

**HR-104**

Submitted on: 3/16/2021 8:20:54 PM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Joseph Kohn MD	We Are One, Inc. - www.WeAreOne.cc - WAO	Support	No

Comments:

Strongly Support HR104 it is a good start to reclaiming a government of, by and for the people

It is time for public financing of elections and when all people are recognized by the constitution as more important than corporate profits, everything will change.

Neoliberalism is not the answer.

[www.MoveToAmend.org](http://www.MoveToAmend.org)



**HAWAII GOVERNMENT EMPLOYEES ASSOCIATION**  
AFSCME Local 152, AFL-CIO

**RANDY PERREIRA**, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirty-First Legislature, State of Hawaii  
House of Representatives  
Committee on Government Reform

Testimony by  
Hawaii Government Employees Association

March 19, 2021

H.C.R. 128/H.R. 104 – REQUESTING THE U.S. CONGRESS  
TO PROPOSE AN AMENDMENT TO THE CONSTITUTION  
OF THE UNITED STATES ON CAMPAIGN FINANCE REFORM

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO **strongly opposes the sections of H.C.R. 128 and its companion H.R. 104** which requests the United States Congress to convene a limited National Convention under article V of the U.S. Constitution and the resolutions' intent to be a continuing application to call for a Convention.

As drafted, H.C.R. 128 and H.R. 104 represent our state's formal application to convene a Constitutional Convention under Article V of the U.S. Constitution. A matter of this magnitude deserves much more robust discussion and conversation with all residents in Hawai'i. Additionally, we raise grave concerns over the vast, unforeseen negative consequences of convening a national Constitutional Convention. While we can understand and support the want to address limiting the influence of money in elections, wholly opening our Constitution for amendment and repeal is not in the best interests for citizens. Convening a Constitutional Convention does not guarantee resolution for any singular issue; rather there is the potential for a Convention to be much more devastating than what this resolution seeks to accomplish.

Our country has not convened a Convention of this magnitude in its 200-year history and no one can predict how it would operate, who would be represented, and what the immediate and long term impacts will be. Due to this uncertainty and risk, we urge extreme caution and full vetting of the consequences of H.C.R. 128 and H.R. 104, and respectfully request the Committee defer this measure.

Thank you for the opportunity to testify in strong opposition to the aforementioned resolutions.

Respectfully submitted,

Randy Perreira  
Executive Director



March 17, 2021

House's Committee on Government Reform  
Hawai'i State Capitol  
415 South Beretania Street  
Honolulu, HI 96813

**RE: House Concurrent Resolution 128/ House Resolution 104**

Aloha Chair McKelvey, Vice Chair Wildberger and Committee Members,

I am writing in OPPOSITION for House Concurrent Resolution 128 & House Resolution 104 on behalf of the LGBT Caucus of the Democratic Party of Hawai'i, Hawaii's oldest and largest policy and political LGBTQIA+ focused organization. These 2 resolutions attempt to deal with the disastrous SCOTUS Citizen's United decision by calling for a Federal Constitution Convention under Article V.

The LGBT Caucus wants to be clear that we support the call for an amendment to the US Constitution through Congress to deal with Citizen's United and get dark money out of our political system. But to call for a Federal Constitution Convention under Article V puts every gain the LGBTQIA+ community has made at risk. It also puts women's right to control their bodies and the right to unionize at risk as well.

If the resolutions were amended to strike the following lines, thereby removing the call for a Federal Constitution Convention under Article V,

Page 3 – Lines 21 – 41

Page 4 – Lines 10 – 15

the LGBT Caucus would be in support of the resolutions, but until that time we cannot put the safety of the LGBTQIA+ community in such great peril.

We would like to point out that the majority of those advocating for a Federal Constitution Convention under Article V that their civil rights ARE NOT AT RISK. For the most part they were not part of the legal and legislative battles we have fought to ensure these rights exist.

Mahalo nui loa for your time and consideration,

Michael Golojuch, Jr.  
Chair  
LGBT Caucus of the Democratic Party of Hawai'i

**HR-104**

Submitted on: 3/17/2021 11:35:56 AM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Pride at Work - Hawaii	Pride @ Work - Hawaii	Oppose	No

Comments:

Aloha Representatives,

Pride at Work - Hawai'i, the state-wide chapter of Pride At Work (a constituency group of the national AFL-CIO) and an affiliate of the Hawai'i State AFL-CIO, **STRONGLY OPPOSES** - HR 104.

