

Inside the Bell

Bill of Responsibilities – Limits, Taxes and Property Rights

This is the third posting adding detail to April 4th posting suggesting a series of Constitutional amendments that, together, might be referred to as a Bill of Responsibilities.

Amendment G – Congressional Term of Election

Section 1.

Members of the House of Representatives, properly elected under Article I, Section 2 of the Constitution, shall serve no more than three consecutive terms as a member of the House of Representatives nor more than six terms as a member of the House of Representatives.

Section 2.

Members of the Senate, properly elected under Article I, Section 3 of the Constitution, shall serve no more than three terms as a member of the Senate.

Section 3.

This amendment shall not be so construed as to affect the election or term of any member of Congress chosen before it becomes valid as part of the Constitution.

“Politician” should not be a profession. Serving as a member of Congress was never intended to be a career. Congressional service was once considered a civic duty. Members of Congress were expected to serve their country and then return to the private sector and resume their private lives. The current system allows citizens to ignore their responsibility to carefully consider their votes and blindly reelect the incumbent while legislators accrue power through a long string of election victories and abuse their responsibilities to the electorate.

It is time to limit the terms of legislators, infuse the Congress with new ideas and diffuse the influence of legislators for life.

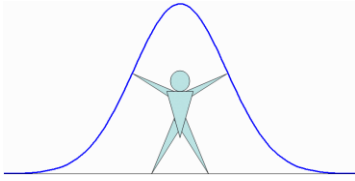
Amendment H – Use of Taxes Collected

Section 1

Taxes proposed by the Congress, as defined by this Constitution in Article I, Section 8, as amended, must be used solely for the payment of debts of the United States, provide for the common defense of the United States or provide for the general welfare of the government of the United States.

Section 2

Tax monies collected from one citizen, or resident of the United States or its States and Territories, may not be given to another Citizen, or any other person, institution or government except as it relates to the debts, defense or general welfare of the United States.



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It is undeniable that the Government of the United States has the right to collect taxes to fund its activities. However, the manner in which the Government spends the tax money it collects is more akin to a besotted lottery winner rather than a responsible citizen. Spending in Washington has become a contest between the legislators to see who can get the most Federal money returned to their individual States. It is clear that, without a Constitutional limitation, the Congress will never become fiscally responsible.

Many of the projects funded serve only to benefit a small number of citizens and the legislator. A limited number of them are actually beneficial. Those projects that are beneficial should be a function of State funding and implementation as defined by the Tenth amendment. Limiting Federal spending will decrease the need for ever more Federal income, leave the States in the position to locally tax and spend for themselves.

Federal spending also feeds an ever increasing, unnecessary bureaucracy. Over time, bureaucracies cease to be effective and work only to preserve the bureaucracy itself and not serve the citizenry. They begin to regulate, not because it's necessary but because they can. Reduced Federal spending will also force reductions in the size of the Federal government and the bureaucracies it creates.

Amendment I – Protection of Property Rights

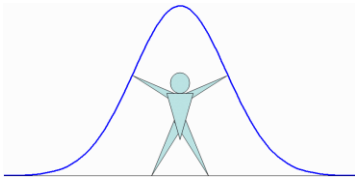
Private property taken from the private citizens and legal residents of the United States, by due process and justly compensated, shall not be given, or otherwise conveyed, to another private citizen, organization, agency, or government without the consent of the original owner, or heirs of the original owner, and first offering said property to the original owner, or heirs, for repayment of the original compensation without increase.

Originally, the proposed wording of the Declaration of Independence was “life, liberty and property.” While the wording was changed to “happiness,” the original wording illustrates how important the ownership of private property was to the founders. Of late, governments at all levels have abused their right of eminent domain to force the transfer of property to non-governmental agents. If any government seeks to acquire property for legitimate purposes, such as public buildings or roads, then the government should maintain ownership of property acquired and if the property is subsequently not required then it should be returned to the original owner.

Amendment J – Advice and Consent of the Senate

Section 1.

All individuals nominated by the President of the United States to be Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court or other Federal judiciary, and all other Officers of the United States, under Article II, Section 2 of the Constitution of the United States, requiring the advice and consent of the Senate, must receive a vote of the full Senate within ninety (90) days of such nomination.



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Section 2.

Individuals nominated by the President of the United States that are not voted by the Senate within ninety (90) days will be considered approved by the Senate and may immediately assume the duties for which they have been nominated.

Section 3.

The votes of the Senate shall be determined by yeas and nays, and the names of the persons voting for and against the nominee shall be entered on the Journal of Senate.

The Senate seems determined to abandon its Constitutional responsibilities. The perverse rules of the Senate allow a single Senator to prevent a vote on any nominee and frustrate the ability of the President to govern. Many of these actions are transparently political. If a Senator has evidence that makes a nominee unsuitable to serve, and is unable to convince a majority of the other Senators of the correctness of the evidence, the vote should not be postponed indefinitely.

Finally, there is actually a fifth branch of the United States Government – the individual States of the Republic. Originally, the House of Representatives was to be elected by the People and the Senate by the States ^(Article I, Section 3) ensuring representation in the Federal Government by all of the members of the Republic and the population thereof. However, the seventeenth amendment, ratified in 1913, inexplicably changed the election of senators to direct election by the people, effectively stripping the States of representation in the Federal Government. The rationale was apparently the inability by some States to elect Senators without significant conflict and political infighting. The following is offered as a rectification of this error in judgment.

Amendment K – Election of the Senate

Section 1.

The seventeenth article of amendment to the Constitution of the United States is hereby repealed.

Section 2.

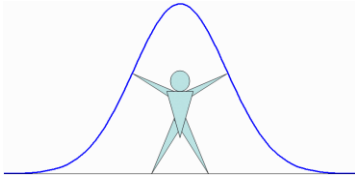
When vacancies happen in the representation of any State in the Senate, the executive authority of each State shall issue writs of election to fill such vacancies.

Section 3.

The legislatures of the various States, with the agreement of the Executive of the individual State, may define the form of the selection of the Senators from that State, whether appointment by the Executive or the Legislature, or direct election by the citizens of that State.

Section 4.

This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.



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Lest anyone misunderstand the purpose of this initiative, I have little faith that Congress will consider, much less pass, any proposal that limits its power in any way.

Russ

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