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LEGISLATURE OF THE STATE OF IDAHO
Sixty-sixth Legislature Second Regular Session - 2022

IN THE
JOINT RESOLUTION NO. _____

BY _____

A JOINT RESOLUTION

1 PROPOSING AN AMENDMENT TO SECTION 2, ARTICLE III, OF THE CONSTITUTION OF THE
2 STATE OF IDAHO RELATING TO MEMBERSHIP OF THE HOUSE AND SENATE; PROPOSING
3 AN AMENDMENT TO SECTION 4, ARTICLE III, OF THE CONSTITUTION OF THE STATE
4 OF IDAHO RELATING TO THE APPORTIONMENT OF THE LEGISLATURE; PROPOSING
5 THE REPEAL OF SECTION 5, ARTICLE III, OF THE CONSTITUTION OF THE STATE OF
6 IDAHO RELATING TO SENATORIAL AND REPRESENTATIVE DISTRICTS; STATING THE
7 QUESTION TO BE SUBMITTED TO THE ELECTORATE; DIRECTING THE LEGISLATIVE
8 COUNCIL TO PREPARE THE STATEMENTS REQUIRED BY LAW; AND DIRECTING THE
9 SECRETARY OF STATE TO PUBLISH THE AMENDMENT AND ARGUMENTS AS REQUIRED BY
10 LAW.
11

12 Be It Resolved by the Legislature of the State of Idaho:

13 SECTION 1. That Section 2, Article III, of the Constitution of the
14 State of Idaho be amended to read as follows:

15 Section 2. MEMBERSHIP OF HOUSE AND SENATE. ~~(1)~~ Following the
16 ~~decennial census of 2020~~ 2022 election and in each legislature
17 thereafter, the senate shall consist of ~~thirty-five~~ one members
18 from each county. The legislature may fix the number of members
19 of the house of representatives ~~at not more than two times as many~~
20 ~~representatives as there are senators~~ shall consist of no less than
21 seventy members or as many more as may be established by law. The
22 members of the house of representatives shall be apportioned
23 county by county based on the relation the population of each
24 county bears to the population of the State of Idaho, provided
25 that no member of the house of representatives may represent the
26 citizens of more than one county and further that each county
27 shall have at least one member in the house of representatives.
28 The senators shall be chosen by the electors of the respective
29 counties and the house of representatives shall be chosen by the
30 electors of the respective counties ~~or districts~~ into which the
31 state may, from time to time, be divided by law.

32 ~~(2) Whenever there is reason to reapportion the legislature or~~
33 ~~to provide for new congressional district boundaries in the state,~~
34 ~~or both, because of a new federal census or because of a decision~~
35 ~~of a court of competent jurisdiction, a commission for reapportionment~~
36 ~~shall be formed on order of the secretary of state. The~~
37 ~~commission shall be composed of six members. The leaders of the two~~
38 ~~largest political parties of each house of the legislature shall~~
39 ~~each designate one member and the state chairmen of the two largest~~
40 ~~political parties, determined by the vote cast for governor in the~~
41 ~~last gubernatorial election, shall each designate one member. In~~
42 ~~the event any appointing authority does not select the members~~

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1 within fifteen calendar days following the secretary of state's
2 order to form the commission, such members shall be appointed by
3 the Supreme Court. No member of the commission may be an elected or
4 appointed official in the state of Idaho at the time of designation
5 or selection.

6 ~~— (3) The legislature shall enact laws providing for the im-~~
7 ~~plementation of the provisions of this section, including terms~~
8 ~~of commission members, the method of filling vacancies on the~~
9 ~~commission, additional qualifications for commissioners and addi-~~
10 ~~tional standards to govern the commission. The legislature shall~~
11 ~~appropriate funds to enable the commission to carry out its duties.~~

12 ~~— (4) Within ninety days after the commission has been organized~~
13 ~~or the necessary census data are available, whichever is later, the~~
14 ~~commission shall file a proposed plan for apportioning the senate~~
15 ~~and house of representatives of the legislature with the office of~~
16 ~~the secretary of state. At the same time, and with the same effect,~~
17 ~~the commission shall prepare and file a plan for congressional dis-~~
18 ~~tricts. Any final action of the commission on a proposed plan shall~~
19 ~~be approved by a vote of two thirds of the members of the commis-~~
20 ~~sion. All deliberations of the commission shall be open to the pub-~~
21 ~~lic.~~

