
HOUSE BILL 1951

State of Washington 62nd Legislature 2011 Regular Session

By Representatives Shea, Taylor, Condotta, Klippert, and McCune

Read first time 02/14/11. Referred to Committee on State Government & Tribal Affairs.

1 AN ACT Relating to adopting the right to constitutional government
2 act of 2011; and adding a new chapter to Title 1 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** This act may be known and cited as the right
5 to constitutional government act of 2011.

6 NEW SECTION. **Sec. 2.** The legislature finds that this nation and
7 this state were founded as constitutional republican forms of
8 government with democratically elected representatives enacting and
9 implementing laws consistent with those constitutions to promote the
10 general welfare of all the people. All elected officials take an oath
11 to uphold the constitutions. The role of government was intended to
12 remain as limited as possible in order to expand the liberties of the
13 people as far as possible. Over the past few decades, legislative and
14 executive branches have gone far beyond their original purposes and
15 powers, and have grown to the extent that the economic and regulatory
16 burdens placed upon the people is becoming unbearable and is infringing
17 on the rights of law-abiding citizens to enjoy their property, their
18 freedoms, and the fruits of their labors. The legislature further

1 finds that the United States congress has frequently ignored its own
2 House rule XIII 3(d) which requires "Each report of a committee on a
3 public bill or public joint resolution shall contain the following:
4 (1) A statement citing the specific powers granted to congress in the
5 Constitution to enact the law proposed by the bill or resolution." The
6 legislature intends by this chapter to ensure that all laws and rules
7 adopted by the federal and state governments are firmly grounded in
8 their respective constitutions so that those governments might return
9 to their proper realms and focus on the essential services that best
10 strike the balance between the need for government and the need for
11 people to be free.

12 NEW SECTION. **Sec. 3.** (1) Every bill, act, ordinance, resolution,
13 or rule adopted or enacted by a legislative or executive body, or the
14 people, shall include the citation of the express language from the
15 federal or state Constitution that provides the specific authority for
16 the provisions included in the bill, act, ordinance, resolution, or
17 rule.

18 (2) Every bill, act, ordinance, resolution, or rule adopted or
19 enacted by a legislative or executive body, or the people, shall limit
20 the provisions of the bill, act, ordinance, resolution, or rule to the
21 express language included in the citation from the federal or state
22 Constitution that provides the specific authority such provisions.

23 (3) Every bill, act, ordinance, resolution, or rule adopted or
24 enacted by a legislative or executive body, or the people, shall
25 include a brief rationale as how the provisions of the bill, act,
26 ordinance, resolution, or rule are provided specific authority in the
27 express language of the federal or state Constitution cited, including
28 the language of the text itself, a reasonable construction and
29 extension of the text, the intent as best can be ascertained of those
30 who adopted the text, and the historical understanding and context in
31 which the text was adopted.

32 NEW SECTION. **Sec. 4.** (1) Every law, rule, order, or other act
33 adopted or enacted by the federal government should include the
34 citation of the express language from the federal Constitution that
35 provides the specific authority for the provisions included in the law,
36 rule, order, or other act.

1 (2) Every law, rule, order, or other act adopted or enacted by the
2 federal government should limit the provisions of the law, rule, order,
3 or other act to the express language included in the citation from the
4 federal Constitution that provides the specific authority such
5 provisions.

6 (3) Every law, rule, order, or other act adopted or enacted by the
7 federal government should include a brief rationale as how the
8 provisions of law, rule, order, or other act are provided specific
9 authority in the express language of the federal or state Constitution
10 cited, including the language of the text itself, a reasonable
11 construction and extension of the text, the intent as best can be
12 ascertained of those who adopted the text, and the historical
13 understanding and context in which the text was adopted.

14 NEW SECTION. **Sec. 5.** Any federal law, rule, order, or other act
15 by the federal government violating the provisions of this act is
16 hereby declared to be invalid in this state, is not recognized by and
17 is specifically rejected by this state, and is considered as null and
18 void and of no effect in this state.

19 NEW SECTION. **Sec. 6.** If any provision of this act or its
20 application to any person or circumstance is held invalid, the
21 remainder of the act or the application of the provision to other
22 persons or circumstances is not affected.

23 NEW SECTION. **Sec. 7.** Sections 1 through 6 of this act constitute
24 a new chapter in Title 1 RCW.

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