



UTAH STATE LEGISLATURE

FEDERALISM COMMISSION

Utah State Senate
Utah House of Representatives

December 10, 2019

Alan Clemmons, 2019 National Chairman
American Legislative Exchange Council
2900 Crystal Drive, 6th Floor
Arlington, VA 22202

RE: Federalism

Dear Mr. Clemmons:

As members of Utah's Federalism Commission, we are writing to brief you on the commission's recent work and encourage you to consider federalism as a focus area for upcoming events. The Constitution's framers established a system of federalism that granted limited powers to the federal government and positioned states as the primary policymakers. However, as the federal government has become larger, it has often ignored state concerns, passing laws and rules that preempt state laws, impose difficult burdens on states, and infringe on the states' duty to protect the health, safety, and welfare of residents. In response to the federal government's increasing disregard of state sovereignty, Utah established a legislative commission in 2013, with members representing both parties and both houses of the Utah Legislature, to work towards restoring the balance between the federal and state governments.

Utah's Federalism Commission is currently working on several important federalism related issues. The commission is developing a federalism index that will measure and monitor how well the balance of power between federal and state governments is being observed and implemented. The commission is also working on issues of particular concern to Western states, including wildfires, water rights, and "Payment in Lieu of Taxes" (PILT). PILT offsets the loss in revenue resulting from local governments' inability to collect property tax on large portions of the land within their boundaries; however, PILT payments do not reflect the true value of those lands or give local governments the true equivalent of tax revenue lost from those lands. As such, the Federalism Commission is developing an interactive, computer-based federal land valuation model that will allow Utah to calculate the market value of all parcels of federally controlled land based on different valuation factors. Utah will then be able to compare PILT to the potential tax revenue local governments are forgoing as a result of federal control.

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We appreciate the efforts of ALEC over the past several years to facilitate discussions among policymakers related to federalism issues and to advocate for effective federalism. We encourage ALEC to continue to strengthen its focus on federalism. Specifically, we encourage ALEC to include a federalism focus in upcoming events, providing opportunities as part of those events for state policymakers to identify and discuss critical federalism issues, share state efforts to address federal overreach, and develop strategies for collaborative action. Please consider Utah's Federalism Commission as a resource in this effort, ready to assist ALEC with the organization of future federalism related events, share the commission's work, and help in any other way we can to support further discussion and action around federalism issues.

Sincerely,

Sen. Lincoln Fillmore, Chair
Federalism Commission

Rep. Keven J. Stratton, Chair
Federalism Commission

