

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 ENGROSSED SENATE
5 CONCURRENT
6 RESOLUTION NO. 6

By: Bergstrom and Hamilton of
the Senate

7 and

8 Steagall of the House

9
10 A Concurrent Resolution calling for the creation of a
11 National Federalism Task Force for the purpose of
12 convening federalism summits to develop plans for
13 restoring and maintaining clearly discernible
divisions in the roles and responsibilities of the
national government and the states; and directing
distribution.

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

21 WHEREAS, to accomplish this objective, in the Federalist Papers
22 No. 39, James Madison and the other framers of the Constitution
23 designed a new hybrid form of government that was part "general"
24 (called the federal government today) and part "federal" (a

1 federation of the states), with clear divisions in the roles and
2 responsibilities assigned to the national government and to the
3 state governments; and

4 WHEREAS, in the Federalist Papers No. 51, James Madison
5 specified that a clear division of governing responsibilities was
6 essential to this new form of government to provide "a double
7 security ... to the rights of the people," against overreach from
8 either the state government or the federal government because "the
9 different governments will control each other."; and

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

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

20 WHEREAS, James Wilson, a signer of the United States
21 Constitution and an original United States Supreme Court Justice,
22 stated, "I think there is another subject with regard to which this
23 Constitution deserves approbation: I mean the accuracy with which
24

1 the line is drawn between the powers of the general government and
2 those of the particular state governments"; and

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

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

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

16 WHEREAS, in his farewell address, George Washington admonished
17 all officers who are oath-bound under Article VI of the United
18 States Constitution that "to preserve [this system of reciprocal
19 checks] must be as important as to institute them."; and

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

24

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

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

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

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

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

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

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

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16 DIRECT TO CALENDAR.

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