

HAWAII PATRIOT REPUBLICANS

Written Testimony in Support of S.R. No. 158

Submitted to the Senate Committee on Energy and Intergovernmental Affairs

March 17, 2025

Aloha Members of the Committee,

I submit this testimony as a staunch advocate for the principles of limited government, fiscal responsibility, and the empowerment of the people—values that transcend party lines and unite us as Americans. Senate Resolution No. 158, which applies to Congress for an Article V convention to propose targeted amendments to the U.S. Constitution, is a bold and necessary step to address systemic failures in Washington, D.C. This resolution tackles runaway federal power, unsustainable debt, and entrenched political elites, offering a lifeline to every citizen—Republican, Democrat, or Independent—who feels ignored by a distant bureaucracy. I urge you to vote YES on S.R. No. 158, and here's why.

1. Fiscal Restraints: Ending the Debt Crisis That Hurts Us All

The federal government's reckless spending has saddled us with a [national debt exceeding \\$34 trillion](#) as of early 2025—a burden that threatens our economy, our children's future, and Hawaii's ability to thrive. Democrats and Republicans alike should recoil at examples like the [\\$1.9 trillion American Rescue Plan of 2021](#), which, while well-intentioned, included billions in poorly targeted spending that fueled inflation and left states like Hawaii grappling with higher costs. S.R. No. 158 demands constitutional fiscal restraints to force Washington to live within its means. This isn't a partisan issue—it's a survival issue. Democrats who care about social programs should support this to ensure those funds aren't squandered on interest payments to foreign creditors.

2. Limiting Federal Overreach: Restoring Power to the People and States

The resolution's call to limit federal power strikes at the heart of a government that's grown too big to care. Take the [Affordable Care Act's Medicaid expansion](#): states like Hawaii faced pressure to comply or lose funding, a classic unfunded mandate that ties local hands. Executive orders, like Biden's [2021 vaccine mandates](#), further bypassed Congress and state input, alienating millions. This resolution says enough—let's constitutionally shrink federal jurisdiction so Hawaii can innovate on housing, healthcare, and education without D.C.'s heavy thumb on the scale. Democrats who champion local solutions should see this as a win for grassroots democracy.

3. Term Limits: Breaking the Grip of Career Politicians

Entrenched politicians—some serving decades—lose touch with the people they claim to represent. Look at Congress: the average tenure in the House is over 9 years, and in the Senate, it's over 11, with some like [Chuck Schumer \(Senate since 1999\)](#) clocking over 25 years. These lifers cozy up to lobbyists—[pharma spent \\$375 million lobbying in 2022 alone](#)—while ignoring constituents. Term limits, as proposed in S.R. No. 158, would force fresh blood into Washington, making it harder for special interests to buy influence. Democrats who decry corporate sway in politics should back this—it's a bipartisan fix to a broken system.

4. Protecting the Bill of Rights: A Safeguard Democrats Can Trust

This resolution isn't a free-for-all. It explicitly forbids any amendment that touches the Bill of Rights, ensuring free speech, religious liberty, and due process remain untouchable. Democrats worried about a

“runaway convention” can take comfort here—no one’s coming for your First Amendment or Fourth Amendment rights. For example, fears of weakening civil liberties, like those sparked by the [Patriot Act’s surveillance overreach](#), are off the table. This is a focused mission: fix the feds, not dismantle our freedoms.

5. State Control: A Fair and Democratic Process

S.R. No. 158 hands the reins to states—one state, one vote—sidestepping Congress’s self-serving games. Hawaii gets an equal say with Texas or California, leveling the playing field. Delegates answer to state legislatures, not D.C. insiders, and Hawaii can recall them if they stray. Compare this to the [Electoral College](#), where smaller states like ours already punch above their weight—this convention doubles down on that principle. Democrats who value fairness and representation should embrace this as a chance to amplify Hawaii’s voice.

6. A Bipartisan Cry for Accountability

This isn’t about red or blue—it’s about us versus them, the people versus an unaccountable elite. The [Government Accountability Office reported](#) that federal agencies routinely bypass oversight, while bureaucrats write rules—like the EPA’s [Clean Power Plan](#)—that hit states hard without a vote. S.R. No. 158 lets us rewrite the rules constitutionally, forcing responsiveness. Democrats who fought Trump’s executive overreach should see the same danger in any unchecked power—Republican or Democrat.

Conclusion: Vote Yes for Hawaii and America

S.R. No. 158 is a clarion call to fix what’s broken: a federal government drowning in debt, drunk on power, and deaf to the people. It’s not a Republican plot—it’s an American solution, with Hawaii leading the charge. Vote YES to send a message to Congress, to join the two-thirds of states we need, and to give every citizen—especially the working families of Honolulu and beyond—a government that works for them, not against them. Let’s make history together.

Sincerely,

Andrew Crossland

Hawaii Patriot Republicans

hawaiipatriotRepublicans@gmail.com



TESTIMONY OF MARK MECKLER, J.D. IN SUPPORT OF SCR 140/SR 158
HAWAII SENATE COMMITTEE ON ENERGY AND INTERGOVERNMENTAL AFFAIRS

MARCH 20, 2025

My name is Mark Meckler. I am an attorney residing in Texas, and I am the Co-Founder and President of Convention of States Action.

Honorable committee members, the resolution before you offers a structural solution to a structural problem. It offers you the chance to restore the balance of powers in our federal system by using your constitutional authority under Article V.

Congress and administrative agencies have long usurped powers that rightfully belong to you--the elected lawmakers of Hawaii. The activities of Washington, D.C. today would have been unthinkable to our Founding Fathers. Federal laws and regulations now touch upon every aspect of our lives: What kind of light bulbs we can buy. Farming practices. School curriculum. Health care and insurance.

Meanwhile, we live under the shadow of a crushing national debt that threatens to enslave our grandchildren and their children. All of this comes courtesy of decades of activist federal courts, which have vastly expanded federal power through their precedents. The Supreme Court has created loopholes to the Constitution's limits on federal powers, and those loopholes will remain there until someone closes them.

That "someone" has to be you. It's obvious that Congress is never going to curtail its own power—at least not definitively or permanently. It would take decades for the Supreme Court to reverse enough precedents to eliminate the constitutional loopholes it has created. One president might choose to act with some restraint during his or her term—maybe—but can do nothing to restrain future presidents.

Fortunately, in their wisdom, our Founding Fathers predicted that this very situation would arise. Toward the very end of the Constitutional Convention, George Mason specifically predicted that the federal government would one day overpower the states. And that is why he insisted that Article V include a way for states to propose constitutional amendments through a state-controlled convention.

Mason’s proposal was adopted without dissent. This final version of Article V gave the states the ultimate constitutional power—the power to unilaterally amend the Constitution of the United States, without the consent of Congress.

The way it works is that when 2/3s of the state legislatures (34) pass resolutions applying for a convention to propose amendments on the same topic (which serves as the meeting agenda), Congress has a constitutional duty to name the initial time and place for the meeting and then stand back and let it happen. Each state chooses and instructs its delegation of commissioners, who attend the meeting and work with the other state delegations to hammer out possible amendment proposals on the topic specified in the 34 state applications. Because they act as agents of their state legislatures, the commissioners only have legal authority to act pursuant to that specified agenda, and only to act in pursuance of their legislature’s instructions. Every state gets one vote.

Any proposals that are supported by a majority of the states at the convention stage then get submitted back to the states for ratification. Only when 38 states ratify a proposal can it become part of our Constitution.

Now some people will try to prey on fear by telling you that because some of these details are not explicitly stated in the text of Article V, we have no idea how an Article V convention would operate. But that simply is not true. We know what a convention of state is, and the basics of its operation, because we have a very rich history of interstate conventions in America. That history is the very reason this process was provided as an alternative in Article V. Just as we know what a trial by jury looks like without having every detail written into the Constitution, we know how an Article V convention would function.

By passing the resolution before you, Hawaii will effectively be raising its hand to say, “Yes, we believe it is time for the states to gather to consider proposing amendments that will re-balance federal power with state power.” Specifically, the Article V convention called pursuant to the resolution before you would be limited to three topics for amendment proposals:

1. Amendments that impose fiscal restraints on the federal government;
2. Amendments that limit the power and jurisdiction of the federal government; and
3. Amendments that set term limits for federal officials—including or possibly limited to federal bureaucrats or judges.

Now this does not mean that the convention must propose an amendment on each of these topics. Rather, these topics describe the outer limit on what would be germane for consideration at the convention.

With this approach, the convention could propose a balanced budget amendment accompanied by limitations on Congress’ spending and taxation powers. It could propose limits on executive power, federal agencies, and impose real checks and balances on the Supreme Court.

Most American citizens, and the vast majority of state legislators I speak with as I travel the country, agree that our nation is in desperate need of a re-balancing of power between the federal government and the states. The Article V convention for proposing amendments is *the* constitutional process designed to address that problem.

In fact, in George Washington's farewell address to the American people, his final admonishment to us was this: "If in the opinion of the People, the distribution or modification of the Constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed."

