

Approved: February 2, 1995
Date

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Chairperson Garry Boston at 1:30 p.m. on January 30, 1995 in Room 313-S of the Capitol.

All members were present except:

Committee staff present: Mary Galligan, Legislative Research Department
Lynne Holt, Legislative Research Department
Mary Ann Torrence, Revisor of Statutes
June Evans, Committee Secretary

Conferees appearing before the committee: Representative Kent Glasscock
Representative Kenny Wilk
Mark S. Marney, State Chairman, United We Stand
Larry Trickett, Kansas Second Amendment Militia
Harold Stocking, Committee to Restore the Constitution
John A. Michael, United We Stand America of Kansas, 4th
District
Don Klaassen, Wichita
M. G. Dye
Roger Mundy, 10th Amendment Society

The Chairperson opened the hearing on **HCR 5008**.

HCR 5008 Congress memorialized to cease imposing mandates on states which are beyond the scope of 10th amendment.

Representative Kent Glasscock testified in favor of **HCR 5008**, stating the Tenth Amendment in its twenty-eight words sets forth our nation's founders' concept of federalism. It states, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the People." Kansas must now lend its voice to the chorus of other states, as together, we call for a realignment of power between the federal and state governments. The passage of **HCR 5008** sends a clear message that a new federalism, true to the spirit and intent of the Tenth Amendment, is needed to restore the states to their rightful role in governing the nation. (See Attachment #1)

Representative Kenny A. Wilk testified in favor of **HCR 5008**, stating the constitution has not changed, but the actions of the federal government over the last several decades have turned the states into agents of the federal government. **HCR 5008** is an attempt to stop this trend and reclaim our sovereignty as a state. Unfunded, unwanted, and unneeded mandates must stop at all levels of government. (See Attachment #2)

Mark S. Marney, State Chairman, United We Stand America, Wichita, testified in support of **HCR 5008**, stating this is the first step in the process of returning government to the people. The government that was once "For the people and by the people" is now a government that is for special interests. The federal government is out of control fiscally and morally, and philosophically. (See Attachment #3)

Larry Trickett, representing the Kansas Second Amendment Militia, Bonner Springs, testified in support of **HCR 5008**, stating that in recent years it has become apparent that the federal government has attempted to exercise greater powers over our people through the use of mandates. It is believed that the use of mandates of any kind are abuse of power on the part of the federal government. (See Attachment #4)

Harold Stocking, Committee to Restore the Constitution, testified supporting **HCR 5008**, stating the 10th Amendment Movement is the key to America's last chance to peacefully get Congress to obey the Constitution. (See Attachment #5)

John A. Michael, United We Stand America of Kansas, 4th District, testified in support **HCR 5008**. (See Attachment #6)

Don Klaassen, Wichita, stated he was representing himself and testifying in support of **HCR 5008**. (See Attachment #7)

M. G. Dye, testified in support of **HCR 5008**, stating that by a state proclaiming their sovereignty, that state is in the position to select those mandates they would follow, by choice, not by edict. A sovereignty resolution (a Tenth Amendment Resolution) does not stop any state from participating in any program they choose. (See Attachment #8)

Roger Mundy, 10th Amendment Society, testified in support of **HCR 5008**, stating the 10th Amendment Resolution presents the people a unique opportunity to peacefully restore their rights and liberty. (See Attachment #9)

Testimony was distributed by Representative Joann Freeborn (See Attachment #10) and Jack C. Paulson (See Attachment #11) in support of **HCR 5008**.

The Chairperson asked if there was anyone else that would like to testify regarding **HCR 5008**.

Bill Raul, 10th Amendment Society, Wichita, testified in support of **HCR 5008**, stating three states have already passed this law and Kansas needs to pass this. (No Attachment)

The Chairperson closed the hearing on **HCR 5008**.

The meeting adjourned at 2:45 p.m. The next meeting will be January 31.

HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE GUEST LIST

DATE: January 30, 1995

NAME	REPRESENTING
Traci Carl	A.P.
John MICHAEL	UWSAK
Mark S. Marney	UWSAK
Darrel King	UWSA of KS
LARRY TRICKETT	KS 2 nd Amendment Med.
MARSHALL GOYE	Committee to Restore the Constitution
Joey Mundy BARNES	KS 10th Amendment Society
Roger Mundy	KANSAS 10 th Amendment Society
Bill Rauh	KS 10 th Amendment Society
Eric Charlton	Sunflower Paralyzed Veterans of Am.
Cornie Jordan	For the People of Topeka
Helga Konecny	" " " "
Duke D'Alise	10th Amendment Society
Brian Patzkowsky	10 th Amendment Society
STACY MORGAN	Co. ALLIANCE TO RESTORE GOOD GOVERNANCE CAR 99
Dennis Cooper	" "
Eric Reed	10 th AMENDMENT SOCIETY
Bonnie Reed	10 th amendment Society
Just Townley	Sierra

Bruce Chapman Sierra
 Stephen K. Heberly Self
 Howard Jones 10th amendment society
 Doug and 10th Amendment Society
 Robert Martin 10th Amendment Society
 Dave Schneider KFAIB
 Naomi Durant Sierra
 Dick Durant Sierra + Ks Natural Resource Council
 Aelwa Johnson Tecumseh

HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE GUEST LIST

DATE: January 30, 1995

NAME	REPRESENTING
Charlotte Paulson	UW5A + 10th Amend. Soc.
Walter Amers	road
George P. Pann	
Margaret Harrison	
Jenny G. G. G.	Overland Park Chamber of Commerce
Franklin Lee Williams	N/A
A. Nightingale	N/A
Ervin J. Steele	N/A
Glen Burdine	10th Amendment Society - Wichita
Keith Paul	10th Amendment Resolutions
Edward H. Sutter Jr.	10th Amendment Resolutions
Steph. M. Fankler	Kansas Sierra Club
Mike Kalmy	Kansas Sierra Club
Herna Crane	Kansas Sierra Club
BOB WILSHIRE	KANSAS SIERRA CLUB
Bill Craven	" " "
Larry Daggett	" " "
E. DeEtte Huffman	" " "
Larry Ross	" " "

Jim McDavitt

Ks Educator Watch

Greg Hayes

Ks Sierra Club

Donald Klooszen
Harold F. Storkberg

Selb & KS 10th amend. Society
committee to restore the Constitution

KENT GLASSCOCK
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COMMITTEE ASSIGNMENTS
CHAIRMAN: LOCAL GOVERNMENT
MEMBER: ECONOMIC DEVELOPMENT

HOUSE OF
REPRESENTATIVES

Testimony in Support of
HCR 5008 before the House
Committee on Federal and State Affairs
January 30, 1995

Mr. Chairman and Members of the Committee:

I am pleased to appear before you today as a principal sponsor of HCR 5008. I appreciate this opportunity to share with you why I believe HCR 5008 is worthy of your favorable consideration.

The Tenth Amendment in its twenty-eight words sets forth our nation's founders' concept of federalism. It states, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the People." Clearly, a federal government of limited, specifically delegated powers was envisioned. Unfortunately, current realities clash with the framer's intent. Kansas must now lend its voice to the chorus of other states, as together, we call for a realignment of power between the federal and state governments. The passage of HCR 5008 sends a clear message that a new federalism, true to the spirit and intent of the Tenth Amendment, is needed to restore the states to their rightful role in governing the nation.

While many nations in the rest of the world are decentralizing power the American federal system continues to move in a centralist direction, with the behavior of the federal government becoming increasingly coercive. Despite the resurgence of the States during the 1980s, the federal government continues to surround, permeate and drive most aspects of state and local government in the 1990s.

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1-30-95
Atch #1

Even though most Americans today seem to regard the federal governments decision-making processes as defective, there continues to be strong pressure for federal action, in part because only the federal government can give people what they want -- lower taxes and more programs. The federal government can do this by engaging in deficit spending and passing costs onto state and local governments, leaving them to give people what they do not want -- higher taxes and fewer services.

For too long, Washington operatives have held a nationalist outlook, viewing states merely as administrative units to carry out federal programs rather than co-equal partners in the federal system.

States are not merely delivery mechanisms for federal programs. They are not simply another special interest group. States created the national government. States have constitutional standing. The founders of this country expected states to stand up for their rights and to compete with the national government for power.

In fact, James Madison, described how states would oppose any intrusion of federal power. In The Federalist No. 46, he wrote that "ambitious encroachments of the federal government on the authority of the State governments would not excite the opposition of a single State, or a few States only. They would be signals of general alarm. Madison's words serve as a prophetic voice anticipating the legislation you are considering today.

A resurgence of the power of the states will ultimately pay rewards for all Americans. States may, if free from federal mandates and pre-emption, serve as laboratories for social and economic experiments. Instead of imposing top-down regulation from the federal level we should strive to recreate a decentralized government -- allowing states to set their own priorities and respond to localized needs.

Some may question why we should consider the resolution now before you. I recognize such a resolution does not have the force of law. This resolution is, however, the proper method for our State's elected legislature to express our collective desire for a realignment of our federal system. Profound change is now taking place in our nation's congress. A balanced budget amendment and limitations on federally imposed, but unfunded, mandates are receiving promising consideration. Our own Senator Kassebaum is advocating a return of power to the states as Chairman of the U.S. Senate's Committee on Labor and Human Resources. From California to New Jersey the states are collectively beginning to

sound what Madison referred to as the "general alarm." We must add our support to this alarm and reassert the rightful role of the states in our federal system. A valuable opportunity exists in our current political climate -- I believe this resolution if enacted will not merely fall on deaf ears in our nation's capitol. Instead, it will serve as our state's clarion call for action.

The Tenth Amendment is part of our Bill of Rights. As such, it reminds us that government may exercise only those powers delegated to it by a free citizenry and that the federal government may exercise only those powers delegated to it by the Constitution.

Just as Governor Graves invited us to "rediscover our heritage" during his State of the State message, I am inviting each of us as legislators to rediscover the simple meaning of the Tenth Amendment. In that rediscovery we must recognize that the constitution is a living document relevant to the present needs of our nation, yet constant in its allocation of rights and power. The time to restore the States to their rightful role in our federal system is long overdue.

