

Senate Resolution 699

By: Senator Williams of the 27th

A RESOLUTION

1 Urging and warning the men and women serving in the three branches of state and federal
 2 governments to prioritize the rights of the people above any and all other interests as the
 3 fundamental consideration for crafting legislation, formulating governmental policy, and
 4 reasoning judicial opinions and to subordinate any interests government may assert, at any
 5 and all times, to those of the people; and for other purposes.

6 WHEREAS, as used in this Resolution, the term:

7 (1) "Enumerated powers" means those powers listed as conveyed to the legislative
 8 branch of the United States government as provided in Article I, Section 8 of the United
 9 States Constitution;

10 (2) "Interest" means standing in a court case; right, title, or legal share in the outcome
 11 of a court case; right of participation in the determination of the outcome of a court case;
 12 advantage sought through the outcome of a court case; responsibility to advocate or
 13 promote a chosen outcome in a court case; or right to participate in the legislative
 14 process; and

15 WHEREAS, the General Assembly finds and determines that:

16 (1) Article I, Section II, Paragraph I of the Georgia Constitution recognizes and
 17 prescribes, "All government, of right, originates with the people, is founded upon their
 18 will only, and is instituted solely for the good of the whole";

19 (2) The Georgia Constitution neither recognizes nor prescribes any powers for
 20 government to assert or recognize interests apart from those of the people;

21 (3) The Georgia Constitution neither recognizes nor prescribes interests reserved in, of,
 22 or for the State of Georgia itself;

23 (4) The Georgia Constitution neither recognizes nor prescribes interests which may be
 24 termed "compelling government interests";

25 (5) Neither shall state courts nor courts of lesser jurisdiction under the court system of
 26 Georgia assert, cite, determine into existence, or consider as valid interests other than
 27 those of the people, from which all rights to govern originate;

28 (6) Neither shall state courts nor courts of lesser jurisdiction under the court system of
29 Georgia assert, cite, determine into existence, or consider as valid any interests such as
30 those which may be described as "compelling government interests";

31 (7) Neither shall any party nor officer within the executive branch of state government
32 cite, determine into existence, or consider as valid interests other than those of the people,
33 from which all rights to govern originate;

34 (8) Neither shall any party nor officer within the executive branch of state government
35 assert, cite, determine into existence, or consider as valid any interests such as those
36 which may be described as "compelling government interests"; and

37 (9) Any assertion, determination into existence, or consideration as valid regarding
38 proposed interests other than those of the people of the State of Georgia, by any state
39 officeholder, state employee, agent of the state, state court appointed official, or official
40 of any lower courts under the state courts, which would propose sovereign interests of
41 any Georgia government, county government, or municipal or local government
42 constituted under the laws of Georgia, or any interest referred to as "compelling
43 government interests," shall be null, void, of no effect, and nonauthoritative on its face
44 within the State of Georgia; and

45 WHEREAS, the General Assembly further finds and determines that:

46 (1) The State of Georgia is one of the signatories jointly and severally authorizing the
47 United States Constitution;

48 (2) Article I, Section 8 of the United States Constitution enumerates the sole powers
49 authorized to the United States Congress;

50 (3) There are no powers authorized to the United States Congress beyond those
51 enumerated in Article I, Section 8 of the United States Constitution;

52 (4) There are no interests conveyed to the United States Congress within the terms of the
53 United States Constitution;

54 (5) The executive and judicial branches of the United States described in Article II and
55 Article III, respectively, of the United States Constitution are subject to, restricted to, and
56 restrained by the laws of the United States Congress and the duties described within those
57 articles;

58 (6) The United States Constitution conveys no powers to the United States Congress, the
59 President of the United States, or the United States Supreme Court, or such offices,
60 departments, sub-offices or sub-departments under those branches beyond those
61 enumerated or directly implied as necessary to carry out the purposes described within
62 the enumerated powers and purposes of those offices;

63 (7) All interests regarding the United States Constitution reside in what that document
64 refers to as "we the people of the United States";

65 (8) The United States Constitution conveys no interests to the United States or any
66 offices, departments, sub-offices, or sub-departments under its authorities;

67 (9) In particular, the United States Constitution conveys no interests to the United States
68 known as "compelling government interests"; and

69 (10) Any and all judicial opinions offered under the authorities conveyed to the United
70 States within the terms of the United States Constitution, and which would validate
71 findings under a doctrine which asserts interests beyond those of "we the people of the
72 United States," including but not limited to alleged interests of the United States, those
73 alleged and described as "compelling government interests," or any other term or terms
74 which place the United States into a position of owning interests separate and apart from
75 those of "we the people of the United States," shall be forever null, void, of no effect, and
76 nonauthoritative on its face within the State of Georgia.

77 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that the members of this body
78 urge and caution the men and women serving in the legislative, executive, and judicial
79 branches of this state and of the United States to ensure that the interests of the people shall
80 forever prevail over any interests asserted by the governments of the State of Georgia or of
81 the United States.

82 BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized and directed
83 to make appropriate copies of this resolution available for distribution to the public and the
84 press.