

Senate Committee on Public Safety, Intergovernmental, and Military Affairs
Chair Clarence Nishihara, Vice Chair Glenn Wakai

03/08/2018 1:30 PM Room 229

SCR33 / SR16 – Urging the Congress of the United States to Call a Convention for Proposing Amendments Pursuant to Article V of the United States Constitution Limited to Proposing Amendments that Impose Fiscal Restraints on the Federal Government, Limit the Power and Jurisdiction of the Federal Government, and Limit the Terms of Office for its Officials and for Members of Congress

TESTIMONY / STRONG OPPOSITION
Corie Tanida, Executive Director, Common Cause Hawaii

Dear Chair Nishihara, Vice Chair Wakai, and members of the committee:

Common Cause Hawaii **strongly opposes SCR33 / SR16** which calls for an Article V Constitutional Convention to propose amendments to impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and term limits for members of Congress.

The Article V Constitutional Convention process is too ambiguous and states cannot limit the agenda of a Constitutional Convention. Convention procedures and delegate rules do not exist. The delegate selection process, how the American people would be represented in a convention, or what ethics and campaign finance rules would be applied to convention delegates remain unanswered questions.

Most concerning is that there is no language in the U.S. Constitution that limits an Article V convention to one issue. That means that a constitutional convention could easily become a free-for-all for delegates to essentially rewrite our governing document. According to one of the nation's most esteemed constitutional law scholars, Dean Erwin Chemerinsky, "no one knows how the convention would operate. Would it be limited to considering specific proposals for change offered by the states or could it propose a whole new Constitution? After all, the Constitutional Convention in 1787 began as an effort to amend the Articles of Confederation, and the choice was made to draft an entirely new document."¹

Due to the ambiguity of an Article V Constitutional Convention, over 200 organizations across the country, working across party lines and issues, have banded together to strongly urge state legislatures to oppose efforts to pass a resolution to call for a constitutional convention (attached).

We note that, even if a convention could be limited to a single topic, the amendments SCR33/SR16 are calling for are ambiguous. "Fiscal restraints" is undefined and it is anyone's guess as to which "power(s) and jurisdiction(s) of the federal government" the resolution aims to limit.

Simply put, a Constitutional Convention, would create an unpredictable Pandora's Box, and would create a constitutional crisis at time when the country is already facing enormous legal, political, and constitutional questions in the White House, Congress, courts, and state legislatures across the country. There is far too much at stake to risking putting the entire Constitution up for a wholesale re-write as part of a Constitutional Convention. We urge you to defer SCR33 / SR16.

Thank you for the opportunity to testify in **strong opposition to SCR33 / SR16.**

¹ Erwin Chemerinsky, "Is It a Good Time to Overhaul Constitution?," Orange County Register, Jan. 21, 2016, <http://www.ocregister.com/articles/constitutional-700670-convention-constitution.html>.

February 1, 2018

Constitutional Rights and Public Interest Groups Oppose Calls for an Article V Constitutional Convention

Calling a new constitutional convention under Article V of the U.S. Constitution is a threat to every American's constitutional rights and civil liberties.

Article V convention proponents and wealthy special interest groups are dangerously close to forcing the calling of a constitutional convention to enact a federal balanced budget amendment (BBA). This would be the first constitutional convention since the original convention in 1787 — all constitutional amendments since then have been passed first by Congress and then approved by three-fourths of the state legislatures. There are no rules and guidelines in the U.S. Constitution on how a convention would work, which creates an opportunity for a runaway convention that could rewrite any constitutional right or protection currently available to American citizens.

Under Article V of the U.S. Constitution, a convention can be called when two-thirds of the states (34) petition for a convention to enact amendments to the constitution. States can also rescind their calls by voting to rescind in the state legislature. Just a few states short of reaching the constitutionally-required 34 states to call a convention, Article V and BBA advocates have recently increased their efforts to call a new convention.

