

REFERENCE TITLE: rejection of unconstitutional federal actions

State of Arizona
Senate
Fifty-first Legislature
First Regular Session
2013

SCR 1016

Introduced by
Senators Crandell, Burges; Melvin; Representative Barton

A CONCURRENT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF ARIZONA; AMENDING ARTICLE II, SECTION 3, CONSTITUTION OF ARIZONA; RELATING TO THE REJECTION OF UNCONSTITUTIONAL FEDERAL ACTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it resolved by the Senate of the State of Arizona, the House of
2 Representatives concurring:

3 1. Article II, section 3, Constitution of Arizona, is proposed to be
4 amended as follows if approved by the voters and on proclamation of the
5 Governor:

6 3. Supreme law of the land; authority to reject
7 federal action; use of government personnel or
8 resources

9 Section 3. A. The Constitution of the United States is
10 the supreme law of the land AND SHALL NOT BE VIOLATED BY THE
11 GOVERNMENT OF THIS STATE OR THE UNITED STATES.

12 B. TO PROTECT THE PEOPLE'S FREEDOM AND TO PRESERVE THE
13 CHECKS AND BALANCES OF THE UNITED STATES CONSTITUTION, THE
14 PEOPLE OF THIS STATE MAY REJECT A FEDERAL ACTION THAT THE PEOPLE
15 DETERMINE VIOLATES THE UNITED STATES CONSTITUTION BY DOING ANY
16 OF THE FOLLOWING:

17 1. PASSING AN INITIATIVE OR REFERENDUM PURSUANT TO
18 ARTICLE IV, PART 1, SECTION 1.

19 2. PASSING A BILL PURSUANT TO ARTICLE IV, PART 2 AND
20 ARTICLE V, SECTION 7.

21 3. USING ANY OTHER AVAILABLE LEGAL REMEDY.

22 C. THIS STATE IS PROHIBITED FROM USING ANY PERSONNEL OR
23 RESOURCES TO ENFORCE OR COOPERATE WITH A FEDERAL ACTION THAT THE
24 PEOPLE REJECT.

25 2. The Secretary of State shall submit this proposition to the voters
26 at the next general election as provided by article XXI, Constitution of
27 Arizona.