



HR0067

LRB097 02873 GRL 42897 r

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HOUSE RESOLUTION

2 WHEREAS, The Tenth Amendment to the Constitution of the
3 United States specifically provides that, "The powers not
4 delegated to the United States by the Constitution, nor
5 prohibited by it to the States, are reserved to the States
6 respectively, or to the people"; and

7 WHEREAS, The Tenth Amendment was part of the original Bill
8 of Rights, which was proposed on September 25, 1789, ratified
9 by three-fourths of the states, and went into effect on
10 December 15, 1791; and

11 WHEREAS, The Tenth Amendment limits the scope of federal
12 power and prescribes that the federal government was created by
13 the states specifically to be an agent of the states, rather
14 than the states being agents of the federal government; and

15 WHEREAS, When taking the oath of office, all members of the
16 Illinois General Assembly solemnly swear that they will support
17 the Constitution of the United States and the Constitution of
18 the State of Illinois; and

19 WHEREAS, Many federal mandates are in direct violation of
20 the Tenth Amendment to the Constitution of the United States
21 and infringe upon both Illinois' reserve powers and the

1 people's reserved powers; and

2 WHEREAS, The United States Supreme Court ruled in *New York*
3 *v. United States*, 505 U.S. 144 (1992), that Congress may not
4 simply commandeer the legislative and regulatory processes of
5 the states by compelling them to enact and enforce regulatory
6 programs; and

7 WHEREAS, The United States Supreme Court, in *Printz v.*
8 *United States/Mack v. United States*, 521 U.S. 898 (1997),
9 reaffirmed that the Constitution of the United States
10 established a system of "dual sovereignty" that retains "a
11 residuary and inviolable sovereignty" by the states;
12 therefore, be it

13 RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE
14 NINETY-SEVENTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, that
15 the State of Illinois hereby claims sovereignty under the Tenth
16 Amendment to the Constitution of the United States over all
17 powers not otherwise enumerated and granted to the federal
18 government by the Constitution of the United States; and be it
19 further

20 RESOLVED, That this resolution shall serve notice to the
21 federal government of our demand to maintain the balance of
22 powers where the Constitution of the United States established

1 it; and be it further

2 RESOLVED, That we state our intentions to ensure that all
3 government agencies and their agents and employees operating
4 within the geographic boundaries of the State of Illinois, or
5 whose actions have an effect on the inhabitants, lands, or
6 water of Illinois, shall operate within the confines of the
7 original intent of the Constitution of the United States; and
8 be it further

9 RESOLVED, That suitable copies of this resolution be
10 delivered to the President of the United States, the President
11 pro tempore of the United States Senate, the Speaker of the
12 United States House of Representatives, and each member of the
13 Illinois congressional delegation.