

1 \_\_\_\_\_ HOUSE RESOLUTION NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA AFFIRMING THE  
5 SOVEREIGNTY OF THE PEOPLE OF THE STATE OF MONTANA AND DENOUNCING THE OPINION OF  
6 ROLANDO V. FOX AS AN UNCONSTITUTIONAL USURPATION OF THE RESERVED POWERS OF THE  
7 PEOPLE OF THE STATE OF MONTANA TO DEFINE MARRIAGE.

8  
9 WHEREAS, in the American system of government, sovereignty is defined as the final authority in a  
10 jurisdiction, and the people, not the government, are sovereign; and

11 WHEREAS, all power not delegated by the people to the government is retained by the people; and

12 WHEREAS, the people of the several states constituting the United States of America created the federal  
13 government to act as their agent for certain enumerated purposes only; and

14 WHEREAS, the Tenth Amendment to the United States Constitution defines the entire scope of federal  
15 power as being that which has been delegated by the people to the federal government in the Constitution of the  
16 United States; and

17 WHEREAS, Article I of the Constitution of the United States clarifies that the federal power is limited to  
18 that which is necessary and proper to execute enumerated powers, and the Tenth Amendment reserves all  
19 remaining power to the state governments or to the people themselves; and

20 WHEREAS, an overwhelming majority of the people of Montana defined marriage as a union between  
21 one man and one woman, and they declared that they would refuse to recognize any other definition of marriage;  
22 and

23 WHEREAS, Judge Brian Morris's decision in Rolando v. Fox, \_\_\_ F. Supp. 3d \_\_\_ (2014), is not derived  
24 from an enumerated power of the federal government; and

25 WHEREAS, when powers are assumed by the federal government that have not been delegated to it by  
26 the people, such as in Rolando v. Fox, resistance to such acts is a rightful remedy, and without this remedy, the  
27 people of Montana would be under the absolute and unlimited dominion of whoever might exercise these powers.

28  
29 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF  
30 MONTANA:



