



1995 SENATE JOINT RESOLUTION 6

February 2, 1995 - Introduced by Senators RUDE, SCHULTZ, HUELSMAN and PETAK, cosponsored by Representatives PROSSER, NASS, JENSEN, FREESE, SERATTI, AINSWORTH, KLUSMAN, DUFF, HAHN, MUSSER, SILBAUGH, LADWIG, KRUSICK, OTT, GROTHMAN, HARS DORF, RYBA, DOBYNS, JOHNSRUD and GREEN. Referred to Special committee on State and Federal Relations.

1 **Relating to:** convening a Conference of the States.

2 Whereas, the Constitution of the United States established a balanced,
3 compound system of governance and the Tenth Amendment reserved all
4 nondelegated and nonprohibited powers to the states or to the people; and

5 Whereas, over many years, the government of the United States has
6 dramatically expanded the scope of its power and preempted state government's
7 authority, and increasingly has treated states as administrative subdivisions or as
8 special interest groups rather than as coequal partners; and

9 Whereas, the U.S. government has generated massive deficits and continues to
10 mandate programs that state and local governments must administer; and

11 Whereas, the number of federal, unfunded mandates has grown exponentially
12 during the last 30 years and has profoundly distorted state budgets, thereby
13 handcuffing the ability of state leaders to provide appropriate and needed services
14 to their constituencies; and

15 Whereas, since 1990, the government of the United States has enacted at least
16 42 major statutes imposing burdensome and expensive regulations and

1 requirements on states and localities, which is nearly equal to all of those enacted
2 in the prior 2 decades combined; and

3 Whereas, persistent endeavors initiated by the states have consistently failed
4 to generate any substantial reaction or remedy from the U.S. government; and

5 Whereas, the U.S. Supreme Court has repeatedly determined that states must
6 look to the U.S. Congress and pursue political remedies for protection against
7 encroachments by the U.S. government on the reserved powers of the states; and

8 Whereas, the Council of State Governments, through its Intergovernmental
9 Affairs Committee, has been the champion of state sovereignty for many years; and

10 Whereas, in recent years, states have been the principal agents of
11 governmental reform, including updating their constitutions and modernizing and
12 restructuring governmental institutions, and, along with local governments, they
13 have been the pioneers of governmental innovation, thus responding to the needs of
14 their citizens; and

15 Whereas, the Council of State Governments and the Wisconsin legislature
16 recognize a sense of urgency in calling for a Conference of the States, whereby each
17 state government would send a delegation to develop a comprehensive action plan
18 to restore the balance in the federal government; and

19 Whereas, the aforementioned experience of the Council of State Governments,
20 in conjunction with its regional structure and groupings of elected and appointed
21 officials from all 3 branches of state government, reflects an entity ideally suited to
22 promote and facilitate such a conference; and

23 Whereas, the Conference of the States will communicate the broad bipartisan
24 public concern that the American political system has been distorted and will provide
25 a formal forum for state governments to collectively propose constructive remedies

1 for a more balanced state-federal partnership in governance for the 21st century;
2 now, therefore, be it

3 ***Resolved by the senate, the Assembly concurring, That*** a delegation of 7
4 voting persons from Wisconsin shall be appointed to represent the state of Wisconsin
5 at a Conference of the States for the purposes described in this joint resolution to be
6 convened as provided in this joint resolution; and that the delegation shall consist
7 of the governor or, if the governor does not wish to be a member of the delegation, a
8 constitutional officer selected by the governor, and 6 legislators, 3 from the senate
9 and 3 from the assembly, appointed as are standing committees in each house; and
10 that not more than 4 of the 6 legislators may be from the same political party; and
11 that each selecting officer may designate 2 alternate legislator delegates, one from
12 each party, who have voting privileges in the absence of the primary delegates; and,
13 be it further

14 ***Resolved, That*** the delegates of the Conference of the States will propose,
15 debate and vote on elements of an action plan to restore checks and balances between
16 the states and the federal government; and that measures agreed upon will be
17 formalized in an instrument called a "State's Petition" and returned to the
18 delegation's state for consideration by the entire legislature; and, be it further

19 ***Resolved, That*** the Conference of the States shall be convened under the
20 section 501 (c) 3 auspices of the Council of State Governments in cooperation with
21 the National Governors' Association and the National Conference of State
22 Legislatures not later than 270 days after at least 26 legislatures adopt this joint
23 resolution without amendment; and, be it further

24 ***Resolved, That*** prior to the official convening of the Conference of the States,
25 the steering committee will draft the governance structure and procedural rules for

1 the conference, the process for receiving rebalancing proposals and the financial and
2 administrative functions of the conference, including the Council of State
3 Governments as fiscal agent; and, be it further

4 ***Resolved, That*** the bylaws of the Conference of the States shall conform to the
5 provisions of this joint resolution, specify that each state delegation shall have one
6 vote at the conference and specify that the conference's agenda be limited to
7 fundamental, structural, long-term reforms; and, be it further

8 ***Resolved, That***, upon the official convening of the Conference of the States, the
9 state delegations will vote upon and approve the conference's governing structure,
10 operating rules and bylaws; and, be it further

11 ***Resolved, That*** the senate chief clerk shall provide copies of this joint
12 resolution to the Governor of the state of Wisconsin and to the Governing Board and
13 Executive Director of the Council of State Governments.

14 (END)