

**TESTIMONY
OF
WILLIAM P. SCOTT**

**GOVERNMENT OVERSIGHT COMMITTEE
OHIO HOUSE OF REPRESENTATIVES
COLUMBUS, OHIO**

LEGISLATIVE HEARING ON H.J.R. 3

Chairman Peterson, Vice Chair Thomas, Ranking Member Humphrey, and members of the committee, my name is Bill Scott, I am from Dayton Ohio, House District 38, and I serve as State Director for Convention of States in Ohio. We are a nationwide grassroots nonprofit organization with over 5 million supporters across the country. More than 2.5 million Americans have signed our petition, including approximately 113,000 Ohioans. I am here today to speak in support of HJR3.

Today I'd like to explain the purpose of the Article V Convention process and why it is in the Constitution. For some, there is a misunderstanding of how the Article V process works and its limitations.

This HJR3 resolution is not about any policy position. It is not about Republican or Democrat, conservative or liberal. Rather, it is about a more fundamental question--WHO decides the policies impacting our lives?

The Founders established 3 branches of the new Federal government with checks and balances to limit powers of each branch. They also then checked power by wisely balancing it between the federal and state governments. That balance of power is called *federalism* and, unfortunately, that key balancing check is now nearly gone in our country. Why? Because for many decades the states have failed to push back against federal overreach by asserting their own constitutional powers over centralized federal power grabs.

As the power in Washington D.C. has grown, American's trust in the federal government has declined. According to a 2022 article by the Pew Research Center, in the 1960s more than 70% of Americans trusted the federal government to do the right thing "just about always [or] most of the time". Today only about 20% of Americans trust the federal government. This finding holds for both Democrats and Republicans as Americans have become more and more dissatisfied with an extremely bloated and overreaching federal government.

Article V of the Constitution was designed to ensure that the balance of power between the federal and state governments remains in place. With Article V, the states can re-balance those powers using their ability to propose amendments.

The need for the states to have a means to check a runaway federal government is why the Article V provision was placed in the Constitution, and that's what HJR3 is all about--having the states stand up and say that they're no longer going to accept being treated like regional agencies of the federal government.

With the states proposing amendments to the Constitution, it's important to recognize the distinction between the Constitutional Convention of 1787 and what's being proposed in HJR3, which is simply a

meeting of country-wide state legislators to PROPOSE limited amendments. The Constitutional Convention of 1787 was obviously not called under Article V of the Constitution because the Constitution did not yet exist. Opponents of Convention of States often try to confuse and scare people by conflating these two vastly different types of meetings. An amendment proposing convention is NOT a constitutional convention, or a “Con-Con” as many opponents like to say in a pejorative manner.

The Constitutional Convention of 1787 was not called under the Articles of Confederation because the Articles of Confederation made no provision for any such convention. Instead, it was called under the reserved sovereign authority of the states. The states were completely sovereign at the time that our Constitution was adopted, and the Articles of Confederation recognized that they had the power to write a new constitution. They had the power to draft a new system of government and that is what they did at the Constitutional Convention of 1787.

That is not what HJR3 does. Instead, what this resolution does is use Article V of the US Constitution to allow the states to exercise the same power that Congress has to propose amendments. In just 20 words, that’s what clause 2 of Article V says:

“Congress ... or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments ...”

As of now, 19 states have passed resolutions virtually identical in operative language to Ohio’s HJR3. If HJR3 is passed, along with a companion resolution in the Senate, Ohio could well become the 20th state. After 34 states pass such resolutions, a convention to propose amendments will then be held for all 50 states.

Debate of potential amendments would be limited to 3 topic areas only as listed in HJR3:

- Impose fiscal restraints on the federal government
- Limit the power and jurisdiction of the federal government
- Limit the terms of office for its officials and Members of Congress of the United States

Our United States Constitution is the world’s longest surviving written charter of government. The unrestrained growth of reckless spending by our federal government places our country in an extremely dangerous position. If we don’t put a stop to the financial recklessness of Washington D.C., inescapable monetary forces will do it for us, throwing our economy and way of life into chaos. The worldwide consequences would be devastating if America collapses due to its own self-inflicted wounds.

As legislators in Ohio, you have the authority and responsibility to check the federal government and work with other states to restore the balance of power between the federal and state governments. As legislators, each of you took an oath of office to defend and support the Constitution of the United States. Your support of HJR3 can help to uphold that promise.

Thank you for this opportunity to testify in support of HJR3.