An Article V convention is a dangerous threat to the U.S. Constitution, our democracy, and our civil rights and liberties. There is no language in the U.S. Constitution to limit a convention to one issue and there is reason to fear that a convention once called will be able to consider any amendments to the constitution that the delegates want to consider. There are also no guidelines or rules to govern a convention. Due to the lack of provisions in the Constitution and lack of historical precedent, it is unknown how delegates to a convention would be picked, what rules would be in place, what would happen in the case of legal disputes, what issues would be raised, how the American people would be represented, and how to limit the influence of special interests in a convention.

Because there is no way to limit a convention's focus, any constitutional issue could be brought up for revision by a convention. This includes civil rights and civil liberties, including freedom of speech, freedom of religion, privacy rights, the guarantee of equal protection under law, the right to vote, immigration issues, and the right to counsel and a jury trial, among others. Basic separation of executive, legislative, and judicial powers would be subject to revision as well. A convention might not preserve the role of the courts in protecting our constitutional rights. Even the supremacy of federal law and the Constitution over state laws could be called into doubt.

A 2016 *USA Today* editorial² correctly stated that calling for a constitutional convention is “an invitation to constitutional mayhem” and “could further poison our politics and hobble American leaders at moments of crisis.” Notable legal scholars across the political spectrum agree. One of the

² USA Today, “Marco Rubio's very bad idea: Our view,” January 6, 2016, available at <http://www.usatoday.com/story/opinion/2016/01/06/marco-rubioconstitutional-convention-balanced-budget-editorials-debates/78328702/>

nation's most esteemed constitutional law scholars, Professor Laurence Tribe of Harvard Law School, has said a constitutional convention would put "the whole Constitution up for grabs."³

Georgetown University Law professor David Super wrote "a constitutional convention would circumvent one of the proudest democratic advances of the last century in America: one-person, one-vote. Without a precedent, no one really knows how a convention would unfold, but proponents predict that each state would have an equal vote in whatever they got up to."⁴

Former Supreme Court Chief Justice Warren Burger shared similar concerns, writing, "[T]here is no way to effectively limit or muzzle the actions of a constitutional convention. The convention could make its own rules and set its own agenda. Congress might try to limit the convention to one amendment or one issue, but there is no way to assure that the convention would obey."⁵

The late Supreme Court Justice Antonin Scalia also warned of the dangers of a constitutional convention. "I certainly would not want a constitutional convention. Whoa! Who knows what would come out of it?," Scalia said in 2014.⁶

The undersigned organizations strongly urge state legislatures to oppose efforts to pass a resolution to call for a constitutional convention. We also strongly urge state legislatures to rescind any application for an Article V constitutional convention in order to protect all Americans' constitutional rights and privileges from being put at risk and up for grabs.

³ Michael Leachman & David A. Super, "States Likely Could Not Control Constitutional Convention on Balanced Budget Amendment and Other Issues," Center for Budget and Policy Priorities, July 6, 2014, available at <http://www.cbpp.org/sites/default/files/atoms/files/7-16-14sfp.pdf>.

⁴ David Super in The Chicago Tribune, "Don't even think about 'updating' the Constitution," March 19, 2017, available at <http://www.chicagotribune.com/news/opinion/commentary/ct-constitutional-convention-amendments-20170319-story.html>

⁵ v Letter from Chief Justice Warren Burger to Phyllis Schlafly, June 22, 1988, available at <http://constitution.i2i.org/files/2013/11/Burger-letter2.pdf>

⁶ Marcia Coyle, "Scalia, Ginsberg Offer Amendments to the Constitution," Legal Times, April 17, 2014, available at <http://www.nationallawjournal.com/legaltimes/id=1202651605161/Scalia,-Ginsburg-Offer-Amendments-to-the-Constitution?slreturn=20140421101513>

National organizations:

