

Reprinted

JAN 18 1995

Laid Over Under Rule 25
1/23/95 H - adopted

1 HOUSE CONCURRENT RESOLUTION NO. 10
2 BY COMMITTEE ON STATE GOVERNMENT
3 (SUCCESSOR TO HSB 3)

4 A Concurrent Resolution calling for the convening of a
5 Conference of the States and providing for Iowa's
6 participation in the Conference.

7 WHEREAS, the Constitution of the United States
8 established a balanced system of federal, state, and
9 local governance and through the Tenth Amendment
10 reserved all nondelegated and nonprohibited powers to
11 the States or to the people; and

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

18 WHEREAS, the federal government has generated
19 massive budget deficits and continues to mandate
20 programs that state and local governments must
21 administer; and

22 WHEREAS, the number of federal unfunded mandates
23 has grown exponentially during the last 30 years and
24 has profoundly distorted state budgets, including
25 Iowa's, thereby limiting the ability of state leaders
26 in Iowa and across the country to provide appropriate
27 and needed services to their constituencies; and

28 WHEREAS, since 1990, the federal government has
29 enacted numerous major statutes imposing burdensome
30 and expensive regulations and requirements on states

HOUSE CONCURRENT RESOLUTION 10

H-3003

- 1 Amend House Concurrent Resolution 10 as follows:
2 1. Page 3, by striking line 20 and inserting the
3 following:
4 "No more than one of the two legislators from each
5 house may be".

By LARKIN of Lee

H-3003 FILED JANUARY 23, 1995

(P.142) ADOPTED 1-23-95

1 and localities, which is nearly equal to all those
2 enacted in the prior two decades combined; and

3 WHEREAS, in recent years the States have been the
4 principal agents of government reform, including
5 updating their constitutions, modernizing and
6 restructuring governmental institutions, and, along
7 with local governments, have been the pioneers of
8 government innovation, thus responding to the needs of
9 their citizens; and

10 WHEREAS, Iowa has been a leader in governmental
11 reform by aggressively dealing with many challenges
12 confronting the State in recent years and by passing
13 measures to reform the state's budgetary practices,
14 welfare system, and governmental ethics laws, and to
15 continually improve governmental efficiency and
16 effectiveness; and

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

20 WHEREAS, the United States Supreme Court has
21 repeatedly determined that the States must look to the
22 Congress and related political remedies for protection
23 against federal encroachments on the reserved powers
24 of the States; and

25 WHEREAS, the convening of a Conference of the
26 States will communicate broad bipartisan public
27 concern on the extent to which the American political
28 system has been distorted and provide a formal forum
29 for the States to collectively propose constructive
30 remedies for a more balanced state-federal governance

1 partnership for the twenty-first century; NOW

2 THEREFORE,

3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
4 SENATE CONCURRING, That the Iowa General Assembly
5 adopt the following proposal calling for the convening
6 of a Conference of the States and providing for Iowa's
7 participation in the Conference:

8 1. A delegation of five voting persons from the
9 State of Iowa shall be appointed to represent the
10 State of Iowa at a Conference of the States for the
11 purposes described in section 2 of this proposal and
12 to be convened as provided in section 3 of this
13 proposal. The Iowa delegation shall consist of five
14 voting persons as follows:

15 a. The Governor, or, if the Governor does not wish
16 to be a member of the delegation, then a
17 constitutional officer selected by the Governor.

18 b. Four legislators, two from each house selected
19 by the presiding officer of that house.

20 No more than two of the four legislators may be
21 from the same political party. Each presiding officer
22 may designate two alternate legislator delegates, one
23 from each party, who shall have voting privileges in
24 the absence of the primary delegates.

25 2. The delegates of the Conference of the States
26 will propose, debate, and vote on elements of an
27 action plan to restore checks and balances between the
28 States and the federal government. Measures agreed
29 upon will be formalized in an instrument called a
30 States' Petition and returned to the delegation's

1 state for consideration by the entire legislature.

2 3. The Conference of the States shall be convened
3 under the auspices of the Council of State
4 Governments, organized pursuant to its status as a
5 nonprofit organization under Internal Revenue Code §
6 501(c)(3), and in cooperation with the National
7 Governors' Association and the National Conference of
8 State Legislatures no later than 270 days after at
9 least 26 legislatures adopt this resolution without
10 substantive amendment.

