

Constitutional Conventions In Missouri

Constitutional Conventions are the THIRD WAY the Missouri Constitution can be amended and should be included in I/P or Ratification Reform legislation.

A Constitutional Convention can be scheduled by the legislature or ballot.

“Shall there be a convention to revise and amend the constitution?”

That question is required to be placed on the ballot every twenty years by Article XII, Section 3(a) of our **state** Constitution.

The last four times that question was asked of voters only about 35% of them said “yes,” but we live in “special” times and it would be foolish to fail to consider the possibility that the answer could be different in November.

A convention would draw money from far and wide in unprecedented amounts to influence the outcome.

What's At Stake

- ▶ A simple majority of Convention delegates might propose *amendments* to the Missouri Constitution, OR
- ▶ A simple majority of Convention delegates could propose a *complete replacement* state constitution.
- ▶ It would take ***only a simple majority vote*** of the people to adopt either.

Who Would Serve As Delegates?

Article XII, Section 3(a) lays out the process for selecting 83 delegates.

That process will not at all reflect the political makeup of the General Assembly, which is the closest reflection of the values of the people of Missouri.

Political party insiders will select 68 delegates. The two major parties will surely end up with 34 delegates, each.

Qualifications

“Each delegate shall possess the qualifications of a senator; and no person holding any other office of trust or profit (officers of the organized militia, school directors, justices of the peace and notaries public excepted) shall be eligible to be elected a delegate.” - Article XII, Section 3(a)

Delegate Selection Process

Two Delegates are selected from each state senate district:

The “...senatorial district committee [of] each political party shall nominate but one candidate for delegate from each senatorial district...” to be placed on “a separate ballot bearing the party designation, each [voter] shall vote for but one of the candidates, and the two candidates receiving the highest number of votes in each senatorial district shall be elected.”

For all intents and purposes, there will be **one Republican and one Democrat delegate** from each state senate district, 34 of each.

Fifteen additional “delegates at large”:

“Candidates for delegates-at-large shall be nominated by **nominating petitions**” when such candidate garners “five percent of the legal voters in the senatorial district in which the candidate resides.”

“All such candidates shall be voted for on a **separate ballot without party designation**, and the fifteen receiving the highest number of votes shall be elected” as delegates.

A Convention Can Be “Gamed”

Even if you trust the parties’ senatorial district committees to select good delegates, the 15 at large delegates could drastically tip the scale.

Moneyed interests from in or out of state can **stack the ballot** by simply paying for signature collection for a host of delegate candidates.

There is no limit to the number of delegate candidates, and they ALL go on a statewide ballot without party designation

There are NO RULES Limiting the Convention

The delegates, themselves, make the rules for the Convention, and will be “the judge of the election, returns and qualifications of its delegates.” Presumably, any challenge to the appropriateness of the selection of a delegate would not go to the courts.

Fortunately, one of the few stipulations placed on the Convention requires that proceedings be open to the public.