

House Concurrent Resolution No. 61

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BERRY.

4651H.011

D. ADAM CRUMBLISS, Chief Clerk

2 **WHEREAS**, the framers of the Constitution of the United States of America intended
3 that the Congress of the United States of America should be “dependent on the people alone”
4 (James Madison, Federalist 52); and

5

6 **WHEREAS**, that dependency has evolved from a dependency on the people alone to a
7 dependency on powerful special interests, through campaigns or third-party groups, that has
8 created a fundamental imbalance in our representative democracy; and

9

10 **WHEREAS**, Americans across the political spectrum agree that elections in the United
11 States of America should be free from the disproportional influence of special interests and fair
12 enough that any citizen can be elected into office; and

13

14 **WHEREAS**, the Constitution of the state of Missouri states, “that all political power is
15 vested in and derived from the people; that all government of right originates from the people,
16 is founded upon their will only, and is instituted solely for the good of the whole” and the people
17 have the exclusive right to alter their constitutions of government whenever they deem it
18 necessary (Article I, Sections 1 & 3); and

19

20 **WHEREAS**, Article V of the Constitution of the United States provides authority for a
21 convention to be called by the Congress of the United States for the purpose of proposing
22 amendments to the Constitution upon application of two-thirds of the legislatures of the several
23 states; and

24

25 **WHEREAS**, the Missouri legislature perceives the need for an amendments convention
26 in order to restore balance and integrity to our elections by proposing an amendment to the
27 federal Constitution that will permanently protect free and fair elections in America by
28 addressing, inter alia, issues raised by the decision of the United States Supreme Court in
29 *Citizens United v. Federal Election Commission*, 130 S.Ct. 876 (2010) and related cases and
30 events, and desires that said convention should be so limited:

31 **NOW THEREFORE BE IT RESOLVED** that the members of the House of
32 Representatives of the Ninety-ninth General Assembly, Second Regular Session, the Senate
33 concurring therein, hereby apply to the United States Congress to call a convention for the
34 exclusive purpose of proposing an amendment to the Constitution of the United States of
35 America that will restore free and fair elections as described herein, as soon as two-thirds of the
36 several states have applied for a convention for a similar purpose; and

37

38 **BE IT FURTHER RESOLVED** the state of Missouri desires that the delegates to said
39 convention shall be comprised equally of individuals currently elected to state and local office,
40 or be selected by election, in each Congressional district for the purpose of serving as delegates,
41 through all individuals elected or appointed to federal office, now or in the past, be prohibited
42 from serving as delegates to the convention, and intends to retain the ability to restrict or expand
43 the power of its delegates within the limits expressed herein; and

44

45 **BE IT FURTHER RESOLVED** the state of Missouri intends that this be a continuing
46 application considered together with applications calling for a convention passed in the 2013-
47 2014 Vermont legislature as R454, the 2013-2014 California legislature as Resolution Chapter
48 77, the 98th Illinois General Assembly as SJR 42, the 2014-2015 New Jersey legislature as SCR
49 132, the 2015-2016 Rhode Island legislature as HR 7670 and SR 2589, and all other passed,
50 pending, and future applications until such time as two-thirds of the several states have applied
51 for a convention for a similar purpose and said convention is governed by Congress; and

52

53 **BE IT FURTHER RESOLVED** that the Chief Clerk of the Missouri House of
54 Representatives be instructed to prepare a properly inscribed copy of this resolution for the
55 President of the United States, the Vice President of the United States in his capacity as presiding
56 officer of the United States Senate, the Speaker of the United States House of Representatives,
57 the Minority Leader of the United States House of Representatives, the President Pro Tempore
58 of the United States Senate, to each Senator and Representative from Missouri in the Congress
59 of the United States with the respectful request that the full and complete text of this resolution
60 be printed in the Congressional Record, to the presiding officers of each legislative body of each
61 of the Several states, requesting the cooperation of the states in issuing an application compelling
62 Congress to call a convention for proposing amendments pursuant to Article V of the United
63 States Constitution.

✓