

HOUSE JOINT RESOLUTION NO. HJ0011

State sovereignty impacted by federal actions.

Sponsored by: Representative(s) Sommers, Barlow, Eklund, Hunt
and Winter and Senator(s) Boner, Dockstader,
Driskill and Hicks

A JOINT RESOLUTION

for

1 A JOINT RESOLUTION requesting the federal government to
2 respect state sovereignty; to review and correct federal
3 actions which infringe upon the right to bear arms; and to
4 recognize the impact of federal land use and natural resource
5 development policies on Wyoming citizens and to collaborate
6 with the state in adopting and implementing the policies.

7

8 WHEREAS, a union of sovereign states established a federal
9 government and delegated limited powers to that government;

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11 WHEREAS, any question as to whether powers not delegated to
12 the federal government were retained by the states was
13 emphatically answered with the ratification of the tenth
14 amendment;

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2 WHEREAS, Wyoming is a sovereign state admitted to the union
3 on an equal footing, in all respects, in accordance with
4 Wyoming's Act of Admission;

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6 WHEREAS, the United States Constitution, treaties, federal
7 law and numerous court decisions have recognized that Indian
8 tribes exercise inherent sovereign powers over their members
9 and territory;

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11 WHEREAS, the United States supreme court has consistently
12 affirmed that the power of Congress to admit new states, is
13 limited as the "Union of States, must be equal in power,
14 dignity and authority, each state competent to exert that
15 residuum of sovereignty not delegated to the United States by
16 the Constitution itself." Coyle v. Smith, 221 U.S. 559
17 (1911);

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19 WHEREAS, the second amendment to the federal Constitution
20 recognizes the right of the people to bear arms and that the
21 right shall not be infringed, and Article 1, Section 24 of
22 the Wyoming Constitution provides that the right of citizens

1 to bear arms in defense of themselves and of the state shall
2 not be denied;

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4 WHEREAS, Wyoming has been blessed with abundant natural
5 resources which have been developed to create economic
6 prosperity and provide energy independence from foreign
7 nations thereby providing for the peace, safety and happiness
8 of all citizens of the United States;

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10 WHEREAS, the federal government has recently taken actions
11 limiting the development of natural resources, in many
12 instances unilaterally through the executive department,
13 without consultation with Congress or the States;

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15 WHEREAS, the federal government through Congressional
16 enactments, executive orders, agency regulations and judicial
17 rulings has limited the transfer and ownership of firearms
18 and has provided for the tracking of firearms, which are
19 actions infringing upon the people's rights;

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21 WHEREAS, federal laws enacted in accordance with the limited
22 powers delegated by the union of states to the federal

1 government are the supreme law of the land as recognized by
2 the United States and Wyoming Constitutions;

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4 WHEREAS, the state of Wyoming is an inseparable part of the
5 federal union;

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7 WHEREAS, a more perfect union will not be realized by actions
8 of any single department of the federal government and cannot
9 be forged by acts of a federal government which exceed
10 delegated powers; nor should acts of the federal government
11 be tolerated when exercise of those delegated powers harms
12 the welfare of the citizens of states, even when in complete
13 observance of constitutional limitations; and

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15 WHEREAS, all power is inherent in the people and all free
16 governments are founded on their authority.

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18 NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE
19 LEGISLATURE OF THE STATE OF WYOMING:

20

21 **Section 1.** That the current Executive Department
22 Administration of the federal government and Congress should

1 here and now, and in the future, respect the sovereignty of
2 Wyoming and the other states of our union.

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4 **Section 2.** That the federal government not regulate
5 arms at a national level and that the Executive Department of
6 the federal government work with Congress and the states to
7 review and correct federal actions which infringe on the
8 rights conferred by the second amendment to the federal
9 constitution and on the rights of citizens conferred
10 independently by the constitutions of the several states.

11

12 **Section 3.** That the current Executive Department
13 Administration should respect the critical role that federal
14 lands play in Wyoming's culture, recreation, wildlife,
15 livestock production, mineral development and tourism, and
16 the current Administration and Congress work with the state
17 of Wyoming to develop federal policies land use policies in
18 a manner which recognizes their impacts on Wyoming citizens
19 and implements those policies in a manner consistent with the
20 state's and tribes' cultures.

21

1 **Section 4.** That the Secretary of State of Wyoming
2 transmit copies of this resolution to the President of the
3 United States, to the President of the Senate and the Speaker
4 of the House of Representatives of the United States Congress
5 and to the Wyoming Congressional Delegation.

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(END)