

March 1, 1966

Honorable G. Andy Runge
Chairman, Missouri House of
Representatives
Districting Commission
Jefferson City, Missouri



Dear Mr. Runge:

You have requested our views on two questions confronting the Missouri House of Representatives Districting Commission. The first question is -- When does the thirty day time limit on the action of the Commission commence? Article III, Section 3 of the Constitution of Missouri, as amended contains the following language, Page 4 Line 15 (House Joint Resolution No. 1, Conference Committee Substitute for House Substitute No. 4 for House Committee Substitute for House Joint Resolution No. 1, 73rd General Assembly, First Extra Session): "The Commission shall file its tentative plan and map within thirty days after its appointment * * *". We believe that this means the date of the appointment of the Commission by the Governor. Our information is that the Governor appointed the Commission on February 21, 1966. We therefore conclude that the thirty day time provided for by this provision of the Constitutional Amendment commenced on February 21, 1966.

You have next inquired respecting our views on the above mentioned Constitutional Amendment relating to public hearings. Article III, Section 2 of the Constitution as amended, above referred to, Page 3 Line 47 referring to the organization of the Commission provides that the Commissioners shall "meet in the capitol building and proceed to organize by electing from their number a chairman, vice chairman and

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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. * * *

"We believe that the purpose of this provision respecting hearings was that the Commissioners should set public hearings during its early stages of consideration of its districting problem or at any rate the hearings should be during the period before it files its tentative plan and map with the Secretary of State. This is indicated by the fact that in the paragraph commencing on Page 3, Line 62 of Section 2, there is the further provision that after the Commission has filed its tentative plan of apportionment and map, it " * * * shall hold such public hearings as may be necessary to hear objections or testimony of interested persons." Section 3 page 5 Line 25 provides: "Excepting only the time limits prescribed in this section, all provisions of Section 2 shall apply." It would therefore appear that the provisions of Section 2 respecting public hearings during the period of deliberations of the Commission is applicable.

After the initial plan and map have been filed as applied to the first redistricting Commission, Section (Page 5 Line 15) provides: " * * * public hearings shall be held during the ensuing seven days * * *". We therefore conclude that public hearings should again be held after the tentative plan and map is filed with the Secretary of State to permit opportunity for the public to make objections to the Commission or point out errors or corrections.

I hope this responds to your inquiry.

Yours very truly,

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Attorney General

By
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