

1 April 2015

Chair Val Hoyle, members of the committee,

My name is Josh Baumgartner, a resident of Silverton employed as a circuit board designer in Tualatin. I am in full support of HJM 2 and HJM 4 as it is necessary for the State of Oregon to stand up and join other states in putting the reins on the corrupting influence of money on politics which has so infiltrated the Federal Government and is threatening to do so to state governments as well.

I have been troubled over the years with the growing corruption in our Federal Government which has become increasingly responsive to corporate and special interests and ever less responsive to the general populace. More and more, on every issue, the real explanation for this trend has come down to undue influence of money both through lobbying and directly on elections. The more influence that money gains, the less influence the will of the people has over outcomes in government. Things such as our individual votes, letters to congressional representatives, and public hearings and testimony are seen as less and less meaningful or impactful and more citizens realize they are being disenfranchised.

It is more than just the direct influence of money that is the problem however. More and more, the time of representatives is spent not reviewing, refining, and debating potential legislation, nor even getting out and talking to their constituents to better serve their needs, but instead dialing for dollars. This continuous fund raising has become a fact of life at the federal level, and is required not only to support the election war chests of their own campaigns to ensure re-election, but also to bolster party coffers and even other representatives' funding as the money fuels their ability to get appointments and to garner sponsorship of their bills. As they spend more time seeking money, they have to spend more and more of their day courting those who have the money to give: the most wealthy individuals and lobbyists representing major corporations, unions, industry groups, and other special interests. This means even less time to hear the voices of regular citizens and thus it is no surprise that the actions of Congress have become ever more out of line with the will of the people.

The Federal Government is wholly incapable at this time of solving this problem. What attempts Congress has made to limit spending or influence have been almost entirely undone by court rulings. Since the moneyed influence now firmly controls the path for future bench appointments, it is unlikely that the Supreme Court's opinion on the matter will be changed in the foreseeable future. Thus despite the checks and balances of our government's structure, at this point the money has infiltrated so far that it has surpassed these safeguards.

The Constitution does however give the states a tool to deal with even this dire situation, and it is detailed in Article V: "The Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of the several states, or by conventions in three fourths thereof, as the one or the other mode of ratification may be proposed by the Congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses

in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the Senate.”

HJM 2 and HJM 4 provide for two different, but related, objectives for such a convention. When sufficient states have made application for a convention to be called for either or both of these purposes, the convention can be held and an amendment to meet the assigned purpose can be crafted. Upon its finalization, the states then must ratify the final amendment and thus the will of the states will become law above the machinations of Congress or the courts and those who have gained undue influence over them.

Delegates to such conventions, whether to the early constitutional convention of this nation or to the many state-level conventions held since, have always taken their responsibility with great gravity, and the Constitution itself stands as testimony of this. Fears of a runaway convention or one that would bind us to something undesired are unfounded, as the convention will be bound to the specific topic mandated by the applications of the states. In any case, the states are required to ratify whatever is produced by the convention for it to become law. Thus making an application for a convention or even having a state’s delegation be party to the outcome of that convention in no way obligate the states to accept or be subject to an amendment unless they are fully satisfied and thus ratify the final wording of such an amendment.

It is always momentous to consider such a step as that proposed by HJM 2 and HJM 4 and such a step should never be taken lightly. Weighing the importance of action in defense of our democracy and our liberty however, it is my solemn opinion that the time is now for Oregon to rise up alongside other states in putting forward this call for free and fair elections and that it is the people that have unalienable rights granted by our creator, not artificial entities. Our government is for, of, and by the people, and Article V is a tool to keep it so. HJM 2 and HJM 4 are not silver bullets, but they are a right and necessary part of the solution, and they represent the best values of the people of the State of Oregon. I urge you to support both of these bills and thank you for your consideration. I will be happy to answer any questions you may have.

Thank you,

Josh Baumgartner

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