

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 473

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO REGULATIONS OF THE ENVIRONMENTAL PROTECTION AGENCY; AMEND-
2 ING CHAPTER 1, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION
3 39-102B, IDAHO CODE, TO DECLARE CERTAIN FEDERAL REGULATION AUTHORITY IS
4 NOT AUTHORIZED BY THE UNITED STATES CONSTITUTION, TO STATE THE LEGISLA-
5 TIVE DUTY TO PREVENT ENFORCEMENT OF CERTAIN REGULATIONS AND TO PROVIDE
6 EXCEPTIONS; AND DECLARING AN EMERGENCY.
7

8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Chapter 1, Title 39, Idaho Code, be, and the same is
10 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
11 ignated as Section 39-102B, Idaho Code, and to read as follows:

12 39-102B. ENVIRONMENTAL PROTECTION AGENCY REGULATIONS -- NULL AND
13 VOID. (1) The legislature declares that the regulation authority of the
14 United States environmental protection agency is not authorized by the Con-
15 stitution of the United States and violates its true meaning and intent as
16 given by the founders and ratifiers, and is hereby declared to be invalid in
17 the state of Idaho, shall not be recognized by this state, is specifically
18 rejected by this state and shall be considered null and void and of no force
19 and effect in this state.

20 (2) It shall be the duty of the legislature of the state of Idaho to
21 adopt and enact any and all measures as may be necessary to prevent the
22 enforcement of regulations issued by the United States environmental pro-
23 tection agency that are not specifically authorized by the congress of the
24 United States or specifically adopted by the legislature of the state of
25 Idaho.

26 SECTION 2. An emergency existing therefor, which emergency is hereby
27 declared to exist, this act shall be in full force and effect on and after its
28 passage and approval.