We respectfully request that it is held in committee.

Mahalo nui loa,

Pride at Work - Hawai'i



Randy Perreira  
President

# HAWAII STATE AFL-CIO

888 Mililani Street, Suite 501 • Honolulu, Hawaii 96813

Telephone: (808) 597-1441

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The Thirty-First Legislature, State of Hawai'i  
Hawai'i State House of Representatives  
Committee on Government Reform

Testimony by  
Hawai'i State AFL-CIO  
March 19, 2021

H.R. 104 – REQUESTING THE UNITED STATES CONGRESS TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA ON CAMPAIGN FINANCE REFORM THAT WILL RESTORE BALANCE AND INTEGRITY TO OUR NATIONAL SYSTEM OF CAMPAIGN FINANCE IN THE INTEREST OF PRESERVING SELF-GOVERNMENT IN THE UNITED STATES

The Hawai'i State AFL-CIO is a state federation of 74 affiliate local unions and councils with over 68,000 members across both public and private sectors. We appreciate the opportunity to testify in strong opposition of H.R. 104.

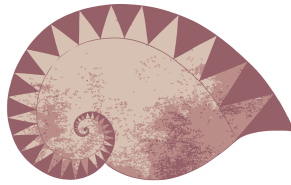
We strongly oppose exposing hard won Constitutional protections and provisions that we want preserved from amendment or repeal through an Article V convention. The issue is the lack of Constitutional provisions to guide the process and control the focus of an Article V convention. Because a convention cannot be limited in scope, it opens the Constitution to unnecessary scrutiny.

Delegate selection is also of primary importance, and again absent historical precedent to appropriately guide the selection process and protect it from undue influence, delegates may not be representative of the people and public interest. This is important because an amendment to the U.S. Constitution does not require a direct vote of the people, as does an amendment to the Hawaii Constitution.

We appreciate your consideration of our testimony and strongly urge you to defer H.R. 104.

Respectfully submitted,

Randy Perreira  
President



Pono Hawai'i Initiative

Patrick Shea - Treasurer • Lena Mochimaru - Secretary  
Nelson Ho • Summer Starr

Thursday, March 18, 2021

**HR104 and HCR128**  
Testifying in Support

Aloha Chair and members of the committee,

The Pono Hawai'i Initiative (PHI) **supports and requests an amendment to HR104 and HCR128 Requesting Congress to propose an amendment to the Constitution for campaign finance reform that will help to restore balance and integrity in our national system of campaign finance.**

**Keeping our elections as free and fair as possible is essential to the democratic process. We would strive to keep big money out of democracy.**

**PHI requests an amendment to call for a limited Article V convention to propose a campaign finance reform amendment that will end the era of Citizens United.**

For these reasons, we urge the Committee to **amend and support HR104 and HCR128.**

Mahalo for the opportunity to testify,

Gary Hooser  
Executive Director  
Pono Hawai'i Initiative

**HR-104**

Submitted on: 3/18/2021 10:36:54 AM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David Mulinix	Our Revolution Hawaii	Support	No

Comments:

Aloha Committee,

Please pass HR104.

Dave Mulinix

Kaneohe, Hawaii

**HR-104**

Submitted on: 3/18/2021 3:06:41 PM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John & Rita Shockley	FREE ACCESS COALITION	Support	No

Comments:

Aloha!

During this period of distrust in government at all levels, everything possible needs to be done to increase transparency in all government actions. The public needs to be able to "follow the money" to make clear decisions on the motivations of both legislation and legislators.

Mahalo for your time.



**HR-104**

Submitted on: 3/16/2021 9:33:28 PM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carlos A. Santana	Individual	Support	No

Comments:

**While I'm not convinced a federal constitutional convention can be limited in topics, I support this resolution to make the attempt.**

**HR-104**

Submitted on: 3/17/2021 12:04:23 PM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Younghi Overly	Individual	Oppose	No

Comments:

Dear Chair McKelvey, Vice Chair Wildberger, and Members of the Committee,

While I support campaign finance reform, I STRONGLY OPPOSE HCR128/HR104 since these two resolutions would call for a Constitution Convention under Article V. Any call for Article V Constitutional Convention or Convention of States would put all of our hard fought and won rights at risk, including but not limited to union, LGBTQIA+, environmental, First Nations, women's including reproductive rights, and voting rights. Over 230 organizations including AFL-CIO, Greenpeace, NAACP, National Women's Law Center, UNITE HERE, and nine local organizations [signed on to oppose](#) Article V Constitutional Convention back in 2018. I share their concerns.