22 ~~— (5) The legislative districts created by the commission shall~~
23 ~~be in effect for all elections held after the plan is filed and un-~~
24 ~~til a new plan is required and filed, unless amended by court order.~~
25 ~~The Supreme Court shall have original jurisdiction over actions in-~~
26 ~~volving challenges to legislative apportionment.~~

27 ~~— (6) A member of the commission shall be precluded from serving in~~
28 ~~either house of the legislature for five years following such mem-~~
29 ~~ber's service on the commission.~~

30 SECTION 2. That Section 4, Article III, of the Constitution of the
31 State of Idaho be amended to read as follows:

32 Section 4. APPORTIONMENT OF THE HOUSE OF REPRESENTATIVES OF
33 THE LEGISLATURE. The members of the house of representatives of the
34 legislature following the decennial census of 2020 2022 election
35 and each legislature decennial census thereafter shall be appor-
36 tioned to thirty five legislative districts the number of members
37 of the house of representatives as fixed by the legislature to the
38 counties of the state of Idaho.

39 SECTION 3. That Section 5, Article III, of the Constitution of the
40 State of Idaho, be, and the same is hereby repealed.

41 SECTION 4. The question to be submitted to the electors of the State of
42 Idaho at the next general election shall be as follows:

43 "Shall Sections 2 and 4, Article III, of the Constitution of the State
44 of Idaho be amended to provide that, following the 2022 election and in each
45 Legislature thereafter, the Senate shall consist of one member from each
46 county in the State of Idaho and the House of Representatives shall consist

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1 of no less than seventy members or as many more as may be established by law,
2 that the members of the House of Representatives shall be apportioned
3 county by county based on the relationship the population of each county
4 bears to the population of the State of Idaho, provided that no member of the
5 House of Representatives may represent the citizens of more than one
6 county and further that each county shall have at least one member in the
7 House of Representatives, that provisions relating to commissions on
8 reapportionment shall be removed, and that following the 2022 election
9 the members of the House of Representatives shall be apportioned to the
10 number of members of the House of Representatives as fixed by the
11 Legislature to the counties of the State of Idaho; and shall Section 5,
12 Article III, of the Constitution of the State of Idaho relating to
senatorial and representative districts be repealed?"

13 SECTION 5. The Legislative Council is directed to prepare the state-
14 ments required by Section 67-453, Idaho Code, and file the same.

15 SECTION 6. The Secretary of State is hereby directed to publish this
16 proposed constitutional amendment and arguments as required by law.

Please Sign this Petition

If you want the
Legislature and we, the People
of the State of Idaho
to Stop the
Federal Government
from interfering with the
Government and Constitution of
our
Great State

Call for Action

We the people of _____ County do hereby respectfully demand that the Legislators of the State of Idaho do, in pursuance of their sworn oath of office to protect and defend the Constitutions of the United States and the State of Idaho, take all steps necessary to *first stop and then mend the damage done to this Sovereign State by the tyrannical and un-Constitutional rules, laws, edicts, opinions, and decisions promulgated by un-elected bureaucrats, executive orders by the President, un-delegated law making by the Congress, and Court decisions made that are not in Pursuance of the powers granted the Federal government in the Constitution of the United States of America.*

We are abundantly cognizant that our forefathers were fully alert and attuned to the dangers and methods used by the powerful to impose tyranny upon the general populace ... that is why the 10th Amendment was included in the Bill of Rights. The 10th Amendment gives the State of Idaho exclusive Right to reject any power not specifically delegated to the United States in the Constitution.

Nowhere in the Constitution is there a power for the United States to apportion Legislatures, to define marriage, to abort unborn children, to manage forests, fields and wildlife, regulate intra-state commerce, regulate schools, provide law enforcement, define sex or a myriad of other things ... the 10th Amendment makes it clear that if it is not explicitly given to the United States, it belongs to the States.

