

1 **CONCURRENT RESOLUTION CALLING FOR THE**
2 **CREATION OF A NATIONAL FEDERALISM TASK FORCE**

3 2020 GENERAL SESSION
4 STATE OF UTAH

5 **Chief Sponsor: Kay J. Christofferson**

6 Senate Sponsor: David P. Hinkins

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20	Timothy D. Hawkes	Paul Ray	
21	Jon Hawkins	Marc K. Roberts	
22	Dan N. Johnson	Adam Robertson	



24 **LONG TITLE**

25 **General Description:**

26 This concurrent resolution calls for the creation of a National Federalism Task Force for
27 the purpose of convening a series of federalism summits.

28 **Highlighted Provisions:**

29 This resolution:

30 ▶ highlights the framers of the United States Constitution’s original intent regarding
31 the different roles and responsibilities of state governments and the federal
32 government;

33 ▶ encourages the restoration and maintenance of clear, discernible divisions in the
34 roles and responsibilities of state governments and the federal government; and

35 ▶ calls for coordination in the creation of a National Federalism Task Force for the
36 purpose of convening a series of federalism summits.

37 **Money Appropriated in this Bill:**

38 None

39 **Other Special Clauses:**

40 None



42 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

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

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

52 WHEREAS, in the Federalist Papers No. 51, James Madison specified that a clear
53 division of governing responsibilities was essential to this new form of government to provide
54 "a double security ... to the rights of the people," against overreach from either the state
55 government or the federal government because "the different governments will control each
56 other.";

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

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

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

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

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

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

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

81 WHEREAS, this singular system is the solution to securing the rights of the people to
82 pursue their unique visions of happiness over an expansive and diverse nation:

83 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
84 Governor concurring therein, calls upon the National Conference of State Legislatures, the

85 Council of State Governments, and the American Legislative Exchange Council to coordinate
86 in the creation of a National Federalism Task Force for the purpose of convening a series of
87 federalism summits to consider and develop plans for restoring and maintaining clearly
88 discernible divisions in the roles and responsibilities of the national government and the states
89 for the benefit and engagement of the American people.

90 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the speaker of
91 the House of Representatives, president of the Senate, and chairs of the federalism or
92 federal-state relations committee in each state.