

3/12/2011

EXHIBIT #1
DATE 3-16-11
HB 402 ad

Jerry,

This is letter to editor I was going to send to Helena Independent today. I read the proposed bill, but want to read it again. I'll get back to you with my comments by tomorrow and also let you know if I can testify. Thank you for sending proposed legislation.

When the federal government passes laws which involve revenue sharing or additional spending, the Montana legislature passes legislation enabling the federal bill. Revenue sharing, the promise of federal dollars to implement programs, has been the tool used to impose federal laws on the people of Montana. The Montana legislature is more than willing to pass the federal law when there is money involved. The problem is that the federal government may provide a 90-10 share when the program is first proposed, but then decreases that share to a lower percentage in ensuing years. The net effect is that we eventually have to pay higher state taxes to support the program. Once a federal program is in place, it is never repealed.

In order to ratify the Constitution, the States demanded and received the 10th amendment protecting states' sovereignty and rights. The federal government and courts have constantly redefined the Constitution through the "supremacy", "interstate commerce", "general welfare" and "necessary and proper" clauses to the point where the federal government is dictating laws, rules and regulations that control the entire country. Fear and security are the marketing points and revenue sharing is the bribe. Enforcement is imposed by presumption of guilt in the courts and administrative agencies. If states continue to allow this constant erosion of state's sovereignty and subsequent erosion of people's rights, we are submitting to a federal tyranny that is totally contrary to the principles of freedom and liberty upon which this country was founded. Essentially, submitting to the dictatorial absolutes of the federal government negates the necessity of a State legislature. Without nullification, the people of Montana no longer need a State Legislature, Government or Courts. Elected representatives take an oath to uphold the Montana Constitution. Our representative must do their duty and represent the sovereignty of Montana and its' people.

Dick Motta

Jerry:

I'd like to suggest an argument that I think is compelling for your bill. To protect state sovereignty, the founders provided that senators were elected by state legislatures. The idea being that if the senators didn't protect the sovereignty of these legislative bodies and the state, they would not get elected or re-elected. This check-and-balance was abolished by the 17th amendment, adopted in 1913, that provided for direct election of senators by state voters.

With this original check-and-balance now gone, we need a new process to protect state sovereignty, which is what your bill seeks to do.

Duncan Scott, Attorney at Law

3/12/2011

I strongly support H J R 22. I am definitely in favor of ranking our senators and representatives as to their effectiveness with regard to protecting the sovereignty of MT. That should be one of their TOP PRIORITIES. Another priority is abiding by the United States Constitution. Most of the laws that have been passed are not Constitutional. I think legislators should be required to pass only bills that abide by our Constitution. Thank you for introducing this bill.

Mrs. Judy Matott kiwi36@frontiernet.net
180 Parmenter Ave.
Libby, MT. 59923

We strongly support HJR22 Dana Joszie Lerum ,Boulder

Right on Jerry. This looks good.

Sent via DROID on Verizon Wireless

Brent Matson

Jerry:

While I generally do not like 'resolutions', (finding that governmental entities ignore even more readily than laws),
HJR 22 has merit and is well written. I therefore support this Joint Resolution.

Keith Baker (406-883-6438)
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Polson, Montana
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I fully support HJR 22 presented by Representative Jerry O'Neil.

Illa Adams
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HJR 22 is clear, unbiased, will expose incumbents' departure in action from their pronouncements as candidates, specifies a workable procedure, has an achievable due date adequately before the 2012 general election, and is beneficial to Montana. Happily, this resolution has no commercial facet which would expose it to federal suit under the regulation of commerce clause.

Jim Cox