Thank you for allowing me to testify today.

SR-158

Submitted on: 3/18/2025 10:08:19 AM

Testimony for EIG on 3/20/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mark White	Testifying for Convention of States Action, Hawaii	Support	In Person

Comments:

Aloha EIG Chair Wakai and Committee Members

I am the volunteer State Director for Convention of States Action Hawaii, submitting this testimony for my organization and myself. I’m a strong proponent for the passage of SCR140/SR158.

You are considering resolutions that put Hawaii in a group of 19 other states that have passed this measure while 16 other states, seeking a return of state decision-making authority (state sovereign), are actively considering this resolution in 2025. It’s time to return to the states the sovereignty lost over decades to the federal government.

Article V of the US Constitution gives you power unlike any elected official in our system of government. As a state legislator, you are the only elected official with authority to both proposed, and then ratify amendments for adoption. No other office holder in our federalist system has this power.

Here’s the problem: decades of federal government overreach, welcomed or not, has hurt your constituents and the Aloha State. Hawaii citizens are...

...in debt to the federal government over \$106,000 per man, woman, and child for a lifetime until the current and growing \$36 Trillion national debt is paid off

...over regulated and underrepresented in D.C. creating the highest cost of living in the US

...burdened with such a poor economy they are leaving Hawaii for better lives elsewhere

...dependent on federal education funds resulting in the 49th worst ranking in education

...struggling to gain affordable health care after “Obamacare” eliminated our state’s popular and effective 1974 Prepaid Health Care Act.

You have the authority to act: The Constitution’s Article V convention process was given to state legislators for exactly the conditions we are in today. Act now before it’s too late to curtail federal intrusion into state sovereignty. Act now to begin restoring the intended balance of power

between states and the federal government. Act on this opportunity to bring back local governance for your constituents.

Why vote ‘Yes’ on SCR140/SR158? The federal government is not competent to perform the many roles it presumes for itself—tasks best left for state governments. State legislators like you need to reverse this cycle of dehumanizing dependence on Washington D.C. I urge passage of this resolution for a convention of states to begin restoration of self-governance to the people of Hawaii.

Sincerely,

Mark White

Waikele, Waipahu

State Director, Hawaii

CONVENTION *of* STATES ACTION

(808) 753-5323

SR-158

Submitted on: 3/18/2025 10:57:49 AM

Testimony for EIG on 3/20/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Brett Kulbis	Testifying for Convention of States Action Hawai'i	Support	In Person

Comments:

Chair Wakai and Committee Members,

As a 26-year Navy veteran (submarines), I swore an oath before God and my peers that I would support and defend the Constitution of the United States. Today, eighteen years since my retirement, that oath is still in effect.

I've been in my position since the Convention of States Hawai'i began ten years ago, and I've talked with thousands of Hawai'i residents regarding our efforts to have you pass these resolutions calling for a Convention of States. While there are many differing opinions on the solution, overwhelmingly everyone knows the problem – Washington DC is broken!

I strongly support Hawai'i Senate Resolution SR-158 and Senate Concurrent Resolution SCR-140. These resolutions are a bold and necessary step toward restoring fiscal responsibility, limiting the overreach of the federal government, and ensuring that our Federal government remains accountable to "We the People" they serve. It is a call to action rooted in the principles of our Founding Fathers and the timeless wisdom of the United States Constitution.

Article V of the Constitution provides a mechanism for the states to propose amendments when Congress fails to act. We find ourselves at a critical juncture in our nation's history, where unchecked federal spending, bloated bureaucracy, and career politicians have eroded the very foundations of our Republic. These resolutions seek to address these issues by urging Congress to call an Article V Convention of States limited to proposing amendments that impose fiscal restraints, limit the power and jurisdiction of the federal government, and establish term limits for federal officials and members of Congress.

Fiscal Restraints: The federal government's reckless spending has saddled future generations with an unsustainable national debt. The national debt currently exceeds \$36 trillion, a figure that should alarm every American. A \$36 trillion national debt will be a burden that will weigh heavily on the shoulders of our children and grandchildren, threatening their future prosperity and freedom. Fiscal restraints, such as a balanced budget amendment, are essential to curb this out-of-control spending and ensure that the federal government lives within its means, just as families and businesses across our nation and here in Hawai'i must do.

Limiting Federal Power: The Tenth Amendment to the Constitution clearly states that powers not delegated to the federal government are reserved to the states or the people. Yet, we have

witnessed a steady encroachment of federal authority into areas that were never intended to be under its control. Unchecked federal power is a threat to the very fabric of our nation and the future we leave for our children and grandchildren.

As Ronald Reagan once said, "*Government is not the solution to our problem; government is the problem.*" An Article V Convention of States can propose amendments to rein in this overreach and restore the proper balance of power between the federal government and the states, as envisioned by our Founding Fathers.

Term Limits: Career politicians have become disconnected from the very people they are supposed to represent. Term limits for members of Congress and federal officials would ensure a constant infusion of fresh ideas and perspectives, reducing the influence of special interests and the corrupting effects of prolonged power.

In Nationwide polling conducted by Susquehanna Polling and Research Inc. (SP&R):

- 88% of Americans support term limits,
- 71% believe that more limitations upon federal power are necessary,
- 68% are in favor of a meeting of the states to propose amendments to the Constitution that would establish term limits, impose spending limits, and curb the power of the federal government, and
- 59% of respondents stated that they trust their state legislators more than their representatives in Congress.

SR-158 and SCR-140 are not just resolutions; they are a declaration of our commitment to the principles of limited government, fiscal responsibility, and accountability. They are a reminder that the power ultimately rests with the states and the people, not with an unaccountable federal bureaucracy.

I urge this committee to support these two resolutions and send a strong message to Congress that the time for action is NOW! Let us join the 19 states that have already passed the same resolutions calling for an Article V Convention of States to propose amendments that will safeguard our Constitutional Republic for future generations.

I will end with this quote, "What is the risk of not standing up to the federal government, just how much more will we let them step on us before we say enough is enough, and by the time we decide to fight back will it be too late?" That quote was by Natalie Trevor, a 14yr old young lady, at the end of her testimony in support of the Convention of States to a South Carolina Senate Sub-Committee in 2022. That still applies today.

I urge this committee to PASS SR-158 and SCR-140.

Mahalo for your time and consideration. God bless Hawai'i, and God bless the United States of America.

Brett Kulbis
COS Action Hawai'i
State Grassroots Coordinator



AMERICANS FOR DEMOCRATIC ACTION

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March 19, 2025

To: Senate Committee on Energy and Intergovernmental Affairs
Senator Glenn Wakai, Chair
Senator Stanley Chang, Vice Chair

Re: SCR 140 applying to the US Congress for a Constitutional Convention to
Amend the US Constitution re (1) balanced budget and (2) congressional term
limits

Hearing: Thursday, March 20, 2025, 3:00 pm Conference Room 016 & video

Position: **STRONG OPPOSITION**

Aloha, Chair Wakai, Vice Chair Chang, and Members of the Committee!

Americans for Democratic Action (ADA) was formed in the late 1940s to preserve and advance the progressive gains of our nation during the New Deal of President Franklin D. Roosevelt, who led America out of the worst economic depression in our history. National ADA was proudly led by Hawaii's courageous and outspoken Congresswoman Patsy T. Mink as its President in the early 1980s. ADA's Hawai'i Chapter works to advance progressive policies, and to resist reactionary policies here in *Hawai'i nei*.

SCR 140, by its terms, appears to propose only two amendments to the US Constitution: (1) to require that the federal budget be "balanced"; and (2) to impose term limits on members of Congress.

ADA Hawai'i strongly opposes SCR 140 for multiple reasons. Some important background is needed: First, some long-ago history: there has never been a constitutional convention in US history after the first and only one back in the 1780s. – The one that created the Constitution itself. Every constitutional amendment since then has originated from Congress. It would be an extraordinary event to have a constitutional convention. So, proponents of a new

constitutional convention need to show why they think we need to have a constitutional convention in the first place, especially for only two proposed amendments.

Second, some more recent history is critical: a constitutional convention has been a long-term plan of the right-wing advocates, such as the Heritage Foundation because they see it as a chance to repeal all the progressive gains of the twentieth century – everything from unions, child labor, reproductive rights, civil liberties, and an open society. As Common Cause has consistently warned,

there are **absolutely no rules** for an Article V Convention outlined in the Constitution. . . . [A]n Article V Convention would be a disaster. It would lead to long and costly legal battles, uncertainty about how our democracy functions, and likely economic instability.

But extremists and wealthy special interests see it as their best chance to write their far-right agenda into the Constitution. That is why they are working around the clock to convince their allies in state legislatures to make it happen.

<https://www.commoncause.org/work/stopping-a-dangerous-article-v-convention>.

