
HOUSE JOINT MEMORIAL 4001

State of Washington

54th Legislature

1995 Regular Session

By Representatives Campbell, B. Thomas, Chappell, Schoesler, Talcott, Dyer, Mastin, Chandler, Casada, Kremen, Sheahan, Backlund, Beeksma, Pennington, Lambert, Smith, Delvin, Robertson, Buck, Elliot, Mulliken, Blanton, Benton, McMahan, Hargrove, Radcliff, Koster, Scott, Cooke, Johnson, Thompson, Goldsmith, Crouse, Brumsickle, G. Fisher, Basich, Grant, Sehlin, Van Luven, Hankins, McMorris, Fuhrman, Sheldon, Huff, Silver and Hymes

Prefiled 12/27/94. Read first time 01/09/95. Referred to Committee on Government Operations.

1 TO THE HONORABLE BILL CLINTON, PRESIDENT OF THE UNITED STATES, AND
2 TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF
3 REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
4 UNITED STATES, IN CONGRESS ASSEMBLED:

5 We, the Senate and House of Representatives of the State of
6 Washington, in legislative session assembled, respectfully represent
7 and petition as follows:

8 WHEREAS, the 10th Amendment to the Constitution of the United
9 States reads as follows:

10 "The powers not delegated to the United States by the Constitution,
11 nor prohibited by it to the states, are reserved to the states
12 respectively, or to the people"; and

13 WHEREAS, the 10th Amendment defines the total scope of federal
14 power as being that specifically granted by the United States
15 Constitution and no more; and

16 WHEREAS, The scope of power defined by the 10th Amendment means
17 that the federal government was created by the states specifically to
18 be an agent of the states; and

19 WHEREAS, Today, in the mid-1990's, the states are demonstrably
20 treated as agents of the federal government; and

1 WHEREAS, Numerous resolutions have been forwarded to the federal
2 government by the Washington legislature without any response or result
3 from Congress or the federal government; and

4 WHEREAS, Many federal mandates are directly in violation of the
5 10th Amendment to the Constitution of the United States; and

6 WHEREAS, The United States Supreme Court has ruled in New York v.
7 United States, 112 S. Ct. 2408 (1992), that Congress may not simply
8 commandeer the legislative and regulatory processes of the states; and

9 WHEREAS, A number of proposals from previous federal
10 administrations and some now pending from the present administration
11 and from Congress may further violate the United States Constitution;

12 NOW, THEREFORE, Be it resolved by the House of Representatives and
13 the Senate:

14 (1) That the State of Washington hereby claims sovereignty under
15 the 10th Amendment to the Constitution of the United States over all
16 powers not otherwise enumerated and granted to the federal government
17 by the United States Constitution.

18 (2) That this serve as Notice and Demand to the federal government,
19 as our agent, to cease and desist, effective immediately, mandates that
20 are beyond the scope of its constitutionally delegated powers.

21 BE IT RESOLVED, That copies of this Memorial be immediately
22 transmitted to the Honorable Bill Clinton, President of the United
23 States, the President of the United States Senate, the Speaker of the
24 House of Representatives, and each member of Congress from the State of
25 Washington.

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