

CONNECTICUT GRASSROOTS ALLIANCE UPDATE - 3/12/2010

A Public Hearing on the Tenth Amendment Resolution Will Be Held

Wednesday, March 17, 2010 at 10:00 a.m.

Room 2B at the Legislative Office Building

The Government Administration and Elections Committee has posted its agenda for its public hearing to be held on March 17, 2010. The Tenth Amendment Resolution is on the agenda to be heard at that time.

The Tenth Amendment Resolution is known by its official number, House Joint Resolution No. 65. You can find the agenda for the March 17, 2010 public hearing at the state's website:
<http://www.cga.ct.gov/2010/GAEdata/pha/2010PHA00317-R001000GAE-PHA.htm>

You can find the text of the Tenth Amendment resolution, House Joint Resolution No. 65, also at the state's website:
<http://www.cga.ct.gov/2010/TOB/h/pdf/2010HJ-00065-R00-HB.pdf>

Please spread the word and ask all who can to attend this important public hearing. This is your opportunity to tell your legislators your opinion about whether or not the state should reassert the rights it has under the Tenth Amendment to tell the federal government that it has overstepped its bounds any time that it does overstep its bounds. We need the legislators to know how you feel about this issue.

The Connecticut Grassroots Alliance, supported by the ranking members of the Government Administration and Elections Committee, Senator Michael McLachlan and Rep. John Hetherington, Senator Toni Boucher, and many others, originally asked the Committee to raise not only the resolution, but also two other bills that would have put into place a method by which the legislature could review any federal law to determine its legality. The Committee decided to raise only the resolution and did not raise the other bills. It would be appropriate at this public hearing also to express your opinion about the Committee's action not only in raising the resolution, but also in denying those two bills.*** Keep in mind, however, that the public hearing is on the resolution, and we are thankful that the Committee agreed, at least, to raise that measure for a public hearing.

For information about testifying at a public hearing, you also can go to the state's website:
<http://www.cga.ct.gov/asp/content/yourvoice.asp>

If you prepare written testimony, the Committee clerks will need about forty copies but they also will scan in the testimony so that it will appear on the state's website and in the archives for all to see. This can be important later on to researchers, lawyers, and judges trying to determine the meaning of the law, should it become law.

The next step in the process after the public hearing is for the Committee to vote on the resolution. That's called approving a Joint Favorable, or JF, resolution on the proposal. The JF deadline is March 26, 2010. We will let you know when more information becomes available about the meeting at which such a vote may be taken.

(*** The three versions originally proposed are as follows:

Version A:

RESOLUTION MEMORIALIZING CONGRESS TO ABIDE BY THE TENTH AMENDMENT:

Resolved by this Assembly:

That the Connecticut General Assembly calls on the Congress and the President of the United States to abide by the Tenth Amendment to the United States Constitution; specifically:

THAT the people, and by their authority, the General Assembly of the State of Connecticut retain sovereignty under the Tenth Amendment over all powers not otherwise enumerated and granted to the federal government by the Constitution of the United States;

THAT on numerous occasions, the federal government has gone beyond the scope of their enumerated powers, in effect violating the Constitution, and such violations must cease; and further

RESOLVED: THAT the federal government must, in the future, exercise only those powers delegated to the United States by the Constitution, and that which is necessary and proper in advancing those enumerated powers, with all other power, authority and sovereignty being reserved to the people.

Version B:

NEW Section 1. Pursuant to the Tenth Amendment of the United States Constitution, the State of Connecticut and its General Assembly retain sovereignty over all powers and duties not enumerated and granted to the federal government by the Constitution of the United States .

Section 2. Upon the written request of any member of the General Assembly, the committee having cognizance over matters pertaining to government administration and elections shall review any statute, regulation or directive promulgated by any branch of the federal government to ensure that the federal government has the authority to issue such statute, regulation or directive. Following such review, the committee shall recommend to the General Assembly its determination as to the legality of the statute, regulation or directive.

Section 3. Upon the recommendation of the government administration and elections committee, the general assembly shall vote to memorialize Congress as to the findings of the committee regarding the legality of the statute, regulation or directive.

Version C:

NEW Section 1. Pursuant to the Tenth Amendment of the United States Constitution, the State of Connecticut and its General Assembly retain sovereignty over all powers and duties not enumerated and granted to the federal government by the Constitution of the United States .

Section 2. Upon the written request of any member of the General Assembly, the committee having cognizance over matters pertaining to government administration and elections shall review any statute, regulation or directive promulgated by any branch of the federal government to ensure that the federal government has the authority to issue such statute, regulation or directive. Following such review, the committee shall recommend to the General Assembly its determination as to the legality of the statute, regulation or directive.

The Committee raised Version A and it is now known as House Joint Resolution No. 65. The Committee refused to raise Versions B and C at all.)

For further information, contact:

Attorney Deborah G. Stevenson, dgs31@yahoo.com, (860) 354-3590

Estelle Stevenson, estellestevenson@prudentialct.com

Vivian Rockwell Nasiatka <nonienergy@sbcglobal.net>