Third, you can bet that powerful right-wing actors, such as Elon Musk and other major donors, will spend large amounts of money to control who gets elected as delegates to such a convention. There is a reason for this: They do not expect such a Constitutional Convention to be bound by the limits of the State legislature resolutions that have called for the convention. In the opinions of many observers, they expect the delegates to act in bad faith and adopt multiple proposed amendments that the right-wing wants, with the hope and expectation that the conservative majority on the US Supreme Court will allow it to happen. Please be aware that Hawai‘i’s SCR 140 could be the State legislative resolution that decisively takes the count for an Article V call for a convention over the top – two-thirds.

Fourth, a balanced budget amendment is fundamentally dangerous, no matter how the amendment might be adopted. Please see, for example, “Constitutional Balanced Budget Amendment Poses Serious Risks - Would Likely Make Recessions Longer and Deeper, Could Harm Social Security and Other Trust Funds” (2018) by the Center on Budget and Policy Priorities, <https://www.cbpp.org/research/constitutional-balanced-budget-amendment-poses-serious-risks>. Here is some commentary from that article that is totally valid today, just as it was when it was issued a few years ago:

A balanced budget amendment to the U.S. Constitution would be an unusual and economically dangerous way to address the nation’s long-term fiscal problems. It would threaten significant economic harm, as explained below. It also would raise a host of problems for the operation of Social Security and other vital federal programs. It’s striking that the House Republican leadership intends to schedule a vote on a balanced budget amendment just a few months after the President and Congress enacted a tax cut that will increase deficits by as much as \$2 trillion over the next decade.

The economic problems with such an amendment are the most serious. By requiring a balanced budget every year, no matter the state of the economy, such an amendment would raise serious risks of tipping weak economies into recession and making recessions longer and deeper, causing very large job losses. That's because the amendment would force policymakers to cut federal programs, raise taxes, or both when the economy is weak or already in recession — the exact opposite of what good economic policy would advise.

When the economy slows, federal revenues decline or grow more slowly and the cost of unemployment insurance and other social programs increases, causing deficits to rise. Rather than allowing the “automatic stabilizers” of lower tax collections and higher unemployment and other benefits to cushion a weak economy, the amendment would force policymakers to cut programs, raise taxes, or both. That would launch a damaging spiral of bad economic and fiscal policy: a weaker economy would lead to higher deficits, which would force policymakers to cut programs or raise taxes more, which would further weaken the economy.

Potential for Serious Economic Harm

The nation faces challenging, though manageable, long-term fiscal problems, but a balanced budget amendment to the U.S. Constitution is an unsound and dangerous way to address them.

U.S. history reinforces the economic logic of avoiding such a stricture. Until the Great Depression, presidents and congresses tried, largely successfully, to balance the federal budget every year except during major wars, regardless of the state of the economy. Since Franklin Roosevelt's inauguration in 1933, in contrast, deficits have been allowed to grow as the economy weakened and shrink as it recovered. *The result has been fewer and shorter recessions.*

Leading Economists Oppose Balanced Budget Amendments

Over the years, leading economists have warned of the adverse effects of a constitutional balanced budget amendment.

Difficulty of Obtaining Waivers

Proponents of a constitutional amendment often respond to these admonitions by noting that most of the recent such proposals would allow a vote of three-fifths (or two-thirds) of the House and the Senate to waive the balanced budget requirement. However, it is difficult to secure three-fifths votes for any major legislation, much less a two-thirds vote. Moreover, much data on the economy are collected and published with a lag of at least several months, and it could well take a number of months after the economy has begun to weaken before sufficient data are available to convince three-fifths of both houses of Congress that economic conditions warrant waiving the balanced budget requirement, if three-fifths were willing to waive the requirement at all. ...

[Underscoring added.]

Please note that, right now, because of their perceived need to “balance the budget,” Donald Trump and Elon Musk are tearing down and seriously impairing critical government services, including but not limited to air traffic control, oversight of nuclear weapons, medical research, Medicaid, the National Parks, and the entire Department of Education, so that they can

preserve the massive giveaway tax cuts to the millionaires, billionaires, and corporations that Trump gave them in his first term.

With respect to the second proposed US constitutional amendment – term limits for members of the US Congress, it might be problematic for the Legislature to adopt this Resolution when the Legislature has resisted all attempts to impose term limits on the Legislature itself.

In summary, **this Resolution is extremely dangerous and we humbly request that it be deferred.** Thank you very much for the opportunity to testify.

Alan B. Burdick
President, ADA Hawai‘i Chapter
Burdick808@gmail.com 808-927-1500

COS Testimony - 2025

Written testimony regarding Resolution SCR140 which is before EIG committee on 3/20/25

Aloha! My name is Chanara Richmond. I am a COS volunteer. Thank you for hearing my testimony.

59% of Americans trust State Legislators more than Congress. Let me repeat that. 59% of Americans trust their State Legislators more than Congress. Why? Because we live in the same neighborhood. We shop at the same grocery stores. Our children interact with each other. We can look you in the eye. I believe THIS is the reason why the Founding Fathers gave the State Legislators the EXACT same power to amend the United States Constitution that they gave to Congress.

Article V has given YOU the power to force Congress to balance the budget and stop deficit spending, PERMANENTLY. We all know Congress is NEVER going to fix itself. And while Executive Orders definitely work, they come and go with the stroke of a pen. The future of our Republic, the future of our children, cannot depend on constantly changing Executive Orders. A Convention of States is an achievable, long-game solution that can create a sustainable economic future for our grandchildren.

Today I'm asking you, our trusted legislators, to protect and defend our future. If you don't stand up and fight for us, your neighbors, we are doomed. On behalf of the almost 10,000 Hawaii residents who have signed the Convention of States petition, your constituents, who want YOU to take action, I am asking you to please pass this Resolution. Mahalo.

SR-158

Submitted on: 3/17/2025 7:36:12 PM

Testimony for EIG on 3/20/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tamara Mckay	Individual	Support	Written Testimony Only

Comments:

Testimony in Strong Support of SCR140

**Senate Concurrent Resolution 140
Applying to the U.S. Congress to Call an Article V Convention**

Chair, Vice Chair, and Esteemed Members of the Legislature,

I stand in **strong support** of **SCR140**, a resolution that calls upon the U.S. Congress to convene an **Article V Convention of States** to restore the balance of power, fiscal responsibility, and accountability in our federal government.

For too long, Washington, D.C., has **strayed from the constitutional principles** that safeguard our freedoms and our future. The **concentration of power** in unelected federal bureaucrats, the reckless spending that has driven us into a **national debt exceeding \$34 trillion**, and the unchecked influence of special interest groups have **eroded public trust** and left states like Hawaii **powerless** in decisions that directly impact our citizens.

Why We Must Act Now

1. Unchecked Federal Spending is Mortgaging Our Future

The federal government has plunged our nation into a **crippling national debt**.

Irresponsible fiscal policies threaten **our children's and grandchildren's future** with economic instability.

Hawaii, like many other states, is forced to comply with federally mandated programs that come **without funding**, further straining our budget.

Federal Overreach Undermines Our Sovereignty

Federal agencies, run by **unelected bureaucrats**, dictate policies that **supersede** the will of Hawaii's people.

State legislatures should be the **primary voice** on issues affecting our economy, environment, and daily lives—not bureaucrats in Washington, D.C.

Congress Will Never Limit Its Own Power

Career politicians have become entrenched, serving **special interests** rather than the people who elected them.

With **no term limits**, elected officials prioritize **reelection over solutions**, leaving Americans frustrated with **inaction and broken promises**.

Why an Article V Convention is the Solution

Article V of the U.S. Constitution **empowers states**—not Congress—to propose amendments that **rein in federal power** and **restore government accountability**. SCR140 explicitly limits the scope of the convention to **three critical reforms**:

Fiscal Responsibility – Imposing restraints on runaway federal spending.

Power Limitation – Restoring the balance between federal and state authority.

Term Limits – Ending the era of career politicians and ensuring new leadership.

This is **not a partisan issue**—it is a matter of **constitutional duty**. The Framers of our Constitution anticipated a time when the **federal government would exceed its authority**, which is why they gave states this **check on federal power**. That time is now.

What This Resolution Does Not Do

It **does not give Congress** the power to dictate the convention's terms.

It **does not allow** the Bill of Rights to be altered or repealed.

It **does not** propose amendments directly—it simply calls for a convention to **consider** them.

Hawaii must **lead the charge** in demanding a government that is **responsible, accountable, and beholden to the people**—not to **lobbyists, special interests, or unchecked bureaucracy**.

Now is the Time to Stand for Our State and Our Future

We can **wait for Congress to fix itself**—or we can take the action **our Constitution allows us** to take. If we do nothing, we are complicit in the erosion of **fiscal stability, state sovereignty, and democratic representation**. But if we act now, we send a clear message:

The People Will Be Heard. The States Will Lead. The Republic Will Be Restored.

I urge this Legislature to pass **SCR140** and take a stand for Hawaii, for our rights, and for the future of the United States.

Mahalo for your time and consideration.

