

MAINE STATE LEGISLATURE

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Minority

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JUDICIARY

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION

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COMMITTEE AMENDMENT "A" to H.P. 870, L.D. 1172, Bill, "An Act To Prohibit Enforcement of Federal Laws in Violation of the Constitution of the United States"

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Amend the bill in section 1 by striking out all of §1410 (page 1, lines 22 to 34 in L.D.) and inserting the following:

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§1410. Prohibition

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1. Interference with intrastate goods and services. Unless authorized by state law, a state official or employee may not enforce or attempt to enforce a federal law that regulates or attempts to regulate goods grown, manufactured or made in this State or services performed in this State when those goods or services are sold, maintained, retained or performed exclusively in this State.

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2. Prohibition of judicial enforcement. A state court may not give force or effect to any action by a state official or employee inconsistent with subsection 1.'

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SUMMARY

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This amendment is the minority report of the Joint Standing Committee on Judiciary.

This amendment replaces the provision in the bill that prohibited any person from interfering with intrastate goods and services and created Class C and Class D crimes. This amendment prohibits a state official or employee from enforcing a federal law that regulates or attempts to regulate goods grown, manufactured or made in this State or services performed in this State when those goods or services are sold, maintained, retained or performed exclusively in this State, unless the official or employee is authorized to do so by state law. This amendment also directs state courts to not give force or effect to any action by a state official or employee that is inconsistent with the prohibition.

COMMITTEE AMENDMENT