

SENATE CONCURRENT RESOLUTION NO. 23

Whereas, in the American system, sovereignty is defined as "final authority", and the people, not government, are the sovereign; and

Whereas, the people of the great State of Missouri are not united with the people of the other forty-nine states that comprise the United States of America on a principle of unlimited submission to their federal government; and

Whereas, the Constitution of the United States clearly establishes that all power not delegated by the people to government is retained by the people and the States; and

Whereas, the people of the several States comprising the United States of America created the federal government to be their agent for those purposes specifically enumerated in the Constitution; and

Whereas, the Tenth Amendment to the Constitution of the United States explicitly declares: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

Whereas, the Tenth Amendment thus affirms that the total scope of federal power is only that which is specifically delegated by the people to the federal government in the Constitution of the United States and can go no further than what is necessary and proper to carry into execution those specifically enumerated powers; every non-enumerated power is deliberately left to State governments or the people themselves; and

Whereas, powers, too numerous to list in this resolution, have been exercised, past and present, by federal administrations, under the leadership of both

Democrats and Republicans, to transgress the lines drawn by the Constitution of the United States; and

Whereas, when powers that have not been delegated to the federal government are assumed and exercised over the States and their people, as the Declaration of Independence affirms, "it is their right, it is their duty, to throw off such government" usurpation and infringement into those areas, lest the people of this State be placed under the dominion and control of those who wrongly have usurped those rights; and

Whereas, numerous opinions delivered by the Supreme Court of the United States have been wrongly deemed the supreme law of the land when no actual law was passed by the only authority that is constitutionally authorized to make law: the United States Congress; and

Whereas, the President of the United States has issued Executive Orders reaching outside the constitutionally-specified limits of the jurisdiction of the Executive Branch of government and these orders have also been wrongly interpreted and enforced as the supreme law of the land:

Now Therefore Be It Resolved that the members of the Missouri Senate, One Hundred First General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby affirm the sovereignty of the people of the State of Missouri in those areas protected by the Tenth Amendment to the Constitution of the United States; and

Be It Further Resolved that this Resolution shall serve as a notice to the federal government to cease and desist activities outside the scope of its constitutionally-delegated powers; and

Be It Further Resolved that there is hereby created the "Joint Committee on the Review of Federal Overreach", which

shall have as its charge to identify specific federal laws and regulations outside the scope of the powers delegated by the people to the federal government in the Constitution of the United States and that thus infringe on the proper powers of the State; and

Be It Further Resolved that the Joint Committee shall be composed of five members of the Senate, with no more than three members of one party, and five members of the House of Representatives, with no more than three members of one party. The Senate members of the Joint Committee shall be appointed by the President Pro Tempore of the Senate and the House members by the Speaker of the House of Representatives. The Joint Committee shall select either a chairperson or co-chairpersons, one of whom shall be a member of the Senate and one a member of the House of Representatives. A majority of the members shall constitute a quorum. Meetings of the Joint Committee may be called at such time and place as the chairperson or co-chairpersons designate; and

Be It Further Resolved that the Joint Committee may hold hearings as it deems advisable and may obtain any input or information necessary to fulfill its obligations. The Joint Committee may make reasonable requests for staff assistance from the research and appropriations staffs of the House and Senate, but is not authorized to hire additional staff; and

Be It Further Resolved that the Joint Committee may prepare a final report, together with its recommendations for any legislative action deemed necessary, for submission to the General Assembly by December 31, 2022, at which time the Joint Committee shall be dissolved; and

Be It Further Resolved that members of the Joint Committee and any staff personnel assigned to the Joint Committee shall receive reimbursement for their actual and necessary expenses incurred in attending meetings of the Joint Committee; and

Be It Further Resolved that the actual expenses of the Joint Committee, its members, and any staff assigned to the Joint Committee incurred by the Joint Committee shall be paid by the Joint Contingent Fund; and

Be It Further Resolved that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, each member of the Missouri Congressional delegation, and the presiding officer of each of the legislative houses in the several states.