African American Health Alliance
African American Ministers In
Action AFSCME Retirees
Alliance for Justice
American Federation of Labor and Congress of
Industrial Organizations (AFL–CIO) American
Federation of State, County and Municipal
Employees (AFSCME)
American-Arab Anti-Discrimination
Committee Americans for Democratic Action
(ADA)
Asian and Pacific Islander American Vote
Bend the Arc Jewish Action
Brennan Center for Justice
Campaign Legal Center
Center for American Progress
Center for Community Change
Center for Law and Social Policy (CLASP)
Center for Media and Democracy
Center for Medicare
Advocacy Center for Popular
Democracy
Center on Budget and Policy
Priorities Children's Defense Fund
Citizens for Responsibility and Ethics
in Washington (CREW)
Coalition on Human Needs
Common Cause
Communications Workers of America
(CWA) Community Advocates Public Policy
Institute Daily Kos
Democracy 21
Dream Defenders
Earthjustice
Eclectablog
Economic Policy Institute
EMILY's List
Every Voice
Fair Elections Legal
Network Faith in Public
Life
Family Values at Work
Food Research & Action Center
(FRAC) Franciscan Action Network
Greenpeace USA
International Association of Fire
Fighters Jobs With Justice
League of Women Voters of the United
States Main Street Alliance
Mi Familia Vota

NAACP
National Asian Pacific American Families
Against Substance Abuse
National Association of Social Workers
National Council of Asian Pacific
Americans (NCAPA)
National Council of Jewish Women
National Council of La Raza Action
Fund National Disability Institute
National Disability Rights Network
National Education Association (NEA)
National Employment Law Project
(NELP)
National Fair Housing Alliance
National Korean American Service &
Education Consortium (NAKASEC)
National Partnership for Women & Families
National WIC Association
National Women's Law Center
People Demanding Action People
For the American Way
ProgressNow
Service Employees International Union (SEIU)
Sierra Club
Sisters of Charity of Nazareth Congregational
Leadership
Social Security Works

State and local organizations:

Alabama

Fair Housing Center of Northern Alabama

Alaska

Alaska AFL-CIO

Arkansas

OMNI Center for Peace, Justice & Ecology

Arizona

AFSCME 2960
AFSCME Retirees Chapter 97
Arizona Advocacy Network
Phoenix Day
Southwest Fair Housing Council

California

California Common Cause
City of Chino Housing Division
Courage Campaign
Fair Housing Advocates of Northern California

Colorado

ACLU of Colorado
America Votes Colorado
Colorado AFL-CIO
Colorado Common Cause
Colorado Ethics Watch
Colorado Fiscal Institute
Colorado People's Alliance
Colorado Sierra Club
Colorado WINS
New Era Colorado
League of Women Voters of Colorado
Progress Colorado
SEIU Colorado
State Innovation Exchange
The Arc of the United States
The Forum for Youth Investment
The Public Interest
The Voting Rights Institute
UNITE HERE
United Food and Commercial Workers
(UFCW)
Voice for Adoption
VoteVets Action Fund
Women's Voices Women Vote Action Fund
Working America

Connecticut

Common Cause Connecticut
Connecticut Fair Housing Center, Inc.
Planned Parenthood of Southern New
England Holy Family Home and Shelter, Inc

Delaware

Common Cause Delaware

Florida

Common Cause Florida
Faith in Florida
Florida Consumer Action Network
Progress Florida

Georgia

Common Cause Georgia

Hawaii

Americans for Democratic Action Hawaii
Hawaii Alliance for Progressive Action
Hawaii Appleseed Center for Law &
Economic Justice
Hawaii Government Employees Association

Common Cause Hawaii
League of Women Voters of Hawaii
League of Women Voters of Honolulu
League of Women Voters Hawaii Island
Life of the Land

Idaho

ACLU of Idaho
Better Idaho
Idaho AFL-CIO

Illinois

Common Cause Illinois
Oak Park River Forest Food Pantry
Project IRENE

Indiana

Common Cause Indiana
Fair Housing Center of Central Indiana

Iowa

AFSCME Iowa Council 61
Congregation of the Humility of Mary
Iowa AFL-CIO

Kansas

Kansas AFL-CIO

Kentucky

Common Cause Kentucky
Kentucky AFL-CIO

Louisiana

Greater New Orleans Fair Housing Action
Center

Maine

Disability Rights Maine
Maine AFL-CIO

Maryland

ACE-AFSCME Local 2250
AFSCME Council 3
AFSCME Council 67
Baltimore Neighborhoods, Inc.
Benedictine Sisters of Baltimore
Common Cause Maryland
Disability Rights Maryland
Maryland Center on Economic Policy
Public Justice Center
The Xaverian Brothers