11 4. Prior to the official convening of the
12 Conference of the States, a steering committee for the
13 Conference of the States, composed of state-elected
14 officials, and established by the Council of State
15 Governments, in cooperation with the National
16 Governors' Association and the National Conference of
17 State Legislatures, will draft the following:

18 a. The governance structure and procedural and
19 operating rules for the Conference.

20 b. The process for receiving proposals concerning
21 the balance between the federal and state and local
22 governments.

23 c. The financial and administrative functions of
24 the Conference, including the Council of State
25 Governments as fiscal agent.

26 5. The bylaws for the Conference of the States
27 shall:

28 a. Conform to the provisions of this resolution.

29 b. Specify that each state delegation shall have
30 one vote at the Conference.

1 c. Specify that the Conference agenda be limited
2 to fundamental, structural, long-term reforms.

3 6. Upon the official convening of the Conference
4 of the States, the state delegations will vote upon
5 and approve the Conference governing structure,
6 procedural and operating rules, and bylaws.

7 BE IT FURTHER RESOLVED, That copies of this
8 Resolution be sent to the Governor, the steering
9 committee for the Conference of the States, the
10 Council of State Governments, the National Governors'
11 Association, and the National Conference of State
12 Legislatures.

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HOUSE CONCURRENT RESOLUTION NO. 10

H- Adopted 2/21/95
(P.465)

BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 3)

A Concurrent Resolution calling for the convening of a Conference of the States and providing for Iowa's participation in the Conference.

WHEREAS, the Constitution of the United States established a balanced system of federal, state, and local governance and through the Tenth Amendment reserved all nondelegated and nonprohibited powers to the States or to the people; and

WHEREAS, over many years, the federal government has dramatically expanded the scope of its power and preempted state government authority and increasingly has treated the States as administrative subdivisions or as special interest groups, rather than coequal partners; and

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

WHEREAS, the number of federal unfunded mandates has grown exponentially during the last 30 years and has profoundly distorted state budgets, including Iowa's, thereby limiting the ability of state leaders in Iowa and across the country to provide appropriate and needed services to their constituencies; and

WHEREAS, since 1990, the federal government has enacted numerous major statutes imposing burdensome and expensive regulations and requirements on states

1 and localities, which is nearly equal to all those
2 enacted in the prior two decades combined; and

3 WHEREAS, in recent years the States have been the
4 principal agents of government reform, including
5 updating their constitutions, modernizing and
6 restructuring governmental institutions, and, along
7 with local governments, have been the pioneers of
8 government innovation, thus responding to the needs of
9 their citizens; and

10 WHEREAS, Iowa has been a leader in governmental
11 reform by aggressively dealing with many challenges
12 confronting the State in recent years and by passing
13 measures to reform the state's budgetary practices,
14 welfare system, and governmental ethics laws, and to
15 continually improve governmental efficiency and
16 effectiveness; and

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

20 WHEREAS, the United States Supreme Court has
21 repeatedly determined that the States must look to the
22 Congress and related political remedies for protection
23 against federal encroachments on the reserved powers
24 of the States; and

25 WHEREAS, the convening of a Conference of the
26 States will communicate broad bipartisan public
27 concern on the extent to which the American political
28 system has been distorted and provide a formal forum
29 for the States to collectively propose constructive
30 remedies for a more balanced state-federal governance

1 partnership for the twenty-first century; NOW

2 THEREFORE,

3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
4 SENATE CONCURRING, That the Iowa General Assembly
5 adopt the following proposal calling for the convening
6 of a Conference of the States and providing for Iowa's
7 participation in the Conference:

8 1. A delegation of five voting persons from the
9 State of Iowa shall be appointed to represent the
10 State of Iowa at a Conference of the States for the
11 purposes described in section 2 of this proposal and
12 to be convened as provided in section 3 of this
13 proposal. The Iowa delegation shall consist of five
14 voting persons as follows:

15 a. The Governor, or, if the Governor does not wish
16 to be a member of the delegation, then a
17 constitutional officer selected by the Governor.

18 b. Four legislators, two from each house selected
19 by the presiding officer of that house.