Please defer this resolution and thank you for your consideration.

**HR-104**

Submitted on: 3/18/2021 7:19:13 AM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Robert Fontana	Individual	Support	No

Comments:

This is an important step to end Citizens United. Please initiate this process by passing this bill. Thank you.

**HR-104**

Submitted on: 3/18/2021 7:35:40 AM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Judith Perino	Individual	Support	No

Comments:

Campaign reform is long overdue. I urge passage of this bill and fully support it.

**HR-104**

Submitted on: 3/18/2021 7:45:31 AM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bradford Baang	Individual	Support	No

Comments:

**Corporations have had far too much power negatively affecting policy decisions for the people of the US, especially the middle and lower income citizens who are having less of an impact in their support of policy decisions. Therefore I strongly, strongly encourage our Legislatures to support a campaign finance reform amendment that will END the era of CITIZENS UNITED.**

**HR-104**

Submitted on: 3/18/2021 8:23:06 AM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Dennis O'Shea	Individual	Support	No

Comments:

Please end this abomination and disenfranchise corporate hegemony.

We don't need the best Congress money can buy.

**HR-104**

Submitted on: 3/18/2021 8:33:13 AM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lorna Larsen-Jeyte	Individual	Support	No

Comments:

Citizens United is undemocratic. It enables Super PACs and other very wealthy corporations to donate huge amounts of money to candidates...enabling some candidates to be beholden to the donors. It's time to end this undemocratic practice. Strike it down FOR ONCE AND FOR ALL.

please.

aloha Lorna Larsen-jeyte

**HR-104**

Submitted on: 3/18/2021 8:33:56 AM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Valerie Weiss	Individual	Support	No

Comments:

Please support free and fair elections by calling for a limited Article V Convention to propose a campaign finance reform amendment ending Citizen's United types of campaign donations. Our democracy depends on it.



**HR-104**

Submitted on: 3/18/2021 8:39:36 AM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Adrian Bontje	Individual	Support	No

Comments:

strong support

**HR-104**

Submitted on: 3/18/2021 8:42:36 AM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jeannine Johnson	Individual	Support	No

Comments:

I strongly support HR104 and an end the era of Citizens United.

**HR-104**

Submitted on: 3/18/2021 9:05:18 AM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
LindaPizzitola	Individual	Support	No

Comments:

This is a no-brainer for me. Special interests should not be allowed to buy their way to their desired outcomes, as Citizens United shamefully allows. Let's go for democracy in the U.S., not an oligarchy of the 1%.

**HR-104**

Submitted on: 3/18/2021 9:12:03 AM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
John Fitzpatrick	Individual	Support	No

Comments:

Aloha,

Getting large sums of dark money out of politics is probably the single most important thing we can do to have a government that works for the people. For example, representative Onishi will not even hear a minimum wage bill in the labor and tourism committee even though the public widely wants the working poor to earn respectable salary.

Mahalo,  
Fitz

**HR-104**

Submitted on: 3/18/2021 9:49:42 AM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Danelle Guion	Individual	Support	No

Comments:

We, the PEOPLE, in order to maintain our republic as it was intended by the founders, NEED to amend the Constitution on campaign finance reform.

We must call for a LIMITED ARTICLE V CONVENTION to propose a campaign finance reform amendment that will end, cancel and rescind, the SKEWED Citlzens United.

I support HR104 and HCR128.

**HR-104**

Submitted on: 3/18/2021 9:49:50 AM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Bethan Pualani Baptista	Individual	Support	No

Comments:

Dear Legislators,

Please support HR104 and HCR128. I am in favor of Free and Fair Elections.

Mahalo,

**HR-104**

Submitted on: 3/18/2021 10:13:01 AM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
glenn oshiro	Individual	Support	No

Comments:

I support this measure. Money entering the elective process from unnamed donors and non- people must stop! I believe citizens united must be reformed! Thankyou.