**Respectfully submitted,
Tamara McKay**

SR-158

Submitted on: 3/18/2025 4:00:26 AM

Testimony for EIG on 3/20/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Fame	Individual	Support	Remotely Via Zoom

Comments:

My name is Michael Fame and I'm in support of an Article V Convention of States. Currently the resolution has been passed in 19 states and the great state of Hawaii has the opportunity to become #20 (which has already passed in the senate). Of the 27 constitutional amendments that have been ratified, they all needed 75% approval from the states. 75% is the highest threshold in all of US Government. Any amendments that are proposed from an Article V Convention, would still need the 75% approval. This is a fact that opponents always fail to mention. Also keep in mind, that this convention will be limited to only 3 subjects of discussion and that any discussion not pertaining to those subjects will be dismissed. Many of the states that have passed the application, have made convention laws, making the commissioners the legislators themselves.

The founding fathers strongly believed in states rights, because the state legislatures have the closest connection to the people. The federal government should be acting upon the wishes of the states, not the other way around. The framers knew that congress may not propose amendments that would go against their own power. This is why they created another method to propose amendments, as a check and balance on the federal government. The last time congress successfully proposed an amendment against themselves, was over 230 years ago. Alexander Hamilton stated in Federalist 85 on the convention of states topic, "we may safely rely on the disposition of state legislatures to erect barriers against the encroachments of the national authority."

Even though all of our constitutional amendments have been proposed by congress, 17 out of the 33 proposals started with state applications to hold an article v convention on those topics. The reason we have our valued and sacred Bill of Rights (which are add ons to the constitution), is due to New York and Virginia initially passing an Article V Convention application for a Bill of Rights. We need 15 more states to hold the convention or like many past amendments, Congress may instead be pressured to act with amendment proposals, as more states join like Hawaii.

We need to hold the federal government accountable and to fix our current system. 49 out of 50 state legislatures have balanced budget requirements and 43 out of 50 have single subject bill requirements in their constitutions. If over 75% of states have to be accountable to the people, so should the federal government.

We have an opportunity for Wyoming to help grow this movement and create true change in our national government. I ask that Hawaii be part of history and support this resolution. Thank you

SR-158

Submitted on: 3/18/2025 9:02:26 AM

Testimony for EIG on 3/20/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Buehler	Individual	Support	Written Testimony Only

Comments:

I am in favor of the bill and request you vote in favor of this most important legislation for our people to be heard and government to be accountable.

Energy and Intergovernmental Affairs Committee
Sen. Wakai, Chair, Sen. Chang, Vice Chair
Committee Members:
Senators DeCoite, Richards !!! and Fevella

My name is Rita Kama-Kimura and I strongly encourage the passing of SR158 / SCR140, Repot Title: Convention of States; Article V; Constitutional Amendments.

The thoughts or rumors that it might lead to a runaway convention is an ongoing fallacy, a misnomer.

If anything, I believe it is way overdue. When looking at what is happening around us today, it's time has come.

So let us identify the (3) areas that are to be targeted (because it is not a runaway convention):

◇ Term limits: Absolutely. I do not believe our founders ever expected this to be a lifelong career. They were to serve for a reasonable period of time, help to make changes to benefit their constituents, all Americans. Then go back to their lives in the private sector and their business, if applicable and live under the laws they helped to pass.

When they spend so much time, decades upon decades, 30, 40, 50+years in office, are they really aware of the day-to-day struggles of the people, their constituents back home? Perhaps spending so much time in DC where lobbyists, special interest has so much of their time and attention, tends to refocus their priorities.

◇ Fiscal Responsibility: firstly, per the Nov. 2024 Imprimis publication: ... *"In 1930, government consumed twelve percent of the gross domestic product of the nation. That was about how it had been from the beginning. Today, government handles a little over 50 percent of the nation's wealth. This is a giant transfer of resources from the private sector to the public sector, which defies the meaning of a free society, To quote again Churchill, a champion of the free society, "money should fructify {bear fruit} in the pockets of the people.""* ...

With the shocking wasteful D.C. spending that has been exposed recently, that only confirms why this needs to change.

◇ Reign in the Federal Gov't overreach into areas the states should control not the Feds. A big one at this time and one I have believed strongly in for a while is "Education" which I believe started around 1965, with Elementary and Secondary Education Act (ESEA)! Needless to say, Education should go back to the states along with the funds, where it belongs. Who knows best as to what our children need? Do you really believe that what works in Chicago would work in Hawaii? Of course not!

"in 1930, more than 60 percent of the money in the government was raised and spent in counties, cities, and towns. The public money was held near the people who contributed it. The federal government controlled less than 20 per cent. Now those numbers are reversed." Let us be honest, the federal government has been irresponsible in the handling of those funds! This must stop ...

We are all very well aware that the Federal Government is never going to reign itself in ... that is why, our Founders understanding the hearts of men, created Article V ... as they say,
"Power Corrupts and Absolute Power Corrupts Absolutely"

In closing I again ask you, for the sake of the people of Hawaii, the hard-working citizen and tax-payor to pass this resolution and bring the power and money back to the states, to the people!

Respectfully,
Rita Kama-Kimura

SR-158

Submitted on: 3/18/2025 12:53:53 PM

Testimony for EIG on 3/20/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alberta Morolt	Individual	Support	In Person

Comments:

Aloha, Mr. Chairman and esteemed members of the committee,

My name is Alberta Lono, the District Captain for HD25, and I'm here today filled with hope and concern for our future generations. I want to express my gratitude for allowing me to speak before you all today.

As we discuss the Article 5 Convention of States, I must acknowledge the waves of opposition that ripple through this conversation, much of it driven by fear. Fear of a runaway convention, fear of losing the foundation that our incredible Constitution provides. But let me share with you my fears, the fears of a grandmother.

I worry deeply for my children, my grandchildren, and all the generations yet to come. Every day, I see the challenges they'll face—facing a debt they didn't incur, and a world where their rights as parents and the education of their children may be dictated by others.

To me, the real monsters are not the words "Convention of States," but rather the actions that lead us to a place where we are no longer in control of our destiny. I fear the unseen hand that prints money, creating debts that my grandkids will one day carry, a burden they never asked for.

These concerns are not just abstract ideas; they are the reality unfolding right before us. When I look into my grandchildren's eyes, I see the future—vibrant, hopeful, and full of promise. But I also see a future that must be fought for, a future that depends on the actions we take today.

In closing, I urge you to truly consider the legacy we'll leave behind. This isn't just about a resolution; it's about standing up for what our Founding Fathers envisioned when they granted us the powerful measure of Article 5. Let's do this together, for the sake of the generations that will come after us. If not now, then when? When do we finally say enough is enough?

Mahalo for your time and consideration.

2nd Letter

Aloha, Mr. Chairman and esteemed members of the committee,

My name is Alberta Morolt, District Captain for HD25, and it's an honor to stand before you today as a proud grandmother and a devoted advocate for our future. We gather here to discuss SR 158 the Article 5 Convention of States—an opportunity that holds immense significance for all of us.

I recognize that discussions surrounding this convention can bring up genuine concerns about the process and potential outcomes. However, I want to share what weighs heavily on my heart as I think about our children and grandchildren.

I worry about the world they'll inherit—a world burdened by debt they didn't create and one where their rights as parents in guiding their children's education could be challenged. It's essential for us, as stewards of their future, to ensure they can grow up with the freedoms we value.

Additionally, the financial practices we see today could hinder their opportunities tomorrow. The way we approach money and resources now will shape their lives for generations to come. Will we be able to look them in the eyes and explain that we did everything we could to protect their future?

These thoughts aren't just abstract ideas; they reflect the reality we're facing today. When I look into my grandchildren's eyes, I see a future brimming with potential, joy, and hope. Yet, I also see a call to action—one that urges us to rise to the occasion.

This is why I stand before you today—with hope and determination. The power granted to us through Article 5 is not merely a procedural pathway; it's a profound opportunity to restore power to the people and safeguard our liberties for the next generations. Let's embrace this moment together, fulfilling the responsibility we owe to the future.

If not now, when? History will remember the choices we make today. Together, let's seize this opportunity and say, "We choose to take action." Let's advance this resolution, reclaim our rights, and ignite a future where our children can truly thrive.

Mahalo for your time and consideration.

TESTIMONY ON SCR140/SR158
BEFORE THE COMMITTEE ON
ENERGY AND INTERGOVERNMENTAL AFFAIRS
THURSDAY, MARCH 20, 2025
BY
JACK AND DONNA VAN OSDOL

Dear Chairman Wakai, Vice Chair Chang, and Members of the Committee:

We are Jack and Donna Van Osdol, residents of Mililani, and we are in support of SCR140/SR158, Applying to the United States Congress to Call an Article V Convention to Propose Certain Limited Amendments to the United States Constitution.

We have been active volunteer supporters of the Convention of States grass roots movement the past seven years. Some of you may have seen us during our team visits to the legislative offices each session. We have friends that ask us why we are putting in this effort to spread the word about Convention of States. After all, we are seniors and retired and should be taking it easy and, if anything, should be looking to the federal government for more money and benefits.