We, the undersigned, in order to preserve our Constitutional Right under Article IV Section 4 to a Republican form of government, do respectfully and fervently demand that you follow your oath and right those wrongs, past, present and future that have been, are being and may be in the future promulgated upon us by minions of the Federal government which are antithesis to our Republic;

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Are You Frustrated?

Are you frustrated with our government? Are you appalled by some of the edicts coming down from the Federal Supreme Court and the Federal bureaucracy? Do you feel helpless in the face of attacks on your church, your morals, your freedom? Are you satisfied that someone in government is protecting your Constitutional Rights ... your freedoms?

Are you happy about Canadian wolves decimating our elk and deer herds and attacking our livestock and pets?

Are you thrilled that Idaho's lumbering industry was shut down to save the "Spotted Owl?"

Do you think that all public buildings should have 3 bathrooms; his; hers; and not sure?

Do you agree with the continual negative cacophony at the Federal level to do away with our right to bear arms?

Do you think that abortion is murder?

Do you believe in same sex marriage?

Are you happy that a Federal Court apportioned our Legislature?

The list is fast becoming larger and more tyrannical than the reasons given for the Revolutionary War in the Declaration of Independence.

Can you or we, collectively, do something about it? Yes ... the answer is in the "Bill of Rights" ... it resides in the 10th Amendment:

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.

The powers of the Federal government are few and strictly defined. The powers of government denied to the States are few and strictly defined ... beyond that, everything in government belongs to the States individually or the People to be instituted as the citizens of each State see fit.

The US Constitution guarantees the states a republican form of government; Idaho's republican form of government has been crushed by an un-Constitutional decision of the US Supreme Court. The Court ordered that Idaho apportion its Legislature by population alone, which is beyond their authority to address and which is a tyranny of the majority, an outcome clearly repugnant to the intention of the Founders of our Republic and the death of our state republic. Nowhere in the Constitution is there any hint that the Federal Government can reapportion legislatures or that any part of the government can introduce wolves, close forests to protect owls, force anyone to build extra bathrooms, condone murder of the helpless or overrule a state constitutional amendment defining marriage as a union between a man and a woman; the violation of our faith, our laws and our freedoms is becoming endless.

All these injustices can be righted once we, in this state, assert our right under the 10th Amendment of the Bill of Rights to make these laws ourselves without Federal intervention.

We have the perfect vehicle to begin to right these wrongs and that is to ignore the federal mandate, as we have a right to do, on our coming reapportionment. We have entrenched this federal atrocity in an amendment to our state constitution ... we should not have been coerced into that vote. At any rate, we should demand that our state legislators present us with an amendment that gives each county a Senator and at least one Representative and get rid of Idaho's horrific legislative district gerrymanders. Demand that the Legislature present us with that amendment to our constitution and let us ... We the People ... decide whether we want a socialist dictatorship of urban majorities or our God given Republic where everyone's voice can be heard.

What is a Democratic Republic?

The answer to this question lies in what the American Revolution was about.

To understand this, we should revisit the Declaration of Independence. Jefferson said that all men (in the eyes of God) are equal and they are given by God certain inalienable Rights "among which are Life, Liberty and the Pursuit of Happiness." No man can give us any of these ... certainly evil men can take these from us, but they cannot give them to us ... they are God given. The men who affixed their names to the Declaration, each and every one, was doing something illegal ... committing a capital felony. They had the guts to pledge their all to the effort when they mutually pledged: "our lives, our fortunes and our sacred honor." Benjamin Franklin quipped, "If we don't all hang together, we shall all hang separately." Many of the signers did not fare well. They were true patriots, how many of us today would be brave enough to do what they did?

The American colonies, pre-revolution, were being ruled by a tyrant, they were in a tyranny. Their citizens were being told, under the threat of imprisonment (or worse), what to do ... how to solve their personal or community problems by a tyranny that had no idea of or stake in their problems. They were prohibited by law, faux law, from having any say in the solution of their problems. They were the chattels, the slaves of a far away master. Today the Federal government has in a large measure placed a new tyranny not dissimilar to that of King George III upon us.

