

# House Concurrent Resolution No. 11

## 95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DAVIS (Sponsor), GUERNSEY, NIEVES, WELLS,  
STEVENSON, FUNDERBURK AND KRAUS (Co-sponsors).

3959L.03I

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

**Whereas**, the Declaration of Independence declared these United States bound by  
2 the tyranny of a government that was unresponsive to its citizens, as set forth in the following  
3 language: "We hold these truths to be self-evident, that all Men are created equal, that they are  
4 endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and  
5 the Pursuit of Happiness---That to secure these Rights, Governments are instituted among Men,  
6 deriving their just Powers from the Consent of the Governed..."; and  
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8 **Whereas**, some states when ratifying the Constitution of the United States of  
9 America recommended as a change, "that it be explicitly declared that all powers not expressly  
10 and particularly delegated by the aforesaid are reserved to the several states to be by them  
11 exercised"; and  
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13 **Whereas**, these recommended changes were incorporated as the Ninth  
14 Amendment, where, "The enumeration of certain rights shall not be construed to deny or  
15 disparage others retained by the people"; and  
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17 **Whereas**, the Tenth Amendment sets firm limits on federal power to that which  
18 is defined by the states and the citizens when it says, "the powers not delegated to the United  
19 States by the constitution, nor prohibited by it to the States, are reserved to the States  
20 respectively, or to the people"; and  
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22 **Whereas**, the Tenth Amendment assures that we, the people of the United States  
23 of America and each sovereign state in the Union of States, now have, and have always had,  
24 rights the federal government may not usurp which allow us to craft our own laws specifically  
25 tailored to reflect the values, public morals and fiscal benevolence of our own citizens; and  
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27       **Whereas**, the Constitution of Missouri expresses the powers of the people in  
28 Article I, Section 3, by declaring, "That the people of this state have the inherent, sole and  
29 exclusive right to regulate the internal government and police thereof, and to alter and abolish  
30 their constitution and form of government whenever they may deem it necessary to their safety  
31 and happiness, provided such change be not repugnant to the Constitution of the United States.";   
32 and  
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34       **Whereas**, the Constitution of Missouri expresses the independence of our state in  
35 Article I, Section 4, by declaring, "That Missouri is a free and independent state, subject only to  
36 the Constitution of the United States; that ll proposed amendments to the Constitution of the  
37 United States qualifying or affecting the individual liberties of the people or which in any wise  
38 may impair the right of local self-government belonging to the people of this state, should be  
39 submitted to conventions of the people."; and  
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41       **Whereas**, the founders of this nation rejected the principles of socialism,  
42 communism, and other forms of tyrannical governments that allow for redistribution of the  
43 wealth, preferring instead to set up a constitutional republican form of government, based upon  
44 Judeo-Christian beliefs that encourage limited government, personal responsibility and respect  
45 for human life; and  
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47       **Whereas**, among these rights, the State of Missouri affirms and declares in our  
48 state statutes, Section 1.205, RSMo, that:  
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50           (1) The life of each human being begins at conception;  
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52           (2) Unborn children have protectable interests in life, health, and well-being;  
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54           (3) The natural parents of unborn children have protectable interests in the life, health,  
55 and well-being of their unborn child; and  
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57       **Whereas**, some policies coming forth from the national government appear to be  
58 in conflict of the rights of our citizens, specifically the rights of conscience which are gravely  
59 jeopardized by national policies that may compel persons of faith to compromise their deepest  
60 convictions; and  
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62       **Whereas**, it is the role of the national government to protect our borders and to  
63 secure our liberty, especially safeguarding us against those who adhere to philosophies that  
64 conflict with our uniquely American and Missouri values of freedom and equality; and

