

HCR006S01 compared with HCR006

~~{deleted text}~~ shows text that was in HCR006 but was deleted in HCR006S01.

Inserted text shows text that was not in HCR006 but was inserted into HCR006S01.

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Representative Merrill F. Nelson proposes the following substitute bill:

CONCURRENT RESOLUTION SUPPORTING THE ~~{RE-EMPOWERMENT}~~ RE-EMPOWERMENT OF THE STATES

AMENDMENT

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Merrill F. Nelson

Senate Sponsor: ~~{ }~~ J. Stuart Adams

LONG TITLE

General Description:

This concurrent resolution supports the Re-Empowerment of the States Amendment.

Highlighted Provisions:

This resolution:

- ▶ asserts that federalism is an integral part of the American democratic system and is essential to the vitality of the Union; and
- ▶ supports the Re-Empowerment of the States Amendment.

Special Clauses:

None

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Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:

WHEREAS, the people of the United States, through their elected state delegates, established the Constitution of the United States, which created the federal government and defined its limited powers;

WHEREAS, the powers delegated to the federal government are "few and defined," while all other powers are reserved to the states and the people;

WHEREAS, the Constitution separates federal powers among three branches of government: the legislative, the executive, and the judiciary, each with checks on the powers of the others, to prevent the expansion or usurption of powers by any branch;

WHEREAS, over the past several decades, executive power has expanded through the creation of administrative agencies that enforce expansive federal laws and regulations upon the states and the people;

WHEREAS, the states, particularly since the passage of the 17th Amendment, have no effective check on this expansion of federal executive and regulatory power, resulting in a gradual erosion of the federalist system of government established by the Founders, thereby threatening state sovereignty and individual liberties; and

WHEREAS, restoring the balance of federalism will secure the blessings of liberty to ourselves and our posterity:

NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the Governor concurring therein, reaffirms its position that federalism is an integral part of the American democratic system and is essential to the vitality of the Union.

BE IT FURTHER RESOLVED that the Legislature and the Governor support the Re-Empowerment of the States Amendment, which has been introduced in Congress by Representatives Rob Bishop and Cathy Rodgers as H.J. Res. ~~{100}~~32 and reads:

~~{Section}~~SECTION 1. ~~{Upon ratification of this Amendment}~~The several States may repeal, in whole or in part, any Presidential Executive order, rule, regulation, other regulatory action, or administrative ruling issued by a department, agency, or instrumentality of the United States ~~{may be repealed in whole or in part by the several States}~~. Such repeal shall ~~{be effective when}~~take effect upon approval by the legislatures of ~~{two-thirds}~~two thirds of the several States ~~{approve}~~of resolutions for this purpose that particularly describe the same

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~~{provision}~~whole or ~~{provisions}~~part of the Executive order, rule, regulation, other regulatory action, or administrative ruling to be repealed. ~~{The authority granted to the several States under this amendment does not include authority to repeal, in whole or in part, any law enacted by Congress or any Federal Court ruling. Section}~~ "SECTION 2. Congress shall have power to enforce this article by appropriate legislation. ~~{"}"~~

BE IT FURTHER RESOLVED that the Legislature and the Governor call upon the legislatures of the several states to adopt similar resolutions in support of this proposed constitutional amendment.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Utah congressional delegation.

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~~Legislative Review Note~~

~~Office of Legislative Research and General Counsel}~~