

State of Kansas
House of Representatives

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Mike Houser
Representative, 1st District

Mr. Chairman and fellow committee members, thank you for the opportunity to testify as an opponent to HCR 5027, the call for a COS to amend the US Constitution. As you well know, I have been in opposition to this idea every time it comes to this committee. My reasons are many, and I do not wish to repeat what others have testified if I can help it. I will keep this as short as possible. My main point of discussion here will be contrary to the COS supporters claim that the convention will be strictly controlled and limited in scope. Having been in the legislature for any length of time, one understands and knows that anything is possible in a meeting using a parliamentary format. With enough votes, rules can be ignored, overruled, changed, or new rules be adopted. Subject matter is susceptible to change. If you have the votes when using parliamentary procedure, you can do anything you want. Case in point, 2019 session where Medicaid expansion made its way to the House floor and passed by a majority vote. In case you weren't here then, the Dems and Moderate Rep worked together and overruled the rules committee decision of germaneness on a health bill, then proceeded to do a gut and go with the expansion bill. They had the votes and made it happen. That's how Medicaid expansion made it across the House floor.

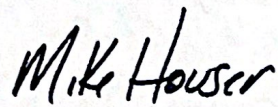
The same scenario could happen with an Article V convention. Believe it or not, there are people that think differently than you on issues that you hold dear. If we open the Constitution up for change in this political environment we are asking for trouble. President Biden has even made the remark "No amendment to the Constitution is absolute." In times when the supreme law of the land is ignored and misinterpreted, we must insist that it be enforced instead of being rewritten. What will changing a few words do if they are going to be ignored anyway? It is up to the states and ultimately "We the people" to be the enforcers of our Constitution through nullification. Nullification is the right tool for this. Let's not open our Constitution through this means. The risks are far too great to take a chance. There are plenty of groups out there that would love to change some of the rights spelled out in the first ten amendments, with the first four amendments being the most attacked of them. Free speech, freedom of assembly, property rights, privacy rights, and the right to bear arms could all be up for grabs in an Article V convention. Case in point, retired SCJs John Paul Stevens and Warren Burger have called for a repeal of the second amendment using a convention of states.

There is nothing wrong with our Constitution. Leave it alone. There are other less dangerous means to amend the Constitution. Use those. Please vote against HCR 5027.

Respectfully,

Rep Michael Houser

District 1

A handwritten signature in black ink that reads "Mike Houser". The signature is written in a cursive, slightly slanted style.