I urge your favorable action on HCR 5008.

State of Kansas

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TOPEKA

House of Representatives

COMMITTEE ASSIGNMENTS
MEMBER: TAXATION
EDUCATION
FEDERAL & STATE AFFAIRS
JOINT COMMITTEE ON LEGISLATIVE
EDUCATIONAL PLANNING COMMITTEE

Testimony for HCR 5008
House Federal & State Affairs Committee
January 30, 1995

Amendment 10- Reservation of Powers to the States
***"The powers not delegated to the United States by the
Constitution, nor prohibited by it to the States, are reserved to
the States respectively, or to the people."***

Mr. Chairman and members of the committee. Thank you for the timely consideration of HCR 5008. The 75 co-sponsors of this resolution speaks of the interest and support for the 10th amendment resolution message.

The twenty-eight (28) words that make up the 10th amendment in the U.S. Constitution are simple words, easy to understand, and self explanatory in nature. One would be hard pressed to more clearly state the intent of a constitutional amendment. But these words over the last several decades have been stretched, pulled, twisted and on many occasions broken. Page 1, line 32 and 33 of HCR 5008 states the message loud and clear "the federal government was created by the states to be an agent of the states." Undoubtedly this has been reversed over the years. Fortunately, the constitution has not changed, but the actions of the federal government over the last several decades have turned the states into agents of the federal government. HCR 5008 is an attempt to stop this trend and re-claim our sovereignty as a state.

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Atch #2

I know that many of my colleagues, and others around the state feel that a resolution has no value, that it's hardly worth the paper it's printed on. I respectfully disagree. I believe that when a majority of the 165 diverse and informed members of the Kansas Legislature unite to send a message, I believe the message is powerful and will be heard.

We are at a new time in history. I concur with with some comments Congressman Brownback made this weekend when he stated "we are at a unique moment in history, and it will likely be very brief, but at this moment **real change is possible.**" We need to strike while the opportunity is ripe and demand that the federal government adhere to the U.S. Constitution, and comply with the 10th amendment. We need to send the message to Washington, that we in Kansas will decide what's best for Kansas, and how to spend Kansas tax dollars.

In my mind we need to vote on this resolution for two reasons. Certainly, I support sending the message to Congress. But secondly it is a staunch reminder that we as the middle form of government (meaning that government between to the federal and local) must also be cognizant of mandates sent to the local government. The Legislature would hypocrites to demand the federal government stop mandating to Topeka, and not seriously consider what we send home to our local governing bodies. **Unfunded, unwanted, and unneeded mandates must stop at all levels of government.**

I believe that HCR 5008 will help move us in that direction and ask for your support and consideration of this 10th amendment resolution.

UNITED WE STAND AMERICA

Mark Marney 2318 Pepper Ridge Circle Wichita, KS 67205 Office: (316) 721-4455 • Fax: (316) 721-4459 • Home: (316) 722-7006

1-30-95

Testimony on House Concurrent Resolution No. 5008 (The 10th Amendment)

Testimony Given By: Mark S. Marney
State Chairman-United We Stand America
2318 Pepper Ridge Circle
Wichita, Kansas 67205
(316) 722-7006-Home (316) 721-4455-Work (316) 721-4459-FAX

Ladies and Gentlemen of the Committee, Mr. Chairman. I want to thank you for this opportunity to speak on behalf of the thousands of United We Stand America members in this great state of Kansas.

What we are talking about today is taking the first step in the process of returning government to the people. The Government that was once "For the people and by the people" is now a government that is for special interest, by special interest and a government for Wall, Street by Wall Street. So many times when the average tax paying citizen has tried to involve themselves in the political process, they have been greeted with arrogance and lip service.

OUR FEDERAL GOVERNMENT IS OUT OF CONTROL FISCALLY

We are standing in the midst of a time bomb. This time bomb is not like most time bombs that tick at an even pace. This time bomb ticks faster and faster as it gets ever closer to exploding. The time bomb I'm referring to is called the federal debt. On Jan. 25 of this past week the federal debt broke the 4.8 trillion dollar mark. The debt is increasing at a rate of over 1.2 billion dollars per day. 1.2 billion dollars is enough to buy twenty thousand Americans a \$60,000 home. With a congress that does not have the courage to tell the American people the changes that are needed to achieve a balanced budget and begin to pay down the debt, we are forced to go on a daily borrowing spree, much of which is borrowed overseas. We have put the economic future of the children of the State of Kansas in the hands of the foreign nations and monetary institutions that finance our debt. In the five minutes it will take me to read this testimony the Federal Government will put our children another 4 million dollars in debt.

