
8 in the manner provided by law for other cities; or, (3) to enlarge the present or

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.

9 future limits of the city by annexing thereto part of the territory of the county, and
10 to confer upon the city exclusive jurisdiction of the territory so annexed to the
11 city; or, (4) to establish a metropolitan district or districts for the functional
12 administration of services common to the area included therein; or, (5) to
13 formulate and adopt any other plan for the partial or complete government of all
14 or any part of the city and the county. The power so given shall be exercised by
15 the vote of the people of the city and county upon a plan prepared by a board of
16 freeholders consisting of nineteen members, nine of whom shall be electors of the
17 city and nine electors of the county and one an elector of some other county.
18 Upon the filing with the officials in general charge of elections in the city of a
19 petition proposing the exercise of the powers hereby granted, signed by registered
20 voters of the city in such number as shall equal three percent of the total vote cast
21 in the city at the last general election for governor, and the certification thereof
22 by the election officials to the mayor, and to the governor, then, within ten days
23 after the certification the mayor shall, with the approval of a majority of the board
24 of aldermen, appoint the city's nine members of the board, not more than five of
25 whom shall be members of or affiliated with the same political party. Each
26 member so appointed shall be given a certificate certifying his appointment
27 signed by the mayor and attested by the seal of the city. Upon the filing with the
28 officials in general charge of elections in the county of a similar petition signed
29 by registered voters of the county, in such number as shall equal three percent of
30 the total vote cast in the county at the last general election for governor, and the
31 certification thereof by the county election officials to the county supervisor of
32 the county and to the governor, within ten days after the certification, the county
33 supervisor shall, with the approval of a majority of the county council, appoint
34 the county's nine members of the board, not more than five of whom shall be
35 members of or affiliated with the same political party. Each member so
36 appointed shall be given a certificate of his appointment signed by the county
37 supervisor and attested by the seal of the county.]

38

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 of
7 the state. The freeholders of the city and county shall fix reasonable
8 compensation and expenses for the freeholder appointed by the governor and the
9 cost shall be paid equally by the city and county. The appointment of the board
10 shall be completed within thirty days after the certification of the filing of the
11 petition, and at ten o'clock on the second Monday after their appointment the
12 members of the board shall meet in the chamber of the board of aldermen in the
13 city hall of the city and shall proceed with the discharge of their duties, and shall
meet at such other times and places as shall be agreed upon. On the death,

14 resignation or inability of any member of the board to serve, the appointing
15 authority shall select the successor. The board shall prepare and propose a plan
16 for the execution of the powers herein granted and for the adjustment of all
17 matters and issues arising thereunder. The members of the board shall receive
18 no compensation for their services as members, but the necessary expenses of the
19 board shall be paid one-half by the county and one-half by the city on vouchers
20 signed by the chairman of the board. The plan shall be signed in duplicate by the
21 board or a majority thereof, and one copy shall be returned to the officials having
22 general charge of elections in the city, and the other to such officials in the
23 county, within one year after the appointment of the board. Said election officials
24 shall cause separate elections to be held in the city and county, on the day fixed
25 by the freeholders, at which the plan shall be submitted to the qualified voters of
26 the city and county separately. The elections shall not be less than ninety days
27 after the filing of the plan with said officials, and not on or within seventy days
28 of any state or county primary or general election day in the city or county. The
29 plan shall provide for the assessment and taxation of real estate in accordance
30 with the use to which it is being put at the time of the assessment, whether
31 agricultural, industrial or other use, giving due regard to the other provisions of
32 this constitution. If a majority of the qualified electors of the city voting thereon,
33 and a majority of the qualified electors of the county voting thereon at the
34 separate elections shall vote for the plan, then, at such time as shall be prescribed
35 therein, the same shall become the organic law of the territory therein defined,
36 and shall take the place of and supersede all laws, charter provisions and
37 ordinances inconsistent therewith relating to said territory. If the plan be adopted,
38 copies thereof, certified to by said election officials of the city and county, shall
39 be deposited in the office of the secretary of state and recorded in the office of the
40 recorder of deeds for the city, and in the office of the recorder of deeds of the
41 present county, and the courts of this state shall take judicial notice thereof.]
42

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

2 [Section 32(a). The charter of the city of St. Louis now existing, or as
hereafter amended or revised, may be amended or revised for city or county

3 purposes from time to time by proposals therefor submitted by the lawmaking
4 body of the city to the qualified voters thereof, at a general or special election
5 held at least sixty days after the publication of such proposals, and accepted by
6 three-fifths of the qualified electors voting for or against each of said
7 amendments or revisions so submitted.]
8

2 [Section 32(b). In the event of any amendment or revision of the charter
3 of the city of St. Louis which shall reorganize any county office and/or transfer
4 any or all of the duties, powers and functions of any county officer who is then
5 in office, the officer shall serve out the remainder of his or her term, and the
6 amendment or revision of the charter of the city of St. Louis shall take effect, as
7 to such office, upon the expiration of the term of such office holder. In the event
8 of any amendment or revision of the charter of the city of St. Louis which shall
9 reorganize any county office and/or transfer any or all of the duties, powers and
10 functions of any county officer, all of the staff of such office shall be afforded the
11 opportunity to become employees of the city of St. Louis with their individual
12 seniority and compensation unaffected and on such other comparable terms and
13 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 retire
4 and to retirement benefits, if any, to which he or she was entitled immediately
5 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. Louis
3 or of any amendments to the present, or to any new or revised charter, with a
4 certificate thereto appended, signed by the chief executive and authenticated by
5 the seal of the city, setting forth the submission to and ratification thereof, by the
6 qualified voters of the city shall be made in duplicate, one of which shall be
7 deposited in the office of the secretary of state, and the other, after being recorded
8 in the office of the recorder of deeds of the city, shall be deposited among the
9 archives of the city, and thereafter all courts of this state shall take judicial notice
thereof.]

✓