

Estelle B. Stevenson  
16 Brennan Place  
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RE: House Joint Resolution No. 65

Madame Chair, Mr. Chairman and members of the committee, my name is Estelle Stevenson from Waterbury. I'm the CT State Coordinator for the We the People Foundation for Constitutional Education and a member of the CT Grassroots Alliance. I appreciate the opportunity to speak to you about House Joint Resolution No. 65 regarding the 10<sup>th</sup> Amendment to the US Constitution. I wholeheartedly approve of this resolution and your attention to it, although I don't believe it goes far enough.

When the Founders wrote the Constitution they wrote it so the contemporary man could understand it. They wanted to make sure that the citizens of the country they were creating understood that their rights came from God, that some of those rights were then delegated to a government, that those rights that were delegated were limited, and that all the other rights we derive from God were left to the people or the states. They emphasized that position by adding the 9<sup>th</sup> and 10<sup>th</sup> Amendments.

The representatives of the states at the Constitutional Convention wanted to make sure that the republic that was being formed was a collection of sovereign states that were delegating some of their powers to a very limited central government. They wanted to make sure that a central government could never become a tyrannical government like the one from which most of them had fled in Great Britain. Again, emphasized in the 9<sup>th</sup> and 10<sup>th</sup> Amendments.

The Constitution is not a "living document" but a static one, a blueprint for the republic we were given no matter how large the country became. But we have been asleep for far too long, and we have allowed the federal government to usurp powers they were never meant to have.

While I agree with the resolution being heard today, I don't believe it goes far enough. Nowhere in the Constitution does it give any branch of the federal government the right to decide what laws are constitutional or not. Nowhere does it say that one branch of the federal government can arbitrarily decide, as the Supreme Court did in Marbury vs. Madison in 1803, that it has the sole right to decide what laws are constitutional or not. The power to decide constitutionality is not one of the enumerated powers in Article 1, Section 8 of the Constitution and therefore, according the 10<sup>th</sup> Amendment, belongs to the states or the people.

We the citizens of CT, the Constitution State, elected you to guard our rights from a dictatorial central government. And although you have that power according the 10<sup>th</sup> Amendment, the state doesn't have, in writing, a mechanism to do so.

So it is my belief that we need legislation that allows you, as the peoples' representatives, to question whether or not a federal law is constitutional, regardless of politics, or what party is in power in Washington. The people of CT don't care about Republicans, Democrats, Independents or Libertarians. They just want their rights protected by the people they elect. And if that doesn't happen, rest assured, now that we are awake, others will be elected who will ensure our state sovereignty.

Thank you for your time.