20 No more than one of the two legislators from each
21 house may be from the same political party. Each
22 presiding officer may designate two alternate
23 legislator delegates, one from each party, who shall
24 have voting privileges in the absence of the primary
25 delegates.

26 2. The delegates of the Conference of the States
27 will propose, debate, and vote on elements of an
28 action plan to restore checks and balances between the
29 States and the federal government. Measures agreed
30 upon will be formalized in an instrument called a

1 States' Petition and returned to the delegation's
2 state for consideration by the entire legislature.

3 3. The Conference of the States shall be convened
4 under the auspices of the Council of State
5 Governments, organized pursuant to its status as a
6 nonprofit organization under Internal Revenue Code §
7 501(c)(3), and in cooperation with the National
8 Governors' Association and the National Conference of
9 State Legislatures no later than 270 days after at
10 least 26 legislatures adopt this resolution without
11 substantive amendment.

12 4. Prior to the official convening of the
13 Conference of the States, a steering committee for the
14 Conference of the States, composed of state-elected
15 officials, and established by the Council of State
16 Governments, in cooperation with the National
17 Governors' Association and the National Conference of
18 State Legislatures, will draft the following:

19 a. The governance structure and procedural and
20 operating rules for the Conference.

21 b. The process for receiving proposals concerning
22 the balance between the federal and state and local
23 governments.

24 c. The financial and administrative functions of
25 the Conference, including the Council of State
26 Governments as fiscal agent.

27 5. The bylaws for the Conference of the States
28 shall:

29 a. Conform to the provisions of this resolution.

30 b. Specify that each state delegation shall have

1 one vote at the Conference.

2 c. Specify that the Conference agenda be limited
3 to fundamental, structural, long-term reforms.

4 6. Upon the official convening of the Conference
5 of the States, the state delegations will vote upon
6 and approve the Conference governing structure,
7 procedural and operating rules, and bylaws.

8 BE IT FURTHER RESOLVED, That copies of this
9 Resolution be sent to the Governor, the steering
10 committee for the Conference of the States, the
11 Council of State Governments, the National Governors'
12 Association, and the National Conference of State
13 Legislatures.

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HOUSE CONCURRENT RESOLUTION 10

H-3027

1 Amend House Concurrent Resolution 10, as amended,
2 passed, and reprinted by the House as follows:
3 1. Page 2, line 28, by striking the word
4 "distorted" and inserting the following: "changed".
5 2. Page 3, line 8, by striking the word "five"
6 and inserting the following: "no more than seven".
7 3. Page 3, by striking lines 13 and 14 and
8 inserting the following: "proposal. The composition
9 of the Iowa delegation shall be as follows:".
10 4. Page 3, by striking lines 18 through 22 and
11 inserting the following:
12 "b. No more than six legislators, selected by the
13 majority leader of each house, so long as an equal
14 number of legislators from each house is selected and
15 at least one member from each house is selected from
16 each major political party represented in that house.
17 The majority leader of each house shall follow the
18 recommendations of the minority leader of that house
19 regarding the appointment of members of the minority
20 party from that house.
21 Each majority leader may designate two alternate".
22 5. Page 4, by striking lines 10 and 11 and
23 inserting the following: "least 26 legislatures adopt
24 a resolution of participation in the Conference."

RECEIVED FROM THE SENATE

H-3027 FILED FEBRUARY 6, 1995

*House Concurred
2/21/95
(P. 465)*

HOUSE CONCURRENT RESOLUTION 10

S-3023

1 Amend House Concurrent Resolution 10, as amended,
2 passed, and reprinted by the House as follows:
3 1. Page 2, line 28, by striking the word
4 "distorted" and inserting the following: "changed".
5 2. Page 3, line 8, by striking the word "five"
6 and inserting the following: "no more than seven".
7 3. Page 3, by striking lines 13 and 14 and
8 inserting the following: "proposal. The composition
9 of the Iowa delegation shall be as follows:".
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15 at least one member from each house is selected from
16 each major political party represented in that house.
17 The majority leader of each house shall follow the
18 recommendations of the minority leader of that house
19 regarding the appointment of members of the minority
20 party from that house.
21 Each majority leader may designate two alternate".
22 5. Page 4, by striking lines 10 and 11 and
23 inserting the following: "least 26 legislatures adopt
24 a resolution of participation in the Conference."

