

Richard Harisay -- Resident of Oregon  
Testimony before The Rules Committee  
of The Oregon House Assembly  
April 1<sup>st</sup>, 2015

One of the chief objections to calling for a constitutional convention is that it may result in a “run away” convention. Unless you count the convention which produced our constitution, there is no precedent to give us any inkling of guidelines. Technically, the first convention was not a product of Article 5 since the constitution did not exist when it was called. The statements, therefore, concerning the structure, format, selection of delegates, subject matter are all conjecture and a matter of opinion, erudite or otherwise.

So here is one of those opinions, I'll leave it to you to determine which category it fits into. Firstly, Article 5, plan B (the second way or proposing an amendment) does not call for a Constitutional Convention. It calls, and I quote “...on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments....”; it calls NOT for a convention to write a constitution but for proposing amendments, a minor point.

Secondly, a not so minor point, is our experience with the 17<sup>th</sup> amendment. The people clamored for this amendment, and when congress took inadequate action, initiated a campaign for an article 5 convention. When they were within one state of the two thirds necessary to force that convention, congress stepped in and passed through both houses, the 17 amendment and it was ratified a year later. The result is that we now elect our Senators by popular vote.

If we were actually to make it to a convention our best strategy is to adopt methods that assume that we will be able to have a limited convention.

If you don't ask for it you won't get it.

The WHEREAS sections of a resolution, while embellished with wonderful rhetoric, does not establish law; it is the THEREFORE BE IT RESOLVED section that actually establishes law. If what you want is not mentioned there, your efforts are futile. What we want is an effective, specific, and limited resolution that constrains the convention to specific subjects.

HJM4 does this. It addresses the specific sources of our current election problems by advocating the removal of the influence of artificial entities from our political process and clarifying that no matter how much money you have you still only get one vote.

That is why HJM4 should be passed out of committee for a floor vote with a recommendation to pass (vote in favor of)