

135th General Assembly
Government Oversight Committee
Hearing on HJR #3
Apply to Congress for a Convention of States
Testimony of David B Kelley, Proponent

Chairman Peterson, Ranking Member Humphrey, and Vice Chair Thomas,

Thank you for the opportunity to address the Committee.

My name is David Kelley, and I am a resident of Ottawa Hills, Ohio. I am married and have four children: one in college and three in high school. My testimony is motivated by the hope that my family, as well as your families and all Ohioans, will continue to reap the benefits of this great Country.

I urge your support of HJR #3 because it is apparent that our Federal Government:

1. lacks fiscal discipline leading to unfathomable debt,
2. has expanded in scope well beyond Constitutional limits leading to excessive regulation of the States and their citizens, and
3. enables career politicians and bureaucrats leading to protection of self interest over that of the Country.

These problems stem primarily from certain sections of the Constitution, and will not be solved by electing other well meaning people to Congress.

There is thus the need for reform. And to determine what reform is needed requires a conversation.

Congress could initiate a conversation on these topics and suggest amendments to the Constitution. It has not done so. And it is highly unlikely that it will do so. As an institution, Congress will never acknowledge its shortcomings or overreach, much less voluntarily limit its own power or cede control over the States and their citizens.

The drafters of the Constitution anticipated this eventuality and included Article V to permit State Legislatures to begin a conversation among the States on how to remedy problems with federal governance.

Each of you took an oath to support the U.S. Constitution (required by the Ohio Constitution, Article XV, Section 7). Under the U.S. Constitution, State Legislatures have very few responsibilities. Aside from managing elections, perhaps the most important responsibility for State Legislatures is to call a Convention of States under Article V to discuss Constitutional flaws. It is your duty to start the conversation.

As you conduct hearings on this resolution, you can expect plural fear-mongers, hand-wringers, knee-knockers, and bedwetters to warn that the sky will fall and life as we know it will cease if a Convention of States is called. Do not believe them. Conventions among States, though not currently common, have a rich history in the United States. The law of Article V has been thoroughly researched by Professor Robert Natelson, among others, and is well understood. The biggest risk is that you let Congress continue to lead us toward economic Armageddon and federal tyranny.

Congress will not fix itself. Have the courage to do that which only you as State legislators can do. Support HJR#3 so that Ohio may join many other states in a call for a Convention of States. Do your duty. Begin the conversation.

Thank you.

David B. Kelley
Ottawa Hills, Ohio

House District 43 Michele Grim
Senate District 11 Paula Hicks-Hudson