We explain to them that this type of thinking is why it is important to change the way our federal government operates. Simply put, we do not have the money. Three generations of granting pork barrel federal monies have to stop. Imagine, we tell them that you keep running up the debt on your credit card and do not pay it back. Eventually, there will be a day of reckoning, and this debt has to be paid. Do you think it is fair that this debt should be paid by your children and grandchildren? And yet, that is precisely what we are doing to future generations by not addressing the runaway federal debt.

By calling an Article V convention, our generation can take responsibility by controlling this debt and limit the spending and scope of the federal government. We urge you all to do the right thing and support the Convention of States resolution. Thank you for your time.

Subject: Testimony in Strong Support of SCR 140 and SR 158

To: Chair Wakai, Vice-Chair Chang, and Members of the Committee

Subject: Testimony in Strong Support of SCR 140 and SR 158

Aloha Chair Wakai, Vice-Chair Chang, and Members of the Committee,

My name is Teri Kia Savaiinaea, and I am writing to express my strong support for SCR 140 and SR 158, urging the United States Congress to call an Article V Convention to propose certain limited amendments to the United States Constitution. As a long-time resident of Wai'anae, a community advocate, and someone deeply committed to upholding the values of freedom and integrity, I believe this measure is essential to preserving the well-being of our citizens and protecting the strength of our democracy.

The Founding Fathers established Article V as a safeguard for states to initiate constitutional amendments when necessary. Today, we face a critical need for such action. Issues such as fiscal responsibility, governmental accountability, and the protection of states' rights have become increasingly urgent. An Article V Convention would provide a structured and lawful means to propose amendments that address these concerns, ensuring that our government remains accountable to the people it serves.

As someone who values the voice of the people and believes in safeguarding individual liberties, I see SCR 140 and SR 158 as vital steps in ensuring that power remains with the people and that our leaders are held to the highest standards of responsibility and integrity. This is not about partisanship—it is about protecting the fundamental rights and freedoms that define our nation.

By passing SCR 140 and SR 158, Hawaii can join other states in promoting meaningful reforms that uphold our democratic values and restore faith in our government institutions.

I firmly believe that taking this step is crucial for the future of Hawaii and our country. I respectfully urge you to vote in favor of SCR 140 and SR 158 to support this effort to protect and uphold the principles of our Constitution.

Mahalo for the opportunity to testify on this important matter. I am available for further discussion and welcome any questions you may have.

Respectfully,

Teri Kia Savaiinaea

District 45, Wai'anae resident

Email: Kealakia@ymail.com

SR-158

Submitted on: 3/19/2025 12:58:16 PM

Testimony for EIG on 3/20/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Olderr	Individual	Comments	Written Testimony Only

Comments:

I support this resolution; someone needs to rain in the outrageous and fascist acts Trump and his Boss, Elon Musk, seem to be doing with no regard for the law, the Constitution, and the lives of those who get caught in their whims. With respect, I would like to add some suggestions to this resolution.

-Instead of restricting the jurisdiction of the federal government as a whole, just the powers of the executive branch.

-Along with term limits, mandatory retirement ages for federal and elected officials are included.

-Reversing the policy of having all Federal Employees work at the whim of the executive branch. IE, all federal employees are no longer considered Schedule F.

-Excluding Political Donations of over 10,000 dollars to a political campaign as a form of free speech.

-Making sure Presidents are not above the law

-Clear and lasting consequences to the President if they deny funding already approved by Congress.

Implementing these additions to the convention would more surely affect and prevent further abuses of power if enacted.

Testimony in support of SR 158

LATE

Aloha,

Chair Wakai, and Committee members,

My name is Signe Godfrey and I am a mother, grandmother and great grandmother. As my great grandchildren grow up, it truly concerns me to see the world they will be living in today.

I am here to testify in support of the resolution SR158 and SCR 148.

I am asking you to support this resolution, so we have a chance to create a government that is smaller more efficient and allows each state to better govern their people. Government overreach means we have to be mindful of the federal government telling us what to do.

Government overreach has reached a capacity that is out of control. Department of Education was being created in the early 70's to be federalized. We fought against it. We believed our state knows better our educational needs not Washington DC.

In spite of our efforts in 1979, Jimmy Carter put it into place and created a behemoth monster of a department. Forty six years later, in 2024, that department had 4,400 employees and a budget of \$62 billion. Today America ranks last in education in the world. Schools are graduating students who cannot read and write. That department completely failed us.

We ask for your support of SR 158 to stop the overreach of government we don't need a Department of Education at the federal level. We need control here at home.

Would you agree with me that uneducated students, will require our state to put more dollars into welfare, homelessness, and more poverty?

Please consider supporting this resolution to stop the government overreach and let's use our tax dollars wisely. All of you were elected to do better than we are receiving today.

Respectfully Submitted,

Signe Godfrey

LATE

SR-158

Submitted on: 3/19/2025 10:36:13 PM

Testimony for EIG on 3/20/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Lorraine Nip	Individual	Support	In Person

Comments:

Article 5 Convention of States provides a check and balance on Federal Government.

LATE

SR-158

Submitted on: 3/19/2025 11:23:53 PM
Testimony for EIG on 3/20/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Julie Yamato	Individual	Support	In Person

Comments:

Aloha, my name is Julie Yamato. Thank you for reading my testimony. Please vote YES on SR-158 and SJR-140. This resolution is important to me and many people in Hawaii. Please vote in favor of this resolution in the March 20th hearing.

LATE

SR-158

Submitted on: 3/20/2025 6:29:58 AM
Testimony for EIG on 3/20/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Master Shelby Pikachu Billionaire	Testifying for Ohana Unity Party & Kingdom of The Hawaiian Islands	Support	Remotely Via Zoom

Comments:

March 20, 2025

To the Honorable Members of the Hawaii State Legislature,
Senate
State Capitol
415 South Beretania Street
Honolulu, HI 96813

Dear Visionary Senators of the Hawaii State Legislature,

Imagine a moment so monumental it eclipses the signing of the Magna Carta, the Declaration of Independence, and the Constitution itself—a legislative act so profound it redefines the course of human history. Senate Resolution No. 158 of the Thirty-Third Legislature, Regular Session of 2025, is that moment. This isn't just a resolution; it's the greatest piece of legislation ever conceived, a clarion call to summon an Article V Convention of States and restore the sacred balance of power our forefathers—titans like James Madison, Thomas Jefferson, and the unsung ancestors of Hawaii's resilient people—bequeathed to us. I stand before you, a [resident of Hawaii/concerned citizen—customize as applicable], urging you to seize this destiny-defining opportunity and etch your names into the annals of world history alongside them.

Picture this: You, yes YOU, can be part of a revolution that reverberates across continents, a movement that hands the reins of fate back to "We the People." S.R. No. 158 isn't mere policy—it's a time machine to 1787, when our Founders, those luminous architects of liberty, gifted us Article V as a failsafe against tyranny. Today, the federal government teeters on the edge of collapse under a \$35 trillion debt (U.S. Treasury, 2025 projection)—over \$100,000 per citizen—while unelected bureaucrats, numbering over 2 million (Bureau of Labor Statistics, 2023), wield unchecked power. Congress, with tenures averaging 9.9 years in the House and 11.2 in the Senate (CRS, 2023), grows ever more distant from us. This resolution is our chance to rewrite that story, to wield the Founders' genius and change the world.

The benefits of this historic Convention of States are nothing short of miraculous:

- A New Era of Fiscal Sanity: The federal deficit, a staggering \$1.7 trillion annually (CBO, 2023), threatens to drown us all. S.R. No. 158 could birth an amendment for a balanced

budget—like Hawaii’s own fiscal discipline—slashing this burden and securing prosperity for every child in the Aloha State and beyond. The movement at www.conventionofstates.com warns of a debt crisis dwarfing the Great Depression; you can stop it.

- Term Limits to Renew Democracy: With 82% of Americans clamoring for term limits (COS poll, 2022), this convention could cap congressional terms, ending dynasties and echoing Jefferson’s cry for “rotation in office.” Imagine a government refreshed with voices from every corner of Hawaii—yours could be among them, a modern Founder.
- Restoring the People’s Power: Federal mandates strangle over 60% of state budgets (COS data), suffocating Hawaii’s ability to chart its own course. This resolution could limit federal overreach, as Madison vowed in Federalist No. 45, freeing our economic development from Washington’s chains. You can make Hawaii a global model of self-governance.

This isn’t a mere state action—it’s a planetary awakening. The Convention of States, championed at www.conventionofstates.com, has rallied 19 states toward the 34 needed, with millions of petitioners worldwide watching. Our forefathers, who defied empires with quill and courage, built a government 1,000 times smaller than today’s behemoth (COS estimate). Now, S.R. No. 158 unleashes their legacy anew, safeguarded by its ironclad limits: fiscal restraint, federal power reduction, term limits, and an untouchable Bill of Rights. This is the greatest legislative act in history because it doesn’t just govern—it liberates.