Massachusetts

Massachusetts AFL-CIO

Michigan

Common Cause Michigan
Fair Housing Center of West Michigan
Progress Michigan

Minnesota

Alliance of Chicanos, Hispanics and Latin
Americans (Rochester, MN)
Common Cause Minnesota
Indivisible Minnesota Local
League of Women Voters of Minnesota
Minnesota AFL-CIO
Minnesota Citizens for Clean Elections
TakeAction Minnesota
Women & Advocates Minnesota

Mississippi

Mississippi AFL-CIO

Missouri

Vision for Children at Risk

Montana

Montana AFL-CIO

Nebraska

Common Cause Nebraska
Nebraskans for Civic Reform

New Hampshire

New Hampshire AFL-CIO

New Jersey

CWA Local 1081
New Jersey Association of Mental Health and
Addiction Agencies, Inc.
Monarch Housing Associates

New Mexico

ACLU of New Mexico
AFSCME Council 18
Common Cause New Mexico
League of Women Voters of New Mexico
New Mexico Hospital Workers Union
(1199NM)

New York

CNY Fair Housing, Inc

Common Cause New York
Disabled in Action of Greater Syracuse Inc.
Long Island Housing Services, Inc.
Schenectady Inner City Ministry
Solidarity Committee of the Capital District

Nevada

AFSCME 4041
Culinary Union

North Carolina

Common Cause North Carolina
Disability Rights North Carolina
Independent Living Resources (Durham, NC)

North Dakota

North Dakota AFL-CIO

Ohio

Cleveland Nonviolence Network
Common Cause Ohio
Equality Ohio
Ohio Voice
ProgressOhio
Toledo Fair Housing Center
Toledo Area Jobs with Justice

Oklahoma

Oklahoma AFL-CIO
Oklahoma Policy Institute

Oregon

Common Cause Oregon
Disability Rights Oregon

Pennsylvania

Bhutanese Community Association of
Pittsburgh
Common Cause Pennsylvania
Community at Holy Family Manor (Pittsburgh,
PA)
Just Harvest (Pittsburgh, PA)

Rhode Island

Common Cause Rhode Island

South Carolina

South Carolina AFL-CIO

South Dakota

South Dakota AFL-CIO

Tennessee

Nashville CARES

Texas

Clean Elections Texas

Common Cause Texas Harlingen Community

Development Corporation

Utah

Tabitha's Way

Vermont

Downstreet Housing & Community

Development

P.S., A Partnership

Virginia

The Commonwealth Institute

Virginia AFL-CIO

Virginia Civic Engagement Table

Washington

Conscious Talk Radio

Washington AFL-CIO

Washington Community Action Network

Fuse Washington

Wisconsin

Access to Independence, Inc. (Madison, WI)

AFSCME Council 32

AFSCME Retirees Chapter 32

Citizen Action of Wisconsin

Common Cause Wisconsin

End Domestic Abuse Wisconsin

Grandparents United for Madison Public

Schools

Independence First

League of Women Voters of Wisconsin

Madison-area Urban Ministry

Metropolitan Milwaukee Fair Housing Council

Midstate Independent Living Consultants

One Wisconsin Now

Options for Independent Living Inc.(Green

Bay, WI)

School Sisters of Saint Francis (Milwaukee,

WI)

