

It is a class A misdemeanor punishable, notwithstanding the provisions of section 560.021, RSMo, to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both, for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or to sign a petition when such person knows he or she is not a registered voter.

**INITIATIVE PETITION**

To the Honorable John R. Ashcroft, Secretary of State for the State of Missouri:

We, the undersigned, registered voters of the state of Missouri and \_\_\_\_\_ County (or city of St. Louis), respectfully order that the following proposed amendment to the constitution shall be submitted to the voters of the state of Missouri, for their approval or rejection, at the general election to be held on the 6<sup>th</sup> day of November, 2018, and each for himself or herself says: I have personally signed this petition; I am a registered voter of the State of Missouri and \_\_\_\_\_ County (or city of St. Louis); my registered voting address and name of the city, town or village in which I live are correctly written after my name.

Do you want to amend Missouri's Constitution to make the following changes:

- reduce the number of state representatives from 163 to 80 (10 per congressional district);
- instead of a district, state senators will represent the entire state;
- primary elections for these offices results in an ordered list of candidates for each office;
- at the general election, a voter casts a vote for one political party's ordered list of candidates;
- the proportion of votes received per political party determines the candidates elected from each party's list, in the order on the list; and
- fill vacancies with the highest ranking unelected candidate?

State government legislative operating costs are estimated to decrease by approximately \$6.9 million annually. The state and local governments could incur unknown additional election-related costs that could be significant.

CIRCULATOR'S AFFIDAVIT, STATE OF MISSOURI, COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, being first duly sworn, say (print or type names of signers)  
(Petition Circulator's Printed Name)

NAME (Signature)	DATE SIGNED	REGISTERED VOTING ADDRESS (Street) (City, Town or Village)	Zip Code	Congr. Dist.	NAME (Printed or Typed)
1.					
2.					
3.					
4.					
5.					
6.					
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8.					
9.					
10.					
11.					
12.					
13.					
14.					
15.					

signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the state of Missouri and \_\_\_\_\_ County.

FURTHERMORE, I HEREBY SWEAR OR AFFIRM UNDER PENALTY OF PERJURY THAT ALL STATEMENTS MADE BY ME ARE TRUE AND CORRECT AND THAT I HAVE NEVER BEEN CONVICTED OF, FOUND GUILTY OF, OR PLED GUILTY TO ANY OFFENSE INVOLVING FORGERY.

I am at least 18 years of age, I do \_\_\_\_ do not \_\_\_\_ (check one) expect to be paid for circulating this petition. If paid, list the payer  
\_\_\_\_\_.

\_\_\_\_\_  
Signature of Affiant (Person obtaining signatures)

\_\_\_\_\_  
Street address of Affiant

\_\_\_\_\_  
Printed Name of Affiant

\_\_\_\_\_  
City, State and Zip Code of Affiant

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 201\_\_

\_\_\_\_\_  
Signature of Notary

Notary Public (Seal)

\_\_\_\_\_  
Address of Notary

My commission expires: \_\_\_\_\_

*Be it resolved by the people of the state of Missouri that the Constitution be amended:*

Article III of the Constitution is revised by repealing Section 14 and amending Sections 2, 5, 6, 7, 9, 10 and 11 to read as follows:

Section 2. The house of representatives shall consist of [one hundred sixty-three] ten members from each congressional district elected at each general election and apportioned in the following manner: Within sixty days after the population of this state is reported to the President for each decennial census of the United States and, in the event that a reapportionment has been invalidated by a court of competent jurisdiction, within sixty days after notification by the governor that such a ruling has been made, the congressional district committee of each of the two political parties casting the highest vote for at the last preceding election shall meet and the members of the committee shall nominate, by a majority vote of the members of the committee present, provided that a majority of the elected members is present, two members of their party, residents in that district, as nominees for reapportionment commissioners. Neither party shall select more than one nominee from any one state representative district. The congressional committees shall each submit to the governor their list of elected nominees. Within thirty days the governor shall appoint a commission consisting of one name from each list to reapportion the state into one hundred and sixty-three representative districts and to establish the numbers and boundaries of said districts.

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

Members of the commission shall be disqualified from holding office as members of the general assembly for four years following the date of the filing by the commission of its final statement of apportionment.

For the purposes of this article, the term congressional district committee or congressional district refers to the congressional district committee or the congressional district from which a congressman was last elected, or, in the event members of congress from this state have been elected at large, the term congressional district [committee refers to those persons who last served as the congressional district committee for those districts from which congressmen were last elected, and the term congressional district refers to those districts from which congressmen were last elected] will refer to legislative districts that would have been used to elect members of Congress had they not been elected at large. Such legislative districts will continue to be formed after each decennial census of the United States and will be used for purposes of electing members of the Missouri house of representatives. Any action pursuant to this section by the congressional district committee shall take place only at duly called meetings, shall be recorded in their official minutes and only members present in person shall be permitted to vote.

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

The commission shall reapportion the representatives by dividing the population of the state by the number [one hundred sixty-three] of members of Congress to which the state of Missouri is entitled, and shall establish each district so that the population of that district shall, as nearly as possible, equal that figure.

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

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

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

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

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

No reapportionment shall be subject to the referendum.

Section 5. The senate shall consist of thirty-four members, divided in two groups of seventeen each, elected by the qualified voters of the [respective districts] state of Missouri for four years. [For the election of senators, the state shall be divided into convenient districts of contiguous territory, as compact and nearly equal in population as may be.]

