

AMENDMENT TO H.R. 1155
OFFERED BY MR. MESSER OF INDIANA

Page 19, line 12, insert after “(h)(2).” the following:
“The Commission shall submit with this report a separate report on the impact of unfunded major rules on the competitive balance between State, local, and tribal governments; and report on the total costs and benefits for each of the several states of compliance with unfunded major rules. The Commission shall recommend repeal of unfunded major rules, in accordance with procedures established in subsection (h)(4)(A)(i), that it finds to be significantly burdensome to state or local governments or severely impairs the competitive balance between State and local governments.”.

Page 19, insert after line 16 the following:

1 (4) RULE REGARDING APPLICATION OF THIS
2 SUBSECTION.—In carrying out this subsection, the
3 Commission shall give priority to investigating, re-
4 viewing, and making recommendations regarding un-
5 funded major rules that are the subject of judicial
6 proceedings between the United States and a State,
7 local, or tribal government.

Page, insert after line 24 the following:

1 (6) UNFUNDED MAJOR RULE.—The term “un-
2 funded major rule” means any rule described in
3 paragraph (3), which requires more than 25 percent
4 of the direct cost of the implementing and complying
5 with such rule to be born by a State, local, or tribal
6 government.

7 (7) DIRECT COST.—The term “direct cost”
8 means any monies that a State, local, or tribal gov-
9 ernment would be required to spend or raise in order
10 to comply with a major rule.

