

ONE HUNDRED SEVENTH LEGISLATURE

FIRST SESSION

**LEGISLATIVE RESOLUTION 107**

Introduced by Groene, 42; Aguilar, 35; Albrecht, 17; Arch, 14; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Clements, 2; Dorn, 30; Erdman, 47; Flood, 19; Friesen, 34; Geist, 25; Gragert, 40; Halloran, 33; Hansen, B., 16; Hilgers, 21; Hilkemann, 4; Hughes, 44; Lindstrom, 18; Linehan, 39; Lowe, 37; McDonnell, 5; Moser, 22; Murman, 38; Pahls, 31; Sanders, 45; Slama, 1; Stinner, 48; Williams, 36.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That we hereby reaffirm our solemn oaths of office by expressing a firm resolution to maintain and defend the Constitution of the United States and the Constitution of Nebraska against every act of aggression whether foreign or domestic, including every act of unconstitutional abuse of power arising from the state or federal government.

2. That we are greatly alarmed that a factious and contentious spirit has recently manifested itself in the federal government, emanating both from the legislative and executive branches, with the desire to enlarge their powers by forced constructions of the Constitution of the United States to expand certain general phrases in order to destroy their meaning and effect. Such phrases include: "Congress shall make no law . . . prohibiting the free exercise [of religion] . . .", ". . . the right of the people to keep and bear Arms, shall not be infringed.", and "The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof . . .". This design appears to have no other end except to consolidate the states by degrees into one sovereignty, the obvious tendency and inevitable consequence of which would be to obliterate completely the rights of sovereignty by the several states, and to destroy the rights and liberties of the people, as explicitly granted to them by the Ninth and Tenth Amendments to the Constitution of the United States.

3. That we in particular protest the ominous plan revealed by the

executive branch to take unilateral action in explicit violation of the Second Amendment to the Constitution of the United States. This sacred right is also protected by our Constitution of Nebraska: "All persons are by nature free and independent, and have certain inherent and inalienable rights; among these are . . . the right to keep and bear arms for security or defense of self, family, home, and others . . .".

4. That we further protest against federal government actions which seek to punish traditional religious beliefs about the sanctity of life and sexual mores. These actions are in direct violation of the First Amendment to the Constitution of the United States, which states that "Congress shall make no law . . . prohibiting the free exercise [of religion] . . .", and of the Constitution of Nebraska which states that "All persons have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences. . . . [N]or shall any interference with the rights of conscience be permitted."

5. That we express distress at the prospect of proposed federal legislation designed to usurp the election process that was constitutionally left primarily to the legislatures of the several states, and only secondarily to Congress as Alexander Hamilton argues in Federalist Paper Nos. 59-61. These bills would dictate uniform election rules in all fifty states and eviscerate protections such as voter identification requirements, periodic updates of voter files, and restrictions on fraud-prone ballot harvesting. They also seek to steal the right and privilege of redistricting away from state legislatures and instead empower unelected commissions with this ability. Therefore, we affirm that this right must remain with elected state officials whose power is granted by the people themselves.

6. That we also protest the stated goal by the executive branch of the federal government to restrict the private use of at least thirty percent of America's lands and waters by 2030. As evidence, we expound section 1 of article 1 of the Constitution of Nebraska, "To secure these rights, and the protection of property, governments are instituted among people, deriving their

just powers from the consent of the governed." In concurrence, the Fifth Amendment to the Constitution of the United States declares: "No person shall be . . . deprived of life, liberty, or property, without due process of law . . .". The acquisition, possession, and use of private property for private purposes is inextricable from the right of liberty and the obtainment of happiness. Such an appropriation of property is a gross violation of the fundamental principles of our state and nation.

7. That we strongly affirm the sacred and constitutional right of all persons of the liberty to decide what, if any, vaccination is necessary for their health or the health of their family. We explicitly reject the idea of vaccine passports and other federal mandates that restrain a person's right to peaceably assemble or restrict their freedom to travel or conduct commerce.

8. That the Legislature requests cooperation from the Governor of Nebraska, the Nebraska Attorney General, the President of the United States, the President pro tempore of the United States Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, and the presiding officers of each of the legislative houses in the several states in defending the Constitution of the United States, the states, and the people against federal overreach.

9. That the Clerk of the Legislature shall transmit copies of this resolution to the Governor of Nebraska, the Nebraska Attorney General, the President of the United States, the President pro tempore of the Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, and to the presiding officers of each of the legislative houses in the several states.