Survival Coalition of Disability Organization

of Wisconsin

The Arc Wisconsin

The Wisconsin Democracy Campaign

Wisconsin AFL-CIO

Wisconsin Aging Advocacy Network

Wisconsin Coalition of Independent Living
Centers

Wisconsin Community Action Program

Association

Wisconsin Council on Children and Families

Wisconsin Democracy Campaign

Wisconsin Faith Voices for Justice

Wisconsin Voices

National Association of Social Workers, WI

Chapter

Dominicans of Sinsinawa - Leadership Council

West Virginia

West Virginia Citizen Action Group

Wyoming

Wyoming AFL-CIO



CONVENTION *of* STATES ACTION HAWAII

March 6, 2018

Senate Committee on Public Safety, Intergovernmental, and Military Affairs
Conference Room 229
State Capitol
415 South Beretania Street
Honolulu, HI 96813

RE: Support of SR-16/SCR-33 Urging the Congress of the United States to call a Convention for Proposing Amendments Pursuant to Article V of the United States Constitution Limited to Proposing Amendments that Impose Fiscal Restraints on the Federal Government, Limit the Power and Jurisdiction of the Federal Government, and Limit the Terms of Office for its Officials and for Members of Congress.

Dear Chair Nishihara, Vice Chair Wakai, and Committee Members,

I want to thank you for this opportunity to express my unwavering support of SR-16/SCR-33.

I ask you, how can we simultaneously say we love our children while betraying their generation and the generations yet unborn?

It's been said that my generation will be the first to leave our children worse off than how our parents and grandparents have left us. This is a scary thought and one of the primary reason I got involved with Convention of States Action.

As you are well aware, our federal government is out of control and it doesn't matter which political party is in charge, neither have the strength of character or determination to take the necessary actions needed to ensure our great Republic does not go down into the annals of history as just another failed Nation.

Mr. Michael P. Farris, JD, LLM, Convention of States Action — Senior Fellow for Constitutional Studies has stated:

We See Four Major Abuses Perpetrated by the Federal Government. These abuses are not mere instances of bad policy. They are driving us towards an age of “soft tyranny” in which the government does not shatter men’s wills but “softens, bends, and guides” them.

If we do nothing to halt these abuses, we run the risk of becoming nothing more than “a flock of timid and industrious animals, of which the government is the shepherd.” (Alexis de Tocqueville, Democracy in America, 1840)

1. The Spending and Debt Crisis - *The \$20 trillion national debt is staggering, but it only tells part of the story. Under standard accounting practices, the federal government owes around \$120 trillion more in vested Social Security benefits and other programs. This is why the government cannot tax its way out of debt. Even if it confiscated everything, it would not cover the debt.*

2. The Regulatory Crisis - *The federal bureaucracy has placed a regulatory burden upon businesses that is complex, conflicted, and crushing. Little accountability exists when agencies—rather than Congress—enact the real substance of the law. Research from the American Enterprise Institute shows that, since 1949, federal regulations have lowered the real GDP growth by 2% and made America 72% poorer.*

3. Congressional Attacks on State Sovereignty - *For years, Congress has been using federal grants to keep the states under its control. Combining these grants with federal mandates (which are rarely fully funded), Congress has turned state legislatures into their regional agencies rather than respecting them as truly independent republican governments. A radical social agenda and an invasion of the rights of the people accompany all of this. While significant efforts have been made to combat this social erosion, these trends defy some of the most important principles.*

4. Federal Takeover of the Decision-Making Process - *The Founders believed that the structures of a limited government would provide the greatest protection of liberty. Not only were there to be checks and balances between the branches of the federal government, but power was to be shared between the states and federal government, with the latter only exercising those powers specifically granted in the Constitution.*

Collusion among decision-makers in Washington, D.C., has replaced these checks and balances. The federal judiciary supports Congress and the White House in their ever escalating attack upon the jurisdiction of the fifty states.

We need to realize that the structure of decision-making matters. Who decides what the law shall be is as important as what is decided. The protection of liberty requires a strict adherence to the principle that power is limited and delegated.

In many ways our federal officials have betrayed the trust we have placed in them to govern wisely and with virtue within the constraints of our Constitution. They continue to do this through overreaching regulations, written by unelected and unaccountable bureaucrats. Accumulation of crushing debt that will be impossible to pay off without making excruciating reductions in spending and/or imposing more confiscatory taxing policies.

