

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 30

Session of
1995

INTRODUCED BY D. W. SNYDER, FLICK, JADLOWIEC, BROWN, CLARK, BATTISTO, STEIL, FARMER, WOGAN, LYNCH, FICHTER, STERN, CONTI, ALLEN, STAIRS, E. Z. TAYLOR, TRUE, ARGALL, GEIST, WAUGH, STISH, CHADWICK, BUNT, FARGO, NYCE, GRUPPO, ZUG, CARONE, PHILLIPS, SATHER, MCCALL, ROBERTS, FAIRCHILD, SCHULER, KING, DRUCE, THOMAS, M. N. WRIGHT, HANNA, J. TAYLOR, HENNESSEY AND KENNEY, JANUARY 26, 1995

REFERRED TO COMMITTEE ON INTERGOVERNMENTAL AFFAIRS,
JANUARY 26, 1995

A CONCURRENT RESOLUTION

1 Appointing a delegation of the Pennsylvania General Assembly and
2 the Governor and alternates to represent the Commonwealth at
3 a Conference of the States to be convened under the auspices
4 of the Council of State Governments in cooperation with the
5 National Governors' Association and the National Conference
6 of State Legislatures no later than 270 days after at least
7 26 legislatures adopt this resolution without amendment; and
8 imposing duties on the Joint State Government Commission.

9 WHEREAS, The Constitution of the United States established a
10 balanced compound system of governance and through the Tenth
11 Amendment reserved all nondelegated and nonprohibited powers to
12 the states or to the people; and

13 WHEREAS, Over many years, the Federal Government has
14 dramatically expanded the scope of its power and preempted state
15 government authority and increasingly has treated states as
16 administrative subdivisions or as special interest groups,
17 rather than coequal partners; and

18 WHEREAS, The Federal Government has generated massive

1 deficits and continues to mandate programs that state and local
2 government must administer; and

3 WHEREAS, The number of Federal unfunded mandates has grown
4 exponentially during the last 30 years and has profoundly
5 distorted state budgets, thereby handcuffing the ability of
6 state leaders to provide appropriate and needed services to
7 their constituencies; and

8 WHEREAS, Since 1990, the Federal Government has enacted at
9 least 42 major statutes imposing burdensome and expensive
10 regulations and requirements on states and localities, which is
11 nearly equal to all those enacted in the prior two decades
12 combined; and

13 WHEREAS, Persistent, state-led endeavors have consistently
14 failed to generate any substantial reaction or remedy from the
15 Federal Government; and

16 WHEREAS, The United States Supreme Court has repeatedly
17 determined that the states must look to the Congress of the
18 United States and related political remedies for protection
19 against Federal encroachments on the reserved powers of the
20 states; and

21 WHEREAS, The Council of State Governments, through its
22 Intergovernmental Affairs Committee, has been a champion of
23 state sovereignty for many years; and

24 WHEREAS, In recent years, states have been the principal
25 agents of government reform, including updating their
26 constitutions, modernizing and restructuring governmental
27 institutions, and, along with local governments, have been the
28 pioneers of government innovation, thus responding to the needs
29 of their citizens; and

30 WHEREAS, The Council of State Governments recognizes a sense

1 of urgency in calling for The Conference of the States, whereby
2 each state government would send a delegation to develop a
3 comprehensive action plan to restore balance in the Federal
4 system; and

5 WHEREAS, The aforementioned experience of The Council of
6 State Governments, in conjunction with its regional structure
7 and groupings of elected and appointed officials from all three
8 branches of state government, reflects an entity ideally suited
9 to promote and facilitate such a conference; and

10 WHEREAS, The Conference of the States will communicate broad
11 bipartisan public concern on the extent to which the American
12 political system has been distorted and provide a formal forum
13 for state governments to collectively propose constructive
14 remedies for a more balanced State-Federal governance
15 partnership for the 21st century; therefore be it

16 RESOLVED (the Senate concurring), That:

17 (1) A delegation of five voting persons of the
18 Commonwealth of Pennsylvania shall be appointed to represent
19 the Commonwealth at a Conference of the States for the
20 purposes described in paragraph (2) to be convened as
21 provided in paragraph (3). The delegation shall consist of
22 five voting persons as follows:

23 (i) the governor or, if the governor does not wish
24 to be a member of the delegation, then a constitutional
25 officer selected by the governor; and

26 (ii) four legislators, two from each house selected
27 by the presiding officer of that house. No more than two
28 of the four legislators may be from the same political
29 party. Each presiding officer may designate two alternate
30 legislator delegates, one from each party, who have

1 voting privileges in the absence of the primary
2 delegates.

3 (2) The delegates of The Conference of the States will
4 propose, debate and vote on elements of an action plan to
5 restore checks and balances between states and the national
6 government. Measures agreed upon will be formalized in an
7 instrument called a States' Petition and returned to the
8 delegation's state for consideration by the entire General
9 Assembly.

10 (3) The Conference of the States shall be convened under
11 section 501(c)(3) of the Internal Revenue Code of 1986
12 auspices of The Council of State Governments in cooperation
13 with the National Governors' Association and the National
14 Conference of State Legislatures no later than 270 days after
15 at least 26 legislatures adopt this resolution without
16 amendment.

17 (4) Prior to the official convening of The Conference of
18 the States the steering committee will draft:

19 (i) the governance structure and procedural rules
20 for the conference;

21 (ii) the process for receiving rebalancing
22 proposals; and

23 (iii) the financial and administrative functions of
24 the conference, including The Council of State
25 Governments as fiscal agent.

26 (5) The bylaws shall:

27 (i) conform to the provisions of this resolution;

28 (ii) specify that each state delegation shall have
29 one vote at the conference; and

30 (iii) specify that the conference agenda be limited

1 to fundamental, structural and long-term reforms.

2 (6) Upon the official convening of The Conference of the
3 States, the state delegations will vote upon and approve the
4 conference governing structure, operating rules and bylaws;
5 and be it further

6 RESOLVED, That the Joint State Government Commission shall
7 provide the administrative and technical support for the
8 delegation appointed to participate in the conference.