OUR FEDERAL GOVERNMENT IS OUT OF CONTROL MORALLY:

Gone are the days when citizen legislators went to Washington for the good of their district. Today we have multi-million dollar election campaigns, big money influence and revolving door job security. Our federal ruling class has perfected the art of finger pointing, evasion of responsibility, legislative trickery and re-election gimmicks. It is not that the people we send to Washington are bad; It is the system. Its the system that requires congressmen and senators to raise thousands of dollars per day to fund

FWSA
1-30-95
Atch #3

UNITED WE STAND AMERICA

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reelection campaigns. Its the system that forces representatives to vote the party line and ignore the will of their constituents and its the system that makes representatives "Go with the flow, and not cause waves" so that hopefully they to can someday receive one of those coveted committee assignments. The system has got to be changed.

OUR FEDERAL GOVERNMENT IS OUT OF CONTROL PHILOSOPHICALLY:

There is little doubt that the American people are confused and frustrated by what's happening in Washington. Although the average American doesn't understand government very well, they rightly sense the corruption of the system. A system that leaves citizens feeling detached from their government with no input and no involvement. The average working American is not in it for themselves; they aren't after favors they aren't after subsidies; they are normal people who resent corruption, betrayal and dishonor.

The most overlooked item in the everyday discussion of our political system is the 10th Amendment to the Constitution. It leaves to the **states and the people** all powers not specifically granted to the federal government, which are very few in number. To circumvent that amendment, Washington has developed thousand of projects on which it spends trillions, but for which it is seldom held accountable. The result is a very strange system--one that exists no-where in the developed democratic world--whereby government spending is dictated by the needs of special-interest groups such as banks, lawyers, doctors, hospitals, corporations, farmers, universities, real-estate people, researchers, unions, ranchers, utilities, foreign interests, scientists, insurance companies, defense contractors, foundations, oil and gas firms. Anyone you can think of except the working middle class who pay the bulk of the taxes. That working middle class is sick and tired of carrying the load.

Ladies and gentleman of the committee, let this 10th amendment resolution be the springboard to bring the decision making process back to the states and to the people of Kansas. History teaches us that solutions to problems are usually best found close to the source. Simply stated, the Federal Government is too big and too unresponsive to the will of the people to make an immediate 180 degree change. What worked well a quarter century ago no longer functions today; under pressures of heightened special interest group expectations, active media analysis and tenacious re-election campaigns. This 10th Amendment Resolution can begin the process of re-creating a government that comes from the people and not at the people. Bottom-Up government instead of the Top-Down government as it exists today.

The key to America's future is its people; not its government. The buzz word for the 90's and the coming century should be "**self reliance**". The message of our

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UNITED WE STAND AMERICA

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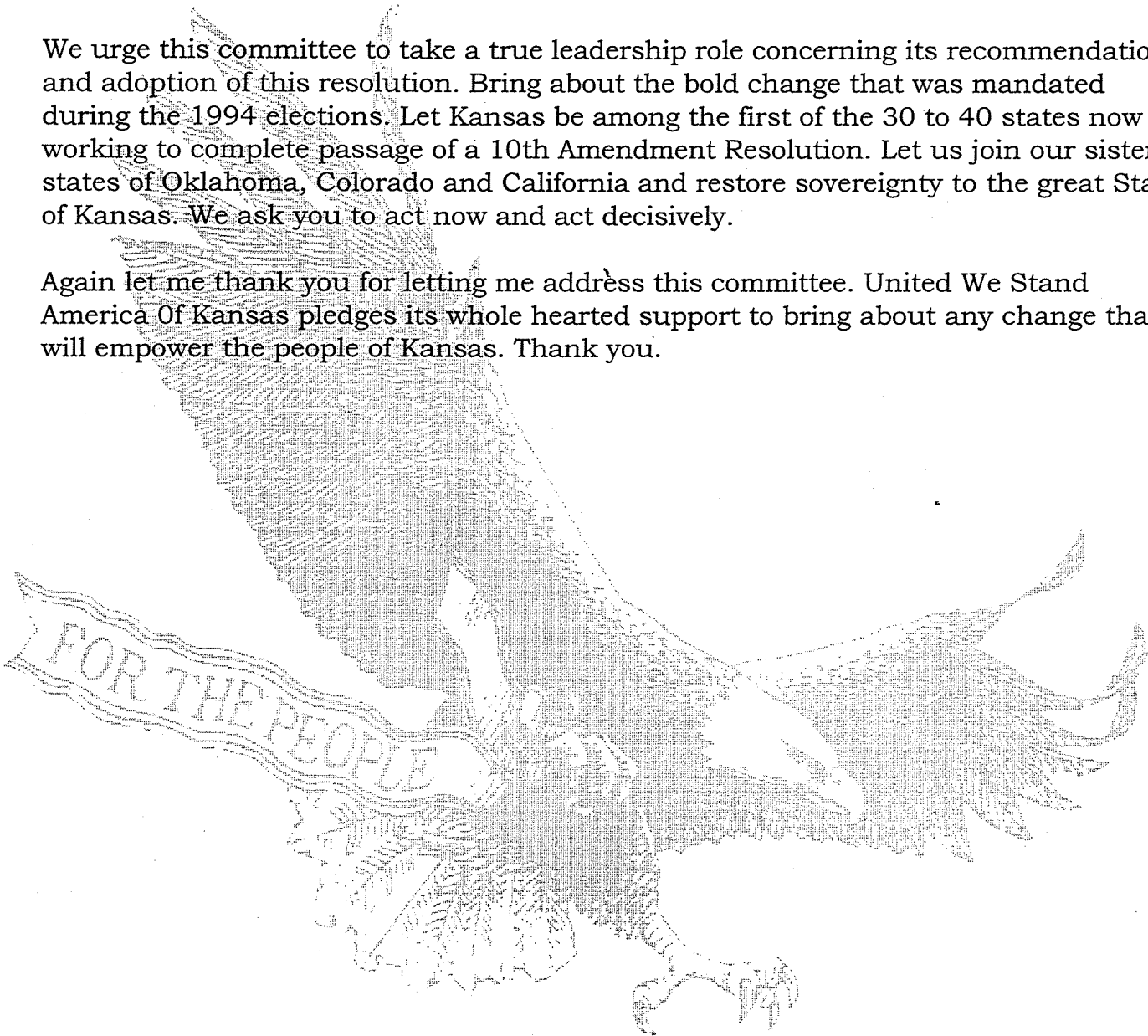
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government to its citizens should be to not depend on the government of the future like you depended on the government of the past..

