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Support SCR -1607

I Vote But It Is Not Enough

Our Country needs Article V given to us in the Constitution to get this Country back on track. We need it to begin a conversation about concerns we have related to: Federal overreach, Lack of Term limits and Fiscal restraint. As the Grassroots coordinator, I talk with people all over the state in every House and Senate district. What I hear and sense is that people's concerns have gone from concern to fear related to the Federal government. They sign the petition because they still have hope in their State legislators. Please help save us from this federal tyranny.

Five Myths About An Article V Convention.

Myth 1. An Article V convention is a “Constitutional Convention” or a Con-Con” and will result in a Run-A-Way...We will lose our constitution.

a. The premise of calling it a” Con Con”, is they suggest that an Article V convention is the same as the Convention of 1787, Philadelphia Convention, which produced our Constitution.

a. The Annapolis convention was called by the Congress and they decided that the Articles of Confederation were not enough to sustain Federalism.

b. **The States** then decided that they needed to get together and correct the doctrine to make it sustainable. They did this without Congressional endorsement. In fact 7 states agreed to send delegates to the Constitutional Convention prior to when Congress agreed that the Articles of Confederation were not enough. You **must understand that each state was like an independent country at the time. The Articles were acting like a treaty between sovereign entities.**

c. **So the States got together and wrote the Constitution. This is where the Con Con argument originates.** The opposition argues that a convention of states/ amendments is the same as the Constitutional Convention in Philadelphia. They contend that the Constitution was ratified by 9/13 states, which is a 2/3 not a unanimous vote. Therefore, a convention of states could change the Constitution since it only requires 2/3 ratification. **This is the elephant in the room. The US Federation actually started with 9 States ratifying right away.**

Unanimous as Madison states. The other 4 sovereign entities remained independent countries for a while until they also ratified the Constitution and became part of the USA Federation.

e. According to Madison: **A Constitutional Convention requires unanimous consent by all sovereign parties/states, whereas an Article V Convention only requires application of 2/3 of the states.** Also, at the time of the Philadelphia convention which they say was a Convention of States, Article 5 was not an option, because there was no Constitution when the Philadelphia convention started

f. Lastly, if you follow the logic of this opposition. They basically do not think we have a legitimate Constitution. They are saying that the US Constitution is invalid because it did not get the unanimous ratification as warranted but only a 2/3 majority.

a. The distinction between a Constitution convention and an Article V Amendment convention lies in **the source of the authority for each.**

a. At Philadelphia, A Constitutional convention gathered pursuant to their own sovereign authority, not pursuant to any provision of Article V.

b. An Article V Amendment Convention is pursuant to provisions of Article V.

Myth 2. We have no idea how an Article V convention would operate.

a. While it is true that there has never been an Article V called Convention

a. The states have met in conventions at least 33 times, and there is clear precedent for how these meetings work.

b. There was one vote per state. These were state conventions not delegate conventions. Though more than 1 delegate can come.

c. The detailed parliamentary rules were decided by the States at the convention.

d. Watch Simulation Article V convention at conventionofstates.com. There is going to be another Simulation this fall.

Myth 3: The topics of an Article V convention cannot be limited so the convention delegates could rewrite the entire Constitution.

a. Simply, if the states were not free to define and limit the scope of the Article V convention, then America would already have witnessed many of them.

a. Historically, the resolutions were not specific and the same in every state. Previously there have been over 400 applications for Article V conventions, but never 34 states application requesting the same topics. Till Now—Federal overreach, Term limits and Fiscal Restraint.

b. Limitation on topics are necessary in order for the State legislatures to provide instructions to the delegates they send as State agents.

Myth 4: The Article V convention process has no safeguards to protect our constitution from rogue delegates' or big money groups.

a. It is so safe guarded that it has proven incredibly difficult to get the resolutions passed in 2/3 of the states (34). But We the People, will get it done and Save this Country.

b. Any proposals outside those stated in the resolution, is outside the scope and would be gaveled out of order by Convention leadership.

c. Legislatures can recall any delegates, who do not follow the States instructions.

d. The delegates are the agents of their State legislature and are subject to their instructions.

a. The States can develop legal ramifications of not following State instructions.

b. Any action taken outside the scope of the delegate's authority would be voided by the State and would not have standing.

e. Remember, it takes $\frac{3}{4}$ of the states to ratify(38) an amendment proposed by the convention.

a. That means it only takes one chamber of any 13 State legislators to block any ill-conceived or illegitimate advocated proposal.

f. **This also addresses the rogue money fear**1 state 1 vote They would have to buy the entire State legislature. Because the rogue delegate would be gaveled if outside resolution, or recalled by the State legislature. The states would send another, and another until the Convention agent voted as the State directed.

a. This convention will not be functioning in vacuum. It will be very high profile and watched by States, the people and other countries very carefully.

Myth 5: The Federal Congress would control An Article V Convention.

a. The **very reason Article V was put in the Constitution was to bypass Congress.**

a. Congress will not like it and they may fight it. We will win as it is very specific in the constitution. The **only way we lose is if there is no Constitution** and we are a full blown hard totalitarian regime, not just soft as it is now.

b. **Congress has 2 powers** related to the Article 5 Convention: And they are soft:

a. Issue the formal call with a date and location (can be challenged)

b. Chooses between 2 methods of State ratification

a. It is possible, the type of ratification will be voted on at convention. Perhaps it will be left to the individual states as in the past.

c. **Congress does not follow the Constitution now** why should we expect them to follow a new amendment. .

a. Congress does follow the judicial interpreted resulting in a 3000 page document. **Perhaps the interpretation is the problem, not that the Constitution is not being followed.**

b. Federal Court has ruled that Congress cannot use any Article 1 powers.

This testimony is adapted from an article titled: Five Myths About an Article V Convention by Rita Dunaway