**South Carolina General Assembly**

124th Session, 2021-2022

**S. 362**

**STATUS INFORMATION**

Concurrent Resolution

Sponsors: Senator Rice

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Introduced in the Senate on January 12, 2021

Currently residing in the Senate Committee on **Judiciary**

Summary: NCSL, American Legislative Exchange Council, and Council of State Governments

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/9/2020 Senate Prefiled

12/9/2020 Senate Referred to Committee on **Judiciary**

1/12/2021 Senate Introduced ([Senate Journal‑page 284](file:///h:\sj\20210112.docx))

1/12/2021 Senate Referred to Committee on **Judiciary** ([Senate Journal‑page 284](file:///h:\sj\20210112.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=362&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[12/9/2020](file:///p:\pprever\2021-22\362_20201209.docx)

**A** **CONCURRENT RESOLUTION**

TO CALL 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 FOCUSED ON RESTORING AND MAINTAINING CLEARLY DISCERNIBLE DIVISIONS IN THE ROLES AND RESPONSIBILITIES OF THE NATIONAL GOVERNMENT AND THE STATES.

Whereas, in balancing national concerns with the benefits of self governance, the Framers designed a hybrid form of government that was part national and part federal, with clear divisions in the roles and responsibilities delegated to each; and

Whereas, at the time, the Framers 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 “that the powers are as minutely enumerated as was possible”; and

Whereas, this clear division of governing responsibilities was essential to the new form of government, in order to provide “a double security … to the rights of the people,” against overreach from either sphere; and

Whereas, 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”; and

Whereas, today, there is no clearly discernible division of roles and responsibilities between the general government and the states, and an overwhelming percentage of Americans are frustrated with the inefficiency, ineffectiveness, and unaccountability of their government, thus disengaging from it under the impression that their voices do not matter; and

Whereas, Supreme Court Justice Anthony Kennedy warned of the consequences of allowing this system to atrophy: **“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, George Washington similarly advised that “to preserve [reciprocal checks] must be as important as to institute them”; and

Whereas, the preservation of this system relies on divisions, limits, and balance in governing roles and responsibilities and the self‑governing engagement of the people. This singular system is essential to securing the rights of the people to pursue their unique visions of happiness. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That the members of the South Carolina General Assembly, by this resolution, call 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 focused on restoring and maintaining clearly discernible divisions in the roles and responsibilities of the national government and the states.

Be it further resolved that a copy of this resolution be forwarded to the National Conference of State Legislatures, the Council of State Governments, the American Legislative Exchange Council, the Senate Presidents and Speakers of the House of the states, and the chairs of the federalism or federal‑state relations committees of the states.

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