

Senate Concurrent Resolution 1 - Introduced

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S.C.R. _____ H.C.R. _____

1 1 SENATE CONCURRENT RESOLUTION NO. ____
1 2 BY MCKINLEY
1 3 A Concurrent Resolution claiming state sovereignty
1 4 under the Tenth Amendment to the Constitution of
1 5 the United States over certain mandates imposed on
1 6 states by the federal government.
1 7 WHEREAS, the Tenth Amendment to the Constitution of
1 8 the United States reads as follows:
1 9 "The powers not delegated to the United States by
1 10 the Constitution, nor prohibited by it to the States,
1 11 are reserved to the States respectively, or to the
1 12 people."; and
1 13 WHEREAS, the Tenth Amendment defines the total
1 14 scope of federal power as being that specifically
1 15 granted by the Constitution of the United States and
1 16 no more; and
1 17 WHEREAS, the United States Supreme Court has ruled
1 18 that Congress may not simply commandeer the
1 19 legislative and regulatory processes of the states;
1 20 and
1 21 WHEREAS, the scope of power defined by the Tenth
1 22 Amendment means that the federal government was
1 23 created by the states specifically to be an agent of
1 24 the states; and
1 25 WHEREAS, today, the states are demonstrably treated
1 26 as agents of the federal government; and
1 27 WHEREAS, many federal mandates on the states are
1 28 directly in violation of the Tenth Amendment to the
1 29 Constitution of the United States; NOW THEREFORE,
1 30 BE IT RESOLVED BY THE SENATE, THE HOUSE OF
2 1 REPRESENTATIVES CONCURRING, That the State of Iowa
2 2 hereby claims sovereignty under the Tenth Amendment to
2 3 the Constitution of the United States over all powers
2 4 not otherwise enumerated and granted to the federal
2 5 government by the Constitution of the United States;
2 6 and
2 7 BE IT FURTHER RESOLVED, That the Iowa General
2 8 Assembly demands that the federal government, as its
2 9 agent, cease and desist, effective immediately,
2 10 enacting federal mandates on the states that are
2 11 beyond the scope of these constitutionally delegated
2 12 powers; and
2 13 BE IT FURTHER RESOLVED, That a copy of this
2 14 resolution be sent to the President of the United
2 15 States, the President of the United States Senate, the
2 16 Speaker of the United States House of Representatives,
2 17 and each member of Iowa's congressional delegation.
2 18 LSB 1150SS 83
2 19 ec/rj/5