

Joint Resolution of the Georgia General Assembly relative to amending the U.S. Constitution

Joint Resolution of the Georgia General Assembly

Jan. 29, 1955

STATE SCHOOL SYSTEMS—PROPOSED AMENDMENT TO FEDERAL CONSTITUTION.

No. 6 (House Resolution No. 31-84a).

A Resolution.

Memorializing Congress to call a convention for the purpose of considering an amendment to the Constitution of the United States relative to the administration by the several States of their respective school systems.

Whereas, recent decisions of the Supreme Court of the United States have tended to withdraw from the sovereign States the power to administer their respective school systems in a fashion never contemplated by the ratifiers of the Fourteenth Amendment; and

Whereas, this unconscionable usurpation of power, if not restricted, will ultimately result in the destruction of every vestige of State supported and regulated public education.

Now, therefore, be it resolved by the House of Representatives, the Senate concurring, that the General Assembly of Georgia respectfully petition the Congress of the United States to call a convention for the purpose of proposing the following Article as an amendment to the Constitution of the United States:

“Article—

“Section 1. Anything in this Constitution to the contrary notwithstanding, the several States shall have exclusive authority to regulate, administer and operate their respective educational systems as they deem necessary and proper, and neither the Congress, the President, nor anything in this Constitution shall in anywise interfere therewith or otherwise affect same.

“Section 2. The Supreme Court, the several District Courts and Courts of Appeal, and any and all other Federal judicial tribunals, quasi-judicial tribunals, and all administrative or executive agencies, shall have no jurisdiction to decide or consider, either originally, on appeal, or by other means of review, any matter drawing in question the administration by the several States of their respective educational systems.”

Be it further resolved, that the Congress of the United States be, and it here is, requested to provide as the mode of ratification that said amendment shall be valid to all intents and purposes, as part of the Constitution of the United States, when ratified by the legislatures of three-fourths of the several States.

Be it further resolved, that a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of the United States and to each member of the Congress from the State of Georgia.

Be it further resolved, that a duly attested copy of this resolution be immediately transmitted to the Governor of every state and the President of the State Senate of every State and the Speaker of the House of every State for the express purpose of encouraging these sovereign States to take similar action in their legislatures.

Approved January 29, 1955.

Ga. Laws 1955, pp. 9-10.