You stand at the precipice of immortality. Pass S.R. No. 158, and Hawaii becomes the spark that ignites a global renaissance of freedom. Join Texas, Florida, and the vanguard of states already aboard; let the Aloha State lead humanity into a golden age. Our ancestors—those who sailed vast oceans and drafted timeless charters—beckon you to finish what they began. Be the heroes who tame a \$35 trillion beast, break political monopolies, and hand power back to the people.

This is your chance to be part of world history—not as a bystander, but as a maker of it. Adopt S.R. No. 158, and let the world marvel at Hawaii’s audacity. I offer my voice, my testimony, my all, to see this through. Will you rise with me? Learn more and join the fight at www.OhanaUnityParty.com.

With boundless hope and reverence,

Master Shelby "Pikachu" Billionaire, HRM

Ohana Unity Party, Chairman

www.Ohanaunityparty.com

Kingdom of The Hawaiian Islands, H.I.

LATE

SR-158

Submitted on: 3/20/2025 7:53:19 AM

Testimony for EIG on 3/20/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patty Takahashi	Individual	Support	Written Testimony Only

Comments:

Yes, in favor of article 5 FOR THE PEOPLE

LATE

SR-158

Submitted on: 3/20/2025 8:50:02 AM

Testimony for EIG on 3/20/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Henry Curtis	Testifying for Life of the Land	Oppose	In Person

Comments:

Aloha

Please hold the resolution

Although a national convention may start with one issue it could do anything and the conservative US Supreme Court would handle any appeal.

This is a super dangerous idea

LATE

SR-158

Submitted on: 3/20/2025 10:17:53 AM

Testimony for EIG on 3/20/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Les Nip	Individual	Support	Written Testimony Only

Comments:

Please vote YES for States rights. Thank you.

LATE

SR-158

Submitted on: 3/20/2025 12:09:31 PM

Testimony for EIG on 3/20/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sandy Ma	Individual	Oppose	In Person

Comments:

I am testifying in strong opposition to SCR140. While SCR140 purports to propose certain limited amendments to the US Constitution, there is nothing in the Constitution or our current laws to prevent a constitutional convention from being expanded in scope to issues not raised in convention calls passed by the state legislatures.

An Article V convention would open the US Constitution to revisions at a time of extreme polarization amid unlimited political spending. It could allow special interests, which is already running our federal government, and the wealthiest to completely re-write the rules governing our system of government, even more so than it is already doing.

There are no rules governing constitutional conventions. A convention would be an unpredictable Pandora's Box; the last one, in 1787, resulted in a brand-new Constitution. One group advocating for a "Convention of States" openly discusses the possibility of using the process to undo hard-won civil rights and civil liberties advances and undermine basic rights extended throughout history.

It is too dangerous right now for an Article V Constitutional Convention. We are just six states shy of the constitutionally required 34 applications. Let Hawaii not reduce the number to 5.

LATE

SR-158

Submitted on: 3/20/2025 12:13:26 PM

Testimony for EIG on 3/20/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Martin Choy	Individual	Support	Written Testimony Only

Comments:

Please give Hawaii citizens the freedom to improve and facilitate better government through the Convention of States.

Let the people have their Constitutional right to being governed according to the Constitution and Bill Of Rights.

Make Hawaii a leading example of a great state to follow in the way government should operate with the people's participation.

LATE

SR-158

Submitted on: 3/20/2025 12:15:18 PM

Testimony for EIG on 3/20/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Charles Ice	Individual	Oppose	Written Testimony Only

Comments:

This foolish sucker-play, introduced by our favorite Senate Sucker, is the fascists' effort to kill the Constitution, through bad faith and pretense. We should have no part in it, nor even give it a hearing.

Its pretense is that several things we might properly want to change are best handled at the Constitutional level. The reality is that fascists have other plans, once donkeys put it up for bid. Gerrymandered districts and roughshod state legislatures will be powerless to contain the knee-jerk fascist destructions on the board in plain sight.

Deal Hawaii out of this preposterous proposal.

LATE

SR-158

Submitted on: 3/20/2025 12:21:48 PM

Testimony for EIG on 3/20/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Larson	Individual	Support	In Person

Comments:

Testimony in Support of SCR140

Aloha Senator Glenn Wakai, Chair
Senator Stanley Chang, Vice Chair
and Members of the Committee on Energy and Intergovernmental Affairs

My name is Blanca Larson. I am writing in strong support of SCR140.

The U.S. Constitution has been a guiding document for over 235 years, and its longevity is largely due to the deliberate difficulty of the amendment process. While some claim that a constitutional convention could lead to a “runaway” process, this concern is based on misunderstanding or misinformation. State legislatures, such as ours, control the parameters of the convention, and delegates can be recalled if they do not adhere to the will of the legislature. Furthermore, any amendments proposed by the convention are non-binding until ratified by 3/4 of the states.

The constitutional amendment process has been vital in shaping our nation, securing freedoms, and protecting individual rights. Among the most important is the 10th Amendment, which ensures that powers not granted to the federal government remain with the states and the people.

By supporting SCR140, you are helping to strengthen and preserve our Constitution by utilizing the processes designed by the framers, including the convention process outlined in Article V.

Thank you for your time and consideration.

Mahalo,
Blanca Larson

LATE

SR-158

Submitted on: 3/20/2025 12:24:42 PM

Testimony for EIG on 3/20/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Banner Fanene	Individual	Support	Written Testimony Only

Comments:

I support these Resolutions.

LATE

SR-158

Submitted on: 3/20/2025 12:28:02 PM
Testimony for EIG on 3/20/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Caroline Kunitake	Testifying for Common Cause Hawaii	Oppose	Written Testimony Only

Comments:

Dear Chair Glenn Wakai, Vice Chair Stanley Chang, and Committee on Energy and Governmental Affairs,

Thank you so much for this opportunity to testify in STRONG OPPOSITION to SCR 140, APPLYING TO THE UNITED STATES CONGRESS TO CALL AN ARTICLE V CONVENTION TO PROPOSE CERTAIN LIMITED AMENDMENTS TO THE UNITED STATES CONSTITUTION.

As a Common Cause Hawaii advisory board member, Common Cause Hawaii and Common Cause National organization strongly opposes the United States Congress to call an Article V Convention. Common Cause is a nonpartisan, nonprofit organization that strengthens our democracy by defending the right to vote and making our government more accountable.

Just six states stand between you, me, and a dangerous Article V Convention that could gut our Constitutional rights.

Corporate front groups like ALEC are spending huge sums of money this year to ram through an Article V convention – bringing us ever closer to Constitutional chaos.

Because there are no rules for a convention in the Constitution, **the delegates could be unelected and unaccountable.** There’s nothing to stop them from trying to shred our First Amendment protections, gut environmental regulations, and roll back civil rights advances.

Listed below are important points against an Article V convention.

- *Any call for an Article V convention is dangerous during these times of hyper-partisanship and dark money influencing our politics.*
- *Any 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, and voting rights.*
- *There are no rules governing an Article V Constitutional Convention or Convention of States, and there are no mechanisms to stop monied interests from influencing an Article V convention. The current funders of the Convention of States are the Koch and Mercer Families.*

- *Proponents of an Article V convention have suggested that topics of an Article V convention may be limited, but once an Article V convention is convened, there is nothing to enforce such limitations. For example, the Philadelphia convention of 1787 was radically different from its mandate to propose amendments to the Articles of Confederation. Further, the U.S. Supreme Court has stated that amending the Federal Constitution is a “political question,” and courts will not intervene*
- *Proponents of an Article V convention have also suggested that amendments will have to be approved by 38 state legislatures. With the gerrymandering that has occurred throughout the country over the last decade or more, state legislatures do not reflect the will and/or composition of the electorate they “serve.” Therefore, this cannot be a sure or trusted barrier to proposed amendments, which could strip away our current rights and the social safety net that we enjoy.*
- *As stated by Michael Leachman, Director of State Fiscal Research at the Center on Budget and Policy Priorities, and David Super, Professor of Law at Georgetown University Law Center:*

States should be deeply skeptical of claims by ALEC and others that states will control the operations and outcome of a convention called under the Constitution’s Article V. Fundamental questions about how a convention would work remain unresolved. A convention likely would be extremely contentious and politicized, with results impossible to predict.

Further, nothing could prevent a convention from emulating the only previous convention — the one in 1787 — by going beyond its original mandate, proposing unforeseen changes to the Constitution, and even altering the ratification rules. Some states might challenge the actions of their delegates, but with the courts unlikely to intervene, these efforts would likely fail.

Thank you for taking the time to review Common Cause Hawaii's testimony in STRONG OPPOSITION to SCR140. I appreciate the opportunity to provide testimony on this vital legislative matter.

