
SENATE JOINT MEMORIAL 8018

State of Washington

61st Legislature

2010 Regular Session

By Senators Stevens, Swecker, Delvin, Holmquist, Carrell, Becker, Morton, Honeyford, Schoesler, Roach, and Hewitt

1 TO THE HONORABLE BARACK OBAMA, 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, in 2010, the States are in fact treated as agents
20 of the federal government; and

1 WHEREAS, Numerous resolutions 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 from the previous
10 administrations and some now pending from the present administration
11 and from Congress may further violate the United States Constitution;

12 NOW, THEREFORE, Your Memorialists respectfully resolve:

13 (1) That the State of Washington hereby claims sovereignty under
14 the Tenth Amendment to the Constitution of 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 a Notice and Demand to the federal
18 government, as our agent, to cease and desist, effective immediately,
19 mandates that are beyond the scope of its constitutionally delegated
20 powers.

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

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