

## Our View: Idaho tries its hand with nullification once again

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**Devin Rokyta/Moscow-Pullman Daily News**When the Idaho Legislature takes time away from peddling laws to criminalize abortion and make immigrants and gays second-class citizens, its other favorite annual crusade is pushing for nullification.

This year's unconstitutional effort, House Bill 65, is being spearheaded by Rep. Paul Shepherd, R-Riggins, who is no stranger to the process, even if ignorant in its constitutionality. Back in 2014 he led an effort to pass a bill to nullify federal environmental laws and Environmental Protection Agency rules and orders in Idaho. Fortunately, his bill stalled in the House.

Not to be discouraged, Shepherd is aiming a bit higher this go-around.

If his latest bill is passed by the Legislature, the state of Idaho - or Republicans - would be "the final arbiter of whether an act of Congress, a federal regulation or a court decision is unconstitutional and may declare that the federal laws, regulations or court decisions are not authorized by the Constitution of the United States and violate its meaning and intent, and further, are null, void and of no effect regarding any Idaho citizen residing within the borders of the state of Idaho."

In simple terms, if the Republican Legislature doesn't like a federal law or a judge's ruling, well, then it just doesn't apply to the great state of Idaho.

For a group of people who claim to love the Constitution and all it stands for so much, this is a really odd way of showing it.

Judges have consistently ruled that federal law trumps state law under the Supremacy Clause of the Constitution, and that the federal judiciary has the final power to interpret the Constitution under Article III of the Constitution.

Idaho can - and surely will - move forward with its nullification bill, but it won't stand in court, even if we have a president in office who clearly has no respect for courts, the rule of law or the Constitution.