

RESOLUTION # R-13-2013

WHEREAS, after winning independence from Great Britain, the thirteen original states ratified Articles of Confederation and Perpetual Union as the states' first constitution that established a "firm league of friendship with each other, for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretense whatever," but giving the central government no chief executive, no judiciary, and no ability to raise revenues except those appropriated by the states; and

WHEREAS, on February 21, 1787, a convention of state delegates was called to meet in Philadelphia to consider and recommend a plan of government to amend the Articles of Confederation, and on May 25, 1787, a Constitutional Convention began deliberations that resulted in a recommended Constitution that was approved by the Convention on September 17, 1787, and included provisions for a stronger national government with a president and courts, and specific enumerated powers commensurate with the needs of a unified nation rather than a league of states; and

WHEREAS, in order to gain support for ratification of the new Constitution by state legislatures, some of whom were concerned that the new Constitution granted too much power to the federal government, the delegates to the Constitutional Convention agreed that a number of amendments known as the Bill of Rights would be prepared for adoption by the first Congress to assemble under the newly ratified Constitution, to specifically acknowledge that the new and more powerful federal government should not have authority to interfere with a number of individual rights and liberties; and

WHEREAS, when the first Congress of the United States of America met in 1789, James Madison prepared a draft of constitutional amendments as a proposed Bill of Rights, which after vigorous debate and rewriting, were adopted by the House of Representatives on August 21, 1789, edited by the Senate and formally proposed by joint resolution of Congress on September 25, 1789, and effectuated as Constitutional Amendments on December 15, 1791, after ratification by three-fourths of the States; and

WHEREAS, the Bill of Rights enumerates freedoms not explicitly indicated in the main body of the Constitution, including freedom of religion, freedom of speech, a free press, free assembly, and free association; the necessity of a well-regulated militia for the security of a free state, the right of the people to keep and bear arms; freedom from unreasonable search and seizure, security in personal effects, freedom from warrants issued without probable cause; indictment by a grand jury for any capital or "infamous crime", guarantee of a speedy, public trial by an impartial jury composed of members of the state or judicial district in which the crime occurred, the right to assistance of defense counsel, protection against deprivation of life, liberty or property without due process of law, and prohibition of double jeopardy; and

WHEREAS, Amendment IX of the Bill of Rights further declares that the enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people, and Amendment X declares that 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.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Westmoreland County that the Board firmly supports the protection of individual liberties guaranteed by the Bill of Rights; and

BE IT FURTHER RESOLVED, that the Board of Commissioners of Westmoreland County encourages the citizens of Westmoreland County to educate themselves about the Bill of Rights and the importance of its guarantees of individual rights and liberties, which benefit the people of this nation and all of the religious, educational and civic organizations which have grown and thrived because of such protected rights and liberties; and

BE IT FURTHER RESOLVED, that the Board of Commissioners of Westmoreland County calls upon the Governor of the Commonwealth of Pennsylvania and the General Assembly of the Commonwealth of Pennsylvania to be vigilant in protecting the individual liberties of the citizens of this Commonwealth, and to take all actions necessary to prevent any infringement of rights guaranteed by the Bill of Rights, and to firmly protect the rights reserved to the people under the Ninth Amendment and the powers reserved to the States or the people under the Tenth Amendment to the United States Constitution.

RESOLVED AND ENACTED by the Board of Commissioners of the County of Westmoreland, Pennsylvania, this 11th day of April 2013.

COUNTY OF WESTMORELAND
BOARD OF COMMISSIONERS



Charles W. Anderson



R. Tyler Courtney



Ted Kopas

ATTEST:



Chief Clerk

