



JOHN R. ASHCROFT  
 SECRETARY OF STATE  
 STATE OF MISSOURI

JAMES C. KIRKPATRICK  
 STATE INFORMATION CENTER  
 (573) 751-4936

ELECTIONS DIVISION  
 (573) 751-2301

March 20, 2023

RECEIVED

MAR 20 2023

STATE AUDITORS OFFICE

The Honorable Scott Fitzpatrick  
 State Auditor  
 State Capitol Building  
 Jefferson City, MO 65101

RE: Petition approval request from Winston Apple regarding a proposed constitutional amendment to Article IV (2024-100)

Dear Auditor Fitzpatrick:

Enclosed please find an initiative petition sample sheet for a proposal to amend the Missouri Constitution filed by Winston Apple on March 20, 2023.

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,

John R. Ashcroft

cc: Hon. Andrew Bailey  
 Sheri Hoffman  
 Trish Vincent

County \_\_\_\_\_  
Page No. \_\_\_\_\_

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 John R. Ashcroft, 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 5th day of November, 2024, 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 name of the city, town or village in which I live are correctly written after my name.

[OFFICIAL BALLOT TITLE]

CIRCULATOR'S AFFIDAVIT, STATE OF MISSOURI, COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, being first duly sworn, say (print or type names of signers)  
(Petition Circulator's Printed Name)

NAME (Signature)	DATE SIGNED	REGISTERED VOTING ADDRESS (Street) (City, Town or Village)	Zip Code	Congr. Dist.	NAME (Printed 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) \_\_\_\_\_ Street address of Affiant \_\_\_\_\_

Printed Name of Affiant \_\_\_\_\_ City, State and Zip Code of Affiant \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_

Signature of Notary \_\_\_\_\_ Notary Public (Seal)

Address of Notary \_\_\_\_\_ My commission expires: \_\_\_\_\_



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

Article IV of the Constitution is revised by repealing Sections 7, 8, 18, 25, and 26, and amending Sections 1 and 17 to read as follows:

**Section 1.** The [supreme] executive power shall be vested in a governor.

[Section 7. The governor shall have power to grant reprieves, commutations and pardons, after conviction, for all offenses except treason and cases of impeachment, upon such conditions and with such restrictions and limitations as he may deem proper, subject to provisions of law as to the manner of applying for pardons. The power to pardon shall not include the power to parole.]

[Section 8. Every resolution to which the concurrence of the senate and house of representatives may be necessary, except on questions of adjournment, going into joint session, and of amending this constitution, shall be presented to the governor, and before the same shall take effect, shall be proceeded upon in the same manner as in the case of a bill; provided, that no resolution shall have the effect to repeal, extend, or amend any law.]

**Section 17.** (a) Upon the expiration of the terms being served by the [The] governor, lieutenant governor, secretary of state, state treasurer, [and] attorney general [shall be elected at the presidential elections for terms of four years each. The] and state auditor at the time this amendment takes effect, the persons holding those offices shall be elected by the General Assembly. [for a term of two years at the general election in the year 1948, and his successors shall be elected for terms of four years.] No person shall be elected governor or treasurer more than twice, and no person who has held the office of governor or treasurer, or acted as governor or treasurer, for more than two years of a term to which some other person was elected to the office of governor or treasurer shall be elected to the office of governor or treasurer more than once.

(b) Elections for governor, lieutenant governor, secretary of state, state treasurer, attorney general, and state auditor may be called separately at any time by a majority vote of the members of either house. Any member of the General Assembly shall be able to nominate candidates for each office. If more than two candidates are nominated for an office the election shall be conducted using ranked choice voting, with each member of the General Assembly being able to rank as many of the candidates for each office as they wish to rank, in order of preference.

(c) Tabulation of the results shall proceed in sequential rounds. In the first round, only first-choice votes are tabulated. If a candidate receives a majority of the first-choice votes that candidate is elected. If no candidate receives a majority of the first-choice votes cast, the candidate with the lowest number of first-choice votes is eliminated and the candidates listed as the second choice on ballots cast for the candidate being eliminated are distributed among the "continuing candidates". In each subsequent round, the candidate who has the fewest "cumulative votes" is eliminated and the highest remaining choice for a continuing candidate on each ballot for the eliminated candidate shall be redistributed, in ranked order, as needed, among the continuing candidates. Ballots that do not rank any continuing candidate will be "exhausted ballots" and will not be counted in that round or subsequent rounds. This process shall be repeated for as many rounds as needed until one candidate wins election by receiving a majority of the total cumulative votes.

(d) A random selection algorithm shall be determined, prior to tabulation, to resolve ties between candidates. If a tie occurs at any point in the tabulation procedure and tabulation cannot proceed until the tie is resolved, then the random selection algorithm shall resolve the tie.

(e) The heads of all the executive departments shall be appointed by the governor, by and with the advice and consent of the General Assembly [senate]. All appointive officers may be removed by the general assembly [governor] and shall possess the qualifications required by this constitution or by law.

**[Section 18.** The returns of every election for governor, lieutenant governor, secretary of state, state auditor, state treasurer and attorney general shall be sealed and transmitted by the returning officers to the secretary of state, who shall appoint two disinterested judges of a court of record of the state, and the three shall constitute a board of state canvassers. The board shall meet at the state capitol on, or at the call of the secretary of state before, the second Tuesday of December next after the election and forthwith open and canvass the returns of the votes cast and from the face thereof ascertain and proclaim the result of the election. The persons having the highest number of votes for the respective offices shall be declared elected, and if two or more persons have an equal and the highest number of votes for the same office, at its next regular session the general assembly, by joint vote and without delay, shall choose one of such persons for the office.]

**[Section 25.** Until it acts on all the appropriations recommended in the budget, neither house of the general assembly shall pass any appropriation other than emergency appropriations recommended by the governor.]

**[Section 26.** The governor may object to one or more items or portions of items of appropriation of money in any bill presented to him, while approving other portions of the bill. On signing it he shall append to the bill a statement of the items or portions of items to which he objects and such items or portions shall not take effect. If the general assembly be in session he shall transmit to the house in which the bill originated a copy of the statement, and the items or portions objected to shall be reconsidered separately. If it be not in session he shall transmit the bill within forty-five days to the office of the secretary of state with his approval or reasons for disapproval. The governor shall not reduce any appropriation for free public schools, or for the payment of principal and interest on the public debt.]