We the people have abandoned all hope that the federal officials in Congress or in the established bureaucracy's will return to the proper respect of the people and the respective state governments. We are fed up with our federal government's failure to adequately and constitutionally address the most crucial issues facing our great country.

It is time for the states and citizens to use the powers provided by the Founding Fathers in our Constitution to put an end to this irresponsible behavior. The states created the federal government, and the framers of our Constitution envisioned a time like this when only the states are capable of acting.

I started working as a volunteer for the Convention of States Project Hawaii in the fall of 2015 as the State Grassroots Coordinator. I take great satisfaction in knowing that there are over three million people across our Nation that feel the same way the thousands here in Hawaii feel.

There is nothing less radical than using the Constitution to save the country and empower us to fight back. Our Founders foresaw the potential for federal abuses, which is why they included Article V in the Constitution. **NOW** is the time! I urge you to PASS SR-16/SCR-33.

I'll close the same way I opened, **how can we simultaneously say we love our children while betraying their generation and the generations yet unborn?**

Mahalo,

Brett Kulbis
State Grassroots Coordinator
Convention of States Action Hawaii

SR-16

Submitted on: 3/6/2018 3:33:10 PM

Testimony for PSM on 3/8/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Pollard	Testifying for Kahi Ola Mau Farm, LLC	Support	No

Comments:

Dear Honorable Representatives,

I am and have been an active voting citizen of the State of Hawaii for the last 10 years. In that time I have watched while our federal government squanders our tax dollars, racks up trillions in debt, imposes laws on American citizens that don't apply to themselves, and vote themselves pay increases without justification, just to name a few. My only expectation of my representatives is that that they have mine and my fellow citizens best interest in mind. The federal government exists to serve the citizens and this is not the current nature of its interests.

I am in favor of a Convention of States, with the following desired outcomes:

- 1) the federal budget must be balanced or our federal representatives go with out pay until it is
- 2) there must be a plan that eliminates the federal debt completely within 10 years
- 3) no new law can be passed that doesn't apply to federal representatives
- 4) no new law can be passed without a vote of the citizens
- 5) impose term limits on federal representatives of no more than 2 terms
- 6) develop a plan in conjunction with the department of education to include education and training on federal,government operations and duties of a representative of the people. Every high school graduate should be able to immediately step into a representatives role if he or she so chooses.
- 7) Representatives must provide a quarterly update report to their constituents in person at a public venue.

I appreciate your time in reviewing my testimony and my hope is that Hawaii will join the convention of states with a goal ensuring the best representation possible for our hard

working citizens. We're counting on our representative to act on our behalf in our absence, and they are not fulfilling their duty.

Sincerely,

Mike Pollard

THE LIBERTARIAN PARTY OF HAWAII
TESTIMONY

c/o 1658 Liholiho St #205
Honolulu, HI 96822

March 6, 2018

RE: SR 16/SCR 33 to be heard Thursday March 8, in Room 229, at 1:30 PM

To the members of the Senate Committee on Public Safety, Intergovernmental and Military Affairs

SUPPORT

Dear Senators:

The Libertarian Party supports this resolution that calls for the states to execute their responsibility under the Constitution of the United States as a check on the ever expanding role of the Federal Government. Although the end result of a constitutional convention seems remote, the mere fact that you are willing to stand up and call for one, along with legislators in other states, will help call attention to an out of control problem.

Please pass this resolution in either form.

Aloha



Tracy Ryan
For Harm Reduction Hawaii

SR-16

Submitted on: 3/7/2018 8:35:20 AM

Testimony for PSM on 3/8/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Sherri Wilmarth	Testifying for Small Business- Surveyors Supply Co. Inc.	Support	No

Comments:

As a Small Business Owner in the State of Hawaii I Support SR16 for various reasons. I do not like the fact we have career Politicians 4,000 miles away making decisions for us locally. Our political system in DC is broken regardless of what party is in charge. It is time that our local Politicians take charge and decide what is best for our State. Our founding Fathers had enough foresight to see that the Federal Government would get too large and gave us the 10th Amendment. Our State Legislators regardless of party affiliation should have the power to make changes without DC getting in their way. I believe this will help our Communities flourish and grow. Our Washington DC Representatives are out of touch with the peoples needs here. I am also a firm believer of term limits for our Mainland Representatives. Thank you for your time. Aloha.

