

## 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 upon that government;

10

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;

1

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;

5

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

13

14 WHEREAS, the second amendment to the federal Constitution  
15 recognizes the right of the people to bear arms and that the  
16 right shall not be infringed, and Article 1, Section 24 of  
17 the Wyoming Constitution provides that the right of citizens  
18 to bear arms in defense of themselves and of the state shall  
19 not be denied;

20

21 WHEREAS, Wyoming has been blessed with abundant natural  
22 resources which have been developed to create economic  
23 prosperity and provide energy independence from foreign

1 nations thereby providing for the peace, safety and happiness  
2 of all citizens of the United States;

3

4 WHEREAS, the federal government has recently taken actions  
5 limiting the development of natural resources, in many  
6 instances unilaterally through the executive department,  
7 without consultation with Congress or the States;

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9 WHEREAS, the federal government through Congressional  
10 enactments, executive orders, agency regulations and judicial  
11 rulings have limited the transfer and ownership of firearms  
12 and have provided for the tracking of firearms, which are  
13 actions infringing upon the people's rights;

14

15 WHEREAS, federal laws enacted in accordance with the limited  
16 powers delegated by the union of states to the federal  
17 government are the supreme law of the land as recognized by  
18 the United States and Wyoming Constitutions;

19

20 WHEREAS, the state of Wyoming is an inseparable part of the  
21 federal union;

22

1 WHEREAS, a more perfect union will not be realized by actions  
2 of any single department of the federal government, cannot be  
3 forged by acts of a federal government which exceed delegated  
4 powers, and should not be tolerated when exercise of those  
5 delegated powers harm the welfare of the citizens of states,  
6 even when in complete observance of constitutional  
7 limitations; and

8

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

11

12 NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE  
13 LEGISLATURE OF THE STATE OF WYOMING:

14

15 **Section 1.** That the current Executive Department  
16 Administration of the federal government and Congress should  
17 here and now, and in the future, respect the sovereignty of  
18 Wyoming and the other states of our union.

19

20 **Section 2.** That the federal government not regulate  
21 arms at a national level and that the Executive Department of  
22 the federal government work with Congress and the states to  
23 review and correct federal actions which infringe on the

1 rights conferred by the second amendment to the federal  
2 constitution and on the rights of citizens conferred  
3 independently by the constitutions of the several states.  
4

5       **Section 3.** That the current Executive Department  
6 Administration should respect the critical role that federal  
7 lands play in Wyoming's culture, recreation, wildlife,  
8 livestock production, mineral development and tourism, and  
9 the current Administration and Congress work with the state  
10 of Wyoming to develop federal policies land use policies in  
11 a manner which recognizes their impacts on Wyoming citizens  
12 and implements those policies in a manner consistent with the  
13 state's culture.  
14

15       **Section 4.** That the Secretary of State of Wyoming  
16 transmit copies of this resolution to the President of the  
17 United States, to the President of the Senate and the Speaker  
18 of the House of Representatives of the United States Congress  
19 and to the Wyoming Congressional Delegation.  
20

21 (END)