

Dear Senator,

YES vote on SCR 4012

If you cherish the republic our Founders handed to us, **please rescind all outstanding applications for an Article V convention.**

States have no power over an Article V convention once it convenes. The convention will be free to draft a new constitution if it wishes.

The delegates at an Article V convention are authorized under the *federal* constitution (not state constitutions or state statutes), and as such will be entitled to the same powers and immunity from arrest or punishment as Congress. (How well does North Dakota control her congressmen?)

The US Constitution Art I Section 6 grants...

*The Senators and Representatives...shall in all cases, except treason, felony and breach of the peace, be **privileged from arrest** during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.*

[<https://constitution.congress.gov/browse/article-1/section-6/clause-1/>]

The North Dakota constitution

ARTICLE IV Section 15.

*Members of the legislative assembly are **immune from arrest** during their attendance at the sessions, and in going to or returning from the sessions, except in cases of felony. Members of the legislative assembly may not be questioned in any other place for any words used in any speech or debate in legislative proceedings*

[<https://www.ndlegis.gov/constit/a04.pdf>]

Regardless of the “faithful delegate” bills passed in state legislatures, the delegates are free to propose any and all amendments in convention, and can adopt rules to vote by secret ballot. The North Dakota legislature and all of the United States will have no idea what is happening.

How do we know what’s broken in the constitution we have now - we aren’t enforcing it! Let’s enforce our current constitution first, then decide if and what amendments would be in order.

The 16th, 17th, and 18th Amendments were bad ideas, and yet they passed the ¾ threshold in the 20th century. Where is our modern day James Madison, Alexander Hamilton, and Benjamin Franklin in our current state legislatures? There are a small handful in each state, but will they be the ones to attend an Article V convention? Will they be the majority to vote on any proposals sent to the states for ratification? Most likely that answer is no.

Let’s enforce this constitution first (Article VI). Don’t open up the constitution to an Article V convention.

Vote YES on SCR 4012

Respectfully,
Barbara Harless
709 Summer Place
Murphy, TX 75094