

House Resolution No. 99

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MOON.

1451L.011

1 **WHEREAS**, in 2010, the United States Congress passed the Patient Protection and
2 Affordable Care Act (ACA), also known as "Obamacare"; and

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4 **WHEREAS**, the act was passed under questionable circumstances in which the United
5 States Senate completely revised the language in H.R. 3590, a bill regarding housing tax breaks
6 for service members, and used it as the vehicle for the ACA in order to skirt the technical
7 requirements that a tax bill originate in the House; and

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9 **WHEREAS**, four of the United States Supreme Court justices found the ACA to be an
10 unconstitutional expansion of federal power in *National Federation of Independent Business v.*
11 *Sebelius*; and

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13 **WHEREAS**, to even consider *National Federation of Independent Business v. Sebelius*,
14 the United States Supreme Court had to declare that the ACA wasn't a tax bill, but the five
15 justices who found it to be constitutional justified their opinion based on the taxing powers of
16 the federal government; and

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18 **WHEREAS**, the ACA affects as much as 1/6 of the economy and the ability of citizens
19 to participate in a free and open health care market and has caused numerous health insurance
20 companies to leave the market, resulting in a consolidation of health insurance services in fewer
21 providers; and

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23 **WHEREAS**, the implementation of the ACA has been fraught with problems; and

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25 **WHEREAS**, as of the Spring of 2014, the number of uninsured Americans had decreased
26 less than 5%; and

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28 **WHEREAS**, Missouri voters have twice overwhelmingly rejected Obamacare through
29 ballot initiatives, including Proposition C in 2010, which prohibits mandating the purchase of

30 health care related products and services, and through the passage of Proposition E in 2012,
31 which prohibits the Governor and state agencies from implementing a health insurance exchange
32 independent of the General Assembly; and

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34 **WHEREAS**, voters in Missouri and across the United States have repeatedly elected
35 officials from both the Republican and Democrat parties based on their promise to fight the
36 Affordable Care Act, and there now are clearly enough members of the United States House and
37 Senate to pass a bill repealing it; and

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39 **WHEREAS**, the Missouri House of Representatives agrees with the four United States
40 Supreme Court justices about the unconstitutionality of the ACA, and finds that act to be most
41 injurious of the basic freedoms Missouri citizens deserve; and

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43 **WHEREAS**, the People, in Article I, Section 2 of the Missouri Constitution, have
44 declared that the "principal office of government" is to "give security" to their core liberties and
45 that when a legislature fails to secure the People's liberty "it fails in its chief design"; and

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47 **WHEREAS**, each and every Representative has taken an oath to support the
48 Constitutions of the United States and Missouri, and thereby has a personal responsibility to
49 defend the People's liberty:

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51 **NOW, THEREFORE, BE IT RESOLVED** that we, the members of the Missouri
52 House of Representatives, Ninety-eighth General Assembly, hereby insist that each member of
53 the Missouri Congressional delegation endeavor with "manly firmness" and resolve to totally and
54 completely repeal the Affordable Care Act, settling for no less than a full repeal; and

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56 **BE IT FURTHER RESOLVED** that the Chief Clerk of the Missouri House of
57 Representatives be instructed to prepare properly inscribed copies of this resolution for the
58 Speaker of the United States House of Representatives, the President of the United States Senate,
59 and each member of the Missouri Congressional delegation.

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