

TESTIMONY OF BARBARA BURKARD
Clearcreek, Ohio
Senate General Government Committee
OPPOSITION to SJR 3 - June 2025

Chair Roegner, Vice Chair Gavarone, Ranking Member Blackshear and distinguished Members of the General Government Committee:

I truly appreciate this opportunity to give my written testimony in opposition to SJR 3. There are many reasons as to why I am very concerned about the dangers to our U.S. Constitution presented by holding an Article V convention. To keep this testimony within a reasonable length, I will only mention some reasons here but.... let me begin with an illustration:

Back in the 1800's there were traveling medicine shows featuring snake oil salesmen who went from town to town hawking their "cure-all" elixirs. Elixirs that were said to heal all sorts of ailments. Many innocent, but gullible, people who were desperately looking for a cure eagerly purchased these elixirs. However, they soon realized that the claims were not true. In reality the elixirs often included dangerous ingredients like opium, mercury, and arsenic along with a generous dose of alcohol to guarantee an initial deceptive "good feeling." Because of the high-pressure sales tactics and misleading claims meant to deceive, these fake medicines became known as "snake oil."

We have a Medicine Show today that has traveled from state to state claiming they know the cure for the ills affecting our nation. All will be fixed, they claim, if you sign on for an elixir called ... "convention of states." The misleading name (convention of states) is a term found NOWHERE in our U.S. Constitution and NOWHERE in Article V of our Constitution. It is a made-up name meant to deceive concerned, but basically uninformed, American citizens into believing that they - through their state legislators, can control and rein in the federal government via a national convention to make amendments to our federal Constitution. It is a bit of a stretch to imagine that adding amendments will make a difference to those in government who ignore or completely disobey our Constitution including current amendments.

Just think ... has the 1st Amendment kept some of those in government from violating Americans' Freedom of Speech, Freedom of Religion, Freedom of Assembly, Freedom of the Press, Freedom to Present a Grievance? NOT AT ALL, unfortunately in today's culture those stated liberties do not keep legal attacks and/or the censoring of free speech and religion from being brought against American citizens.

How about our 2nd Amendment. I am sure we are all aware that federal and state governments have tried to limit the right to gun ownership in one way or another.

The truth is these Amendments mean nothing in the minds of many who fill the seats of Congress, and the addition of new amendments is not going to change the behavior of those who routinely ignore and disobey them.

So let me mention just a few more points about an Article V convention that concerns me:

1. Article V does not give the individual states authority in any part of a convention except to APPLY to Congress for Congress to call a convention.
2. There is no clear direction in Article V as to who will be delegates. In that matter, who will pick the delegates or how many delegates per state? I guess we will have to get a convention before we know who will run it!
3. The delegates include a variety of political affiliations, ideologies, loyalties, etc.
4. Adding on to the above-mentioned concerns, is the serious fact that the delegates will have sovereign power (plenipotentiary power) to do whatever THEY decide. Promises can be made BUT promises can also be broken ... regardless of any "signed pledge." Delegates can do all their deliberations under a veil of secrecy including a secret BALLOT!

Even the ratification requirement can be changed similar to what happened in the convention of 1787. If delegates have power over the constitution, they have power over everything including power over Congress, the States and the Executive branch.

As I alluded to in my opening illustration, we are dealing with something that can present very serious complications. Yes, there are many things that are not right in our nation, but much of it is because we are not abiding by our Constitution. The Constitution is not the problem; the problem is those in political power who do not want to follow it or see ways to get around it.

But we have HOPE!

All the hot points that COS and other pro-convention advocates use (Balanced Budget, Term Limits, "Reining" in government, etc.) are being addressed NOW by our President - Donald J. Trump!

For decades we were told we would have to add amendments and/or pass new legislation to force change, but in reality...**"all we needed was a new President!"** President Trump is already:

- Reducing the size of government.
- Removing people from federal payrolls who are not doing their job.
- Eliminating waste and fraud in government.
- Bringing back jobs and manufacturing to the USA.
- Protecting citizens from dangerous criminals and gangs.
- Protecting our borders from invasion from illegal migrants.

- Protecting American liberties from radical ideas and practices.
- Instilling pride and thankfulness for our Military and First Responders.
- Promoting respect and love for our Constitution and our Flag

(Just to name a few)

It's a breath of fresh air and the last thing we need is a contentious and expensive convention process where warring sides will be drawn and our Constitution will be given remedies that are unable to cure the problem, but like the snake oil of old, may even harm or cause the demise of our founding document.

Please stand strong and work with President Trump's policies by supporting what he is seeking to accomplish for our country and Ohio. Don't waste your valuable time or our tax dollars on this never ending medicine show called a convention.

Please VOTE NO on SJR 3.

Thank you.

Barbara Burkard