After the Revolution, the colonies, the 13 new Republics, conceded one thing to democracy ... they enfranchised the common man with the vote, the first and only time in human history that the common person had any say in government. Democracy in large venues devolves into mob rule as was exemplified tens of centuries ago in ancient Athens and as was repeated time and again throughout subsequent history where it was tried. Democracy, one man, one vote, is to be feared in all venues except where protagonists meet in groups small enough have face to face debate about solving mutual problems. The "majority rules" mantra always leaves a discontented minority. If the issue is a solution to a mutual problem, comity within the community generally allows acceptance of the verdict. But if the democratic process is extended to a large group, say the American Presidential election, the results could be disastrous. If the election of Hillary Clinton by a majority of 67 million to 64 million for Donald Trump means that the US Constitution will be overthrown for a "socialist utopia" it could mean civil war. Our forefathers were aware of this danger of large democracies and rejected that form of government out of hand. They, in the Constitutional Convention, opted for a Federal government of succinctly defined and limited powers joined together with a federation of self governing republics combined in a compact that presented a united front to foreign aggression and an united arbiter both to disputes among the States and international exigencies.

Why do we need government at all?

Governments are instituted for the protection of the powerless. The most powerless in the face of outward aggression, be it individual or organized ... is us ... you and I, our families, our friends and neighbors, our community. We band together and choose those who would take on the responsibility to protect us, the sheriff to give us comfort from fear of physical harm and mental anguish; the judges to mediate and mitigate disputes between us and others; our Senators and Representatives, our community exemplars, sent to larger venues to

explain our local problems and to carry back the concerns of others to us, in short to insure our God given Right to Happiness. Governments are for the maintenance of the "life, liberty and happiness" of the common man, the individual ... not the majority or the mob. The American system was carefully and ingeniously assembled to protect that goal.

In a Democracy every person is to vote on every issue. This should require some degree of expertise by the voter, which is of course, impossible. So, in practice, the voters have invariably relied on the demagogues. (A Greek word loosely translated "mob teacher.") The demagogues, being men, often times misrepresented their issues much to their advantage and the disadvantage of the populace. On the other hand, under the guise of majority rule, the voters quickly realized that they could vote themselves the treasury. Those of you who "vote for the man" are today similarly abused by the modern demagogues; the political ads, the word of mouth, peer pressure, the political parties, the signs, the radio, the TV and any other form of communication imaginable. You do not and probably cannot know "the man" you only know what others say about him.

Let us contrast this with the republican (representative) form of government. Republican government is bottom up government. In the first instance you and your family understand your place in the community. You and yours should solve almost all your problems alone or in community gatherings. You should or certainly can know the sheriff or local policeman. You can go to the local court house and talk to the local officials. If you don't like what they are doing, you can campaign for their removal in the next election. You live in a political and physical subdivision of your state, your county. Your county is governed by county commissioners whom you vote for. If you live rurally that is your government. If you live in a village or city it is run by the town council and mayor whom you could and probably do know. There may be several municipalities in your county all of which are self governing with officials that are elected by their local residents. You, yourself, may be on an elected school board, elected cemetery district, an elected irrigation district or an elected highway district. You probably participate in local church, charitable or service organizations all of which have elected boards, chairmen and administrators. If you are not participating, you most certainly can communicate with your fellow citizens who are. All these board members represent you, it is representative government. Your community and county is unique and fully functional, and definitely cognizant of its place in the sun. In sum, our Republic gives you, if you care to participate, the privilege of direct access to the government that is most important to your personal well being. More important than the State or Federals.

Be the county be big or small, rural or populous, it is an integral part of this State and as such needs to be represented on the state level in both Houses of the Legislature by people that you know so that its uniqueness can be part of the dialogue of law making on the State level.

The US Constitution guarantees Republican government in the States. The US Supreme Court has un-Constitutionally abrogated that Right to the detriment of the counties and people of this State. The 10th Amendment of the Bill of Rights gives the State the Right to reject that decision.

Article 10: 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."

