

## TESTIMONY in support of HJR3

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Chairman Peterson, Vice-Chair Thomas, ranking Member Humphrey and members of this committee, thank you for allowing me the opportunity of addressing the Committee regarding HJR3.

Washington is out of control. Presidents write executive orders, bypassing the lawmaking authority of Congress. The Supreme Court legislates from the bench again bypassing the authority of Congress. Rules and regulations are foisted on the American people by unelected bureaucrats. Congress is far too willing to let other branches of government do their work for them. This behavior has been going on for decades.

So, is it likely that Congress will change this behavior any time soon? NO! You folks, the Representatives and Senators in our state legislatures, are the last, best hope to get us out of this mess. After all, you know how to run a government!

We need term limits at the federal level, just as you have in this body, to prevent corruption and complaisance.

We need a balanced budget and fiscal responsibility, and to stop printing money which devalues the savings of all of us.

We need a government that does not oppress business with volumes of regulations. And a government that is not involved in every aspect of our lives. We need a government accountable to the people not the other way around.

Our founders, in their infinite wisdom, gave us a tool to fix all this, Article V of the Constitution. One way for the Constitution to be amended is for Congress to do it. The second way is for the states to call a convention to make amendments. Will you please help us do the latter? Over 110,000 Ohioans and over 5 million Americans nationwide want Ohio to be the 20<sup>th</sup> state to pass the resolution.

Calling a Convention of States has been tried before but never been accomplished because it is so difficult. And it should be difficult because amending our constitution is a serious thing. The Founding Fathers knew what they were doing when they created this process. And they intended for us to use it to rein in a power-hungry national government.

The restrictions, limitations and controls on the Article V process include all the following:

- The convention's agenda is set by the 34 state applications (for the Convention of States Project, amendment proposals must "impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress")
- Once 34 states apply for a convention on the same topic and the convention is called, state legislatures select and instruct their delegates
  
- At the convention, any single delegate can object to off-topic proposals as "out of order," for which the objection must be sustained
  
- At the convention, a majority of the states must vote in favor of any proposal in order for it to advance to the ratification stage. Each state gets one vote.
  
- Any delegate who proposes or votes in favor of an amendment beyond the scope of the agreed agenda OR beyond the scope of his/her state legislature's instructions can be recalled by the state legislature and subjected to penalties according to state law
  
- Because delegates act as the agents of their state legislatures, a delegate's vote that exceeds his/her instructions or authority is void
  
- The courts could be called upon, if needed, to protect the process at any point (there are abundant precedents demonstrating that, in fact, the courts DO acknowledge and protect the historical Article V procedure)
  
- 38 states must ratify any proposed amendments for them to become effective. This means that it only takes 13 states to block a bad proposal.

By asserting your constitutional power under Article V, you can act as a final check on rampant, unconstitutional federal overreach, and restore the proper balance of power. The time for action is now!

Please give HJR3 the serious consideration it deserves.

Thank you for your time today.

Respectfully,

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