## **Proposals to Call a Convention under Article V of the U.S. Constitution**

Testimony of David A. Super  
Carmack Waterhouse Professor of Law and Economics  
Georgetown University  
before the  
House Committee on Government Reform  
House of Representatives  
Legislature of Hawaii  
March 19, 2021

Thank you, Chair McKelvey, Vice Chair Wildberger, and Members of the Government Reform Committee, for allowing me to testify before you today.

This Committee is about to consider H.C.R. 128 and H.R. 104. On their face, these measures focus only on achieving long-overdue campaign finance reform. That is an end I can enthusiastically endorse. As the former legal director for a national anti-hunger organization who lobbied Congress to increase funding for food stamps and child nutrition programs, I saw first-hand the corrosive effects of money politics on the legislative policy. Big money lobbyists had access to Members and staff that I could only dream about. Even when caught in overt lies to Members, they did not lose access because nobody wanted to do without their contributions. Unquestionably their efforts diverted untold billions of dollars into wasteful corporate subsidies that could have been far-better spent aiding our vulnerable people.

As much as I admire their goals, however, I must strongly oppose these measures. Calling a convention under Article V would pose a grave threat to the survival of our Constitution. Once an Article V convention is convened, it can take up any part of our existing Constitution, entertain any proposals to amend that Constitution, and indeed set out to write an entirely new Constitution. The likely result would be disastrous for civil rights and civil liberties. It also likely would result in severe limits on the federal government's ability to support crucial programs such as food stamps as well as Medicaid, Medicare, and Social Security.

### **The Dangers of a Runaway Convention**

Proponents of an Article V convention repeatedly insist that it could somehow be limited to a single purpose, such as campaign finance reform. To back up these assurances, however, they can offer no support whatsoever beyond their own self-serving speculation.

Claims that an Article V convention would be limited to a single purpose cannot begin to be credible unless proponents can identify a source of law that so limits a convention *and* a body that would be willing and able to enforce such limits. They can do neither.

Nothing in Article V makes any reference to a single-purpose convention. Nothing in the debates of the delegates to the 1787 Philadelphia Convention or in the Federalist Papers suggests that Article V limits the scope of conventions despite its lack of express or even implied provisions to that effect. Neither does Article V or anything in the history of the Philadelphia Convention or the Constitution's ratification suggest that either Congress or the states' legislatures have the power to limit a convention. To the contrary, the very purpose of establishing the convention method of amending the Constitution was to have a vehicle outside the control of Congress.

Even if Article V, Congress, or the states' legislatures did constrain the purposes of an Article V convention, no entity exists with the power to enforce such limits. The Supreme Court has held that the process of constitutional revision involves "political questions" on which the courts may not intervene.<sup>1</sup> Congress's powers relating to an Article V convention are limited to calling a convention when two-thirds of the states ask it to do so and specifying whether state conventions or legislatures should ratify proposed amendments. The President has no role in the constitutional amendment process at all. And once a state legislature appoints delegates to an Article V convention, those delegates' power derives from Article V,

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<sup>1</sup>Coleman v. Miller, 307 U.S. 433 (1939).



putting them outside the control of the legislature or state courts.<sup>2</sup> Even if state legislatures could discipline or recall delegates to an Article V convention, the convention may postpone voting until a single final resolution, after which any action a state might contemplate would be too late.

The only relevant precedent – the only convention convened to propose amendments to a constitution in this country – shows how easily conventions disregard their charters. As Chief Justice Warren E. Burger noted, “The meeting in 1787 ignored the limit placed by the Confederate Congress ‘for the sole and express purpose.’”<sup>3</sup> Rather than proposing amendments to the Articles of Confederation to improve commerce among the states, the Philadelphia Convention scrapped the Articles and wrote an entirely new Constitution. A convention called under Article V can be expected to do the same.

Chief Justice Burger cut through the unsupported assertions and speculation to explain the simple state of the law on Article V conventions:

there is no effective way to 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 to one issue, but there is no way to ensure that the Convention would obey. After a Convention is convened, it will be too late to stop the Convention if we don't like its agenda.<sup>4</sup>

### **The Ratification Process is Not an Adequate Safeguard**

Nor can we count on the ratification process to save us from ill-considered amendments that a convention might produce. To be sure, on this issue – very much unlike the question of limiting a convention's agenda – the text of Article V is helpful. It prohibits any amendments that are not ratified by three-quarters of the states. Today, that would require thirty-eight states to agree to any changes.