We urge this committee to take a true leadership role concerning its recommendations and adoption of this resolution. Bring about the bold change that was mandated during the 1994 elections. Let Kansas be among the first of the 30 to 40 states now working to complete passage of a 10th Amendment Resolution. Let us join our sister states of Oklahoma, Colorado and California and restore sovereignty to the great State of Kansas. We ask you to act now and act decisively.

Again let me thank you for letting me address this committee. United We Stand America Of Kansas pledges its whole hearted support to bring about any change that will empower the people of Kansas. Thank you.



UNITED WE STAND AMERICA

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January 30, 1995 Topeka, Kansas

Good afternoon... My name is Larry Trickett. I am a life long resident of the state of Kansas, and I presently live in Bonner Springs, Kansas.

I am here today to represent the Kansas Second Amendment Militia. The Second Amendment Militia is an organization of men and women committed to the preseveration of our Constitutional Republic and the rule of Law.

In recent years it has become apparant that the U.S. Federal Government has attempted to excerise greater powers over our people through the use of mandates. We believe that the use of mandates of any kind are an abuse of power on the part of the U.S. Federal Government, and that the time has come for our representatives in Topeka to relay that message to their agents in Washington, D.C..

Article ten of the constitution reads as follows: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people."

There is nothing difficult about the language of this article, and it means exactly what it says.

The people of Kansas elect their representatives to meet their legislative needs, and we feel that representatives in Washington D.C. should not be involved in that process. Obviously our forefathers felt the same way because they expressed that intent in the Tenth Amendment of the Constitution.

Within this resolution you will find the admission that the federal government was created by the states specifically to be an agent of the states, and you will also find that the federal government has attempted to reverse that role. This can only be construed as an abuse of power on their part.

House Resolution 5008 is the instrument needed to put the Federal Government on notice to cease and desist the un-constitutional act of imposing mandates upon the state of Kansas and its people.

Upon review of the resolution we find that the only change we would recommend would be to remove "memorializing" in line 19 and change it to "of notice and demand to." We feel that this language would aid in emphasizing are concerns.

We urge all Representatives and Senators of the state of Kansas to vote for House Resolution number 5008, and put a stop to federal mandates.

F + SA
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Atch #4

Mr. Chairman,
Members
of the Committee,

My name is Harold Stocking, I am a member of the Committee to Restore the Constitution.

I would like to share a few thoughts on why I believe the 10th Amendment Resolution Must be Passed.

A Young Christian Attorney rode into Culpepper, Va. There he witnessed a minister being savagely beaten. When the beating was over the ministers bloody ribs were protruding through the flesh. The minister was thrown back into jail. Three days later he was brought back into the square and this time he was scourged again to his death.

What was his terrible crime---- He wouldn't take a Government license!!!!

The young attorney penned words that ring a clarion call down through history -- "is life so dear or peace so sweet as to be at the price of chains and slavery? Forbid it almighty God. I know not what course others may take but as for me Give Me Liberty or give me Death." (by Patriot Henry)

Another attorney, Gerry Spence, recounts in his book "From Freedom to Slavery" how Randy Weaver's fourteen year old son was shot to death from an ambush and his wife had half her face blown away as she stood in the doorway of their cabin with their ten month old baby in her arms.

Randy's crime was a failure to appear in court. A charge on which a Federal Agent had entrapped him. Time doesn't permit but there are many other examples of tyranny against "we the People."

Tens of Thousands of Americans are forming Armed Militia units to protect their homes and loved ones from those warriors of the "Dark Side" who seek to enslave them into their evil empire.

The late Howard Freeman said "God did not intend for us to spend our lives in Statutory Slavery for the benefit of a handful of Secret World Manipulators, even if the 'Masters' grant us some token pleasures and diversions. Human dignity requires much more than entertainment. The door is there and the key exist. We MUST find it and we Must use it to return to FREEDOM."

F & S A
1-30-95
Atch #5

I believe the 10th Amendment Movement is the key to Americas last chance to Peacefully get Congress to Obey the Constitution.