Resolution against Federal Tyranny

Camas County Republican Central Committee..... C. Lee Barron, Chairman

adopted May 2021

Whereas:

We, the Republican Party of the State of Idaho are fully cognizant that each of the three branches of the Federal Government established under the Constitution of the United States of America are mandating to the sovereign State of Idaho laws, court decisions, edicts and rulings that exceed their Constitutional powers as delineated in Article 1 Section 8 and subsequent Amendments of that document, and

Whereas:

The President of the United States of America as head of the executive department of the Federal government emits "executive orders" as law, when the Constitution explicitly endows the Congress the sole power to make laws and that departments of the executive branch regularly promulgate rules and regulations beyond the limits of their Constitutional powers and

Whereas:

The Congress makes laws not within the scope of its powers as defined in Article 1 Section 8 or subsequent Amendments to the Constitution, and

Whereas:

The Supreme Court routinely rules contrary to their powers as defined under the "Supremacy Clause" which states that laws and decisions made in **PURSUANCE** of the powers granted to the Federal government are the supreme law of the land ... justifying their actions by the utilization of a "discovered" power characterized as the "living constitution" wherein the Court rules on words or meanings that appear nowhere in the Constitution, thus abrogating the powers of the State and de-facto amending the Constitution, We

Therefore:

The Republican Party of the State of Idaho respectfully petition, implore and in the name of the People of Idaho, demand that the Legislature of the State of Idaho assert its powers under the 10th Amendment of the Bill of Rights which gives our State plenary power to do so, to implement a process to nullify and reject any rule, regulation, law, decision or any other edict or missive from the Federal government from whatever branch it may come, that does not comply with powers granted that entity in the Constitution of the United States of America.

Adopted May 2021

WHEREAS the Constitution of the United States of America establishes a government of limited and delineated powers under Article 1 Section 8 of that document and an executive, a congress, and a supreme judiciary to employ it tenants and aims;

WHEREAS the Constitution guarantees under Article 4 Section 4 the sovereign States a Republican form of government;

WHEREAS, under Article 6 "this Constitution, and the Laws of the United States which shall be made in Pursuance thereof, ... shall be the supreme Law of the Land,"

WHEREAS the United States Supreme Court, disregarding its duty to act in Pursuance of the Constitution, has found in their doctrine of the "living Constitution" in their view of the "hidden meaning" of the Constitution their power to disregard Article 4 Section 4 of the Constitution and to discover their right to unlawfully and unconstitutionally amend the Constitution by asserting that the States do not have the power to define their legislatures or adjudicate their makeup. We therefore reject the idea that a majority of unelected lawyers who are Justices on the Supreme Court can amend the Constitution, where otherwise it would take 2/3 majority of both Houses of Congress and 3/4 majority of the States of the Union to do so; and

WHEREAS our forefathers, the founders of this great country, foresaw the tyranny from the federal government that is now descending upon us and inserted the 10th Amendment into the Bill of Rights which contains the exclusive right of the State of Idaho to reject unconstitutional and illegal law foisted upon us by federal action;

NOW, THEREFORE, BE IT RESOLVED that we implore the Idaho Legislature to submit to the people of Idaho a proposal to amend our State Constitution, re-instating our Republican form of government and re-enfranchising those small counties, an integral and important portion of our State, now in political limbo so their voices may also be heard at the State level and, further, obliterating the glaring specter of our present legislative districts. In implementing this, we submit the model below as a template for the Legislature.

BE IT FURTHER RESOLVED that we the citizens of the State of Idaho shall apportion our Legislature, following the model of representation in the Federal system in the Congress of the United States of America and asserting the Guarantee of a Republican form of government as delineated in Article IV Section 4 of the Constitution of the United States of America, that being in the following form:

the Senate of the Legislature of the State of Idaho shall consist only of one Senator from each County of this State, and.

The House of Representatives of the Legislature of the State of Idaho shall consist of at least 70 members or as many more as may be established by statute and shall be adjudicated county by county on the basis that the number of citizens in each county bears to the population of the whole State of Idaho, provided that no member may represent the citizens of more than one county and further that each county shall have at least one representative in the House of Representatives of the Legislature.

Speech

Ladies and Gentlemen of Idaho:

Today I ask you to join me in a fight against a Tyranny that is enveloping our State.

What is tyranny? No better description of tyranny can be found than the tyranny of King George III outlined in the Declaration of Independence by Thomas Jefferson.