In today's polarized environment, however, no one can seriously expect that thirty-eight states would ratify either liberal changes to the Constitution or conservative ones. It is difficult to believe that either the Democratic-affiliated convention proponents or those allied with the Republican Party would be wasting their time and energy on this project if they were willing to be subject to a ratification process that would so obviously defeat them.

At present, twenty-two states are represented in the U.S. Senate by two Republicans. If liberals dominate an Article V convention, they would have to win ratification of their proposed amendments in *ten* of those states (as well as all those with Democratic or mixed Senate representation). Perhaps they could hope to pick up Iowa, North Carolina, or even Florida, but even if they did they would need seven more.

Conversely, twenty-two states currently send two Democrats to the Senate. If Republicans dominate an Article V convention, they would need ratifications from *ten* of those states (as well as, again, all states with Republican or mixed Senate delegations). Possibly they could hope to win in Arizona, Georgia, or New Hampshire, but that would still leave them seven states short.

Thus, if the convention that H.C.R. 9 would call really did limit itself to proposing congressional term limits, and if it really adhere to Article V's ratification procedures, it would be an ineffectual waste of time. We must be conscious of the danger that the convention would set its own, much easier, ratification procedures in lieu of those in Article V.

Disregarding the established ratification procedures would have the strongest possible precedent: the Philadelphia Convention of 1787. The Articles of Confederation, which governed the nation when the Convention was called, required unanimous agreement of the states' legislatures to any amendments.<sup>5</sup>

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<sup>2</sup>See *Bush v. Palm Beach County Canvassing Bd.*, 531 U.S. 70, 76 (2000) (holding that state legislatures act as agents of the federal government when they enact laws affecting federal elections).

<sup>3</sup>Retired Chief Justice Warren E. Burger, Letter to Phyllis Schlafly (June 22, 1988).

<sup>4</sup>*Id.*

<sup>5</sup>Article XIII of the Articles of Confederation provided: “And the Articles of this confederation shall be inviolably observed by every State, and the union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a congress of the united States, and be afterwards confirmed by the legislatures of every State.”

Knowing that that was out of reach, the delegates to the Philadelphia convention of 1787 disregarded this binding ratification process in two crucial respects: they shifted responsibility for ratification from state legislatures to state conventions, and they allowed just two-thirds of the states to approve their new Constitution.<sup>6</sup> Eventually, strong anti-federalist states like North Carolina and Rhode Island had no choice but to go along.

Having achieved the calling of a convention and dominating its membership, it defies reason to believe that these groups would then meekly stand aside and allow their handiwork to fail for want of ratification. Republicans would justify a departure from Article V's ratification procedure with the precedent from 1787 as well as their claims that Democrats stole the 2020 presidential election. Democrats would cite the same 1787 precedent and point out that Republicans sought to overturn the voters' verdict by blocking the certification of electoral votes on January 6.

One obvious possibility is that the convention's majority will call a national referendum to ratify their proposed changes, likely on the same ballot as a presidential election. Can we be confident, for example, that an amendment packaged as a "common sense balanced budget requirement" would not achieve a majority? Numerous other proposals that undermine basic liberties can be presented to sound reasonable and harmless to inattentive voters.

Whether or not a convention chose to stay within Article V's ratification procedures, it could attempt to secure ratification by bundling together disparate provisions with different constituencies. They would have plenty of precedent: at least eight existing amendments in the U.S. Constitution encompass more than one purpose, with the Fourteenth Amendment having nine.

Article III, section 14, of the Hawaii Constitution prohibits bills from embracing more than one subject, but no similar rule would constrain an Article V convention. Coming up with the right brew could provide the key to ratification.

No one can predict how a proposed amendment combining a vague endorsement of campaign finance reform with a hard cap on federal expenditures hundreds of billions of dollars below the current level would fare. It is anyone's guess what would happen if a convention proposed to authorize Congress to enact campaign finance legislation and to restrict the federal government's powers in such a way as to block new or expanded civil rights legislation. We do not know whether the country would agree to an Equal Rights Amendment for women paired with an expansion of the Takings Clause that demolishes our current system of environmental protection. We live in a time when many people feel so strongly about single issues that they are willing to ignore enormous resulting collateral damage.

### **The Risk of Serial Constitutional Revisions**

Even if the initial Article V convention does not produce grievous overreach, the danger will not be over. Once we set the precedent of re-opening our Constitution to the whims of a convention majority, we will find ourselves doing so again and again.

