

House Resolution 1348

By: Representatives White of the 3rd, Post 2, Brown of the 89th, Rogers of the 15th, Massey of the 24th, Richardson of the 26th, and others

A RESOLUTION

1 Requesting the Congress of the United States to pass legislation declaring that the power to
2 display the Ten Commandments on or within property owned or administered by the several
3 states or political subdivisions thereof is among the powers reserved to the states; requesting
4 the Congress of the United States to pass legislation declaring that the power to recite the
5 Pledge of Allegiance on or within property owned or administered by the several states or
6 political subdivisions thereof is among the powers reserved to the states; setting out the
7 words to the Pledge of Allegiance; requesting the Congress of the United States to pass
8 legislation declaring that the power to recite the national motto on or within property owned
9 or administered by the several states or political subdivisions thereof is among the powers
10 reserved to the states; setting out the words of the national motto; requesting the Congress
11 of the United States to pass legislation making certain exceptions to the subject matter
12 jurisdiction of federal courts inferior to the United States Supreme Court.

13 WHEREAS, the Declaration of Independence declared that governments are instituted to
14 secure certain inalienable rights, including life, liberty, and the pursuit of happiness, with
15 which all human beings are endowed by their Creator and to which they are entitled by the
16 laws of nature and of nature's God; and

17 WHEREAS, the First Amendment to the United States Constitution secures rights against
18 laws respecting an establishment of religion or prohibiting the free exercise thereof made by
19 the federal government; and

20 WHEREAS, the rights secured under the First Amendment to the United States Constitution
21 have been interpreted by the courts of the United States to be included among the provisions
22 of the Fourteenth Amendment; and

23 WHEREAS, the Tenth Amendment to the United States Constitution clearly recognizes that
24 a state retains all rights not granted to the federal government of the United States of
25 America; and

1 WHEREAS, the Preamble to the Georgia Constitution and its Freedom of Conscience clause
2 recognize God as the source of the blessings of liberty; and

3 WHEREAS, the federal courts have claimed legal jurisdiction in matters pertaining to
4 religion within an individual state; and

5 WHEREAS, Section 5 of the Fourteenth Amendment to the United States Constitution grants
6 the Congress power to enforce the provisions of the Fourteenth Amendment; and

7 WHEREAS, Article III, Section 2 of the United States Constitution grants the Congress the
8 authority to except certain matters from the jurisdiction of the federal courts inferior to the
9 United States Supreme Court; and

10 WHEREAS, disputes and doubts have arisen with respect to public displays of the Ten
11 Commandments and to other public expressions of religious faith; and

12 WHEREAS, legislation has been introduced in Congress to except subject matter jurisdiction
13 from the federal courts in certain matters pertaining to the power to make a public expression
14 of religious faith; and

15 WHEREAS, Georgia's own senior Senator and others have introduced in the United States
16 Senate the proposed Constitution Restoration Act of 2004, relative to nonreviewability of
17 governmental acknowledgment of God as the sovereign source of law, liberty, and
18 government.

19 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF
20 GEORGIA that Georgia declares its independence from federal court interference with
21 religion within the State of Georgia.

22 BE IT FURTHER RESOLVED that the General Assembly requests the Congress of the
23 United States to pass legislation declaring that the power: (1) to display the Ten
24 Commandments, (2) to recite the Pledge of Allegiance, and (3) to recite the national motto
25 on or within property owned or administered by the several states or political subdivisions
26 thereof be among the powers reserved to the states respectively; that the words to the Pledge
27 of Allegiance are "I pledge allegiance to the Flag of the United States of America, and to the
28 Republic for which it stands, one Nation under God, indivisible, with Liberty and Justice for
29 all."; that the words of the national motto are "In God We Trust"; and to pass legislation

1 making the subject matter of these declarations exceptions to the subject matter jurisdiction
2 of federal courts inferior to the United States Supreme Court.

3 BE IT FURTHER RESOLVED that copies of this Resolution be forwarded by the Clerk of
4 the House to the Honorable Sonny Perdue, Governor of Georgia, and the Georgia
5 Congressional delegation.