

IN THE HOUSE OF REPRESENTATIVES

HOUSE JOINT MEMORIAL NO. 5

BY STATE AFFAIRS COMMITTEE

A JOINT MEMORIAL

TO JAY INSLEE, GOVERNOR OF THE STATE OF WASHINGTON.

We, your Memorialists, the House of Representatives and the Senate of the State of Idaho assembled in the Second Regular Session of the Sixty-sixth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the State of Idaho and the State of Washington have always enjoyed a supportive and mutually beneficial relationship; and

WHEREAS, a strong and cooperative relationship among the states is in the best interest of residents of both states; and

WHEREAS, a recent proposal in the Washington Legislature to impose a six-cent-per-gallon tax on gasoline and diesel fuel exported to Idaho, for the purpose of funding transportation and other projects in Washington, would create additional and unnecessary costs to Idahoans; and

WHEREAS, the proposed tax would be a clear violation of the Commerce Clause in Article I, Section 8 of the United States Constitution, which prohibits states from imposing an undue burden on interstate commerce; and

WHEREAS, the United States Supreme Court has previously found similar taxing schemes unconstitutional; and

WHEREAS, the proposed tax would impose an enormous financial burden on Idahoans in the name of offsetting Washington business costs; and

WHEREAS, the proposed tax would further impose an additional burden and cost on many Idaho businesses, which rely on the great work of our long-haul truck drivers to supply their businesses and workers and to get Idaho's agricultural products to market; and

WHEREAS, businesses, manufacturers, farmers, truckers, ranchers, and other Idahoans oppose the imposition of the proposed tax and have demanded that the Idaho Legislature take action against it; and

WHEREAS, Idahoans should not be subject to a tax imposed by a legislative body in which they have no representation.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature strongly opposes the imposition of a tax on fuel exported by Washington to Idaho.

BE IT FURTHER RESOLVED that the Legislature believes the proposed tax is strongly antithetical to the letter and spirit of the United States Constitution.

BE IT FURTHER RESOLVED that the Legislature strongly opposes a trade war imposed by one state against its sister state.

BE IT FURTHER RESOLVED that the Legislature urges Governor Jay Inslee to speak out immediately against the proposed tax and to commit to vetoing the unwise and disruptive legislation should it reach his desk.

1 BE IT FURTHER RESOLVED that the Legislature will take any and all ac-
2 tions necessary to block this new tax on the citizens of Idaho, who should
3 never be subject to taxation without representation.

4 BE IT FURTHER RESOLVED that the Chief Clerk of the House of Representa-
5 tives be, and she is hereby authorized and directed to forward a copy of this
6 Memorial to the Honorable Jay Inslee, Governor of the State of Washington.