This key to change history is in your hands, May God Grant You the Wisdom and Courage to use it!!

Thank you

A handwritten signature in cursive script, reading "Harold S. Stabinger". The signature is written in black ink and is positioned to the right of the printed text "Thank you".

30 January, 1995

Federal and State Affairs Committee
Kansas House of Representatives

Ladies and Gentlemen, distinguished representatives of the Sovereign, Free, and Independent State of Kansas!
I am speaking to you today in support of the 10th Amendment resolution (HCR 5008) that is before this House.

Many people believe today that the U.S. Congress have become the quintessential foils men for the rich and powerful, that is, stooges for an oligarchic elite ruling class. If this is allowed to continue unchecked, how long will it be before the Federal Government becomes oppressive? Some people believe it's already too late, that federal usurpations have turned once sovereign states into colonies, and a once free and proud people into *villians and serfs* of a *feudal* government.

Today we are subject not to our own laws devised by free government of the *republican form*, but rather by the *arbitrary mandates* of magistrates and bureaucrats. I believe that it's not too late to insure the sovereignty of our people, if our State legislature can find the courage to challenge federal encroachments and stand up for the rights of the people, rights paid for by the *treasure, blood, and toil* of our ancestors.

If there is one state in the federal compact that should pass the 10th Amendment Resolution, it's Kansas! Kansas was founded upon the great principle of **popular sovereignty**. My family was one of the first families to move into the Kansas territory in the 1850's, my great-grandfather fought to abolish slavery and to *preserve the Union* of sovereign, free, and independent States during the war between the states. My ancestors are buried on a hilltop in Jefferson County, Kentucky Township, just a few miles east of here. I am sure that they would want to see their posterity live in a sovereign, free, and independent State, with the ability to pass its own laws without being harassed by mandates from anyone.

We must defend our **Bill of Rights** from federal encroachments. The first person to make public the need for a Bill of Rights was Richard Henry Lee of Virginia, when just 10 days after the Grand Convention in Philadelphia ended he moved in Congress Assembled, "that the new Constitution of the United States be bottomed upon a Bill of

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Rights, clearly and precisely stating the principles upon which this Social Compact is founded." He insisted that a Bill of Rights was necessary, "to protect the just rights of Mankind from the silent, powerful, and ever active conspiracy of those who govern."

HCR 5008 is find the way it is written, however, I believe that we should pay honor to those who have gone before us, those who have defended the **Bill of Rights** against the arrogation of power by the Federal Government. I respectfully request that this legislature give recognition to Thomas Jeffersons Kentucky Resolutions of 1798. The resolves of Kentucky and Virginia in 1798 saved the 1st Amendment to the Constitution from federal usurpations, just as today we are saving the 10th Amendment. Therefore, I propose that the following be added to HCR 5008 to honor Thomas Jefferson and James Madison:

WHEREAS, the resolves of the Kentucky and Virginia Legislatures of 1798 (written by Thomas Jefferson, the father of the Declaration of Independence, and James Madison, the father of the Constitution) did clearly define the duty of States to interpose and arrest the progress of deliberate, palpable, and dangerous exercise of powers not granted by the Constitution, and that all acts manifested by the Federal Government to enlarge its powers by forced constructions are not law, but are altogether null and void and of no force.

Defending the **Bill of Rights** is not a Republican or Democratic issue, it's not a liberal or conservative issue, it's the difference between liberty and despotism. When the government fears the people you have liberty, but when the people fear the government you have despotism. How many of our people are afraid of what the federal government is doing today!



John A. Michael
United We Stand America of Kansas, 4th District

Attachment: Kentucky Resolutions (resolves I and VII)

Mr. Chairman & Committee Members

1-30-95

I am Don Klaassen. My wife Ruth & I have 3 children.
We've been Wichita residents for 34 years. Educated at WSU as an
accountant. Practiced as a CPA for 6 years, then a Businessman
for last 25 years.

I'm here representing myself & the KS 10th Amendment Society.
Thank you for this opportunity to speak.

The Topic is: The 10th Amendment.

The cornerstone to a NEW DIRECTION IN GOVT.

Mr. Chairman & Committee Members, I'm speaking with a deep concern for
the State of KS, & for our Great Nation.

Deep concern because the trends are clearly alarming. The trends
are plain to see---for anyone who will stop & look & truly comprehend.

Once upon a time (just like the Fairy Tales your Mother read to you
when you were young)

Once upon a time:

1. We were the largest creditor Nation in the World.
NOW, we are the largest debtor Nation.

Once upon a time:

2. We exported more goods than we imported.
NOW, we import more than we export (to the tune of \$150 B. a year).

Once upon a time:

3. One breadwinner could support a family.
NOW, 2 breadwinners have a tough time making it.

Once upon a time:

4. The income & payroll taxes sent to the GOVT was \$1 out of \$50.
NOW, it's \$1 out of \$4----
& we're told it's headed for \$1 out of \$3.

Once upon a time:

5. The people of this Nation believed their destiny & success
was in their control, was dependent upon their efforts.
NOW, many believe their destiny & success lies with the
WHIM of their GOVT, & GOVT programs.

