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STATE INFORMATION CENTER
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JASON KANDER
SECRETARY OF STATE
STATE OF MISSOURI

STATE AUDITORS OFFICE

ELECTIONS DIVISION
(573) 751-2301

December 2, 2015

16-154

The Honorable Nicole Galloway
State Auditor
State Capitol Building
Jefferson City, MO 65101

RE: Petition approval request from Winston Apple regarding a proposed statutory amendment to Chapter 128 (2016-154)

Dear Auditor Galloway:

Enclosed please find an initiative petition sample sheet for a proposal to amend the Revised Statutes of Missouri filed by Winston Apple on December 2, 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

16-154

County: _____
Page number: _____

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 law 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 _____ 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)

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MO SEC. OF STATE

CIRCULATOR'S AFFIDAVIT STATE OF MISSOURI, COUNTY OF _____
I, _____, being first duly sworn, say (print of type names of signers)

NAME (Signature)	Date Signed	REGISTERED VOTING ADDRESS (Street, No PO Boxes)	(City, Town or Village)	Zip Code	Cong Dist	NAME: (Print or Typed)
1.						
2.						
3.						
4.						
5.						
6.						
7.						
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)

(Printed Name of Affiant)

Address of Affiant

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

Signature of Notary

Address of Notary:

Notary Public (Seal)
My commission expires _____

16-154

Be it enacted by the people of the state of Missouri:

Section 128.020 of the Revised Missouri Statutes is hereby repealed, and sections 128.346 and 128.348 are amended, to read as follows:

[128.020. When any new apportionment shall be made of the members to be elected to the house of representatives of the United States, whereby the number of electors to which this state may be entitled shall be increased or diminished, it shall be the duty of the governor to lay off the state into as many districts as shall be equal to the number of electors to which this state shall then be entitled, so that the said districts contain, as near as may be, an equal number of inhabitants.]

128.346. The districts established by the provisions of sections 128.400 to 128.440 for the election of representatives to the Congress of the United States shall be effective beginning with election to the 108th Congress and through the election of the 112th Congress. The districts established by sections 128.451 to 128.458 for the election of representatives to the Congress of the United States shall be effective beginning with the election to the 113th Congress. Effective beginning with the election of representatives to the 116th Congress, representatives to the Congress of the United States shall be elected at large, in the manner prescribed by section 128.348.

128.348. 1. The state of Missouri is hereby divided into nine congressional districts. Effective with the election for the 113th Congress, the state of Missouri shall consist of eight congressional districts. The legal voters of each district shall elect one member of Congress of the United States. Effective beginning with the election for the 116th Congress, representatives to the Congress of the United States shall be elected at large.

2. A political party may nominate a total number of candidates equal to the number of electors (representatives) to which the state of Missouri is entitled.

3. Political parties are free to determine their candidates through a primary election, caucuses, a statewide party nominating convention, or a combination of caucuses and a statewide party nominating convention.

4. A primary election will be the default method for parties to select candidates. Should a political party determine that they will select candidates by caucuses, statewide party convention, or a combination of caucuses and a statewide party convention, a legally designated representative of the party will notify the secretary of state, in writing, of the method to be used, no later than the first day of April of an election year.

5. If a political party elects to use a primary election as the means of determining its candidates for the general election, all qualified candidates who file for said party's nominations 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 for one, and only one, candidate from that party.

6. An ordered list of candidates for each party, equal to the number of seats to which the state of Missouri is entitled to in a given Congress, will be placed on the ballot in the general election, based on the number of votes received by each candidate in the primary election for each party.

7. Should a party elect to nominate candidates for the general election by means of caucuses and/or a statewide party convention, an ordered list of that party's candidates shall be filed with the secretary of state's office no less than 90 days before the general election date in election years.

8. To qualify for a place on the ballot, an independent candidate must present petitions signed by one-quarter of one percent of the legal votes cast for the sum of all candidates for the United States House of Representatives from Missouri in the general election last preceding. Said petitions must be delivered to the secretary of state no later than one hundred and twenty days before the general election.

9. 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.

10. In each general election, each voter will cast a single vote for a political party, and its ordered list of candidates, or for an independent candidate for Congress appearing on the ballot, or 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.

10. Independent candidates appearing on the ballot in the general election will be considered, as a group, to constitute an ordered party list, based on the total number of votes for each independent candidate, for purposes of determining how many independent candidates will be designated as representatives based on results in the general election.

11. The number of representatives from each party, including independent candidates, will be based on the percentage of the total votes cast in the general election received by each party, or by independent candidates as a group. For as long as the state of Missouri is entitled to elect eight representatives to Congress, one seat will be awarded for each 12.5% of the total vote, rounded appropriately. Should the number of representatives to which the state of Missouri be entitled increase or decrease, the percentage required for each seat will be adjusted accordingly.