



# **POLICY BRIEF 12**

## **CONSTITUTIONAL CONVENTION**

By: **Michael F. Dandino**

Senior Public Counsel., Office of  
the Public Counsel, Department  
of Economic Development

---

**Both sides of  
many issues  
fear a conven-  
tion that could  
propose drastic  
changes to the  
fundamental  
state law.**

---



8001 Natural Bridge Road  
St. Louis, Missouri 63121-4499

**FOR MORE INFORMATION**

(314) 516.5273 **TEL**  
(314) 516.5268 **FAX**

pprc@umsl.edu **EMAIL**

An innocuous ballot proposal will be submitted to Missouri voters on November 5. It simply states: " Shall there be a convention to revise and amend the Constitution?" The Constitution of Missouri, Article XII, Section 3(a), requires that this question be placed on the ballot every 20 years.

The 1945 state constitution provided that this question shall be submitted to the voters by the secretary of state at the general election in November, 1962 and every twenty years thereafter. If a majority of the votes cast are affirmative, the governor is directed by the Constitution to call an election to select delegates to the state constitutional convention not less than three nor more than six months after the election authorizing the convention. Fifteen at-large delegates are elected statewide without party designations and are nominated by signed voter petitions. Two delegates are elected from each of the 34 state senatorial districts with each party committee nominating candidates who run with party identification. Elected delegates would meet in Jefferson City six months after the election and can use the General Assembly's chambers and facilities. The Constitution specifies that "the sessions of the convention shall be held with open doors." Amendments approved by a majority of the delegates are submitted to the voters for approval or rejection.

The convention question has not been approved at any election to date. There is no groundswell from any group to call the convention. Despite the current state budget crunch, there is no effort to use a convention to amend the constitution to address reorganization of state agencies, revisions to the Hancock Amendment, or term limitations. Hot button issues, such as Right to Life/Choice, tax protests, and campaign reform have not surfaced as a reason for a state constitutional convention.

The "conventional wisdom" is that a constitutional convention - at either the state or federal level - is not a good idea. A convention would not be limited to just a few concerns, but would have broad ranging authority to draft and propose amendments to the electorate. Both sides of many issues fear a convention that could propose drastic changes to the fundamental state law. It is not forgotten that a meeting to review and consider changes to the Articles of Confederation of a new nation in the summer of 1787 resulted in a constitutional convention in Philadelphia.