

HOUSE JOINT RESOLUTION NO. 21

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE MULDER

Introduced: 1/23/95

Referred: House Special Committee on World Trade and State/Federal Relations, State Affairs

A RESOLUTION

1 Relating to unfunded federal mandates and the Conference of the States.

2 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 WHEREAS the federal government has dramatically expanded the scope of its power
4 and preempted state government authority and increasingly has treated states as administrative
5 subdivisions or as special interest groups, rather than as coequal partners; and

6 WHEREAS the federal government has generated massive deficits and continues to
7 mandate programs that state and local governments must administer; and

8 WHEREAS federal mandates require the State of Alaska and its local governments
9 to perform duties without consideration of local circumstances, costs, or capacity under threat
10 of financial penalties for noncompliance; and

11 WHEREAS federal mandates imposed without corresponding federal financial
12 assistance cause an excessive burden on Alaska's state and local governments that forces
13 Alaskan taxpayers to bear a combination of higher taxes or fees and reduced state and local
14 services; and

15 WHEREAS the number of unfunded federal mandates has grown exponentially during
16 the last 30 years and has profoundly distorted Alaska's state budgets, thereby handcuffing the
17 ability of state elected officials to provide appropriate and needed services to their

1 constituencies; and

2 **WHEREAS** the Congressional Budget Office has estimated that the cumulative cost
3 of new regulations imposed on state and local governments between 1983 and 1990 is between
4 \$8,900,000,000 and \$12,000,000,000; and

5 **WHEREAS** since 1990, the federal government has enacted at least 42 major statutes
6 imposing burdensome and expensive regulations and requirements on states and localities,
7 which is nearly equal to all those enacted in the prior two decades combined; and

8 **WHEREAS** the federal Clean Air Act and Clean Water Act have caused unintended
9 costs to Alaska such as research on ethanol reactions in arctic environments and costly and
10 unreasonable requirements to deal with nonpoint source water quality standards; and

11 **WHEREAS** previously imposed unfunded mandates have resulted in harsh pressures
12 on state and local budgets and the United States Congress finally appears willing to review
13 its past practice of imposing new unfunded mandates on state and local governments; and

14 **WHEREAS** the cumulative burden of these unfunded mandates directly affects the
15 citizens of Alaska; and

16 **WHEREAS** the State of Alaska recognizes a sense of urgency in calling for the
17 Conference of the States, whereby each state government would send a delegation to develop
18 a comprehensive action plan to restore balance in the federal system and to specifically
19 address unfunded federal mandates;

20 **BE IT RESOLVED** that the Alaska State Legislature endorses the efforts of national,
21 state, and local organizations to fully inform citizens about the effects of unfunded federal
22 mandates on state and local governments and individual citizens; and be it

23 **FURTHER RESOLVED** that a delegation of five voting persons from the State of
24 Alaska be appointed to represent the state at a Conference of the States consisting of the
25 governor, or a constitutional officer selected by the governor, and four legislators, two from
26 each house selected by the presiding officer of that house; that no more than two of the
27 legislators selected may be from the same political party; and that each presiding officer
28 designate two alternate legislator delegates, one from each party, who have voting privileges
29 in the absence of the primary delegates; and be it

30 **FURTHER RESOLVED** that the delegates to the Conference of the States propose,
31 debate, and vote on elements of an action plan to restore checks and balances between states

1 and the national government; that measures agreed upon be formalized in an instrument called
2 a States' Petition and returned to each delegation's state for consideration by the entire
3 legislature; and be it

4 **FURTHER RESOLVED** that the Conference of the States shall be convened under
5 the sec. 501(c)(3) auspices of the Council of State Governments in cooperation with the
6 National Governors' Association and the National Conference of State Legislatures no later
7 than 270 days after at least 26 legislatures adopt a similar resolution calling for a Conference
8 of the States; and be it

9 **FURTHER RESOLVED** that before the official convening of the Conference of the
10 States, the steering committee will draft provisions for the

- 11 (1) governing structure and procedural rules for the Conference;
- 12 (2) process for receiving rebalancing proposals; and
- 13 (3) financial and administrative functions of the Conference, including the
14 Council of State Governments as fiscal agent; and be it

15 **FURTHER RESOLVED** that the bylaws of the Conference of the States must
16 (1) conform to the provisions of this resolution;
17 (2) specify that each state delegation have one vote at the Conference; and
18 (3) specify that the Conference agenda be limited to fundamental, structural,
19 long-term reforms; and be it

20 **FURTHER RESOLVED** that upon the official convening of the Conference of the
21 States, the state delegations shall vote upon and approve the Conference's governing structure,
22 operating rules, and bylaws.

23 **A COPY** of this resolution shall be sent to the governor of each of Alaska's sister
24 states.