

*Time to remind Washington that Vermont has
always been independent!*

Proposed State Sovereignty Resolution:

AFFIRMING THE CONSTITUTIONAL PROTECTIONS OF THE 10TH AMENDMENT

WHEREAS, We, the people of Vermont, like Ethan Allen in 1781, are “resolutely determined to defend the independence of Vermont”; and

WHEREAS, The Tenth Amendment to the Constitution of the United States specifically provides that, “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 Tenth Amendment defines the total scope of federal power as being those powers specifically granted to it by the Constitution of the United States and the principle of Federalism is the constitutional division of powers between the national and state governments and is widely regarded as one of America’s most valuable contributions to political science; and

WHEREAS, The scope of power defined by the Tenth Amendment means that the federal government was created by the states specifically to be limited in its powers relative to those of the various states; and

WHEREAS, Many federal mandates are directly in violation of the Tenth Amendment to the Constitution of the United States, and infringe upon Vermont’s reserve powers and the people’s reserved powers; 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, over the course of the last century the Federal Government has slowly and incrementally invaded the legislative jurisdiction rightly granted to the State's under the Constitution of the United States to such an extent that Federal Government has preempted said jurisdiction thereby limited the State's ability to provide for their citizens.

WHEREAS, today, in 2009, the states are demonstrably treated as agents of the federal government; and

WHEREAS, A number of proposals from previous administrations and some now being considered by the present administration and from Congress would further infringe on the States’ reserve powers and the people’s reserved powers, and may further violate the

Constitution of the United States;

THEREFORE BE IT RESOLVED,

1) That the State of Vermont hereby claims sovereignty under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the Constitution of the United States and this Resolution shall serve as a Notice and Demand to the federal government to maintain the balance of powers where the Constitution of the United States; and it be further

2) That this memorial serves as notice and demand to the federal government, as our agent, to cease and desist, effective immediately, mandates that are beyond the scope of these constitutionally delegated powers.

3) That all compulsory federal legislation that directs states to comply under threat of civil or criminal penalties or sanctions or requires states to pass legislation or lose federal funding be prohibited or repealed.

4) That the Clerk of the House shall immediately transmit copies of this Resolution to the Honorable Barack Obama, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, the President of the Senate and the Speaker of the House of Representatives of each state’s legislature of the United States of America, and each member of Congress from the State of Vermont.

If you are opposed to federally mandated, unfunded programs which create liabilities for the taxpayers of Vermont without the benefit of local deliberation please sign this proposed resolution and send it to your State Representative and State Senator. Let him/her know that you support State Sovereignty legislation for the state of Vermont.

We the People:

Your Name: _____

Address: _____

Town _____ **VT** _____

Your signature: _____

Send this signed resolution to your Representative and/or Senator:

Their name: _____

**115 State Street
Montpelier, Vermont 05602**

You can find your representatives online at: <http://votesmart.org/>