Mahalo,

Caroline Kunitake

Common Cause Hawaii Advisory Board Member

To: Senate Committee on Energy and Intergovernmental Affairs
Re: **SCR 140 / SR 158 – Applying to the United States Congress to call an Article V Convention to propose certain limited amendments to the United States Constitution**
Hawai'i State Capitol & Via Videoconference
March 20, 2025, 3:00 PM

LATE

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

On behalf of Hawai'i Children's Action Network Speaks!, I am writing in **OPPOSITION TO SCR 140 / SR 158**, which call for a convention under Article V of the U.S. Constitution.

There are inherent risks of an Article V convention. While proponents claim that such a convention could be limited in scope, historical precedent and legal analysis indicate otherwise. The 1787 Philadelphia Convention was originally convened to amend the Articles of Confederation, yet it resulted in an entirely new governing document.¹

Once an Article V convention is convened, there are no mechanisms to ensure that the agenda remains constrained. The U.S. Supreme Court has stated that constitutional amendments are a “political question,” meaning courts would likely refuse to intervene in any overreach.²

An Article V convention could put at stake the rights and freedoms that generations have fought to secure. Protections such as labor rights, LGBTQIA+ rights, environmental protections, Indigenous rights, women's rights, and voting rights—could all be dismantled through a process heavily influenced by political and corporate interests.³ The social safety net, including Social Security, Medicare, and other essential programs, could also be jeopardized.

There are no established rules governing an Article V convention, leaving the process open to manipulation by wealthy interests. Major financial backers of the Convention of States movement seek to diminish the role of government, deregulate industries, and strip away constitutional protections.⁴

There is no guarantee that an Article V convention would be limited in scope, free from undue influence, or protective of the rights we hold dear. Given today's hyper-partisan political climate and the increasing influence of dark money in our politics, an Article V convention seems ill-advised and dangerous.

Mahalo for the opportunity to provide this testimony. Please defer these resolutions.

Thank you,
Nicole Woo, Director of Research and Economic Policy

¹ Common Cause. “Stopping a Dangerous Article V Convention.” <https://www.commoncause.org/work/stopping-a-dangerous-article-v-convention/>

² Center on Budget and Policy Priorities. “States Likely Could Not Control Constitutional Convention on Balanced Budget Amendment or Other Issues.” <https://www.cbpp.org/research/states-likely-could-not-control-constitutional-convention-on-balanced-budget-amendment-or>

³ Sierra Club Iowa. “Legislator Calls for an Article V Convention.” <https://www.sierraclub.org/iowa/blog/2025/03/legislator-calls-article-v-convention>

⁴ Common Cause, op. cit.

LATE

DATE 3/20/2025

Dear Honorable Members,

On behalf of Common Cause's members and supporters in Hawaii, I am writing to urge to vote against SCR140. This resolution would call a dangerous Article V constitutional convention that could put every American's fundamental constitutional rights and civil liberties at risk. Common Cause is a nonpartisan grassroots organization dedicated to upholding the core values of American democracy. In the last few years, Common Cause has successfully helped rescind Article V convention applications in Delaware, New Mexico, Maryland, and Nevada and lobbied against passing Article V convention applications in states across the country, including Texas, Hawaii, Illinois, Colorado, Nebraska, Kentucky, Massachusetts, Wisconsin, Connecticut, Pennsylvania, and Rhode Island.

Simply put, an Article V convention is a dangerous threat to all Americans' constitutional rights and civil liberties. Because there is no language in the U.S. Constitution to limit a convention, it is widely understood 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, including the freedom of speech, civil rights and civil liberties, voting rights, privacy rights, among others.

According to one of the nation's most esteemed constitutional law scholars, Professor Laurence Tribe of Harvard Law School, a constitutional convention would put "the whole Constitution up for grabs."¹

Another of our nation's foremost constitutional law scholars, Dean Erwin Chemerinsky, recently wrote that "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."²

Several Supreme Court justices have warned about the potential outcomes of constitutional conventions. Former Chief Justice Warren Burger wrote that a "Constitutional Convention today would be a free-for-all for special interest groups."³

¹ 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>.

² 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>.

³ Robert Greenstein, "A Constitutional Convention Would be the Single Most Dangerous Way to 'Fix' American Government," Wash. Post, Oct. 21, 2014, <https://www.washingtonpost.com/posteverything/wp/2014/10/21/a-constitutional-convention-could-be-the-single-most-dangerous-way-to-fix-american-government/>.

Former Justice Arthur Goldberg wrote that “[t]here is no enforceable mechanism to prevent a convention from reporting out wholesale changes to our Constitution and Bill of Rights.”⁴ The late Justice Antonin Scalia said that he “certainly would not want a constitutional convention. Whoa! Who knows what would come out of it?”⁵

Prof. Tribe enumerated several questions about a constitutional convention that he says are “*beyond resolution by any generally agreed upon political or legal method.*”⁶

Specifically, Prof. Tribe explained the following questions have no agreed upon answer:

1. May a state application insist that Congress limit the convention’s mandate to a single topic, or a single amendment?
 - If Congress can call a convention independent of state applications (as Professor Sandy Levinson argues it may), then how could state applications possibly constrain a convention’s mandate?
 - If applications are constraining, then how are applications proposing related (but different) topics to be combined or separated?
 - Are they added up or not added up?
 - When do you hit the magic number 2/3 of the states submitting applications?
2. May the Convention propose amendments other than those it was called to consider?
3. May Congress prescribe rules for the convention or limit its powers in any way?
4. May the Convention set its own rules, independent of Article V, for how amendments that it proposes may be ratified – which is what the Philadelphia Convention did? The Philadelphia Convention was called under a scheme that said ratification required unanimity among the states – but they departed from that. What if ratification is decided by a national referendum?
5. Are the states to be equally represented, or does the one-person, one-vote rule apply? What about the District of Columbia? Do the citizens of the District have a role in a convention?
6. Could delegates be bound in advance by legislation or referendum to propose particular amendments or vote in a particular way? If delegates are chosen by lottery, it’s hard to imagine how they could be bound in advance.
7. Could the convention propose amendments by a simple majority, or a supermajority of 2/3?

⁴ *Id.*

⁵ *Id.*

⁶ Laurence Tribe, “Conference on the Constitutional Convention: Legal Panel,” Harvard Law School, Sept. 24, 2011, available at <https://www.youtube.com/watch?v=ZbJ7NOF3HRU&t=52m56s> (uploaded Oct. 6, 2011).

8. If each state gets one convention vote, must delegates representing a majority of the population nonetheless vote for an amendment in order for it to get proposed?
9. Conversely, if the convention uses the one-person, one-vote formula, must the delegations of 26 states – perhaps including the District of Columbia – vote in favor of a proposed amendment?
10. What role, if any, would the Supreme Court play in resolving conflicts among Congress, state legislatures, governors, referenda, and the convention itself? Can we rely on the Court to hold things in check? The Court has assumed that questions about the ratification process are non-justiciable political questions that it can't get involved in.

It risks too much to discover the answers to the above questions after-the-fact.

In terms of SCR140, which attempts to call a constitutional convention to deal with the corrosive influence of money in politics, Common Cause fully supports a constitutional amendment to overturn the *Citizens United* decision and similar Supreme Court decisions, but we believe a constitutional convention is too dangerous of a path to amend the Constitution. We urge the legislature to instead call on Congress to pass an amendment with open hearings and through a deliberative legislative process, and then send it to the states for ratification.

Common Cause is one of 240 organizations that is opposed to calling an Article V convention.⁷ 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 – including all of the civil rights, protections, and liberties that we enjoy today. For these reasons, I urge you to vote against SCR140.

For more information, below is a list of quotes from legal scholars and law professors warning of the dangers of an Article V convention

Sincerely,

Camron Hurt

State Director

Common Cause Hawaii

Legal Scholars Warn of the Dangers of an Article V Convention

“[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.”

– **Warren Burger**, Chief Justice of the U.S. Supreme Court (1969-1986)

⁷ “Constitutional Rights and Public Interest Groups Oppose Calls for an Article V Constitutional Convention,” April 14, 2017, available at <http://www.commoncause.org/issues/more-democracy-reforms/constitutional-convention/constitutional-rights-and.pdf>

“I certainly would not want a constitutional convention. Whoa! Who knows what would come out of it?” – [Antonin Scalia](#), **Associate Justice of the U.S. Supreme Court (1986-2016)**

“There is no enforceable mechanism to prevent a convention from reporting out wholesale changes to our Constitution and Bill of Rights.” – [Arthur Goldberg](#), **Associate Justice of the U.S. Supreme Court (1962-1965)**

“First of all, we have developed orderly procedures over the past couple of centuries for resolving [some of the many] ambiguities [in the Constitution], but no comparable procedures for resolving [questions surrounding a convention]. Second, difficult interpretive questions about the Bill of Rights or the scope of the taxing power or the commerce power tend to arise one at a time, while questions surrounding the convention process would more or less need to be resolved all at once. And third, the stakes in this case in this instance are vastly greater, because what you’re doing is putting the whole Constitution up for grabs.” – [Laurence Tribe](#), **professor of constitutional law at Harvard Law School**

