



SENATOR FRED DYSON

MEMORANDUM

Date: January 16, 2013
To: Senator Olson
Thru: Chairman Coghill
From: Senator Fred Dyson
Re: States Considering Legislation Similar to S.J.R. 2
CC: Judiciary Committee Members

You asked how many other states currently are considering measures similar to S.J.R. 2. Our review of all states' current and pending legislation revealed nine pending or recently approved legislative measures that deal generally with the overreach of federal authority.

With respect to federal overreach regarding the Second Amendment, there are numerous states that are currently considering legislation, but we are not listing those here.

Similar legislative measures:

Federal Balanced Budget Constitutional Amendment: Encroachment on State budgets via unfunded federal mandates:

- **South Dakota: 2013 SD H.J.R. 1003:** A JOINT RESOLUTION, making formal application to Congress to call a limited constitutional convention for the sole purpose of proposing a federal balanced budget amendment.
- **Virginia: 2012 VA H.J.R. 565:** Identical to South Dakota resolution

Urging the President to rescind Executive Order 13575 Establishment of the White House Rural Council: Allows the Federal Government to overreach its authority and exert top-down control over nearly every aspect of rural America:

- **New Jersey: 2013 N.J. A.J.R. 140**

Creating a Joint Commission on Recommendations: Creates a State Commission which recommends and proposes for a vote by a constitutional majority the nullification in its entirety of a specific federal law or regulation which is deemed to be outside the scope of the powers delegated by the people to the federal government in the United States Constitution or at odds with the [State] Constitution:

- **Georgia: S.R. 889**
- **Mississippi: H.B. 490** (the Mississippi Balance of Powers Act)
- **Tennessee: S.B. 411** (the Tennessee Balance of Powers Act)

Texas Liberty and Freedom Legislation:

- **H.B. 149: Texas Liberty Authorization Act** H.B. 149: Declaring portions of the federal "Authorization for the Use of Military Force" act (Pub. L. No. 107-40) and the "National Defense Authorization Act for Fiscal Year 2012" (Pub. L. No. 112-81), unlawful in Texas;
- **H.B. 80: The Texas Transportation Freedom Act:** Seeks to restrict personal searches by the TSA at airports.

Alabama Senate Joint Resolution 16: Clarifying The State's Stewardship role Over Water As A State Resource.

- Purpose in passing to prevent the federal government from encroaching on state management of the state's water resource.