

---

HOUSE JOINT MEMORIAL 4019

---

State of Washington

54th Legislature

1995 Regular Session

By Representatives Benton, Cairnes, Carrell, Beeksma, D. Schmidt, McMahan, Thompson and Buck

Read first time 02/08/95. 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 Washington State, in  
6 legislative session assembled, respectfully represent and petition as  
7 follows:

8 WHEREAS, The 10th Amendment to the Constitution for 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, Article I, Section 8 of the Constitution for the United  
14 States specifically defines the total scope of power and no more that  
15 has been granted to Congress by the People of the several States; and

16 WHEREAS, Article II of the Constitution for the United States  
17 enumerates the powers, duties and responsibilities of the office of  
18 President of the United States; and

19 WHEREAS, Article X of the Bill of Rights clearly states that  
20 neither the Congress, the President nor the Judicial branch of the  
21 United States shall delegate unto themselves or each other any powers

1 not specifically enumerated in the Constitution for the United States;  
2 and

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

5 WHEREAS, Numerous resolutions have been forwarded to the federal  
6 government by the Washington State Legislature without receiving any  
7 positive response or result from Congress, the federal government or  
8 its agencies; and

9 WHEREAS, Many federal actions, laws, proclamations, mandates and  
10 presidential orders are in direct violation of the Constitution for the  
11 United States; and

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

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

18 NOW, THEREFORE, Be it resolved by the House of Representatives and  
19 the Senate:

20 (1) That Washington State hereby claims sovereignty as provided in  
21 the 10th Amendment to the Constitution for the United States over all  
22 powers not otherwise enumerated and granted to the federal government  
23 by the people and the several States respectively through the  
24 Constitution for the United States; and

25 (2) That this serve as Constructive Notice and Demand to the  
26 federal government, to cease and desist, effective immediately, actions  
27 and mandates that are beyond their scope of constitutionally delegated  
28 powers.

29 BE IT RESOLVED, That copies of this Memorial be immediately  
30 transmitted to the Honorable Bill Clinton, President of the United  
31 States, the President of the United States Senate, the Speaker of the  
32 House of Representatives, and each member of Congress from Washington  
33 State.

--- END ---