

2011 -- H 5508

LC01180

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

HOUSE RESOLUTION

REQUESTING THE PRESIDENT AND CONGRESS OF THE UNITED STATES TO
REFRAIN FROM ENACTING OR IMPOSING ANY LAW OR REGULATION THAT
WOULD DIMINISH THE RIGHTS OF THE PEOPLE OF RHODE ISLAND TO GOVERN
THEMSELVES AS A FREE, SOVEREIGN, AND INDEPENDENT STATE

Introduced By: Representatives Trillo, Gordon, Chippendale, Costa, and Reilly

Date Introduced: March 02, 2011

Referred To: House Judiciary

1 WHEREAS, The Ninth and Tenth Amendments to the United States Constitution
2 guarantee that all powers not expressly delegated to the federal government in the United States
3 Constitution must be reserved to the individual states, and those rights may never be delegated to
4 the federal government of the United States; and

5 WHEREAS, The Ninth Amendment of the United States Constitution states, "the
6 enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage
7 others retained by the people"; and

8 WHEREAS, The 10th Amendment defines the total scope of federal power as being that
9 specifically granted by the United States Constitution and no more. It states, "the powers not
10 delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved
11 to the States respectively, or to the people"; and

12 WHEREAS, In addition, the United States Supreme Court ruled in *New York v. United*
13 *States*, 112 S. Ct. 2408 (1992), that Congress may not simply commandeer the legislative and
14 regulatory processes of the states; now, therefore be it

15 RESOLVED, That this House of Representatives hereby affirms that the people of this
16 state have the sole and exclusive right to govern themselves as a free, sovereign, and independent
17 state and any proposals that impede, diminish, or revoke those rights would violate the form of
18 government we have chosen and breach the United States Constitution; and be it further

1 RESOLVED, That this House of Representatives hereby respectfully requests the
2 President and Congress of the United States to refrain from enacting or imposing any law or
3 regulation that is beyond the scope of these constitutionally delegated powers or that would
4 diminish the rights of the people of Rhode Island to govern themselves as a free, sovereign, and
5 independent state; and be it further

6 RESOLVED, That the Secretary of State be and he hereby is authorized and directed to
7 transmit duly certified copies of this resolution to the Honorable Barack Obama, President of the
8 United States, and the Rhode Island Congressional delegation.

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