
SENATE JOINT MEMORIAL 8009

State of Washington 54th Legislature 1995 Regular Session

By Senators Morton, West, A. Anderson, Deccio, Hochstatter, Schow, Winsley, Moyer, Oke, Hale, Prince and Strannigan

Read first time 01/19/95. 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, 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 Tenth 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 Tenth 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 Tenth 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 the states are in fact treated as agents of the
20 federal government; and

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

4 WHEREAS, Many federal mandates are directly in violation of the
5 Tenth 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 now pending from the present
10 administration and from Congress would further violate the United
11 States Constitution;

12 NOW, THEREFORE, Your Memorialists respectfully resolve that:

13 (1) The State of Washington hereby claims sovereignty under the
14 Tenth Amendment to the Constitution to the United States over all
15 powers not otherwise enumerated and granted to the federal government
16 by the United States Constitution; and

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

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

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