

## Senate Resolution 122

By: Senators Loudermilk of the 52nd, Rogers of the 21st, Gooch of the 51st, Seabaugh of the 28th, Ligon, Jr. of the 3rd and others

## A RESOLUTION

1 Creating the Senate Tenth Amendment Enforcement Study Committee; and for other  
2 purposes.

3 WHEREAS, Article I, Section 8 of the United States Constitution limits the powers of the  
4 federal government to 18 enumerated powers afforded Congress; and

5 WHEREAS, the Tenth Amendment of the United States Constitution states, "The powers not  
6 delegated to the United States by the Constitution, nor prohibited by it to the States, are  
7 reserved to the States respectively, or to the people"; and

8 WHEREAS, the "Father of the Constitution," James Madison, is quoted in arguing publicly  
9 for the ratification of the Constitution as stating, "The powers delegated by the proposed  
10 Constitution to the federal government are few and defined. Those which are to remain in  
11 the State governments are numerous and indefinite"; and

12 WHEREAS, many Georgians are concerned by actions taken by the United States Congress  
13 and the federal government that exceed the powers provided to the federal government in the  
14 Constitution; and

15 WHEREAS, it is imperative that a study is undertaken to determine how to restore the  
16 balance between the constitutional powers of the states and the Constitutional powers of the  
17 federal government; and

18 WHEREAS, study is needed to develop potential legislation or executive branch action that  
19 would help the State of Georgia restore this balance of power to more effectively secure the  
20 blessings of liberty to her people.

21 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that the Senate Tenth  
22 Amendment Enforcement Study Committee is created, to be composed of five members of

23 the Senate to be appointed by the Senate Committee on Assignments. The Senate Committee  
24 on Assignments shall designate a member of the committee as chairperson of the committee.  
25 The chairperson shall call all meetings of the committee.

26 BE IT FURTHER RESOLVED that the committee shall undertake a study of the conditions,  
27 needs, issues, and problems mentioned above or related thereto and recommend any action  
28 or legislation which the committee deems necessary or appropriate. The committee may  
29 conduct such meetings at such places and at such times as it may deem necessary or  
30 convenient to enable it to exercise fully and effectively its powers, perform its duties, and  
31 accomplish the objectives and purposes of this resolution. The committee may work with  
32 any House study committees created to study this issue in order to develop a comprehensive  
33 report or recommendation. The members of the committee shall receive the allowances  
34 provided for in Code Section 28-1-8 of the Official Code of Georgia Annotated. The  
35 allowances authorized by this resolution shall not be received by any member of the  
36 committee for more than five days unless additional days are authorized. The funds necessary  
37 to carry out the provisions of this resolution shall come from the funds appropriated to the  
38 Senate.

39 BE IT FURTHER RESOLVED that in the event the committee makes a report of its findings  
40 and recommendations, with suggestions for proposed legislation, if any, such report shall be  
41 made on or before December 31, 2011. The committee shall stand abolished on  
42 December 31, 2011.