65       **Whereas**, today, in 2010, the states are treated as little more than administrative  
66 agents of bailouts, government schools, healthcare, and welfare programs, none of which are  
67 constitutionally authorized functions of the federal government; and  
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69       **Whereas**, the national government is diminishing our future prosperity by  
70 escalating the national debt at an unprecedented rate by squandering trillions of taxpayer dollars  
71 and demonstrating wanton disregard for protecting us and our posterity from insurmountable  
72 financial burdens, which in large part originates from spending beyond the legitimate authority  
73 derived from the United States Constitution; and  
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75       **Whereas**, the economic principles that allowed our country to flourish and prosper  
76 were based upon our trust in God, economic freedom, hard work, high moral standards, and  
77 private charity, all of which are suppressed in the socialist model; and  
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79       **Whereas**, federal judges are charged with the duty of adjudicating according to the  
80 dictates of the United States Constitution in a fair, just, and impartial manner and are not charged  
81 with crafting political preferences or interjecting their personal philosophies through their court  
82 decisions; and  
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84       **Whereas**, some of the most egregious usurpations of legislative power have come  
85 from appointed federal judges who craft rulings that strip our citizens of their constitutional right  
86 to religious speech, such as ruling to remove all references to God Almighty and suppressing our  
87 right to display the Ten Commandments in a public arena, declaring prayers in public places  
88 illegal, and forcing an atheistic culture upon our citizens:  
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90       **Now, therefore, be it resolved** that we, the members of the Missouri  
91 House of Representatives, Ninety-fifth General Assembly, Second Regular Session, the Senate  
92 concurring therein, hereby declare that the people of this state have the sole and exclusive right  
93 of governing themselves as a free, sovereign, and independent state, and shall exercise and enjoy  
94 every power, jurisdiction, and right pertaining thereto, over all powers not otherwise enumerated  
95 and granted to the federal government by the Constitution of the United States; and  
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97       **Be it further resolved** that this resolution shall serve as Notice and Demand  
98 that federal judicial appointments be based upon the appointee's ability to uphold a strict  
99 interpretation of the language written in the United States Constitution, not personal philosophy,  
100 political patronage, or level of ignorance of the jurisdiction between the legislative and judicial  
101 branches of our government; and

102       **Be it further resolved** that the State of Missouri affirms and declares that  
103 it is a natural and fundamental right of parents to direct the care, education, and upbringing of  
104 their children of which such right cannot be removed by the federal government, not any  
105 international treaty of any sort; and that the State of Missouri will be under no obligation to  
106 comply with any international treaties that undermine our inalienable rights to direct our families  
107 and our children in a manner consistent with our religious beliefs, dictates of our conscience, and  
108 heritage; and  
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110       **Be it further resolved** that this resolution shall serve as Notice and Demand  
111 to the federal government that we will not tolerate our tax dollars being spent on abortion, drugs,  
112 research, or procedures that destroy unborn human life, nor any policies that disregard the  
113 freedom of conscience of any citizen of our country or any other; and  
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115       **Be it further resolved** that this resolution serves as Notice and Decree that  
116 the national government has no authority to impose assisted suicide or euthanasia, nor to impose  
117 any rules purporting to force our state to acknowledge immoral sexual perversions as a marriage  
118 or the equivalent; and  
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120       **Be it further resolved** that this resolution serve as Notice and Decree to the  
121 federal government, to cease and desist, effective immediately, mandates that are beyond the  
122 scope of its constitutionally delegated powers, especially those based upon unproven science  
123 such as a global warming alarmism as well as mandates that show no regard for our state laws  
124 as they pertain to agricultural practices, manufacturing practices, motor vehicle operation and  
125 energy generation options; and  
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127       **Be it further resolved** that all compulsory federal legislation which directs  
128 states to comply under threat of penalties, sanctions, or financial manipulations or which requires  
129 states to pass legislation or lose federal funding be prohibited or repealed, especially those which  
130 pertain to education, health care, housing, and our highways when such federal funds are  
131 collected in any part from the tax-paying citizens or businesses of the sovereign State of  
132 Missouri; and  
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134       **Be it further resolved** that based on the above principles and provisions,  
135 the Missouri General Assembly hereby declares by this resolution that any act by the Congress  
136 of the United States, Executive Order of the President of the United States, or Judicial Order by  
137 the federal courts which assumes a power not delegated to the government of the United States  
138 by the Constitution and which serves to diminish the liberty of any of the several states or their

139 citizens shall abridge the Constitution. The Missouri General Assembly further declares that any  
140 acts which would cause such an abridgment include, but are not limited to:

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142 (1) Establishing martial law or a state of emergency within any state comprising the  
143 United States of America without the consent of the legislature of that state;

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145 (2) Requiring involuntary servitude, or governmental service of persons under the age  
146 of eighteen other than pursuant to, or as an alternative to, incarceration after due process of law  
147 or other than a draft during a declared war;

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149 (3) Surrendering any power delegated or not delegated to any corporation or foreign  
150 government;

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152 (4) Any act regarding religion, further limitations on freedom of political speech, or  
153 further limitations on freedom of the press;

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155 (5) Further infringements on the right to keep and bear arms, including attempts to put  
156 serial numbers in ammunition and acts that prohibit the types or quantities of arms or  
157 ammunition; and

158 **Be it further resolved** that the Chief Clerk of the Missouri House of  
159 Representatives be instructed to prepare a properly inscribed copy of this resolution for Governor  
160 Jay Nixon; Barack Obama, President of the United States; the President of the United States  
161 Senate; the Speaker of the United States House of Representatives; and each member of the  
162 Missouri Congressional delegation.

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