

# House Concurrent Resolution No. 91

## 99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE POGUE.

6118H.01I

D. ADAM CRUMBLISS, Chief Clerk

2       **WHEREAS**, the Founders of our Constitution empowered state legislatures to be  
guardians of liberty against future abuses of power by the federal government; and

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4       **WHEREAS**, the federal government has created a crushing national debt through  
5 improper and imprudent spending; and

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7       **WHEREAS**, the federal government has invaded the legitimate roles of the states  
8 through the manipulative process of federal mandates, most of which are unfunded to a great  
9 extent; and

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11       **WHEREAS**, the federal government has ceased to live under a proper interpretation of  
12 the Constitution of the United States; and

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14       **WHEREAS**, it is the solemn duty of the states to protect the liberty of their people -  
15 particularly for the generations to come - and to propose amendments to the United States  
16 Constitution through a convention of states under Article V to place clear restraints on the federal  
17 government's abuses of power; and

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19       **WHEREAS**, under Amendment XVI of the Constitution of the United States:

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21       “The Congress shall have power to lay and collect taxes on incomes, from whatever  
22 source derived, without apportionment among the several States, and without regard to any  
23 census or enumeration.”; and

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25       **WHEREAS**, the states and the people they serve would be better protected from  
26 governmental abuse and better served if the federal government was forced to reign in its  
27 uncontrolled spending; and

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29           **WHEREAS**, the federal government functioned without the power of Amendment XVI  
30 of the Constitution of the United States and without the power to tax incomes for one hundred  
31 twenty-four years; and

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33           **WHEREAS**, under Amendment XVII of the Constitution of the United States:

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35           “The Senate of the United States shall be composed of two Senators from each State,  
36 elected by the people thereof, for six years; and each Senator shall have one vote. The electors  
37 in each State shall have the qualifications requisite for electors of the most numerous branch of  
38 the State legislatures.

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40 When vacancies happen in the representation of any State in the Senate, the executive authority  
41 of such State shall issue writs of election to fill such vacancies: Provided, That the legislature  
42 of any State may empower the executive thereof to make temporary appointments until the  
43 people fill the vacancies by election as the legislature may direct.

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45 This amendment shall not be so construed as to affect the election or term of any Senator chosen  
46 before it becomes valid as part of the Constitution.”; and

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48           **WHEREAS**, the states and the people they serve would be better served if their  
49 representatives to the federal government were accountable to the state’s government; and

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51           **WHEREAS**, the federal government functioned without Amendment XVII of the  
52 Constitution of the United States and with the legislature of each state electing the persons it  
53 would send to the United States Senate for one hundred twenty-four years:

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55           **NOW THEREFORE BE IT RESOLVED** that the members of the House of  
56 Representatives of the Ninety-ninth General Assembly, Second Regular Session, the Senate  
57 concurring therein, hereby submit this resolution for an amendment to the Constitution of the  
58 United States and, under Article V of the Constitution of the United States, respectfully urge the  
59 United States Congress to submit the proposed amendment to the Constitution of the United  
60 States for ratification and inclusion in the United States Constitution; and

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62       **BE IT FURTHER RESOLVED** that this application constitutes a continuing  
63 application in accordance with Article V of the United States Constitution until the legislatures  
64 of at least two-thirds of the several states have made applications on the same subject; and

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66       **BE IT FURTHER RESOLVED** that the Chief Clerk of the Missouri House of  
67 Representatives be instructed to prepare a properly inscribed copy of this resolution for the  
68 Majority and Minority Leaders of the United States Senate and House of Representatives, and  
69 each member of the Missouri Congressional delegation.

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