

STATEMENT OF PURPOSE

RS20315

The purpose of this legislation is to declare the two federal laws: Public Law 111-148 and Public Law 111-152, void and of no effect in the state of Idaho. The state's primary responsibility is to interpose and protect its citizens from unconstitutional acts of the federal government which necessitates ordering all state agencies to cease in implementation of these two federal acts.

"This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any state to the contrary notwithstanding. " Article 6, Section 2 of the United States Constitution "The senators and representatives before mentioned, and the members of the several states legislatures, and all executive and judicial officers, both of the United States and the several states, shall be bound by oath or affirmation, to support this constitution; . . . " Article 6, Section 3 of the United States Constitution "The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people." 10th Amendment to the United States Constitution "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people." 9th Amendment to the United States Constitution

FISCAL NOTE

Initial cost estimates for Idaho to comply with the federal mandate are between \$228,000,000 and \$155,500,000 according to studies conducted by the Republican Governors Association and The Heritage Foundation, respectively. Additional cost to implement and maintain infrastructure for compliance is unknown at this time. Possible litigation costs are unknown, however, the state authorized \$100,000 for the Florida lawsuit and spent only between \$6,000 and \$7,000.

Contact:  
Name: Representative Vito Barbieri  
Office:  
Phone: (208) 332-1000

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