The justification for the Revolutionary War could not have been more eloquently stated than was by Jefferson in his magnificent document. I would suggest that you review the Declaration and compare the state of affairs then to our present political situation.

What did Thomas Jefferson say? In his preamble, he began with the familiar: "When in the course of Human Events" ... (and so on) ending with "they should declare the causes" for their rebellion. In the declaration of the reasons for the separation, he went on to enumerate the many actions by the King that justified the uprising ... many of which ring a familiar tone to us in the states today, but the one that I find the most convincing is this:

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people and eat out their substance.

Let it be said here that I am not advocating secession or disunion, but for the reinstating of the Federalism envisioned by those who wrote the Constitution. We here in Idaho have taken the full brunt of this tyranny, a tyranny of the Federal government. Who in Idaho asked or wanted the Fish and Wild Life Service to introduce the alien Canadian Grey Wolf into our forests and fields and then make it a Federal crime to protect our property and persons from them? Who in Idaho thinks that we cannot protect our sage hens? Who in Idaho believes that the Latah earthworm needs protection? Why did we let our lumber industry collapse in order to protect the spotted owl? How are we to protect our great state's waters when the Feds have found the "endangered" bull trout and Bruneau snail? Is every pond and wet spot in the purview of the Federal government? ... I have heard a minion of the Feds say that chaparral is a wet land.

Many of you have read the Federalist papers, but how many of you have read the Anti-Federalist papers.

James Madison, the father of the Constitution, argued that the specific and only grants of power to the United States Government in the Constitution are delineated under Article I section 8 and gave us a limited Federal government sufficient enough for its purposes but weak enough to protect the States and the People, and, therefore, no "Bill of Rights" was needed. But Patrick Henry, ever the protector of freedom, could see that there was a germ of tyranny in

the document. He and many others refused to support the new Constitution until it included a "Bill of Rights." A bill of articles that prohibited the minions of the new government from negating those rights already gained through the Revolution. Who among us believes that we would have the right to bear arms today if it had been left to the discretion of those in the Federal government? One of those Rights, just as important as any of the others was the 10th Amendment...

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

In a plain reading of the Constitution, the 10th Amendment precludes the idea of a "living Constitution" a doctrine of "discovered" unwritten meanings of the Constitution made up from whole cloth by socialistic progressive Justices of the Supreme Court that support a plethora of decisions of undelegated powers of the Federal Government resulting in fiat Court decisions and Federal bureaucracies acting or imposing rules contrary to State constitutions and law. The Federal government simply was not given the power to impose these injustices upon the States. Although Progressives and Socialists say that the 10th Amendment is meaningless, it is in fact the Lion that can and should save the Union ... if only the States will enforce it.

The 10th Amendment gives our state the mandate to ignore Federal actions; this is done by the inclusion of the word "respectively" in its text ... a word that gives our State exclusive power to reject undelegated actions by those in the Federal Government. Idaho has the Constitutional Right to reject actions that were not delegated in the text of the Constitution, or intended by the authors, or specifically denied in the debate over adoption. Most of our forefathers could not conceive of the Supreme Court fomenting injustices, but Patrick Henry and the other Anti-Federalists could. The 10th Amendment is the only check on the power of an out-of-control Supreme Court.

What are some of those injustices? Most of them started with the atrocious decision handed down in *Wickard vs. Filburn* where the US Supreme Court ruled that a pig fed grain grown on Filburn's farm and then butchered for Filburn's personal use, and although it was not sold, the pig and the grain used to feed it could have been in interstate commerce and therefore the Court found (falsely) that it was in fact in interstate commerce and could therefore be regulated by the Federal government. Subsequent Supreme Court decisions building on this case allow the Federal government to regulate everything, for what action that one might take could not affect interstate commerce? The commerce clause states that the Federal government is to regulate commerce "among" not over the States. This was James Madison's view and the proximate cause for him to organize the Constitutional Convention ... the idea of free trade **Among** the States. Was the Constitution ratified by the States so that the distant, remote, unrepresentative Federal government would have total control over all commerce and all other

intercourse in the USA? The State of Idaho should reject the enforcement of any law that uses "Wickard vs. Filburn" or its legal children as precedence.

