
HOUSE JOINT MEMORIAL 4007

State of Washington 54th Legislature 1995 Regular Session

By Representatives Stevens, Koster, Boldt, Thompson, Hargrove,
B. Thomas and Padden

Read first time 01/16/95. Referred to Committee on Government
Operations.

1 TO THE PRESIDENT OF THE COUNCIL OF STATE GOVERNMENTS, GOVERNOR E.
2 BENJAMIN NELSON, AND THE CHAIR OF THE COUNCIL OF STATE GOVERNMENTS,
3 REPRESENTATIVE ROBERT C. HUNTER, AND TO THE SENATE AND HOUSE OF
4 REPRESENTATIVES OF THE UNITED STATES, IN CONGRESS ASSEMBLED:

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

8 WHEREAS, The United States Constitution established a balanced
9 compound system of governance and through the Tenth Amendment reserved
10 all nondelegated and nonprohibited powers to the States or to the
11 people; and

12 WHEREAS, Over many years, the Federal government has dramatically
13 expanded the scope of its power and preempted state government
14 authority and increasingly has treated States as administrative
15 subdivisions or as special interest groups, rather than coequal
16 partners; and

17 WHEREAS, The number of Federal unfunded mandates has grown
18 exponentially during the last thirty years and has profoundly distorted
19 State budgets, thereby handcuffing the ability of State leaders to
20 provide appropriate and needed services to their constituencies; and

1 WHEREAS, Since 1990, the Federal government has enacted at least
2 forty-two major statutes imposing burdensome and expensive regulations
3 and requirements on States and Localities, which is nearly equal to all
4 those enacted in the prior two decades combined; and

5 WHEREAS, Recent decisions of the United States Supreme Court give
6 only slight hope for judicial restrictions on Federal usurpation of
7 state authority;

8 NOW, THEREFORE, Your Memorialists respectfully pray that the
9 following be adopted:

10 (1) A delegation of five voting persons from the State of
11 Washington shall be appointed to represent the State of Washington at
12 a Conference of the States for the purposes described in Paragraph (2)
13 to be convened as provided in paragraph (3). The delegation shall
14 consist of five voting persons as follows: (a) The governor or, if the
15 governor does not wish to be a member of the delegation then a
16 constitutional officer selected by the governor; and (b) four
17 legislators, two from each house selected by the presiding officer of
18 that house. No more than two of the four legislators may be from the
19 same political party. Each presiding officer may designate two
20 alternate legislator delegates, one from each party, who have voting
21 privileges in the absence of the primary delegates.

22 (2) The delegates of the Conference of the States will propose,
23 debate, and vote on elements of an action plan to restore checks and
24 balances between States and the national government. Measures agreed
25 upon will be formalized in an instrument called a States' Petition and
26 returned to the delegation's State for consideration by the entire
27 legislature.

28 (3) The Conference of the States shall be convened under the
29 section 501(c)3 auspices of the Council of State Governments in
30 cooperation with the National Governors' Association and the National
31 Conference of State Legislatures no later than two hundred seventy days
32 after at least twenty-six legislatures adopt this resolution without
33 amendment.

34 (4) Prior to the official convening of the Conference of the States
35 the steering committee will draft:

36 (a) The governance structure and procedural rules for the
37 Conference;

38 (b) The process for receiving rebalancing proposals; and

1 (c) The financial and administrative functions of the Conference,
2 including the Council of State Governments as fiscal agent.

3 (5) The bylaws shall:

4 (a) Conform to the provisions of this resolution;

5 (b) Specify that each state delegation shall have one vote at the
6 Conference; and

7 (c) Specify that the Conference agenda be limited to fundamental,
8 structural, long-term reforms.

9 (6) Upon the official convening of the Conference of the States,
10 the State delegations will vote upon and approve the Conference
11 governing structure, operating rules, and bylaws.

12 BE IT RESOLVED, That copies of this Memorial be immediately
13 transmitted to Governor E. Benjamin Nelson, the President of the
14 Council of State Governments, Representative Robert C. Hunter, Chair of
15 the Council of State Governments, and to each member of the Senate and
16 House of Representatives of the United States.

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