



16-028

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STATE INFORMATION CENTER
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JASON KANDER
SECRETARY OF STATE
STATE OF MISSOURI

ELECTIONS DIVISION
(573) 751-2301

February 9, 2015

The Honorable Tom Schweich
State Auditor
State Capitol Building
Jefferson City, MO 65101

RE: Petition approval request from Stacy Shore regarding a proposed constitutional amendment to Article IX, version 3 (2016-028)

Dear Auditor Schweich:

Enclosed please find an initiative petition sample sheet for a proposal to amend the Missouri Constitution filed by Stacy Shore on February 6, 2015.

We are referring the enclosed petition sample sheet to you for the purposes of preparing a fiscal note and fiscal note summary as required by Section 116.332, RSMo. Section 116.175.2, RSMo requires the state auditor to forward the fiscal note and fiscal note summary to the attorney general within twenty days of receipt of the petition sample sheet.

Thank you for your immediate consideration of this request.

Sincerely,

Jason Kander

cc: Hon. Chris Koster
Sheri Hoffman
Barbara Wood

RECEIVED
FEB 09 2015
STATE AUDITORS OFFICE

County

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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 Jason Kander, 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 8th day of November, 2016, 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 the name of the city, town or village in which I live are correctly written after my name.

(Official Ballot title.)

RECEIVED
2015 FEB - 6 PM 5:01
Jason Kander
MO SEC. OF STATE

CIRCULATOR'S AFFIDAVIT

STATE OF MISSOURI, COUNTY OF

I,, being first duly sworn, say (print or type names of signers)

Table with 6 columns: NAME (Signature), DATE SIGNED, REGISTERED VOTING ADDRESS (Street) (City, Town or Village), ZIP CODE, CONGR. DIST., NAME (Printed or Typed). Rows 1-10.

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 andCounty.

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.

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

Signature of Notary:

If paid, list the payer:

Signature of Affiant: (Person obtaining signatures)

Address of Notary

(Printed Name of Affiant)

Notary Public (Seal) My commission expires

Address of Affiant

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

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Section 2 of Article IX of the Constitution of Missouri is amended by modifying sections 2(b) and adding section 2(c). The existing sections 2(b) is set forth hereinafter with the new matter underlined and deleted matter in brackets, [thus].

Article IX – Education

Article IX, Section 2(b). 1. The state board of education shall select and appoint a commissioner of education as its chief administrative officer, who shall be a citizen and resident of the state, and removable at its discretion. The board shall prescribe his duties and fix his compensation, and upon his recommendation shall appoint the professional staff and fix their compensation. [The board shall succeed the state board of education heretofore established, with all its powers and duties, and shall have such other powers and duties as may be prescribed by law.]

2. The state board of education and the commissioner of education shall only have the authority (1) to research and offer opinions on the most efficient and effective ways to educate students, (2) to assess and publicly report on the quality and performance of the public schools in this state, and (3) to offer recommendations and training designed to help the public schools in this state improve their performance. Neither the board nor the commissioner may compel any school or school district to take any action, administer any test, or implement any policy. The General Assembly may limit the funding available to the board and commissioner for the performance of the duties enumerated herein, but the General Assembly may neither direct the manner in which the board and commissioner fulfill their duties under this article, nor expand the scope of those duties beyond what is established in this subsection.

Section 2(c). 1. Each public school district in this state shall be independent from state control and shall be governed by school board members elected by and accountable to voters residing in each public school district; provided, the General Assembly shall be authorized to pass general laws establishing procedures through which citizens may establish a school district and elect the board to govern that district.

2. Each public school district shall be exclusively responsible for (1) deciding the qualifications required of the public school teachers and administrators in that district; (2) setting the curriculum to be taught at the public schools in that district and the level of mastery students must demonstrate to advance from one grade to the next and to receive a diploma from its public schools; and (3) selecting, purchasing, developing, and disposing of property, books, buildings, and materials for use by the public schools and students of that district.

3. Nothing in this provision shall relieve the General Assembly of its obligation to provide funding for all public schools in this state in accordance with section 1(a) of this article; neither the General Assembly nor any other government entity shall in any way penalize or withhold funds from a public school district based on the public school district's exercise of the authority established in subsection 2 of this section.