

State of Arizona
Senate
Fifty-first Legislature
Second Regular Session
2014

SENATE RESOLUTION 1003

A RESOLUTION

SUPPORTING THE NULLIFICATION IN THE STATE OF ARIZONA OF ALL RULES IMPOSED BY THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND SUPPORTING CONSULTATION BETWEEN THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY AND TRIBAL GOVERNMENTS PRIOR TO THE IMPLEMENTATION OF RULES THAT IMPACT TRIBAL GOVERNMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Whereas, the Tenth Amendment to the Constitution of the United States
2 reads as follows: "The powers not delegated to the United States by the
3 Constitution, nor prohibited by it to the States, are reserved to the States
4 respectively, or to the people"; and

5 Whereas, the Tenth Amendment defines the total scope of federal power
6 as being that which is specifically granted by the Constitution of the United
7 States and no more; and

8 Whereas, the scope of power defined by the Tenth Amendment means that
9 the federal government was created by the states specifically to be an agent
10 of the states; and

11 Whereas, the rulemaking authority of the United States Environmental
12 Protection Agency is not authorized by the Constitution of the United States
13 and violates its true meaning and intent as given by the founders and
14 ratifiers; and

15 Whereas, the United States Environmental Protection Agency is required,
16 by the treaty signed with the Navajo Nation, to respect the sovereignty of
17 the Navajo Nation.

18 Therefore

19 Be it resolved by the Senate of the State of Arizona:

20 That the Members of the Senate support the nullification in the State
21 of Arizona of all rules imposed by the United States Environmental Protection
22 Agency.

23 That the Members of the Senate support consultation between the United
24 States Environmental Protection Agency and tribal governments prior to the
25 implementation of rules that impact tribal governments.