The 14th Amendment was instituted to enfranchise the former slave population of the several states as full citizens of this country. There is massive Congressional testimony from the adoption debates to that effect. From the wording, not the intent, the Supreme Court has been able, under the concept of the "living document," to glean, among other things, abortion, reapportionment of the state legislature and the rejection of the State's Constitutional definition of marriage. The Court of nine unelected lawyers has been de-facto amending the Constitution without consulting the People. Would the People of Idaho or for that matter any other State have ratified the 14th Amendment had these outcomes been its stated purpose? If the People want these changes the correct method is to use the arduous avenue of Constitutional amendment. The intent of the 10th Amendment as the check on the US government was ardently argued and fully explained by its proponents before being adopted by the state ratifying conventions. The exceedingly extensive and well documented Congressional debates over the adoption of the 14th Amendment prove it to be the vehicle used to integrate the former black slaves as full citizens of the USA, only, and only that. Was the intent of the 14th Amendment to do away with States Rights under the Constitution?

Nowhere in the Declaration or the Constitution will you find reference to the word "Democracy." The founders knew from history that democracy has almost always led to "tyranny of the majority" and the looting of the treasury by the People and has therefore historically failed. Ask yourself, does everyone vote on every issue, does 50% plus 1 make everybody happy? Our forefathers were so convinced that representative government was the answer that they specifically guaranteed the "Republican" form in Article 4, section 4 of the Constitution. This concept was followed in the institution of state legislatures, where the State's subdivisions, the counties, regardless of size were given representation, that is until the Supreme Court found the "one man, one vote" concept in the 14th Amendment, destroying the Republican form of government in the state legislatures. What business does a Federal Court have in reapportioning our legislature? For the socialistic Justices, getting rid of the influence of rural and sparsely populated and more conservative areas in the body politic will obviously enhance the power of those who believe in Statism ... Socialism. The State of Idaho should return to the enfranchisement of its political subdivisions, the counties, by giving each county a senator and at least one representative.

How long would Boise survive without the rest of the state? The little counties could survive very well without Ada, but could Ada survive without them? If you really believe in one man, one vote, carrying this concept to the ultimate, in the western USA only Los Angeles and the other large coastal cities should vote, because that is where the population is.

The 17th Amendment disenfranchised the state legislatures which used to elect the US Senators. There is now, as we discuss this, a strong movement to abolish the "electoral college." These are movements to disenfranchise the small states and rural areas. What does the average New Yorker know of Picabo, Idaho?

How do we correct these abominable intrusions on our Constitutional republic? Let me give you some suggestions on how these wrongs could be made right ...

- In the case of "gay" marriage the State of Idaho should abolish all civil marriages and let the churches handle that duty.
- In the case of legislative reapportionment, reapportion the legislature as we see fit and refuse to comply with Federal edicts to the contrary.
- In the case of wolves, sage hens, snails, worms, fish, flowers, turbid water, ect ... ignore and refuse to enforce Federal edicts and laws all of which derive their powers from Court decisions like "Wickard vs. Filburn."
- In the case of the 17th Amendment: to begin with the US Constitution gives the States the power over the manner of election ... the 17th Amendment only states that the Senators will be elected by popular vote. Let the legislature, in party caucus, select the candidates and let the people vote for candidates vetted by their representatives ... that way we eliminate the carpetbaggers, stop out of State interference and money and get the best men in our state to be our ambassadors to the Federal government as picked by the people we have elected to represent us in the high levels of government and by the People.
- The State of Idaho should form a joint legislative committee to review all Federal laws affecting the State as to whether they are within the parameters of Article I Section 8 of the Constitution and recommend the proper prohibitions.

Many attorneys will tell you that the Constitution is what the Supreme Court says it is, but I will tell you that the Constitution speaks for itself and was written so that we lay people could understand it.

Some will say that it is illegal or maybe even treasonable to go against the Supreme Court. I would point out that sometimes "in the course of human events" it becomes "necessary" for us to do our duty in our effort to protect our freedoms to rebel against tyranny up to the point of sacrificing ourselves, if necessary, to sustain these goals for ourselves and our posterity.

Or as Jefferson so eloquently put it at the end of the Declaration of Independence: "And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor." Do you or any of us have that measure of courage today?