

Members of the Senate State and Local Government Committee,

I am in favor of SCR 4012, a bill that would rescind all of North Dakota's applications for an Article V Constitutional Convention.

If we wish to amend the Constitution, we should do it the way all 27 of the amendments to the Constitution have been done, by the first method outlined in Article V. In the first method of amending the Constitution Congress proposes the amendment with a two-thirds majority vote in both the House and Senate. This is a much safer way to amend the Constitution than to hold a Constitutional Convention.

The second method that Article V allows for amending the Constitution is that if two-thirds of the States apply to Congress proposing an amendment or amendments, Congress must call a Constitutional Convention. Congress would determine the number of delegates to a convention and how they will be selected.

Ratification can be done either by a three-fourths majority vote of the Legislatures of the several States or a three-fourths majority in ratifying conventions in each State whether using the first or second method of amending the Constitution, although the only time that ratification has been done by ratifying conventions in each of the States was when the 21st Amendment was ratified repealing the 18th (Prohibition).

The danger in using an Article V Constitutional Convention is that it allows for amendments (PLURAL). Delegates from all points on the political spectrum would have a free-for-all proposing amendments. The divisiveness it could cause would add to the already divisive political atmosphere we now see. What America needs right now is unity, not more division. There could be constitutional revisions which threaten our God-given rights and liberties or even an entire re-write of our Constitution.

Some who want an amendment may be more interested in having an Article V Constitutional Convention than in passing a particular amendment. It is interesting to note that one member of the board of the "Convention of States" (COS) organization, Robert George with the help of three others has written a new "conservative" constitution. It makes serious changes to the Second Amendment, allows for "red flag laws," and increases the size and scope of the federal government. Also those who want to use the Article V Convention method to pass amendments use deceptive "bait" such as amendments for fiscal restraint, term limits, balancing the budget, etc. that appeal to conservative legislators." Another deception is the (COS) calling for a Convention of States and claiming that it wasn't the same as a Constitutional Convention. It has also recently changed its name to "Convention of States Action" perhaps to cause confusion that it isn't the same organization or is another one.

Founding Father James Madison including many other prominent people have warned against the dangers of a Constitutional Convention as have former Supreme Court Justice Warren Burger, Supreme Court Justice Antonin Scalia, and talk show host Glenn Beck who recently reversed his support after initially being an ardent supporter of one.

Some may say, rightly, that because an Article V Constitutional Convention is part of the Constitution, it is constitutional to use it. True, but there are those who use this fact as an excuse saying that they would be dishonoring their oath of office to uphold the Constitution if they opposed a convention. However, just because Article V exists, the Constitution does not mandate its use. A North Dakota Legislator certainly would not be dishonoring his or her oath by opposing an Article V Constitutional Convention.

North Dakota legislators have rescinded an application for a Constitutional Convention in the past as they became more aware of its dangers. It is time to do so again as the number of states necessary to trigger a convention is nearing two thirds. Therefore, we need to rescind North Dakota's applications to pare down the number and, of course, to not pass any more. Please vote YES (do pass) on SCR 4012.

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