

1 STATE OF New Hampshire

2 *In the year of our lord two thousand eleven*

3 1<sup>st</sup> Year of the 162nd Legislature (2011)

4 PROPOSE HOUSE JOINT RESOLUTION

5 AN ACT relevant to the sovereignty of the State of New Hampshire

6 RESIDENTIAL SPONSORS: Daniel Bacon

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9 Proposed a Joint Resolution

10 A Joint Resolution claiming sovereignty under the  
11 Tenth Amendment to the Constitution of the United  
12 States over certain powers; serving notice to the  
13 federal government to cease and desist certain  
14 mandates; and directing distribution.

15  
16 WHEREAS, the Tenth Amendment to the Constitution of the United  
17 States reads as follows:

18 "The powers not delegated to the United States by the  
19 Constitution, nor prohibited by it to the States, are reserved to  
20 the States respectively, or to the people."; and

21 WHEREAS, the Tenth Amendment defines the total scope of federal  
22 power as being that specifically granted by the Constitution of the  
23 United States and no more; and

1       WHEREAS, the scope of power defined by the Tenth Amendment means  
2 that the federal government was created by the states specifically  
3 to be an agent of the states; and

4       WHEREAS, today, in 2011, the states are demonstrably treated as  
5 agents of the federal government; and

6       WHEREAS, many federal mandates are directly in violation of the  
7 Tenth Amendment to the Constitution of the United States; and

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

12       WHEREAS, a number of proposals from previous administrations and  
13 some now pending from the present administration and from Congress  
14 may further violate the Constitution of the United States.

15       NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES  
16 AND THE SENATE OF THE 1<sup>ST</sup> YEAR OF THE 162<sup>ND</sup> SESSION OF THE NEW  
17 HAMPSHIRE LEGISLATURE:

18       THAT the State of New Hampshire hereby claims sovereignty under  
19 the Tenth Amendment to the Constitution of the United States over  
20 all powers not otherwise enumerated and granted to the federal  
21 government by the Constitution of the United States.

22       THAT this serve as Notice and Demand to the federal government,  
23 as our agent, to cease and desist, effective immediately, mandates  
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1 that are beyond the scope of these constitutionally delegated  
2 powers.

3 THAT a copy of this resolution be distributed to the President  
4 of the United States, the President of the United States Senate, the  
5 Speaker of the United States House of Representatives, the Speaker  
6 of the House and the President of the Senate of each state's  
7 legislature of the United States of America, and each member of the  
8 New Hampshire Congressional Delegation.

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