Initiative Measure No. 1064

AN ACT Relating to adopting the right to constitutional government act of 2010; and adding a new chapter to Title 1 RCW.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** This act may be known and cited as the right to constitutional government act of 2010.

NEW SECTION. **Sec. 2.** The people find that this nation and this state were founded as constitutional republican forms of government with democratically elected representatives enacting and implementing laws consistent with those constitutions to promote the general welfare of all the people. All elected officials take an oath to uphold the constitutions. The role of government was intended to remain as limited as possible in order to expand the liberties of the people as far as possible. Over the past few decades, legislative and executive branches have gone far beyond their original purposes and powers, and have grown to the extent that the economic and regulatory burdens placed upon the people is becoming unbearable and is infringing on the rights of law-abiding citizens to enjoy their property, their freedoms, and the fruits of their labors. The people further find that the United States congress has frequently ignored its own House rule XIII 3(d) which requires "Each report of a committee on a public bill or public joint resolution shall contain the following: (1) A statement citing the specific powers granted to congress in the Constitution to enact the law proposed by the bill or resolution." The people intend by this chapter to ensure that all laws and rules adopted by the federal and state governments are firmly grounded in their respective constitutions so that those governments might return to their proper realms and focus on the essential services that best strike the balance between the need for government and the need for people to be free.

NEW SECTION. **Sec. 3.** (1) Every bill, act, ordinance, resolution, or rule adopted or enacted by a legislative or executive body, or the people, shall include the citation of the express language from the federal or state Constitution that provides the specific authority for the provisions included in the bill, act, ordinance, resolution, or rule.

(2) Every bill, act, ordinance, resolution, or rule adopted or enacted by a legislative or executive body, or the people, shall limit the provisions of the

bill, act, ordinance, resolution, or rule to the express language included in the citation from the federal or state Constitution that provides the specific authority such provisions.

(3) Every bill, act, ordinance, resolution, or rule adopted or enacted by a legislative or executive body, or the people, shall include a brief rationale as how the provisions of the bill, act, ordinance, resolution, or rule are provided specific authority in the express language of the federal or state Constitution cited, including the language of the text itself, a reasonable construction and extension of the text, the intent as best can be ascertained of those who adopted the text, and the historical understanding and context in which the text was adopted.

NEW SECTION. Sec. 4. (1) Every law, rule, order, or other act adopted or enacted by the federal government should include the citation of the express language from the federal Constitution that provides the specific authority for the provisions included in the law, rule, order, or other act.

(2) Every law, rule, order, or other act adopted or enacted by the federal government should limit the provisions of the law, rule, order, or other act to the express language included in the citation from the federal Constitution that provides the specific authority such provisions.

(3) Every law, rule, order, or other act adopted or enacted by the federal government should include a brief rationale as how the provisions of law, rule, order, or other act are provided specific authority in the express language of the federal or state Constitution cited, including the language of the text itself, a reasonable construction and extension of the text, the intent as best can be ascertained of those who adopted the text, and the historical understanding and context in which the text was adopted.

NEW SECTION. Sec. 5. Any federal law, rule, order, or other act by the federal government violating the provisions of this act is hereby declared to be invalid in this state, is not recognized by and is specifically rejected by this state, and is considered as null and void and of no effect in this state.

NEW SECTION. Sec. 6. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 7. Sections 1 through 6 of this act constitute a new chapter in Title 1 RCW.

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