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Committees:

*Vice Chair of Energy and Natural Resources
Community and Family Advancement
Agriculture & Natural Development
Public Utilities*

State Representative Christina M. Hagan
Ohio House District 50

Sponsor Testimony HJR 2

Federalism and Interstate Relations Committee

March 6, 2017

Chair Roegner, Vice Chair Lipps, Ranking Member Leland and Members of the Ohio House Federalism and Interstate Relations Committee, thank you for providing us the opportunity to present bipartisan legislation before you to restore power to the States and enforce our Founders intentions through practicing our constitutional right to Federalism. The resolution before you, House Joint Resolution 2, is about restoring our federal system by exercising our constitutional power granted in Article V of the Constitution.

The federal government has usurped powers that rightfully belong to us--the elected lawmakers of Ohio and every State in this Nation. The activities of Washington, D.C. today would have been unthinkable to our Founding Fathers when they were drafting and implementing our great constitution. Some of the extreme over reach that has occurred in the last decade would have been unthinkable to many of us just five years previous, even in our current positions and understanding of governance.

Federal laws now impede upon nearly every aspect of our lives. Very personal aspects such as but not limited to: what kind of light bulbs we can buy, farming practices, school curriculum, school lunches and most recently and egregiously our individual freedoms and rights to choose our own health care and insurance policies.

Meanwhile, we continue to live under the shadow of a crushing national debt that threatens to enslave our grandchildren and their children. As a recent graduate experiencing personally the reality of massive debt and its detriment to a successful start to life, I worry most specifically about this aspect of getting government reigned in to reflect the will of its true constituency, the people who will carry the burden the longest. Yet, we regretfully as a generation are not fully aware of the reckless nature in which our federal government has assumed such exponential and unthinkable debt and how they will continue to do so if the States do not take a stand against such wasteful spending of our futures.

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All of this comes courtesy of an activist Supreme Court, which has vastly expanded federal power through its precedents. The Court has created loopholes to the Constitution's limits on federal powers, and those loopholes will remain there until someone closes them.

Well, that "someone" has to be us, as State Legislatures. That's why I, alongside Representative Patmon, have introduced HJR2 to allow the states to play their constitutionally derived trump card to end this exhaustive federal abuse of power.

I don't believe our Founding Fathers would be surprised that the federal government has claimed such incredible power. They *would* however be surprised, I believe, that we have not used the tools they gave us for curbing it. George Mason specifically predicted that the federal government would one day overpower the states. And that is why he insisted that Article V include a way for states to propose constitutional amendments through a state-controlled convention.

The resolution before you is the strategy of The Convention of States Project. It applies for an Article V Convention to discuss as a Nation and potentially propose three types of amendments:

1. Amendments that impose fiscal restraints on the feds;
2. Amendments that limit the power and jurisdiction of the federal government; and
3. Amendments that set term limits for federal officials—including federal judges.

Rather than specifying one particular amendment, this application limits the *topic* of the convention to allow for multiple proposals that restrain federal power.

With this approach, we could propose a balanced budget amendment accompanied by limitations on Congress' spending power and taxation. We could propose limits on executive power, federal agencies, and impose real checks and balances on the Supreme Court.

Of course, any proposals would have to be ratified by 38 states. This should provide great comfort to any person who might exude concern of a runaway radical convention.

The Convention of States Project itself is under 3 years old, but 8 states have already passed this application (Alabama, Alaska, Florida, Georgia, Indiana, Louisiana, Oklahoma, Tennessee), 15 passed it in one chamber of their legislature and this year, 37 state legislatures will file resolutions to consider it.

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The fact is, as a state legislature, we are our nation's last line of defense against an overreaching federal government. It's time for us to *exercise* our Article V power to more closely reflect the will of the people which we were sent to serve and represent.

History will record us, one way or another. We will either be remembered as the generation that finally succumbed, completely, to federal tyranny, or the generation who stood and defended the torch of liberty when it was flickering dangerously low.

As Ronald Reagan said, "Government's first duty is to protect the people, not run their lives." Furthermore, "freedom is never more than one generation away from extinction. We didn't pass it to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same, or one day we will spend out sunset years telling our children and our children's children what it was one like in the United States where men were free."

Please help us by supporting HJR2 as we move through the legislative process. The reason that I am here serving, is to ensure a brighter tomorrow than our concerning status as a nation today. This is one way in which we can combat the woes of our current day. I look forward to vetting any questions that you might have upon completion of my joint sponsor's testimony. Thank you for your attention and desire to work on solutions to these issues we as a nation face.