Fairy Tales begin--Once upon a time.

But what I've described, is not a FAIRY TALE.
IT'S THE REAL THING. THE REAL STATE OF OUR NATION.

We MUST change our course.

We MUST change our Political Thinking.

We MUST change the way GOVT does Business (both State & Fed.).

If we do not, our Country will be in the same situation as
MEXICO & CANADA.

We've dug a deep financial hole. It'll be tough to climb out of.

I hope it's not too late already.

I suggest the the State of KS enter into a new era of GOVT.
That in addition to addressing Domestic State Issues,
& attempting to comply with FED GOVT mandates----
as has been the policy to this point,

That KS does now begin to LAY CLAIM to a Political Posture whereby
KS exercises its sovereignty from the FED GOVT,
and in the future look to excercise some degree of control
over the FED GOVT.

This status, this authority to guide & oversee the National Governing
Process is RESERVED to the State of KS (in conjunction
with the other States in the Union),
by the Constitution of the U.S., as set out in the 10th Amendment.

The State of KS (along with the other States in the Union):

1. Has avoided its Responsibilities & Obligations to
oversee the National Governing of this Nation.
2. Has allowed the FED GOVT to establish many programs
which are outside its authority.
3. Has allowed the FED GOVT to ride rough-shod over the States.

While the States have a Partnership with the FED GOVT, & must of
necessity work & function together, the Partnership has evolved to
the point where the FED GOVT is the Principal Partner,
& the States are the Junior Partners.

I suggest the TIME IS NOW,
to re-establish the rightful status of the parties,
THAT IS, the States as the Principal Partners,
& the FED GOVT as the Junior Partner (i.e. the agent of the States).

TO THIS END, I suggest that the 10th Amendment is the TOOL (the
Cornerstone) whereby the State of KS recaptures the Political Position
& Political Power that rightfully belongs to it.

TO THIS END, I suggest that the State of KS use the 10th AMENDMENT
RESOLUTION NOW BEFORE YOU----To Establish its Sovereignty,

& to follow up this RESOLUTION-----with legislation as needed----
to establish the authority necessary-----whereby the State of KS
can legally pursue the activities & functions herein addressed.

Again, thank you for this opportunity to speak with you.

To: Committee on Federal And State Affairs

Esteemed Representatives:

Something has been happening in the United States that many view with alarm. Federal agents have giving themselves authority that has not been delegated by the States and no open application has been given to the States.

We are here today to resolve this problem, to pass this resolution, to strengthen, defend or reestablish rights of State sovereignty as plainly stated and given to us by our Constitution.

The Constitution gives the State legislature vastly more power than any other branch of government.

Yet, Congress finds itself in the position of being incapable of taking action because over the years Congress itself transferred what was Congressional powers to the executive branch of government and to private interests.

The solution is to reinstate the Constitution, all of it.

This resolution is one step on the road back to Constitutional government.

Some people believe we need a Contract With America. We already have one ... it's the United States Constitution.

It is to this Constitution, this legal, binding Contract With America that our elected officials take their oath or affirmation to protect and uphold this duty owed to the American people.

The Constitution does not change its meaning from day to day. It is not a living document, as some would have us believe, subject to ingenious interpretation by the divine right and motives of bureaucrats.

The Constitution means what it says and says what it means.

It is time to work on proven solutions, rather than reinventing the wheel. We should be investing our time in reading and learning from what our forefathers wrote. Their words and wisdom are already in place and should and would guide us through any challenge if we would only let them.

Their words do not require ingenious interpretation, just common sense.

Their words recognize that we have Unalienable rights (it is not spelled with *In*; it's spelled with *Un*). Unalienable rights are the rights that our creator has given us. Nevertheless, inalienable means incapable of being surrendered or transferred.

And it is with this particular word, unalienable, that we are brought to the decision facing you today ... how to keep our rights from being surrendered or transferred.

As Ben Franklin was walking out after signing the Constitution, a lady asked, "What kind of government did we get?" He responded, "A Republic, Madame — if you can keep it." What Ben Franklin and the other founding fathers feared we are facing today — we have been allowing our rights to be surrendered or transferred.

But there is a solution ... *The Tenth Amendment*.

When the federal government tried to mandate that the State of New York accept radioactive waste for disposal, New York pleaded in court that they were exempt from the mandate under the *Tenth Amendment* and the court affirmed the Tenth Amendment protection.

Therefore, by a state proclaiming their sovereignty, that state is in the position to select those mandates they will follow, now by choice, not by edict. A sovereignty resolution (a Tenth Amendment Resolution) does not stop any state from participating in any program they choose, but frees them from having to claim, *It's a federal mandate. We have to do it.*"

Thank you,



M.G. Dye

F + SA
1-30-95
Atch #8

Ladies and gentlemen of the House Federal and State Affairs Committee of the sovereign state of Kansas, I come before you, happy that as a common Kansan, I can come before you and speak to you. I come in the hope that I might share something very common with you, for I am a common man. I hold no college degree. I have no influence. I have no wealth. In fact, I am a little concerned about paying my bills next month. I am just a carpenter in the great state of Kansas.

