LEAGUE OF WOMEN VOTERS® OF MARYLAND

TESTIMONY TO HOUSE RULES AND EXECUTIVE NOMINATIONS COMMITTEE

HB 925 Amendments Convention Called Under Article V of the U.S. Constitution - Delegation to the Convention

POSITION: Oppose

BY: Linda Kohn, President

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The League of Women Voters has consistently opposed calls by states for convening an Article V convention for the reasons outlined below. This legislation does nothing to address the dangers of calling for a constitutional convention.

After two years of study and consensus about amending the constitution, in 2016 the following position was announced: “The League of Women Voters is concerned that there are many unresolved questions about the powers and processes of an Article V Constitutional Convention.”

The League believes that such a convention should be called only if the following conditions are in place:

- The Constitutional Convention must be transparent and not conducted in secret.
- The public has a right to know what is being debated and voted on.
- Representation at the Constitutional Convention must be based on population rather than one state, one vote, and delegates should be elected rather than appointed. The delegates represent citizens, should be elected by them, and must be distributed by U.S. population.
- Voting at the Constitutional Convention must be by delegate, not by state.
- Delegates from one state can have varying views and should be able to express them by individual votes.
- The Constitutional Convention must be limited to a specific topic. It is important to guard against a “runaway convention” which considers multiple issues or topics that were not initiated by the states.
- Only state resolutions on a single topic count when determining if a Constitutional Convention should be called. Counting state requests by topic ensures that there is sufficient interest in a particular subject to call a Convention and enhances citizen interest and participation in the process. The validity of state calls for an Article V Constitutional Convention must be determined by the most recent action of the state.
- If a state has enacted a rescission of its call, that rescission must be respected by Congress.

However, Congress has taken no action to make sure that any of the safeguards outlined above are in or will be in place. Until then, we oppose any effort on the part of states to call for an Article V Constitutional Convention.

HB 925 is an ineffectual device to give the appearance of progress on establishing protocols for an Article V Constitutional Convention and we urge an unfavorable report.

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