

SECOND REGULAR SESSION

# SENATE JOINT RESOLUTION NO. 34

95TH GENERAL ASSEMBLY

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INTRODUCED BY SENATORS GOODMAN AND SCHMITT.

Read 1st time January 21, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

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## JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment to article IV of the Constitution of Missouri relating to state sovereignty.

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*Be it resolved by the Senate, the House of Representatives concurring therein:*

That at the next general election to be held in the state of Missouri, on  
2 Tuesday next following the first Monday in November, 2010, or at a special  
3 election to be called by the governor for that purpose, there is hereby submitted  
4 to the qualified voters of this state, for adoption or rejection, the following  
5 amendment to article IV of the Constitution of the state of Missouri:

Section A. Article IV, Constitution of Missouri, is amended by adding  
2 thereto one new section, to be known as section 54, to read as follows:

**Section 54. 1. The attorney general shall seek appropriate relief  
2 on behalf of the state and its officers to preserve and protect the state's  
3 sovereignty when the attorney general determines in his or her  
4 discretion that such suit is necessary and proper or when the attorney  
5 general is directed to seek such relief by an executive order of the  
6 governor, a concurrent resolution of the general assembly, or a petition  
7 of the legal voters as provided in subsection 2 of this section that  
8 expresses the belief that the federal government has taken steps that  
9 require the state or a state officer to enforce a provision of federal law  
10 that lies outside Congress's enumerated powers and intrudes on the  
11 sovereignty reserved to the states by the tenth amendment to the  
12 United States Constitution.**

13 **2. The people may direct the attorney general to seek relief by  
14 initiative. Initiative petitions directing the attorney general to seek  
15 relief against the federal government shall be signed by eight percent  
16 of the legal voters in each of two-thirds of the congressional districts**

17 in the state. The total vote for governor at the general election last  
18 preceding the filing of such petition shall be used to determine the  
19 number of legal voters necessary to sign the petition. In submitting the  
20 same to the people, the secretary of state and all other officers shall be  
21 governed by general laws. Every such petition shall be filed with the  
22 secretary of state not less than six months before the election and shall  
23 specify in a clear and concise manner the particular federal action for  
24 which the attorney general is directed to seek appropriate relief. Any  
25 petition approved under this section shall be passed by a majority of  
26 the votes cast thereon.

Unofficial

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Bill

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