

One of my many mentors said to me “It only takes good men to do nothing for bad men to prevail”. Good afternoon, I am Ross Maher, of North Providence and a lifelong Rhode Islander. I volunteer as the Legislative Liaison for Convention of States Action, here in RI. As a quick overview this past January Kansas became the 20th State to pass a resolution calling for a Convention IAW Article V of the US Constitution with the same three topics as in H7009. Several other States have passed the same resolution in one Legislative chamber and are pursuing the matter in their remaining chamber. I wish to remind the committee that in 2016 the RI General Assembly successfully passed a Democrat lead Joint Resolution calling for a Convention of States IAW Article V of the US Constitution however for a different topic than H7009. Further, that a substantial number of the 2016 House of Representatives that then voted favorably for calling a convention continue to serve in the Assembly today. I have with me the roll call vote. To better highlight the broader issue of this resolution, A little more than one month ago in Congress a Resolution to initiate the amendment process with the topic of Fiscal Restraint and Balanced Budgets made it to the floor for a vote. Though passing on simply majority, it failed to obtain the 2/3s requirement. For the record, RI’s two Congressmen voted against the resolution to have a federal Balanced Budget Amendment.

I know wish to challenge the veracity and context of our opponent’s testimony which in my opinion largely consists of misstatements of facts, conjecture, and hearsay which do not survive the most basic level of litigation. Seemingly they ignore basic chronology of events, a plain reading of historical documentation, and precedence. While simultaneously instilling such a level of fear as to cause legislative paralysis not to mention a subtle insult to you as legislators.

Article V itself limits State authority to convening for the purposes of proposing amendments. So, please show me where in Article V is the provision for re-writing the very structure, the operative document of our

Federal Government. Answer: It does not. Such a result by any means is A) politically unacceptable, B) would not survive ratification, and C) makes a Grand Canyon sized assumption that “We The People” will simply comply with such tyranny. I contend that our existing civil liberties remain intact and opponents suggesting a wholesale re-write of our Constitution, though passionate, are unfortunately mis-informed.

With regard to limiting the scope of a convention. A resolution is a legal binding instrument of the Legislature. As such it is in fact enforceable. A State can in fact limit the actions of their commissioners through a written commission. Some States have passed laws using the threat of civil and criminal penalties to enforce a commissioner’s actions at a convention and demand a recall. Further, as matter of long-standing precedent, each State will be required to provide a copy of their commission for the record and the purposes of enforcement while in attendance. The topics of a resolution do in fact limit the scope of a convention which is the exact reason we have yet to have one. The Article V Library.org contains 400 digital copies of similar resolutions on a variety of topics. If a convention could not be limited as opponents contend, than the 2/3s requirement has been met 10 fold. Therefore I contend that the States do in fact respect the matter of topic as limiting factor to justly convene.

Opponents mostly cite the Philadelphia Convention as the example of a convention going beyond its scope, violating of the Resolution made by the Confederation Congress “for sole and expressed purpose of revising the Articles of Confederation”. While ignoring the fact that 6 States produced their commissions specific to this event for their delegates prior to the Confederation Congress producing their Resolution. I have included a chart in my testimony submitted to the clerk. 5 of those uses the phrases similar to Virginia “devising and discussing ALL such alterations necessary to render the Federal Constitution adequate to the exigencies of the Union.” A phrase also used by majority of the States in attendance. They also ignore that the

Confederation Congress ratified the recommendations of the Convention only 11 days after its conclusion. Therefore if the scope was exceeded and the Congress's Resolution violated why did they ratify in such rapid succession? As well as numerous States. Secondly if one cared to do a side by side comparison one would see several similarities between the Articles of Confederation and the New Federal Constitution, concluding they ultimately did amend. Answer: there was no violation of scope, there is such thing as a "runaway convention".

Reflecting on the topics of H7009, I ask how much national debt will take before you as a legislator seek redress. I am curious of how many examples this committee to recall examples of federal overreach, does it not concern you in the slightest that there 25 members of Congress have more 30 years in service, 10 have more than 40 years, and 1 has more than 50?

I respectfully request the committee favorably move this Resolution to the House where the debate can get really lively. Hopefully, I have peeked your interests and I appreciate your questions.