

1 *House* JOINT RESOLUTION NO. *114*
 2 INTRODUCED BY *Curtis's* *Bauer* *Chambers* *ORR*
 3 *Storall* *Bergman* *BENEDICT* *Keenan* *Simpkins* *Seitz*
 4 *Spaulding*

4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
 5 MONTANA REQUESTING THAT AN APPROPRIATE INTERIM COMMITTEE MONITOR AND STUDY FEDERAL
 6 MANDATES; AUTHORIZING THE COMMITTEE TO ADVOCATE FOR THE PROTECTION OF MONTANA'S
 7 CONSTITUTIONAL RIGHTS AND SOVEREIGNTY; AND REQUIRING A REPORT OF THE COMMITTEE'S
 8 FINDINGS AND CONCLUSIONS TO THE 56TH LEGISLATURE.

10 WHEREAS, the 10th amendment to the United States Constitution states, "The powers not
 11 delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the
 12 states respectively, or to the people"; and

13 WHEREAS, the number of federal mandates imposed upon the states by the United States Congress
 14 has increased alarmingly in recent years; and

15 WHEREAS, the members of the Legislature of Montana desire to personally protect state
 16 sovereignty from federal encroachment as well as communicate with the Montana delegation to the United
 17 States Congress concerning this critical problem so that Montana's representatives may be completely
 18 cognizant of the effect that the actions of the federal government have at the state legislative level and may
 19 be more sensitive to federal usurpation of state authority.

21 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
 22 STATE OF MONTANA:

23 That an appropriate interim committee be assigned to monitor and study the activities of Congress
 24 and the federal government, including court rulings, with regard to any law, regulation, or other action that
 25 may require the State of Montana to comply with any federal mandate.

26 BE IT FURTHER RESOLVED, that the interim committee may advocate any action necessary to
 27 protect this state's constitutional rights and sovereignty against federal mandates, including:

- 28 (1) encouraging the Governor or a majority of legislators to call a special session of the Legislature
- 29 for the purpose of:
- 30 (a) addressing issues relating to federal mandates and the inappropriate use of federal power to



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 INTRODUCED BILL

1 influence state policy; or

2 (b) responding to any federal mandate that inappropriately affects or illegally abrogates this state's
3 constitutional rights and sovereignty; or

4 (2) contacting the state's Congressional Delegation with regard to the disposition of any legislation
5 under consideration by Congress or of any federal administrative rule or regulation or court decision that
6 intrudes on the rights and sovereignty of Montana.

7 BE IT FURTHER RESOLVED, that the committee compile and report its findings and conclusions,
8 including identifying options for further consideration by the Legislature, to the 56th Legislature.

9 -END-

APPROVED BY COMMITTEE
ON STATE/FEDERAL RELATIONS

HOUSE JOINT RESOLUTION NO. 14

INTRODUCED BY CURTISS, BAER, ADAMS, COBB, ORR, STOVALL, BERGMAN, BENEDICT, KEENAN,
SIMPKINS, KEATING, SLITER

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THAT AN APPROPRIATE INTERIM COMMITTEE MONITOR AND STUDY FEDERAL MANDATES; ~~AUTHORIZING THE COMMITTEE TO ADVOCATE FOR THE PROTECTION OF MONTANA'S CONSTITUTIONAL RIGHTS AND SOVEREIGNTY;~~ AND REQUIRING A REPORT OF THE COMMITTEE'S FINDINGS AND CONCLUSIONS TO THE 56TH LEGISLATURE.

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WHEREAS, the members of the Legislature of Montana desire to personally protect state sovereignty from federal encroachment as well as communicate with the Montana delegation to the United States Congress concerning this critical problem so that Montana's representatives may be completely cognizant of the effect that the actions of the federal government have at the state legislative level and may be more sensitive to federal usurpation of state authority.

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