By COMMITTEE ON STATE GOVERNMENT
MICHAEL E. GRONSTAL, Chairperson

S-3023 FILED JANUARY 31, 1995

(P. 238) 2/2/95 adopted

HSB 3

STATE GOVERNMENT

1 HOUSE CONCURRENT RESOLUTION NO. 10

2 BY (PROPOSED COMMITTEE ON STATE GOVERNMENT BY
3 CHAIRPERSON MARTIN)

4 A Concurrent Resolution calling for the convening of a
5 Conference of the States and providing for Iowa's
6 participation in the Conference.

7 WHEREAS, the Constitution of the United States
8 established a balanced system of federal, state, and
9 local governance and through the Tenth Amendment
10 reserved all nondelegated and nonprohibited powers to
11 the States or to the people; and

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

18 WHEREAS, the federal government has generated
19 massive budget deficits and continues to mandate
20 programs that state and local governments must
21 administer; and

22 WHEREAS, the number of federal unfunded mandates
23 has grown exponentially during the last 30 years and
24 has profoundly distorted state budgets, including
25 Iowa's, thereby limiting the ability of state leaders
26 in Iowa and across the country to provide appropriate
27 and needed services to their constituencies; and

28 WHEREAS, since 1990, the federal government has
29 enacted numerous major statutes imposing burdensome
30 and expensive regulations and requirements on states

1 and localities, which is nearly equal to all those
2 enacted in the prior two decades combined; and

3 WHEREAS, in recent years the States have been the
4 principal agents of government reform, including
5 updating their constitutions, modernizing and
6 restructuring governmental institutions, and, along
7 with local governments, have been the pioneers of
8 government innovation, thus responding to the needs of
9 their citizens; and

10 WHEREAS, Iowa has been a leader in governmental
11 reform by aggressively dealing with many challenges
12 confronting the State in recent years and by passing
13 measures to reform the state's budgetary practices,
14 welfare system, and governmental ethics laws, and to
15 continually improve governmental efficiency and
16 effectiveness; and

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

20 WHEREAS, the United States Supreme Court has
21 repeatedly determined that the States must look to the
22 Congress and related political remedies for protection
23 against federal encroachments on the reserved powers
24 of the States; and

25 WHEREAS, the convening of a Conference of the
26 States will communicate broad bipartisan public
27 concern on the extent to which the American political
28 system has been distorted and provide a formal forum
29 for the States to collectively propose constructive
30 remedies for a more balanced state-federal governance

1 partnership for the twenty-first century; NOW

2 THEREFORE,

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4 SENATE CONCURRING, That the Iowa General Assembly
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8 1. A delegation of five voting persons from the
9 State of Iowa shall be appointed to represent the
10 State of Iowa at a Conference of the States for the
11 purposes described in section 2 of this proposal and
12 to be convened as provided in section 3 of this
13 proposal. The Iowa delegation shall consist of five
14 voting persons as follows:

15 a. The Governor, or, if the Governor does not wish
16 to be a member of the delegation, then a
17 constitutional officer selected by the Governor.

18 b. Four legislators, two from each house selected
19 by the presiding officer of that house.

20 No more than two of the four legislators may be
21 from the same political party. Each presiding officer
22 may designate two alternate legislator delegates, one
23 from each party, who shall have voting privileges in
24 the absence of the primary delegates.

25 2. The delegates of the Conference of the States
26 will propose, debate, and vote on elements of an
27 action plan to restore checks and balances between the
28 States and the federal government. Measures agreed
29 upon will be formalized in an instrument called a
30 States' Petition and returned to the delegation's

1 state for consideration by the entire legislature.

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8 State Legislatures no later than 270 days after at
9 least 26 legislatures adopt this resolution without
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19 operating rules for the Conference.

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21 the balance between the federal and state and local
22 governments.

23 c. The financial and administrative functions of
24 the Conference, including the Council of State
25 Governments as fiscal agent.

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27 shall:

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30 one vote at the Conference.

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2 to fundamental, structural, long-term reforms.

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5 and approve the Conference governing structure,
6 procedural and operating rules, and bylaws.

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11 Association, and the National Conference of State
12 Legislatures.

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