

Legislative Update for Chatham County CBA – Sept 2010

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NC State Issues:

It's all about the November Election:

Please register your friends to vote and ask them to vote in November. We need to make sure this country is on the right path and many Americans do not think that is happening at his time.

NC State Board of Elections web site: <http://www.sboe.state.nc.us/content.aspx?id=48>

Federal Issues:

- **US House Bill 1253 – HIPAA loophole fix.** – Forces insurance companies to tell you if they will not cover your medical expenses for injuries received in what they consider “dangerous” activities. (motorcycling is one of them) Latest Major Action: 4/1/2009 Referred to Senate committee. Status: House voted: 422-3 in favor. Received in the Senate and Read twice and referred to the Committee on Health, Education, Labor, and Pensions. This one looks dead for this 111th Congress.

- **US House Bill HR 2057 - Right to Repair Act** - a bipartisan bill called the Right to Repair Act of 2009 has been introduced in the House of Representatives that would, in fact, make it cheaper and easier for millions of consumers to have their cars and motorcycles repaired. Latest Major Action: 4/22/2009 Referred to House committee. Status: Referred to the House Committee on Energy and Commerce. Rep. David Price (Western Wake), Rep. Bob Etheridge (Chatham), and Rep. Brad Miller are already co-sponsors. We are good on this one. This one looks dead for this 111th Congress.

Lake County, IL: Lora Hunt, the fingernail-painting driver who crashed into motorcyclist Anita Zaffke in a Chicago suburb in 2009 and killed her was sentenced to 18 months of nighttime-only imprisonment. Hunt ignited outrage within the motorcycling community when she admitted to police that she was painting her fingernails at the time of the crash. During her jail sentence, Hunt, who is a nurse, will be allowed to work during the day as well as go to counseling sessions. The Morris, Ill., resident must also perform 240 hours of community service and spend 30 months on probation. After the fatal crash, Greg Zaffke II of Wauconda, Ill., the victim's son, began painting his fingernails black as a reminder to anyone he meets of his mother's death. He also formed the Black Nail Brigade Foundation Against Distracted Driving (www.BlackNailBrigade.org) to publicize the dangers of distracted driving, push for legislation to impose appropriate penalties for distracted drivers who seriously injure or kill others and to boost awareness to share the road.

Awareness is our best defense. Please stay involved legislatively.

Read DocSki's blog: <http://docskivnv.bravejournal.com>



The Creation of the U.S. Constitution

Following the adoption of the Declaration of Independence on July 4, 1776, the newly independent American Colonies needed to form their own standard of government. In 1777, the Second Continental Congress wrote the Articles of Confederation and they were ratified March 1, 1781.

Under the Articles of Confederation, there was no central government, no executive or judicial branch. The government did not coin money, tax citizens, regulate trade, or have a military. It was up to each state to govern these things individually.

By 1787, it was apparent the new country needed a stronger form of central government. The country was bankrupt, having no treasury and extensive war debts; it had no centralized military and was open to attack; and there was no means of settling disagreement between the states.

On May 25, 1787, the Constitutional Convention met in Philadelphia. The delegates elected George Washington of Virginia to preside over the convention. They began discussing ways to revise the Articles of Confederation to make it stronger.

Delegate Edmund Randolph, Governor of Virginia, introduced the Virginia Plan on May 29, 1787. Primarily written by James Madison, the plan outlined three branches of government, with a system of checks and balances preventing abuse of power by any one branch, as well as a bicameral legislature with representatives members based on state population.

The Virginia Plan was debated for more than two weeks, but the smaller states, fearing the loss of rights presented by a population-based legislature, wrote their own plan. William Paterson introduced the New Jersey Plan on June 15, 1787.

Under the Articles of Confederation, there was one Congress comprised of two to seven members from each state, but each state had only one vote. The New Jersey Plan was most notable for retaining an equal number of votes for each state regardless of its size and population.

Because each state had one vote, the delegates from a state had to be in agreement. Alexander Hamilton, one of three delegates from New York, was frequently overruled by the other two delegates from his state. Out of frustration, he proposed his own plan on June 18, 1787, known as the Hamilton Plan, or the British Plan, because it proposed a system of government much like Britain's. His plan was not given serious consideration; it had been only a decade since America escaped British rule.

Heated debate continued over representation in Congress. The larger states favored the Virginia Plan, the smaller states the New Jersey Plan. By the end of June, there were serious threats to dissolve the convention without a resolution. On June 29, 1787, Roger Sherman, a well-respected delegate from Connecticut, proposed the Great Compromise: two legislative houses, one with equal representation for each state, and one with representation based on population. This solution was ultimately adopted and the convention moved forward.

The newly-drafted Constitution was signed on September 17, 1787 and sent to the state legislatures for ratification. It became effective on June 21, 1788 when it was ratified by New Hampshire, the ninth state needed to complete a three-fourths majority. The remaining states continued to hesitate because the original Constitution did not contain a Bill of Rights.

The delegates represented the Federalists and the Anti-Federalists. Federalists favored a strong central government that limited states rights, and the Anti-Federalists feared a too-powerful central government that would restrict state and individual liberties.

The debate for and against the inclusion of a bill of rights continued, until September of 1789 when the First Federal Congress submitted a list of twelve amendments to the states for ratification. The first two items were not ratified; the remaining ten became the Bill of Rights. Today, the Constitution is on display at the National Archives in Washington, D.C. This historic document has served as the foundation for the United States government for more than two hundred years.