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1997 ASSEMBLY JOINT RESOLUTION 7

January 21, 1997 – Introduced by Representatives Green, Sykora, Huebsch, Plale, Handrick, Hoven, Hutchison, Musser, Ladwig, Zukowski, Ainsworth, Otte, Hahn, Urban, Porter, Jensen, Grothman, Lazich, Brandemuehl, Goetsch, Kreibich, Walker, Seratti, Ott and F. Lasee, cosponsored by Senators Fitzgerald, Zien, Drzewiecki, Cowles, Farrow and Welch. Referred to Committee on Mandates.

Relating to: congressional explanations of unfunded mandates.

Whereas, the 10th Amendment to the Constitution of the United States reads as follows: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

Whereas, the 10th Amendment defines the total scope of federal power as being only those powers that on specifically granted by the Constitution of the United States to the federal government and no more; and

Whereas, the imposition of unfunded mandates by the federal government upon a state requires an increase in state taxes or a reduction in state services; and

Whereas, such imposition of unfunded mandates conflicts with the spirit of the 10th Amendment by inappropriately restricting the latitude of Wisconsin and her sister states to establish their own priorities and policies; and

Whereas, the number of unfunded federal mandates imposed upon the states by the government of the United States has increased alarmingly in recent years; and Whereas, the states and Congress should engage in earnest discussions regarding the difficult posture in which the states have been cast and the urgent necessity that the states receive funding for these mandates or relief from the enforcement of these unfunded decrees; and

Whereas, the members of the legislature of the State of Wisconsin desire to personally communicate with the Wisconsin delegation to the U.S. Congress concerning this critical problem so that our representatives may be completely cognizant of the effect that the actions of the federal government have at the state legislative level and may be more sensitive to the difficulties that unfunded federal mandates create; now, therefore, be it

Resolved by the assembly, the senate concurring, That the members of the Wisconsin legislature intend that this joint resolution serve as notice and demand to the federal government to refrain from imposing unfunded mandates upon state and local governments; and, be it further

Resolved, That the members of the Wisconsin legislature respectfully request that all members of the Wisconsin delegation to the U.S. Congress meet annually with the state legislature, at a time and in a manner established by the speaker of the assembly and the president of the senate, to discuss the problems related to unfunded federal mandates as well as to discuss the new burdens that have been imposed by the federal government on this state; and, be it further

Resolved, That the assembly chief clerk, by sending copies of this resolution, shall advise each member of the Wisconsin congressional delegation of this invitation and of our hopeful anticipation of their acceptance.