Government of the People Amendment to the Constitution of the United States

Summary

A resolution for the purpose of petitioning the Congress of the United States to propose an amendment to the constitution of the United States for submission to the states to establish a mechanism for nullification of federal laws and regulations where the states determine such laws or regulations exceed the authority of the federal government under the Constitution of the United States.

Model Resolution

WHEREAS, the federal government was established by the states through ratification of the Constitution of the United States; and

WHEREAS, the Constitution of the United States requires, under the 10th Amendment 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 Constitution of the United States established a system in which the states only ceded certain powers to the federal government; and

WHEREAS, the framers recognized that separation of powers is essential and ensured that the rights of the people would be protected by establishing checks and balances not only between the branches of the federal government, but also between the federal government and state governments; and

WHEREAS, the legislative, executive and judicial branches of the federal government have by many actions usurped powers reserved to the states and to the people; and

WHEREAS, by the combined actions of the legislative, executive and judicial branches of the federal government, the relationship between the federal government and state government established by the Constitution; and

WHEREAS, the federal Judiciary, itself a branch of the federal government, has failed to stop many of these federal excesses; and

WHEREAS, the federal government is more distant from the people than state governments and is thereby less efficient and effective in providing for functions that, under the Constitution of the United States, were to have been reserved to the States and to the people; and

WHEREAS, to achieve government of the people, by the people and for the people, government must become closer to the people; and

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF (INSER STATE), A MAJORITY OF ALL MEMBERS OF THE TWO HOUSES CONCURRING SEPARATELY HEREIN, that the Congress of the United States is hereby petitioned to propose the Government of the People Amendment to the Constitution of the United States, for submission to the states for ratification, providing for the states to nullify federal laws and regulations, in such cases as the states deem that the federal government has exceeded the limits of its authority.