

SPONSOR SUBSTITUTE FOR HOUSE RESOLUTION NO. 5

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE HUGHES

Introduced: 4/18/15

Referred: Rules

A RESOLUTION

1 **Establishing the House Special Committee on Federal Overreach.**

2 **BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:**

3 **WHEREAS** the House of Representatives recognizes and salutes the many historic
4 achievements of the federal government, including the federal government's fulfillment of its
5 duty to guarantee popular government in each state; and

6 **WHEREAS** the Constitution of the United States enumerates the powers of the
7 federal government, limiting its attention to national objects only, and reserves for the states
8 all residuary powers, providing a framework that is prerequisite to the vitality of the states as
9 self-governing bodies within the republic; and

10 **WHEREAS** the conduct of the federal government in Alaska's affairs since statehood
11 concerns Alaskans and the legislature; and

12 **WHEREAS**, for years, Alaska's government and its delegation to the United States
13 Congress have sought remedy to address concerns over state and federal relations and have
14 been generally unsuccessful; and

15 **WHEREAS** the federal government's most recent infringements on Alaska's state
16 sovereignty recklessly disregard the state's duty and responsibility to manage its land, and the

1 provisions of the Alaska National Interest Lands Conservation Act, passed by the United
2 States Congress in 1980, and concern all Alaskans from all political philosophies; and

3 **WHEREAS** the House of Representatives is sensitive to similar infringements by the
4 federal government on the rights of other states; and

5 **WHEREAS** Alaskans and the officers, judges, and legislators of the state government
6 are competent to understand the Constitution of the United States and the Constitution of the
7 State of Alaska, and federal and state laws, and understand and are protective of their natural
8 and constitutional rights; and

9 **WHEREAS** state governments generally, and the government of the State of Alaska
10 specifically, have a duty to defend the integrity of the Constitution of the United States, the
11 Constitution of the State of Alaska, and the constitution of each state government
12 respectively, and to restore to the federal government its proper role as defined in the
13 Constitution; and

14 **WHEREAS** the House of Representatives, conscious of the gravity of the present
15 circumstances, recognizes the importance of restoring the proper balance of powers between
16 the states and the federal government;

17 **BE IT RESOLVED** by the House of Representatives that the House Special
18 Committee on Federal Overreach is established to

19 (1) restore and maintain state sovereignty against any attempted
20 unconstitutional exercise of federal power in Alaska;

21 (2) study and consider the implications, risks, and effects of a potential
22 reduction in federal funds and what that reduction might mean to Alaska and Alaskans;

23 (3) compile the clearest and most harmful examples of unconstitutional
24 exercises of federal power that warrant the state's reaffirmation of constitutional authority;

25 (4) coordinate with civic and professional associations within and outside the
26 state that share a similar mission with the committee to exchange useful research and plans;

27 (5) hold public hearings and forums and encourage wide public debate on
28 subjects within the committee's jurisdiction;

29 (6) encourage greater communication with other state governments on those
30 subjects and to consider joint action with those states to assert and protect state sovereignty;

31 (7) submit reports to the Alaska House of Representatives by January 15,

1 2016, and by January 15, 2017, reporting on the committee's progress and making
2 recommendations concerning its plan to achieve state sovereignty, including the
3 recommendations set out in this resolution; and be it

4 **FURTHER RESOLVED** that the membership of the House Special Committee on
5 Federal Overreach shall be composed of the Speaker of the House of Representatives, or a
6 member of the House of Representatives selected as the Speaker's designee serving as the
7 chair of the committee, and four members of the House of Representatives appointed by the
8 Speaker, two of whom shall be members of the minority caucus of the House of
9 Representatives; and be it

10 **FURTHER RESOLVED** that the House Special Committee on Federal Overreach
11 shall meet during the interim between legislative sessions, and the chair of the House Special
12 Committee on Federal Overreach shall make reasonable efforts to schedule joint meetings,
13 and encourage coordination, with a similar committee of the Alaska State Senate if one is
14 established; and be it

15 **FURTHER RESOLVED** that committee members are encouraged to work together
16 constructively in a bipartisan manner to achieve a consensus and results that will not only
17 solve problems in state and federal relations but also demonstrate to Alaskans and to all
18 Americans that Alaskans can work together to lead the state and country to meet the
19 challenges confronting us; and be it

20 **FURTHER RESOLVED** that the House Special Committee on Federal Overreach is
21 encouraged to conduct meetings electronically or telephonically and take other reasonable
22 steps to save costs by using current staff resources; and be it

23 **FURTHER RESOLVED** that the House of Representatives urges the Governor to
24 form a working group to restore and maintain the constitutional division of powers and
25 responsibilities between the state and federal governments, to coordinate and confer with the
26 House Special Committee on Federal Overreach and any similar committee of the Alaska
27 State Senate, should a Senate committee be established, and to establish a national network of
28 similar organizations; and be it

29 **FURTHER RESOLVED** that the House Special Committee on Federal Overreach
30 terminates on January 15, 2017.