SR-16

Submitted on: 3/6/2018 12:00:54 PM

Testimony for PSM on 3/8/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tim Means	Individual	Support	No

Comments:

Our federal government is broken and neither party acts interested in fixing the system. The Convention of States was put into Article 5 of the Constitution for exactly this purpose. For when the federal government has become the problem it is up to the states to come together and repair and restore our Constiitutional Republic and give the states back their rightful power.

SR-16

Submitted on: 3/6/2018 3:39:15 PM

Testimony for PSM on 3/8/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Austin White	Individual	Support	No

Comments:

SR-16

Submitted on: 3/7/2018 5:05:20 AM

Testimony for PSM on 3/8/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Boyd Ready	Individual	Support	Yes

Comments:

Dear Senators:

Our nation's founders gave us "a republic, if you can keep it," as Benjamin Franklin famously said. The Federal government is a creature of the states - the states are not formed by the Federal government. Yet due to the power of incumbency in Federal office, the circumstance, post-WWII and post-Bretton Woods, that our Federal government's can expand the money supply nearly unchecked by international market forces, the overly broad application of Federal law upon private individuals and state governments, and Federal court deference to the bureaucracy's own interpretations of Federal regulations, have combined to aggrandize excessive power to the national government. It is using this power, especially its financial power, to impose heavy burdens on future generations (our children and grandchildren) who have no vote on the questions of what debts they will have to pay. Our state governments, in the areas of environmental protection, education, transportation, and even criminal law, have, in many ways, become wards of their Federal overseers. Witness the various consent decrees imposed on our state and city governments by Federal judges. Our own law enforcement agencies are often inclined to step back and let "the Feds" be the enforcers in many instances where our own laws should be primary. And the purchasing power of the US dollar has declined so steadily and persistently, due to the Federal governments unchecked ability to create more money, that a hidden inflation makes the average persons wages chronically unable to keep up with the cost of living.

This Resolution joins Hawaii to the efforts of many other states to initiate an Article V call to convention, limited strictly to the stated goals. The fear that it will be a 'runaway convention,' harming existing rights and priveleges, is unfounded. A mock-convention was convened in Williamsburg Virginia and the procedures worked out. Two delegates from each state must agree with each other to vote at all, and every state gets one vote. Any amendments approved by the convention must still achieve approval by 3/4 of all state legislatures, a high hurdle indeed. The Federal legislature will never impose term limits on itself. The Federal bureaucracy will never stop imposing regulations that are, in effect, legislating by the unelected. And the Federal budget will never come into control unless the States in Article V Convention step in. A small state like Hawaii gets the same vote as huge states like California, Florida, New York, or Texas, in this process. It is a great opportunity to exercise our sovereignty.

I urge you to vote for this Resolution SR16 supporting a subject-matter limited convention of the states.

Boyd Ready

Haleiwa

SR-16

Submitted on: 3/7/2018 9:35:29 AM

Testimony for PSM on 3/8/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Matthew	Individual	Support	No

Comments:

Our founding fathers knew that the seeds of tyranny would be sown within liberty itself. Hence, as citizens, it's important for us to be vigilant and fight against the forces that are threatening our liberty. It's difficult to know exactly how our founding fathers would perceive today's enormous federal government. But I can assure you that their intention from the onset was to keep the federal government small while leaving the independence of the states intact without dependence on the federal government.

Washington will never give up its power from within. This is why our founders gave us the power of Article 5 of the Constitution. Throughout history, the demise of free societies is rooted in progressive tyrannical rule. Our federal government is growing more and more disconnected from the needs of the states and its citizens.

The issues coming from the federal government are many. The federal budget and existing liabilities are out of control. There is no fiscal restraint, only appeasement from all parties involved. Future unfunded liabilities abound and total in the hundreds of trillions. Social security is for all intensive purposes, broke.