Whichever party ends up dominating the convention that these measures would have called, we can be sure that will not be the last of it. The other party surely will not accept its defeat and meekly slink away. Instead, it will begin immediately plotting its return to power and how to rewrite the Constitution once it gains power. We could rapidly descend into a cycle where each time a party wins a "wave" election, it calls a convention to rewrite the constitution to its liking.

Some countries in unstable parts of the world revise their constitutions every time a new president is elected or a new general seizes power. The resulting constitutions are taken seriously by no one and are utterly incapable of protecting civil liberties or securing stable democracies.

The only way to stop this cycle of dueling constitutions is to never let it get started. Our current Constitution has serious flaws, particularly as interpreted by the current Supreme Court. Congress can and should propose specific amendments to address those deficiencies. But our current Constitution has

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<sup>6</sup>Article VII of the U.S. Constitution provides: "The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same." With thirteen states in the union at that time, nine states constituted a two-thirds majority. Article V of the Constitution raised the threshold for ratification from two-thirds to three-quarters of the states for future amendments.

two crucial advantages over what would be likely to come out of a convention: it has the acceptance of virtually the entire country, and it is not manipulated to meet the narrow, short-term agendas of today's moneyed interests. If we give up this Constitution, we will never get it back.

### **The Worst Possible Time for an Article V Convention**

At a time of extraordinary national polarization, the United States Constitution is very nearly all that holds us together. One side or the other has questioned the legitimacy of five of the last six presidential elections.<sup>7</sup>

We have just emerged – barely – from four years in which the unspeakable became commonplace. Relatively small vote swings in a handful of states, or the success of the voter suppression legislation now moving through several state legislatures, could easily swing it back. Even today, Republicans control a solid majority of the state legislatures that will select delegates to an Article V convention.

Gambling with our most precious emblem of unity and cohesion at this perilous moment is beyond reckless. No agenda item is important enough to take that risk.

Progressives advocating an Article V convention are serious about reforming the campaign finance system. Alas, it is the very same money politics they decry that make an Article V convention so very dangerous. As much as the oil companies and tech giants spend today on ordinary legislation, it is pennies compared with what they will devote to a convention that could permanently lock in their dominance. We dare not take that chance.

Our Framers made calling Article V conventions difficult very much on purpose. The Federalist Papers repeatedly express foreboding about the dangers of Article V conventions.<sup>8</sup> Indeed, when the first Congress considered calling an Article V convention to draft a Bill of Rights, the opposition was led by none other than James Madison. He knew better than most just how capricious and willful conventions can be.

Thank you very much for the opportunity to present these views to you today.

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<sup>7</sup>In 2000, Democrats condemned the selectivity of ballot-counting in Florida's "hanging chad" controversy. Many Republicans said that President Obama was not constitutionally qualified to stand in the 2008 and 2012 elections because, they asserted, he was not born in the United States. Democrats argued that Russia intervened in the 2016 election to aid President Trump. And many Republicans claimed that massive fraud tainted the 2020 presidential election.

<sup>8</sup>Federalist No. 49 (Madison); Federalist No. 85 (Hamilton).

**HR-104**

Submitted on: 3/18/2021 11:07:13 AM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brian R Curl	Individual	Support	No

Comments:

Please support free and fair elections. The amount of money now necessary to collect the president of the United States or our other elected officials is astronomical and out-of-control. Reducing elections to a money contest instead of a contest of ideas and ideals.

**HR-104**

Submitted on: 3/18/2021 11:37:55 AM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
David Dinner	Individual	Support	No

Comments:

I cannot support this strongly enough.

In my opinion, Citizens United is the single greatest threat to our democracy. Corporstions are simply not people and giving them the power to support elections actually gives them double representation because they represent people. In addition, they do not vote and therefore should not have the ability to sway elections and they often have foreign ies that have no businss in our elections. In short, because of their political influece through swaying the balance of elections, they reduce the effect of the voting population. Mahlo for your consideration.

