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A RESOLUTION

1 Creating the Georgia-North Carolina and Georgia-Tennessee Boundary Line Commission;
2 and for other purposes.

3 WHEREAS, the northern border of the State of Georgia and the southern border of the states
4 of North Carolina and Tennessee lies at the 35th parallel, north of the southernmost bank of
5 the Tennessee River; and

6 WHEREAS, a flawed survey conducted in 1818 and never accepted by the State of Georgia
7 erroneously marks the 35th parallel south of its actual location; and

8 WHEREAS, over a long period of years, from time to time, the legislatures of these states
9 have undertaken to authorize the appointment of committees to meet and to resolve the issues
10 associated with the wrongly surveyed and erroneously marked border; and

11 WHEREAS, by an Act of the General Assembly of North Carolina, approved in 1881 (N.C.
12 Gen. Stat. 141-1 to 6 (1964)), the General Assembly of North Carolina authorized the
13 Governor of North Carolina to appoint commissioners and a surveyor from North Carolina
14 to act with the commissioners and surveyors appointed or to be appointed by any of the states
15 contiguous to North Carolina to resurvey and mark the boundary lines between these states;
16 and

17 WHEREAS, no official record of any such commissioners and surveyors as provided for in
18 said Act exists; and

19 WHEREAS, by an Act of the General Assembly of Georgia, approved October 15, 1887
20 (Ga. L. 1886-87, p. 105), the General Assembly of Georgia directed the Governor to
21 communicate with the Governor of Tennessee for the purpose of having a joint survey and
22 settlement of the disputed boundary question and authorized the appointment of a committee

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1 to meet with an assembly committee representing the State of Tennessee, whose duty it
2 would be to survey, establish, and proclaim the true boundary line; and

3 WHEREAS, by an Act approved April 8, 1889, the General Assembly of the State of
4 Tennessee enacted a similar authorization; and

5 WHEREAS, by a resolution approved March 6, 1941 (Ga. L. 1941, p. 1850), the General
6 Assembly directed the Governor of Georgia to communicate with the Governor of Tennessee
7 for the purpose of having a joint survey and settlement of the disputed question and further
8 resolved that a standing committee of the House of Representatives be created to meet with
9 a similar committee of the State of Tennessee to establish, survey, and proclaim the true
10 boundary line between Georgia and Tennessee; and

11 WHEREAS, by a resolution approved March 27, 1947 (Ga. L. 1947, p. 1728), the General
12 Assembly appointed a commission to negotiate with the proper authorities of the State of
13 Tennessee and to agree upon and to fix a definite boundary line, and, in the failure of the
14 commission to reach a settlement, the General Assembly authorized and directed Attorney
15 General of the State of Georgia to institute suit in the federal courts for purposes of
16 accurately determining the boundary line between Georgia and Tennessee; and

17 WHEREAS, by a resolution approved March 6, 1971 (Ga. L. 1971, p. 2374), the General
18 Assembly directed the Governor of Georgia to communicate with the Governors of North
19 Carolina and Tennessee for the purpose of having joint surveys and settlements of the
20 disputed boundary questions and further resolved that a Georgia-North Carolina and
21 Georgia-Tennessee Boundary Line Commission be created to meet with similar commissions
22 of the legislatures of the states of North Carolina and Tennessee to establish, survey, and
23 proclaim the true boundary lines between Georgia and North Carolina and between Georgia
24 and Tennessee, and to take such further or other action or pursue such remedy or remedies
25 as the joint Commission of the Georgia General Assembly, by a majority vote, deems proper
26 to establish the definite and true boundary lines between Georgia and North Carolina and
27 Georgia and Tennessee; and

28 WHEREAS, by suggestion of the United States Court of Appeals for the D.C. Circuit, the
29 Chairman of the Tennessee Public Service Commission and the Chairman of the Georgia
30 Public Service Commission agreed in 1974 to reserve resolution of the general boundary
31 issue until a later date (15 FERC, p. 61240), the resolution of which has never been reached;
32 and

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1 WHEREAS, notwithstanding these authorizations and directions, the boundary lines have
2 never been accurately resurveyed and marked and remain in doubt; and

3 WHEREAS, it is to the public interest and welfare that accurate and exact lines between the
4 said states be established and proclaimed.

5 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF
6 GEORGIA that the Governor of Georgia is hereby directed to communicate with the
7 Governors of North Carolina and Tennessee for the purpose of having joint surveys and
8 settlements of the disputed boundary questions.

9 BE IT FURTHER RESOLVED that there is hereby created the Georgia-North Carolina and
10 Georgia-Tennessee Boundary Line Commission to meet with similar commissions of the
11 General Assemblies of the States of North Carolina and Tennessee to establish, survey, and
12 proclaim the true boundary lines between Georgia and North Carolina and between Georgia
13 and Tennessee, and to take such further or other action or pursue such remedy or remedies
14 as the joint commission of the Georgia General Assembly, by a majority vote, deems proper
15 to establish the definite and true boundary lines between Georgia and North Carolina and
16 Georgia and Tennessee. The commission shall be composed of three members of the House
17 of Representatives, to be appointed by the Speaker of the House of Representatives, and three
18 members of the Senate, to be appointed by the President of the Senate. The Speaker of the
19 House and the President of the Senate shall designate one of their respective appointees as
20 co-chairperson, and the co-chairpersons shall jointly call the organizational meeting of the
21 commission.

22 BE IT FURTHER RESOLVED that, in order to effectively carry out its duties and
23 responsibilities, said commission may employ consultants and contract with persons, firms,
24 or corporations to provide research and other assistance as the commission deems proper and
25 necessary; provided, however, that the amount of any funds proposed to be spent for such
26 services shall first be approved, in writing, by the Speaker of the House of Representatives
27 and President of the Senate.

28 BE IT FURTHER RESOLVED that each member of such commission shall receive the
29 expenses and allowances provided by law for legislative members of interim legislative
30 committees for each meeting of the commission or subcommittees thereof attended by each
31 such member, but shall receive the same for not more than 15 days, unless additional days
32 are authorized by the Speaker of the House of Representatives and the President of the

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1 Senate. All funds necessary to carry out the provisions of this resolution shall come from
2 funds appropriated or otherwise available to the legislative branch of government.

3 BE IT FURTHER RESOLVED that the commission shall issue a report of its findings, work
4 and meetings with similar commissions from North Carolina and Tennessee, and shall report
5 the resolution of any boundary line questions or recommendations to the 2009 regular session
6 of the General Assembly of Georgia. Said commission shall stand abolished as of the day
7 on which the General Assembly convenes in regular session in 2009.