We would like to see Hawaii gain more freedom from the federal government and have the ability to make critical decisions on it's own.

The simple fact is that Washington DC is broken and the only way to right this ship is to use the means that have been afforded us by our founding fathers. Convention of States is the only pathway available to the states to reassert it's power over the federal government. It's time for the state of Hawaii to make a stand by joining the existing states that wish to reassert it's independence from the federal government. It's time for a revolution. Not a violent revolution, but a revolution exercised with the power of the pen.

SR-16

Submitted on: 3/7/2018 9:57:18 AM

Testimony for PSM on 3/8/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Belovich Barbara	Individual	Support	No

Comments:

SR-16

Submitted on: 3/7/2018 10:00:56 AM

Testimony for PSM on 3/8/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Todd Yukutake	Individual	Support	No

Comments:

I support SR16 to limit the power of the Federal government.

I am concerned about the Federal government debt which is concerningly high and continues to rise every year. This will have an adverse affect on my children's future and parents goal is to create a better life for your children. I believe a constitutional convention is the only way we can limit the debt and to strengthen State's rights.

Please support SR16.

Todd Yukutake
Ph 808-255-3066

99-207 Mahiko Place
Aiea, HI 96701

SR-16

Submitted on: 3/7/2018 10:05:56 AM

Testimony for PSM on 3/8/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Palcic	Individual	Support	Yes

Comments:

The federal government routinely and vastly exceeds its authority. If Congress enacts laws and the President signs executive orders and the Supreme Court upholds their acts, no matter what the Constitution says, only We the People can restrain them. It's time we exercised this duty.

SR-16

Submitted on: 3/7/2018 12:15:54 PM

Testimony for PSM on 3/8/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Linda Sansone	Individual	Support	No

Comments:

To Representative Bert Kobayashi and Senator Stanley Chang

Dear Sirs,

As your constituent, I want you to vote in favor of the convention of States Action Resolution. The issue is very important to me. We need to join all the other states that have already passed the resolution to call a convention of states that can propose constitutional solutions to an overreaching federal government. I have lived in Hawaii for over 40 years now and see the need to implement this bill.

I know Hawaii does not fit the mold of any state in the nation. Each state is unique with different goals and needs and is run accordingly. However, it is supposed to be governed by the consent of the people. The huge number of federal agencies are too numerous and therefore out of control making we, the people, powerless to rein them in.

Federal spending is out of control and can severely endanger our future. The federal government does not control their spending or their or their power so we must go forward with the convention of states. Only state legislature acting together per Article V of the constitution can accomplish this. Our goals are the following that can be adapted to our particular State of Hawaii to help ensure a future for our children and grandchildren.

1. Impose Fiscal restraints on the federal government
2. Limit the power and jurisdiction of the federal government
3. Limit the terms of office for the federal officials and for members of congress

I urge you to vote in favor of the Convention of States Project. Government is best that is closest to "We the People." You as Hawaii's legislators would be much more effective if you were not limited by so much "Washington" and all their red tape.

If you would like to learn more about COS resolution, please visit their website at www.conventionofstates.com or call 540-441-7227

With Aloha,

Linda Leahi Sansone

Diamondhead District

808 277-3512

SR-16

Submitted on: 3/7/2018 1:20:50 PM

Testimony for PSM on 3/8/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Devri Fuchigami	Individual	Support	No

Comments:

We need to allow the people to have the opportunity to have a say in the government. We don't feel that the people elected adequately represent us. Please agree and support!!!

Sincerely,

Devri Fuchigami

SR-16

Submitted on: 3/7/2018 11:34:45 AM

Testimony for PSM on 3/8/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
George Pace	Individual	Oppose	No

Comments:

Please do not pass this resolution until the state of Hawaii enacts it's own term limits laws and spending limitation laws.

Also only consider such a resolution after Hawaii also enacts initiative, referendum, and recall statutes that would allow the public some direct measures to enforce some kind of transparency and accountability in state government.

Hawaii is the only state in the Union that has NONE of those options available to its citizens.