**HR-104**

Submitted on: 3/18/2021 12:02:42 PM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Georgia L Hoopes	Individual	Support	No

Comments:

I support this measure to ensure free and fair elections

**HR-104**

Submitted on: 3/18/2021 12:27:29 PM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tom Tatum	Individual	Support	No

Comments:

I strongly support HR 104

Tom Tatum

**HR-104**

Submitted on: 3/18/2021 12:50:13 PM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Sara Swenson	Individual	Support	No

Comments:

Support



**HR-104**

Submitted on: 3/18/2021 1:20:53 PM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Daniel Bishop	Individual	Support	No

Comments:

I, Daniel Bishop am in Support of HR104

Thankyou

Daniel Bishop

**HR-104**

Submitted on: 3/18/2021 1:27:47 PM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Shannon Rudolph	Individual	Support	No

Comments:

Support

**HR-104**

Submitted on: 3/18/2021 1:31:00 PM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
joan Levy	Individual	Support	No

Comments:

This is a no brainer. Without election reform our democracy is at risk. Corporations cannot have a bigger say than the people of this country. In fact they should have NOTHING to say.

**HR-104**

Submitted on: 3/18/2021 1:43:19 PM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ramona Hussey	Individual	Oppose	No

Comments:

I oppose this Resolution. This is not the best way to get rid of money in politics. I support Common Cause's efforts rather than an Article V convention.

**HR-104**

Submitted on: 3/18/2021 2:01:35 PM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
James E Raymond	Individual	Support	No

Comments:

Please take this step to end Citizen's United and restore democracy to our elections.

**HR-104**

Submitted on: 3/18/2021 2:03:15 PM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Emma Broderick	Individual	Support	No

Comments:

We must prioritize the voice of citizens above the special interests of those with disproportionately high levels of power and money. An ammendment to the constitution is needed as times have changed and our laws must continue to reflect the realities of today and today. Special interest and dark money groups are undermining the legitimacy of fair campaign finance in America.

**HR-104**

Submitted on: 3/18/2021 3:31:23 PM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Paul Janes-Brown	Individual	Support	No

Comments:

Citizen's United is the worst decision in the history of the Supreme Court. We must do whatever we can to redress this decision and get big money out of politics.

**HR-104**

Submitted on: 3/18/2021 3:50:46 PM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cliff & Mary DeVries	Individual	Support	No

Comments:

REQUESTING THE UNITED STATES CONGRESS TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA ON CAMPAIGN FINANCE REFORM THAT WILL RESTORE BALANCE AND INTEGRITY TO OUR NATIONAL SYSTEM OF CAMPAIGN FINANCE IN THE INTEREST OF PRESERVING SELF-GOVERNMENT IN THE UNITED STATES. Presently a vast amount of money is being devoted to hate advertising which lowers the collective consciousness of the nation and is a total waste of money. Resources should be devoted to the poor and needy.



**HR-104**

Submitted on: 3/18/2021 3:53:17 PM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Diane Ware	Individual	Support	No

Comments:

Dear Chair and committee members,

I am appalled at the near billions of dollars spent during elections. We could solve many problems like drug addiction, mental health and homelessness, lack of childcare and living wages with such funds and legislators could spend time solving problems rather than trying to keep their positions.

Please request to end our dysfunctional system that benefits few and ties legislation to rich donors.

Mahalo,

Diane Ware 99-7815 Kapoha Volcano 96785

**HR-104**

Submitted on: 3/18/2021 4:00:53 PM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Catherine Clement	Individual	Support	No

Comments:

Aloha,

I support HR104. The current lack of balance and integrity in the US Campaign Finance system is a blight on all US citizens and a threat to our self-governance.

I urge you to represent me and all your constituents by supporting HR104.

Mahalo,

Catherine Clement

**HR-104**

Submitted on: 3/18/2021 4:26:31 PM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Marsha Hee	Individual	Support	No

Comments:

I support HR104/HCR128. As a life long resident of Hawaii, I strongly support measures that favor campaign finance reform that ensure free and fair elections Support, and amend the legislation (HCR128) to call for a limited Article V convention to propose a campaign finance reform amendment that will end the era of Citizens United. I urge the committee to support HR1/H04CR128. Thank you.

**HR-104**

Submitted on: 3/18/2021 4:54:54 PM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Elaine Wender	Individual	Support	No

Comments:

Support.

**HR-104**

Submitted on: 3/18/2021 5:11:59 PM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Meredith Buck	Individual	Support	No

Comments:

I support HR104.

**HR-104**

Submitted on: 3/19/2021 6:25:15 AM

Testimony for GVR on 3/19/2021 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Gordon B. Lindsey	Individual	Support	No

Comments:

In support for varrious reasons