

DID YOU KNOW? Corporations VOTED to adopt this. Through ALEC, global companies work as “equals” in “unison” with politicians to write laws to govern your life. Big Business has “a VOICE and a VOTE,” according to newly exposed documents. **DO YOU?**

Resolution to Restate State Sovereignty

Summary

ALEC’s model Resolution to Restate State Sovereignty is designed to affirm the powers reserved to the States under the 10th Amendment of the United States Constitution.

Model Resolution

WHEREAS, The 10th Amendment to the Constitution of the United States reads as follows: “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people;” and

WHEREAS, The 10 Amendment defines the total scope of federal powers as being that specifically granted by the United States Constitution and no more; and

WHEREAS, The scope of federal power defined by the 10th Amendment means that the federal government was created by the states specifically to be an agent of the states; and

WHEREAS, State authority has been eroded primarily by four developments: (1) Federal assumption of powers reserved to the states under the 10th Amendment; (2) Interpretations of the “commerce clause” which go beyond any reasonable conception, and in effect authorize federal pre-emption with respect to any issue for which some faint or circuitous connection can be made to interstate commerce; (3) By threat of withholding, withdrawing, or diverting federal funds to coerce compliance with federal policies; (4) Failure on the part of the states to challenge federal intrusions. Indeed state governments have endorsed federal usurpation by seeking additional federal funding and by accepting federal delegations of power.

WHEREAS, Today, in (insert year), the states are demonstrably treated as agents of the federal government; and

WHEREAS, Numerous resolutions have been forwarded to the federal government by the (insert year) without any response or result from Congress or the federal government; and

WHEREAS, Many federal mandates are directly in violation of the 10th Amendment to the Constitution of the United States; and

WHEREAS, The United States Supreme Court has ruled in *New York v. United States*, 112 S. Ct. 2408 (1992), that Congress may not simply commandeer the legislative and regulatory processes of the states; and

WHEREAS, A number of proposals from previous administrations and some now pending from the present administration and from Congress may further violate the United States Constitution;

NOW THEREFORE BE IT RESOLVED, That the State of (insert State) hereby claims sovereignty under the 10th Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the

federal government by the United States Constitution.

BE IT FURTHER RESOLVED, That this serve as Notice and Demand to the federal government, as our agent, to cease and desist, effective immediately, mandates that are beyond the scope of its constitutionally delegated powers.

BE IT FURTHER RESOLVED, That copies of this Resolution be sent to the president of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, The Speaker of the House and the President of the Senate of each state's legislature of the United States of America, and (insert state) Congressional delegation.

The more centralized and remote a government is from its people the more undemocratic and dangerous it will become. In the words of Thomas Jefferson, "The true theory of our Constitution is surely the wisest and best...When all government...shall be drawn to Washington and the centre of all power, it will render powerless the checks provided on one government on another, and will become as...oppressive as the government from with we separated." Constitutional power must be restored to the state and to the people. It is the duty of each State to reaffirm its sovereignty and serve notice to the federal government to cease and desist all activity outside the scope of its constitutional powers.

Sourcebook of American State Legislation, 1995, Volume II

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