There is a great movement common everywhere, today. It crosses all borders. It is now found in all cultures, growing by the hour. Although, it is not common knowledge, it is easy to see. It is an awakening like never seen before in all history. It is a longing in the hearts of common people, everywhere. It is a demand for liberty, for independence, for freedom. We have seen it appear at the four corners of the earth. In Tianamen Square, the Chinese students, while pulling a crude statue of liberty with them, chanted the words of our own Thomas Jefferson as they bravely faced that tanks of the tyrants of China. They did this just to tell the world of their demand for liberty. The people of Chechenya, even after a merciless bombing of civilians by Moscow's war machine, declare that they will never surrender. They will suffer anything for their independence. The black people of South Africa rejoiced in the end of apartheid and though I believe the election of supposedly former communists will bring them more grief, all the common people wanted was "Uhuru", or freedom, and a voice in their government.

Here at home the same awakening is occurring, in part, in the form of the 10th Amendment resolutions that have been passed and that are being introduced in state legislatures all across America. Common Americans know that their rights are being taken away and their voices being ignored in Washington, D.C. But we will be heard and we will not be defeated, because we share the same desire as all common people in the world. As certain as our common faith in God, there will be a new world order. But it will not be the new world order that our 'would be masters' dream of. It is the promised land that our founding fathers fought for, that will be found the world over. But our 'would be masters' will not enter in as masters, but only as equals before the law.

The 10th Amendment Resolution presents us with an unique opportunity to peacefully restore our rights and liberty. I ask you to be regarded as friends of the common people and support this historic resolution. You have it in your hands to lead us to that place our fore fathers foresaw. If the power of the State of Kansas is not reasserted this way, you yourselves will find that you have become mere pawns in the hands of the federal government, or worse, an international government. And though it may be of no consequence to the powerful, it seems to me that it would be a great loss to the world and to history that a common man and the millions of common people like me, lost their voice,

FLSA
1-30-95
Atch #9

their sovereignty, and their rights in the heart of America because the once sovereign state of Kansas would not act to protect them. To those of you who fear losing your campaign contributions if you stand up for me, what good will it do you or your family and children, or your state to become a stooge of the federal government? You are our single best hope to peacefully rein in the unconstitutional excesses of a federal government meant only to be your agent and not your master. Other states have taken the lead in this movement, let's not be last to show our spirit. Kansas has a proud history for freedom, it was one of the first places in America to choose to fight rather than allow the state to become a slave state at its birth. Will Kansas die as a slave state? I will not believe it. Let us write the not so ironical history, that Kansas was one of the states that saved the United States, by joining the great movement of states re-asserting their constitutional sovereignty, and by protecting the rights of its most common citizens.

Thank you for hearing me.

Roger Mundy
10th Amendment Society

STATE OF KANSAS

JOANN LEE FREEBORN
REPRESENTATIVE, 107TH DISTRICT
CLOUD, OTTAWA COUNTIES
AND PART OF CLAY AND DICKINSON COUNTIES
RR 3, BOX 307
CONCORDIA, KANSAS 66901-9105

STATE CAPITOL
TOPEKA, KS 66612-1504
913-296-7645
1-800-432-3924



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER: AGRICULTURE
PUBLIC HEALTH AND WELFARE
ENERGY AND NATURAL RESOURCES
JOINT COMMITTEE ON CHILDREN AND FAMILIES

House Concurrent Resolution 5008

Chairperson Boston, Vice-chairperson Cox, Ranking Minority Member Standifer, and members of the House Federal and State Affairs committee;

This concurrent resolution memorializing Congress to cease imposing mandates, which are beyond the scope of Congress' Constitutionally delegated powers under the 10th Amendment, on the states has my full support. It is only after the Federal Government stops the mandates that we will have real power over the taxes paid by citizens of our state.

I do not want the Federal Government to balance it's budget on the backs of the states. Perhaps this resolution and more like it coming from each of the Fifty States will let Washington know just how serious individual citizens are concerning the growing encroachment upon the powers of the States.

I urge you to pass Concurrent Resolution 5008.

Sincerely,

A handwritten signature in cursive script that reads "Joann Freeborn".

Joann Freeborn

Fd 5A
1-30-95
Atch #10

2317 E. Wilma St.
Wichita, KS 67211-3759
01/29/95

Representative Belva Ott
Kansas House of Representatives
821 Litchfield
Wichita, KS 67203

Dear Representative Ott,

This note is to urge you to vote to pass the House Concurrent Resolution No. 5008, The 10th Amendment Resolution, when it is introduced in the Kansas Legislature in the near future. If you haven't already, we would be proud in the Wichita Area to have you a co-sponsor of the "10th".

From what we hear, The 10th Amendment Resolution has really gained a lot of momentum in most of the 50 states. Those of us who have followed the lead of our patriots in Colorado are proud to have been active in promoting the resolution and are anxious to have Kansas as one of the early states to pass it. Please join us.

Respectfully,


Jack C. Paulson

F25A
1-30-95
Atch #11