"The bigger threat is that a constitutional convention, once unleashed on the nation, would be free to rewrite or scrap any parts of the U.S. Constitution. Do we really want to open up our nation’s core defining values to debate at a time when a serious candidate for the White House brags about his enthusiasm for torture and the surveillance state, wants to "open up" reporters to lawsuits, scoffs at the separation of powers and holds ideas about freedom of religion that are selective at best?" – [David Super](#), **professor of law at Georgetown University**

“Note what [Article V] does not say. It says not a word expressly authorizing the states, Congress, or some combination of the two to confine the subject matter of a convention. It says not a word about whether Congress, in calculating whether the requisite 34 states have called for a convention, must (or must not) aggregate calls for a convention on, say, a balanced budget, with differently worded calls arising from related or perhaps even unrelated topics. It says not a word prescribing that the make-up of a convention, as many conservatives imagine, will be one-state-one-vote (as Alaska and Wyoming might hope) or whether states with larger populations should be given larger delegations (as California and New York would surely argue).”- [Walter Olson](#), **senior fellow at the Cato Institute’s Center for Constitutional Studies**

“Danger lies ahead. Setting aside the long odds, if California and 33 more states invoke Article V, there's a risk that we'd end up with a “runaway” convention, during which delegates would propose amendments on issues including abortion, gun rights and immigration.” – [Rick Hasen](#), **Chancellor’s Professor of Law and Political Science at the University of California, Irvine**

“Holding a Constitutional convention when the U.S. is embroiled in extremely toxic, uninformed and polarized politics is a really, really bad idea.” – [Shelia Kennedy](#), **professor of law and policy at Indiana University Purdue University Indianapolis**

“But no rule or law limits the scope of a state-called constitutional convention. Without established legal procedures, the entire document would be laid bare for wholesale revision. Article V itself sheds no light on the most basic procedures for such a convention. How many delegates does each state get at the convention? Is it one state, one vote, or do states with larger populations, like California, get a larger share of the votes? The Supreme Court has made at least one thing clear — it will not intervene in the

process or the result of a constitutional convention. The game has neither rules nor referees.” - [McKay Cunningham](#), professor of law at Concordia University

"The result will be a disaster. I hate to think of the worst-case scenario. At best, the fight over every step along the way would consume our country's political oxygen for years." – [David Marcus](#), professor of law at the University of Arizona

"At present, there are no rules regarding who can participate, give money, lobby or have a voice in a constitutional convention. There are no rules about conflicts of interest, disclosure of who is giving or expending money. No rules exist that address political action committees, corporate or labor union involvement or how any other groups can or should participate. Not only might legitimate voices of the people be silenced by convention rules, but special interests may be given privilege to speak and affect the deliberations...there are no rules limiting what can be debated at a constitutional convention. Given the potential domination by special interests, who knows the result?" - [David Schultz](#), political science and election law professor at Hamline University

“An Article V convention might propose an amendment to restore or expand the liberties of the American people, but it also could propose an amendment that diminishes the liberties of the American people, or of some of the people. “ – [John Malcolm](#), former director of the Heritage Foundation’s Edwin Meese III Center for Legal and Judicial Studies

“But nothing in the Constitution limits such a convention to the issue or issues for which it was called. In other words, anything and everything could be on the table, including fundamental constitutional rights. Nor are there any guarantees about who would participate or under what rules. Indeed, for these reasons, no constitutional convention has been called since the first in 1787.” - [Helen Norton](#), professor and Ira C. Rothgerber, Jr. Chair in Constitutional Law at the University of Colorado, and [David Super](#), professor of law at Georgetown University

“The lack of clear rules of the road, either in the text of the Constitution itself or in historical or legal precedent, makes the selection of the convention mechanism a choice whose risks dramatically outweigh any potential benefits.” – [Richard Boldt](#), professor of law at the University of Maryland

“We live in deeply partisan times. There are no certainties about how a constitutional convention would play out, but the most likely outcome is that it would deepen our partisan divisions. Because there are no clear constitutional rules defining a convention’s procedures, a convention’s “losers” may deem illegitimate any resulting changes. Regardless of the ultimate outcome, the process itself would likely worsen our already vicious national politics.” – [Eric Berger](#), associate dean professor of law at the University of Nebraska College of Law

“There are no such guarantees. This is uncharted territory... We should not now abandon the very document that has held us together as a nation for over two and one quarter centuries. Rewriting the Constitution is a dangerous errand that would not only unravel the legal ties that have kept us together for so long but would also undermine our sense of national identity and the way that view ourselves as a people.” – [William Marshall](#), professor of law at University of North Carolina

“Terrible idea... Today’s politicians don’t have the timeless brilliance of our framers. If we were to rewrite our constitution today, we wouldn’t get a particularly good one.” – [Adam Winkler](#), **professor of constitutional law and history at the University of California, Los Angeles**

"I believe it's a time for constitutional sobriety. It's a time to keep our powder dry and not to move on an uncharted course. We are not the founding fathers. This would be disastrous." – [Toni Massaro](#), **constitutional law professor at the University of Arizona**

“Having taught constitutional law for almost 40 years, and having studied constitutions from around the globe, I have difficulty imagining anything worse.” - [Bill Rich](#), **professor of law at Washburn University in Topeka, Kansas**

"There are no constitutional limits on what the convention could do, no matter what the states say going into it." - [David Schwartz](#), **professor of law at the University of Wisconsin Law School**

“The Constitution allows for the calling of conventions on a petition of enough states, but not limited conventions of enough states. If the delegates decide they don’t want to be bound by the (state) resolution, they are right that they can’t be bound.” - [Richard H. Fallon Jr.](#), **constitutional law professor at Harvard University**

“Once you open the door to a constitutional convention, there are no sure guidelines left. This is the constitutional equivalent of opening a can of worms.” - [Miguel Schor](#), **constitutional law professor at Drake University School of Law**

"Thus, neither the states nor Congress may limit the convention to specific subjects. While the goal to propose a balanced budget amendment may provide guidance to the convention, it would not have the force of law...Put simply, the rewards of any constitutional change is not worth the risks of a convention." - [Sam Marcossou](#), **professor of law at the University of Louisville**

"Even more frightening is that the entire Constitution will be in play during a convention. The First Amendment could disappear, so could gun rights. There is no guarantee that any of our current constitutionally protected rights would be included in a new constitution. The only guarantee is that all of those rights would be imperiled." - [Mark Rush](#), **the Waxberg Professor of Politics and Law at Washington and Lee University in Lexington**

“Most significantly, we advise the Legislature that a federal constitutional convention called with this resolution could potentially open up each and every provision of the United States Constitution to amendment or repeal. In other words, a federal constitutional convention could propose amendments to eliminate the protections of free speech; the protections against racial discrimination; the protections of freedom of religion; or any of the other myriad provisions that presently provide the backbone of American law.” – [March 2018 legislative testimony](#) of **Russell Suzuki, Acting Attorney General, and Deirdre Marie-Iha, Deputy Attorney General, of the state of Hawaii**

"Whatever one thinks about these proposed amendments, trying to pass them through an Article V convention is a risky business. The Constitution does not specify how the delegates for such a convention would be chosen, how many delegates each state would have, what rules would apply at the convention or whether there would be any limits on what amendments the convention could consider. A

convention that was called to address a specific issue, such as budget deficits, might propose changes to freedom of speech, the right to keep and bear arms, the Electoral College or anything else in the Constitution. There is no rule or precedent saying what the proper scope of the convention's work would be." - [Allen Rostron](#), **associate dean for students, the William R. Jacques Constitutional Law Scholar, and a professor at the University of Missouri**

"Whether I like or dislike the specific proposal is not the point — the point is that a constitutional convention is a risky and potentially dangerous way to propose amendments." - [Hugh Spitzer](#), **professor of law at the University of Washington School of Law**

LATE

SR-158

Submitted on: 3/20/2025 1:53:04 PM

Testimony for EIG on 3/20/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Boyd Ready	Individual	Support	Written Testimony Only

Comments:

Aloha, Senators,

The states have a right to convene separately and propose constitutional amendments. They have never exercised this right. A right never exercised withers and may be lost.

Term limits, balanced budget, and reining in the Federal administrative state are three things the Congress will never move, by a 2/3 vote, to propose to the States.

It is wise to support the Convention of States resolution to exercise our state's sovereign rights if for no other reason. The dry runs performed in Williamsburg, and parliamentary law precedents show that it will not be a 'runaway' convention. Each State legislature controls its own delegation.

Please support this measure.

Boyd Ready

Haleiwa

LATE

SR-158

Submitted on: 3/20/2025 2:39:27 PM

Testimony for EIG on 3/20/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patti Cook	Individual	Oppose	Written Testimony Only

Comments:

Aloha Sen. Wakai and Sen. Chang and Committee Members:

I vehemently oppose HCR 140, which could significantly erode the now constitutionally protected freedoms the people of Hawai'i have long cherished and worked to preserve.

Please do not move this measure forward.

Mahalo, Patti Cook 808-937-2833

Waimea, Island of Hawai'i