

Resolution

ENROLLED SENATE
CONCURRENT
RESOLUTION NO. 6

By: Bergstrom and Hamilton of
the Senate

and

Steagall and Kendrix of the
House

A Concurrent Resolution calling for the creation of a National Federalism Task Force for the purpose of convening federalism summits to develop plans for restoring and maintaining clearly discernible divisions in the roles and responsibilities of the national government and the states; and directing distribution.

WHEREAS, our unique governing system in the United States was designed to federate diverse states and people for vital national concerns, while preserving to the American people the benefits of self-government - a form of government that is efficient, effective and accountable - and amplifies their governing voice; and

WHEREAS, to accomplish this objective, in the Federalist Papers No. 39, James Madison and the other framers of the Constitution designed a new hybrid form of government that was part "general" (called the federal government today) and part "federal" (a federation of the states), with clear divisions in the roles and responsibilities assigned to the national government and to the state governments; and

WHEREAS, in the Federalist Papers No. 51, James Madison specified that a clear division of governing responsibilities was essential to this new form of government to provide "a double

security ... to the rights of the people," against overreach from either the state government or the federal government because "the different governments will control each other."; and

WHEREAS, during the Pennsylvania Ratifying Convention of the United States Constitution, James Wilson marveled at "the accuracy with which the line is drawn between the powers of the general government and those of the particular state governments," observing "the powers are as minutely enumerated as was possible."; and

WHEREAS, during the New York Ratifying Convention of the United States Constitution, Alexander Hamilton admonished that "this balance between the national and state governments ought to be dwelt on with peculiar attention, as it is of the utmost importance. It forms a double security to the people."; and

WHEREAS, James Wilson, a signer of the United States Constitution and an original United States Supreme Court Justice, stated, "I think there is another subject with regard to which this Constitution deserves approbation: I mean the accuracy with which the line is drawn between the powers of the general government and those of the particular state governments"; and

WHEREAS, by all accounts, there is no clearly discernible division of roles and responsibilities between the federal government and the states today; and

WHEREAS, many Americans feel frustrated that government is not efficient, effective or accountable, and sensing that something is wrong with our governing system, they increasingly disengage from government because they believe their voices do not matter anymore; and

WHEREAS, in their joint dissent in *NFIB v. Sebelius*, Justices Kennedy, Scalia, Thomas, and Alito, warned of the consequences of allowing our system to atrophy, writing "the fragmentation of power produced by the structure of our Government is central to liberty, and when we destroy it, we place liberty at peril."; and

WHEREAS, in his farewell address, George Washington admonished all officers who are oath-bound under Article VI of the United

States Constitution that "to preserve [this system of reciprocal checks] must be as important as to institute them."; and

WHEREAS, divisions, limits and balance in the various governing powers, roles and responsibilities, and the self-governing engagement of the people are essential to the preservation of our system; and

WHEREAS, this singular system is the solution to securing the rights of the people to pursue their unique visions of happiness over an expansive and diverse union of states.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION OF THE 58TH OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

THAT on behalf of all citizens of this individual state, this legislature renews its commitment to preserving and reasserting its powers and authority over the full field of responsibilities and powers reserved to the states in the United States Constitution as specially protected by the Tenth Amendment.

THAT this legislature urges its federal delegation to firmly support the United States Constitution and limit further federal action only to those areas of federal responsibility and powers specifically enumerated to the federal government, reserving all other areas to the action of the states.

THAT this legislature calls upon the National Conference of State Legislatures, the Council of State Governments and the American Legislative Exchange Council to coordinate in the creation of a National Federalism Task Force for the purpose of convening a series of federalism summits to consider and develop plans for restoring and maintaining clearly discernible divisions in the powers, roles and responsibilities of the general government and the states for the benefit and engagement of the American people.

THAT the legislators of the several states desiring to participate in such summits seeking to restore the proper balance of federalism engage in shared correspondence toward advancing that goal.

THAT a certified copy of this resolution be transmitted to the Governor of the State of Oklahoma, the Oklahoma Congressional Delegation, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States and the President and Vice President of the United States. Also distribute a certified copy of this resolution to the representatives of the National Conference of State Legislatures, the Council of State Governments and the American Legislative Exchange Council, and the Governor, President Pro Tempore and Speaker of the House of Representatives of each state.

Adopted by the Senate the 29th day of March, 2021.

Presiding Officer of the Senate

Adopted by the House of Representatives the 27th day of May, 2021.

Presiding Officer of the House
of Representatives

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20 _____, at _____ o'clock _____ M.
By: _____