

House Resolution 527

By: Representatives Caldwell of the 20th, Turner of the 21st, Dutton of the 157th, Cooke of the 18th, Lindsey of the 54th, and others

A RESOLUTION

1 Commending the Governor of Georgia for refusing to implement a state health care exchange
2 and requesting continued action for the protection of Georgians from the unconstitutional
3 federal Patient Protection and Affordable Care Act; and for other purposes.

4 WHEREAS, in the American system, sovereignty is defined as final authority, and the
5 People, not government, are sovereign; and

6 WHEREAS, all power not delegated by the People to government is retained; and

7 WHEREAS, the People of the several States comprising the United States of America
8 created the federal government to be their agent for certain enumerated purposes only; and

9 WHEREAS, the Tenth Amendment to the Constitution of the United States reads as follows:
10 "The powers not delegated to the United States by the Constitution, nor prohibited by it to
11 the States, are reserved to the States respectively, or to the people"; and

12 WHEREAS, the Tenth Amendment defines the total scope of federal power as being that
13 which has been delegated by the people to the federal government in the Constitution of the
14 United States, and also that which is necessary and proper to carry into execution those
15 enumerated powers; with those powers not enumerated being left to state governments or the
16 people themselves; and

17 WHEREAS, powers, too numerous to list for the purposes of this resolution, have been
18 exercised, past and present, by federal administrations, under the leadership of both
19 Democrats and Republicans, which infringe on the sovereignty of the People of this state,
20 and may further violate the Constitution of the United States; and

21 WHEREAS, the assumption of power that the federal government has made by enacting the
22 "Patient Protection and Affordable Care Act" interferes with the right of the People of the

23 State of Georgia to regulate health care as they see fit, and is in stark contrast to James
24 Madison's assurance in Federalist #45 that the "powers delegated" to the Federal Government
25 are "few and defined," while those of the States are "numerous and indefinite"; and

26 Governor Nathan Deal, on November 16, 2012, resisted the federal government's attempted
27 takeover of the health care system of the United States by refusing to implement a state-run
28 health care exchange.

29 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that
30 the members of this body do commend Governor Nathan Deal for safeguarding the
31 constitutional rights of the State of Georgia and of all Georgians and request that Governor
32 Deal continue protecting the sovereignty of the State of Georgia by directing the powers of
33 the Executive Branch to refuse implementation of the Patient Protection and Affordable Care
34 Act within the State of Georgia.

35 BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is hereby
36 instructed to transmit a copy of this resolution to the Governor.