

Mississippi House bill would create modern-day Sovereignty Commission

January 24th, 2013| by [Sam R. Hall](#) | [Comments](#)

Jerry Mitchell brought a bill to my attention this morning, and I honestly about fell out of my chair when I read it.

Ladies and gentlemen, [House Bill 490 seeks to create the Joint Legislative Committee on the Neutralization of Federal Laws](#) (JLCNFL ... for short).

What is the JLCNFL? It's basically a modern-day Sovereignty Commission without the spying powers.

Here is an overview of the make-up of and powers granted to the JLCNFL:

- Members would include “the Lieutenant Governor or his designee, six (6) members of the Senate appointed by the Lieutenant Governor, the Speaker of the House of Representatives or his designee and six (6) members of the House of Representatives appointed by the Speaker. No more than four (4) members of the Senate and no more than four (4) members of the House of Representatives may be from the same political party.”
- The committee will review federal laws, regulations and executive orders to determine if they are “outside the scope of the powers delegated by the people to the federal government in the United States Constitution.”
- If the JLCNFL recommends, by a simple majority vote, the neutralization of a federal law, the committee will send it to the Legislature for a vote of neutralization. The Legislature will have 60 days to act, during which time “the issue in question is of no effect.”
- If the Legislature, again by a simple majority, votes to neutralize the federal law, “then the state and its citizens shall not recognize or be obligated to live under the statute, mandate or executive order.”
- Mississippi will notify other states of our determination but stress that we're still cool with them and still a part of the union and all. Or, as the bill says, “The committee shall also be charged to communicate the intentions of this act to the legislatures of the several states to assure that this state continues in the same esteem and friendship as currently exists, and that it considers union for specific national purposes and particularly those enumerated in the United States Constitution to be friendly to the peace, happiness and prosperity of all the states.”

So what happens next, you might ask. Well, never you fear. The authors of House Bill 490 have that covered in Section 5. And if you think the JLCNFL is something to shake your head at, get ready to bang the ol' noggin up against a sturdy wall.

The bill reads:

It is the duty of the Mississippi State Legislature to adopt and enact any and all measures that may become necessary to prevent the wrongful enforcement of any federal laws or regulations duly neutralized within the boundaries and limits of this state.

The bill goes on to state that “the proper jurisdiction for these disputes will lie with the Supreme Court of the United States alone.” So not only are we going to tell the federal government what laws we will and will not follow, we’re telling them that we won’t waste time with any lower federal courts – one must assume because the legal process would take too long.

But the authors of this completely embarrassing and asinine piece of legislation do not leave Mississippi to the whims of a federal court. The very next sentence states:

If there is improper adjudication by the Supreme Court, then the people’s interest shall be maintained and retained through state referendum.

And exactly what would that referendum state, I wonder? Because if the highest court in this nation – to which we would still belong – says that we are in violation of the laws of the United States of America, I can only assume that such a state referendum would be to secede from U.S.A. and become an independent nation.

For good measure and to make sure that the federal government is aware of what we’ve done, the bill includes the following:

Upon passage of this act, a certified copy shall be sent to the President of the United States, the President of the United States Senate, the Speaker and Clerk of the United States House of Representatives, each member of the Mississippi congressional delegation, with the request that this act be officially entered into the congressional record.

So who are the constitutional scholars who filed the Mississippi Balance of Powers Act? That would be [House Insurance Committee Chairman Gary Chism](#), R-Columbus, and [Ways and Means Chairman Jeff Smith](#), R-Columbus.

There are no words for how ridiculously stupid and terribly embarrassing I find this piece of legislation. That two committee chairmen – one that of Ways and Means, no less – thought to actually put this on paper and file it should give us all real pause.

Jerry will have a more in-depth look at the bill tomorrow. Hopefully the authors will agree to talk and explain why they would file something clearly unconstitutional. That it is a waste of time is one thing, but that it continues to perpetuate the negative stereotypes that no longer fit most Mississippians is the worst aspect of the entire sad affair.

And for the record... This bill has absolutely no chance of passing. I'd be surprised if it ever made it out of committee.

