

Missouri First, Inc.

33867 Highway E
Dixon, MO 65459
www.mofirst.org



*"Dedicated to the Sovereignty of
Missourians"*

Representative Anne Zerr
201 West Capitol Avenue
Room: 113
Jefferson City MO 65101
Ph.: 573-751-3717

February 2, A.D. 2012

**Re: Economic Development
Committee policy on standard of
review of bills.**

Missouri First, Inc.

33867 Highway E
Dixon, MO 65459

Directors

Ron Calzone

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"Our citizens have wisely formed themselves into one nation as to others and several States as among themselves. To the united nation belong our external and mutual relations; to each State, severally, the care of our persons, our property, our reputation and religious freedom." --

Thomas Jefferson:
*To Rhode Island Assembly,
1801*

"With respect to our State and federal governments, I do not think their relations correctly understood by foreigners. They generally suppose the former subordinate to the latter. But this is not the case. They are co-ordinate departments of one simple and integral whole."

--Thomas Jefferson to John Cartwright, 1824

Dear Representative Zerr,

Please recall that during the hearing for HB 1476, in your capacity as chairman of the Economic Development Committee, you forbade me to discuss the constitutionality of the proposed legislation. Your stated reason was that it was not your committee's responsibility to evaluate the constitutionality of bills before it.

I most strenuously disagree and request that you reconsider your position on that matter.

As I pointed out at the hearing, the Oath of Office you took obligates you to consider the constitutionality of legislation. About that, the Missouri Constitution says:

Article III, Section 15. Every senator or representative elect, before entering upon the duties of his office, shall take and subscribe the following oath or affirmation: "I do solemnly swear, or affirm, that I will support the Constitution of the United States and of the state of Missouri, and faithfully perform the duties of my office, and that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or nonperformance of any act or duty pertaining to my office, other than the compensation allowed by law." The oath shall be administered in the halls of the respective houses to the members thereof, by a judge of the supreme court or a circuit court, or after the organization by the presiding officer of either house, and shall be filed in the office of the secretary of state. Any senator or representative refusing to take said oath or affirmation shall be deemed to have vacated his office, and any member convicted of having violated his oath or affirmation shall be deemed guilty of perjury, and be forever disqualified from holding any office of trust or profit in this state. (emphasis added)

Again, I ask that you reconsider your actions at the hearing and grant me these two requests:

- 1) Send a memo to each member of your committee explaining that you have reconsidered your position and that they do, in fact, have a responsibility to consider the constitutionality of bills before them.
- 2) Allow me 5 minutes to complete my testimony at the next committee meeting, between the hearing of bills when most of the committee is likely to be present.

Respectfully,

Ron Calzone, director
Missouri First, Inc.

cc. Speaker Steve Tilley