

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Representative Hogue

H.C.R. 1006

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7 **HOUSE CONCURRENT RESOLUTION**

8 CALLING FOR A CONFERENCE OF THE STATES TO BE PROMOTED AND
9 CONVENED BY THE COUNCIL OF STATE GOVERNMENTS FOR THE
10 PURPOSE OF RESTORING BALANCE IN THE FEDERAL SYSTEM.

11
12 **Subtitle**

13 CALLING FOR A CONFERENCE OF THE STATES TO BE PROMOTED AND
14 CONVENED BY THE COUNCIL OF STATE GOVERNMENTS FOR THE
15 PURPOSE OF RESTORING BALANCE IN THE FEDERAL SYSTEM.

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18 WHEREAS, the United States_ Constitution established a balanced
19 compound system of governance and through the Tenth Amendment reserved all
20 non-delegated and non-prohibited powers to the states or to the people; and

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22 WHEREAS, over many years, the federal government has dramatically
23 expanded the scope of its power and pre-empted state government authority and
24 increasingly has treated states as administrative subdivisions or as special
25 interest groups, rather than co-equal partners; and

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27 WHEREAS, the federal government has generated massive deficits and
28 continues to mandate programs that state and local governments must
29 administer; and

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31 WHEREAS, the number of federal unfunded mandates has grown
32 exponentially during the last 30 years and has profoundly distorted state
33 budgets, thereby limiting the ability of state leaders to provide appropriate
34 and needed services to their constituencies; and

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

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6 WHEREAS, persistent state-led endeavors have consistently failed to
7 generate any substantial reaction or remedy from the federal government; and

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

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15 WHEREAS, the Arkansas General Assembly recognizes a sense of urgency in
16 calling The Conference of the States, whereby each state government would
17 send a delegation to develop a comprehensive action plan to restore balance
18 in the federal system; and

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20 WHEREAS, The Conference of the States will communicate broad bipartisan
21 public concern on the extent to which the American political system has been
22 distorted and provide a formal forum for state governments to collectively
23 propose constructive remedies for a more balanced state-federal governance
24 partnership for the 21st century;

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26 NOW THEREFORE,
27 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTIETH GENERAL
28 ASSEMBLY OF THE STATE OF ARKANSAS, THE SENATE CONCURRING THEREIN:

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30 *SECTION 1. A delegation not to exceed seven voting persons from the*
31 *State of Arkansas shall be appointed to represent the State of Arkansas at a*
32 *Conference of the States for the purposes described in Section 2 to be*
33 *convened as provided in Section 3. The delegation shall not exceed seven*
34 *voting persons as follows: (a) the governor or, if the governor does not*
35 *wish to be a member of the delegation then a constitutional officer selected*

1 *by the governor; and (b) a number of legislators not to exceed six; three*
2 *from each house, of which at least one shall be from each major political*
3 *party, selected by the presiding officer of that house. Each presiding*
4 *officer may designate two alternate legislator delegates, one from each*
5 *party, who have voting privileges in the absence of the primary delegates.*

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7 SECTION 2. The delegates of The Conference of the States will propose,
8 debate and vote on elements of an action plan to restore checks and balances
9 between states and the national government. Measures agreed upon will be
10 formalized in an instrument called a States_ Petition and returned to the
11 delegation_s state for consideration by the entire legislature.

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13 SECTION 3. The Conference of the States shall be convened under the
14 §501(c)(3) auspices of The Council of State Governments in cooperation with
15 the National Governors_ Association and the National Conference of State
16 Legislatures no later than 270 days after at least 26 legislatures adopt a
17 resolution of participation.

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19 SECTION 4. Prior to the official convening of The Conference of the
20 States the steering committee will draft:

- 21 (a) the governance structure and procedural rules for the Conference;
- 22 (b) the process for receiving rebalancing proposals; and
- 23 (c) the financial and administrative functions of the Conference,
- 24 including The Council of State Governments as fiscal agent.

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26 SECTION 5. The bylaws shall:

- 27 (a) conform to the provisions of this resolution;
- 28 (b) specify that each state delegation shall have one vote at the
29 Conference; and

30 (c) specify that the Conference agenda be limited to fundamental,
31 structural, long-term reforms.

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33 SECTION 6. Upon the official convening of The Conference of the
34 States, the state delegations will vote upon and approve the Conference
35 governing structure, operating rules and bylaws.

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SECTION 7. Upon approval of this resolution by both houses, the chief clerk of the House shall transmit a copy hereof to the President of The Council of State Governments.

/s/Rep. Hogue

As Engrossed: 2/9/95

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