

By: Representative Bowles

To: Rules

## HOUSE CONCURRENT RESOLUTION NO. 41

1 A CONCURRENT RESOLUTION MEMORIALIZING CONGRESS TO CONSIDER  
2 VARIOUS POSITIVE REFORMS CONCERNING THE USE OF FEDERAL MANDATES  
3 AND THEIR EFFECT ON INDIVIDUAL STATES, INCLUDING MISSISSIPPI.

4 WHEREAS, federal aid to state and local government has been  
5 declining since the late 1970's; and

6 WHEREAS, regulatory requirements imposed by Congress have  
7 continued unabated or have actually increased during this period;  
8 and

9 WHEREAS, many state leaders perceive that they have often  
10 been viewed by Congress as special interest groups rather than as  
11 important components within the structure of federalism; and

12 WHEREAS, state officials responsible for these programs  
13 increasingly cite negative factors such as increased cost;  
14 difficult, vague, confusing or overly detailed federal  
15 record-keeping requirements; insufficient state discretion in  
16 seeking national goals in attempting to carry out federal  
17 mandates; and

18 WHEREAS, state officials generally support the overall goals  
19 of federal mandates; and

20 WHEREAS, legal research has shown that few federal mandates  
21 are likely to be overturned by the United States Supreme Court:

22 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
23 REPRESENTATIVES OF THE STATE OF MISSISSIPPI, THE SENATE CONCURRING  
24 THEREIN, That we do hereby memorialize the United States Congress  
25 to consider reducing the burden of federal mandates by: providing  
26 additional funding to state and local governments, modifying

27 applicable federal statutes to permit greater regulatory  
28 flexibility and abandoning or relaxing requirements for statutes  
29 which have not proven to advance federal policy goals; and

30 That the United States Congress increase its communications  
31 with state leaders during its deliberations on federal laws which  
32 affect state and local governments; and

33 That the United States Congress enact federal laws with the  
34 goal of uniformity of result in mind, while leaving states free to  
35 achieve those outcomes by whatever method they deem most  
36 appropriate and reasonable; and

37 That the United States Congress take federal, state and local  
38 costs of policy implementation into consideration before enacting  
39 laws containing federal mandates to state and local governments  
40 and further assume a substantial share of mandate costs as an  
41 incentive to avoid overly burdensome mandates and to aid in  
42 seeking the least costly alternative; and

43 That in taking all public sector costs into consideration as  
44 required in the federal Unfunded Mandates Reform Act of 1995, the  
45 United States Congress should refrain from exercising its  
46 prerogative to disregard its own reform measure.

47 BE IT FURTHER RESOLVED, That the Legislatures of every state  
48 of the nation are hereby urged to join in this recommendation to  
49 the United States Congress.

50 BE IT FURTHER RESOLVED STILL, That a copy of this resolution  
51 shall be officially transmitted to the President of the United  
52 States Senate, the Speaker of the United States House of  
53 Representatives, to each member of the Mississippi congressional  
54 delegation, to each of the Legislatures of the several states of  
55 the Union and to the members of the Capitol Press Corps.