



Mississippi bill would nullify federal laws

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JACKSON, Miss. – Mississippi defied the union during the Civil War and civil rights era, and at least two lawmakers think it is time to do so again.

Republican state Reps. Gary Chism and Jeff Smith, both of Columbus, filed a bill this month to form the Joint Legislative Committee on the Neutralization of Federal Laws.

Chism said Thursday that the tea party-backed measure is a response to President Barack Obama's federal health care overhaul and proposals to curb gun violence.

"Certainly, the Obamacare started this," Chism told The Associated Press, referring to the health care plan, "but then gun show loopholes that the president wanted after Newtown really put an exclamation on that -- that we need to do something to stand up for the Tenth Amendment."

The Tenth Amendment to the U.S. Constitution says powers not specifically reserved for the federal government are reserved for the states.

House Constitution Committee Chairman Scott DeLano, R-Biloxi, said the bill has a good chance of being debated and that he has heard from other lawmakers who support it.

But Mississippi College constitutional law professor Matt Steffey said the measure is a waste of time because federal law trumps state law when the two are in conflict.

"It is hard to imagine a less productive use of time by key legislative officials than to pursue that which they have no power to pursue," Steffey said.

Republican Gov. Phil Bryant last week asked legislators to block enforcement of "any unconstitutional order" from Obama regarding guns.

Mississippi has resisted federal laws as far back as the Civil War and during the civil rights era. During the 1950s and '60s, a state agency called the Sovereignty

Commission spied on people believed to be sympathetic to racial equality. The agency was dismantled in the late 1970s.

Some critics compare the proposal by Chism and Smith to an attempt to rekindle the Sovereignty Commission.

"It's absolutely the most horrendous idea that has ever come before this august body," said Rep. Steve Holland, D-Plantersville. "It's awful. It is wrongheaded. It is anti-New Testament. It is political fodder for the right and borderline stupid."

Rep. Kelvin Buck, D-Holly Springs, a member of the Legislative Black Caucus, said he sees the bill as part of a trend of defiance toward federal authority. "I think much of it is because we have an African-American president," Buck said.

"I think it is outrageous," Buck said. "In my view, it is taking us back to the pre-civil rights era."

Chism said the bill is not an attempt to roll back civil rights advances. He also said it is not an attempt to revive the Sovereignty Commission.

"That was an ugly past," he said. "It ain't got nothing to do with that."

Smith did not immediately return messages seeking comment.

The Central Mississippi Tea Party said in a news release in December that it wants state lawmakers this year to "re-establish limited federal involvement in Mississippi."