

434 Parkway Dr.
Kalispell, Montana

5
3/8/11
HS 14

March 18, 2011

Honorable Chairman Murphy and members of the committee,

In Federalist #45 James Madison wrote, "The powers delegated by the proposed Constitution to the federal government are *few and defined*. Those which are to remain in the State governments are *numerous and indefinite*." The states created the federal government and the powers given to it were enumerated in Article I, Section 8 of the U.S. Constitution. Unfortunately, over the years, this concept has been turned on its head and the 10th amendment to the Constitution has been disregarded.

The federal government uses the "elastic clause" or the "necessary and proper clause" to justify much of what it chooses to do. Why did our brilliant Founding Fathers bother to list the enumerated powers in Article I, Section 8? There certainly would be no need to do this if the federal government can do whatever it chooses.

The "general welfare clause" is another clause used to justify building more federal powers. To understand the term "welfare" as the men who wrote the Constitution did, you must understand the meaning of the word at that period in history. It meant "happiness; success; prosperity" according to an English language dictionary from that time period created by Dr. Samuel Johnson. There is no indication that "general welfare" referred to helping a person or group in need. That was left to friends, relatives, the church and the community. The term referred to the general condition of the nation and, therefore, Congress should create conditions in which every person had the *opportunity* to prosper.

The federal government has also abused the "commerce clause." Congress is to regulate the commerce "among the several States." Again, you must understand the meaning of regulate in the 1790s. It meant to "make regular" or to function in an orderly manner as opposed to today's meaning that suggests micromanagement and control. The Founder's purpose in this clause was to establish a free-trade zone throughout the U.S. thereby making commerce regular.

The states created the federal government, not the other way around. We must reverse this trend and stop the overreaching arm of our federal government that continually encroaches upon the sovereignty of Montana. Please support SJ14.

Sincerely,
Julie Wolf