Section 6. Each senator shall be thirty years of age, and next before the day of his election shall have been a qualified voter of the state for three years and a resident of the [district which he is chosen to represent] state. [for one year, if such district shall have been so long established, and if not, then of the district or districts from which the same shall have been taken.]

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

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

Members of the commission shall be disqualified from holding office as members of the general assembly for four years following the date of the filing by the commission of its final statement of apportionment.

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

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

dividing the population of the state by the number thirty-four is hereby declared to be a multi-district county.

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

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

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

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

No reapportionment shall be subject to the referendum.]

An ordered list of candidates, ranked by number of votes received, from most to least, from each political party that is to appear on the ballot for both the senate and the house of representatives in each general election will be determined by means of a primary election, with each party electing a number of candidates up to, but not exceeding, three more than the number of members to be elected. All qualified candidates who file for each party's nomination will appear on the primary ballot for that party. Registered voters will be allowed to vote in one, and only one, party's primary election, and will cast a single vote for a single candidate to be nominated from that party for each office to be elected in the general election to follow.

A political party having no candidate for statewide office receiving, nor having received as a political party, at least two percent of the total vote in the preceding general election, may qualify for a place on the ballot for the house in each congressional district by presenting petitions signed by one-half of one per cent of the legal voters in that congressional district. An independent candidate may qualify for a place on the ballot in a congressional district by presenting petitions signed by one-fifth of one percent of the legal voters in that congressional district. A political party having no candidate for statewide office receiving, nor having received as a political party, at least two percent of the total vote in the preceding general election, may qualify for a place on the ballot for the senate by presenting petitions signed by one-half of one per cent of the legal voters in the state of Missouri. An independent candidate may qualify for a place on the ballot for the senate by presenting petitions signed by one-fifth of one percent of the legal voters in the state of Missouri. The number of "legal voters" is equal to, and determined by, the total vote for governor in the general election last preceding. Said petitions are to be delivered to the secretary of state no later than ninety days preceding the general election. At the time the petitions are presented, the political party will also notify the secretary of state of the method to be used by said party in nominating a slate of candidates.

The signatures on petitions submitted by independent candidates and political parties shall be subject to verification according to the procedures in the code of state regulations for independent candidate petitions in force at the time the petitions are submitted.

In each general election, each voter will cast a single vote for the ordered list of a political party, or for a single independent candidate appearing on the ballot, or for a single write-in vote for a candidate not appearing on the ballot, having properly registered with the secretary of state as a write-in candidate.

To determine how many candidates in the house of representatives and the senate will be elected from each political party and which independent or write-in candidates will be elected (if any), the total number of valid votes cast for all parties and independent candidates will be divided by the number of seats to be elected to the house of representatives or to the senate. The resulting number will then be rounded to the nearest whole number. The total number of votes cast for each party or independent or write-in candidate will then be divided by that number and that number of candidates from each party is elected, with any remaining votes for each party above the number needed to elect that many candidates calculated as "surplus votes" for that party. Any independent candidate or valid write-in candidate receiving at least the number of votes needed for a seat is elected. The votes for any party or independent candidate falling short of the number needed to be elected are also treated as surplus votes.

The surplus votes of any political party or independent candidate having surplus votes, but not having enough surplus votes to win an additional seat, or a seat, may have those surplus votes transferred to another political party or independent candidate by notifying the Secretary of State in writing at least fourteen days before the date of the general election.

The number of candidates thus elected is calculated and subtracted from the total number of candidates to be elected. If additional candidates remain to be elected, the highest ordered remaining candidate from a party list, or independent candidate with the highest number of surplus votes, is elected. The number of surplus votes required to be elected is then deducted from that party's total votes and the process repeated until the requisite number of candidates has been elected.

In both primary and general elections, officials shall determine a random selection algorithm, prior to tabulation, to resolve ties between candidates. If a tie occurs at any point in the tabulation procedure and tabulation cannot proceed until the tie is resolved, then the random selection algorithm shall resolve the tie.

If a senator or representative resigns, dies, or is removed from office for any reason during the subsequent legislative sessions, the seat shall be filled by the next candidate from her or his party's ordered list, or in the case of an independent candidate, the candidate who would have been elected had there been one more member elected using the prescribed method for tabulating votes.

Section 9. Until the convening of the Seventy-fourth General Assembly the House of Representatives shall consist of one hundred sixty-three members elected from the one hundred sixty-three representative districts, as they existed January 1, 1965. Beginning with the election of representatives in the general election to be held in November of 2020, the House of Representatives shall consist of ten members elected from each congressional district. In the event that members of congress from Missouri are elected at large, congressional district boundaries will still be drawn and used in the election of members of the Missouri House of Representatives.

Section 10. The last decennial census of the United States shall be used in apportioning representatives and determining the population of senatorial and representative districts. Such districts may be altered from time to time as public convenience may require. Beginning with the general election to be held in November of 2020, senators will be elected on a state-wide basis, without districts.

Section 11. The first election of senators and representatives under this constitution, shall be held at the general election in the year one thousand nine hundred and forty-six when the whole number of representatives and the senators from the districts having even numbers, who shall compose the first class, shall be elected, and two years thereafter the whole number of representatives and the senators from districts having odd numbers, who shall compose the second class, shall be elected, and so on at each succeeding general election. Beginning with the general election to be held in November of 2020, senators from each class, will be elected at large on a state-wide basis.

[Section 14. Writs of election to fill vacancies in either house of the general assembly shall be issued by the governor.]