Attachment # III.
All Written testimony
SCR 108
2/24/17

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Following is what I had to say:

Good morning Mr. Chairman and members of the Committee. My name is Susan Matsuura and my home is in Pocatello.

When I first moved to Southeast Idaho more than 30 years ago, I joined the Bingham County League of Women Voters. Currently, I am a member of the Pocatello League where we studied this issue over a year ago. Following that, the national League adopted a position on constitutional conventions after they had reviewed all information submitted by Local and State Leagues across the country – we do these things slowly and carefully, and we are sometimes criticized for it. Being an active member of League has helped me be an informed citizen and actively participate in our democracy. I am not speaking for the League today, but I have come forward because of the knowledge I gained from our nearly 100-year-old organization. So, I understand the risks and concerns of calling for a constitutional convention. We discussed them at length. Our position statement can be found on our website: http://forum.lwv.org/member-resources/article/league-position-adopted-constitutional-conventions-under-article-v-us-const

Article 5 does not:

- *Offer guidance for how a convention should be convened;*
- *Outline how many delegates each state could send or if they would be elected or appointed;*
- *Limit the scope to a single topic – everything in our founding document would be "fair game" for amendment or deletion.*

The three men who spoke during the first half of the hearing said they want Congress to amend the Constitution to require a balanced budget. There is no guarantee that a convention would be limited to the single issue, and they supplied very weak arguments to that effect.

In 1787, when the only Constitutional Convention we have ever had in our history was held, the first order of business was to scrap the document that the states had been using for governance. To say that could not happen again would be naive. Shocking and unpredictable events happened during our last election cycle. The risks of holding a Constitutional Convention are frightening.

Please vote no on this bill.

Testimony of Walter DONOVAN Convention of States Issue 24 Feb. 2017

Mr. Chairman, members of the Committee, I am Walter Donovan, Brig.Gen. USMC (Ret.), Boise resident for 20 years, speaking in opposition to the Convention of States proposal. I served as senior lawyer in the USMC, then was a prosecutor for 12 years. I graded the Idaho Bar Exam for 10 years, including Constitutional Law questions.

Post 63, Veterans of Foreign Wars, here in Boise, formed over 100 years ago, numbers over one thousand members WW II, Korea, Vietnam, Iraq and Afghanistan combat veterans. By unanimous vote the Post said this :
Post 63, Veterans of Foreign Wars, on the subject of changing our U.S. Constitution, supports using the proven method by which all 27 Amendments have been made and opposes experimenting with a first-ever Convention of States. Our member, Walter Donovan, Brig.Gen. USMC (Ret.) is authorized to state this to the Idaho Legislature.
Signed, Denny Neibaur, Post Commander

You are listening, silent, as are the people behind me. Convention proponents assume similar conduct. No. Are you watching national outbursts in past months? Rep. Chaffetz shouted down in Utah, Education Sec'y DeVos blocked from entering a D.C. school, Berkeley speaker shouted off platform, roads blocked in anger, on and on. The peaceful supporters who met in Philadelphia last summer performed a Potemkin village scenario.

On the balanced budget, the "national emergency" exception will swallow the amendment. A hurricane Katrina, floods, earthquakes will occur and dollar discipline will go out the door. Your reservation, lines 2-3, page 2, that Idaho is in only for Bal/Bud may not be challenged if number of states exceeds threshold; if Idaho is needed, Federal Judges will rule "in for a nickel, in for a dollar".

Proponents of Bal/Bud will run a gauntlet of protesters demanding to know what funds will you cut !? Food stamps, Social Security Disability, Medicaid ? There will be shouts: what will you cut for your balance? They will yell, your balance will unbalance our lives !

Well what can the nation do about 20 trillion debt? Bold proposals: do a means tested reduction- cut Social Security by 15 %, cut federal retirement by 15 % - means tested, not for the bus driver or Sergeant. These of course are Federal functions, but can't you pass a resolution supporting that ? Such would address the debt and avoid the unwritten script of a convention, where the number of delegates, the apportioning of votes, % needed for anything [majority, 2/3, 3/4, even 4/5] are all unknowns and subject to arguments.

Please give great weight to the VFW voices. They are not lawyers or legislators, but Sgts. Navy Chiefs, officers who experienced years of uncertainties. If a convention starts, and collapses as it will, it may be known as the mother of all uncertainties. I pause for questions.

W. Donovan
cell 208. 841. 1135

part of Walter Donnovan testimony

MOTION **13 FEB. 2017**

POST 63, VETERANS OF FOREIGN WARS, ON THE SUBJECT OF CHANGING OUR U.S. CONSTITUTION, SUPPORTS USING THE PROVEN METHOD BY WHICH ALL 27 AMENDMENTS HAVE BEEN MADE AND OPPOSES EXPERIMENTING WITH A FIRST-EVER CONSTITUTIONAL CONVENTION OF STATES.

OUR MEMBER, WALTER DONOVAN, Brig.Gen. USMC (Ret.) IS AUTHORIZED TO STATE THIS TO THE IDAHO LEGISLATURE.

Denny Neibaur cmdr

Denny Neibaur, Post Commander

Part of Walter Donnovan testimony

From: dcneibaur dcneibaur@yahoo.com
Subject: RE: numbers members question
Date: Feb 14, 2017, 10:13:34 AM
To: Walter DONOVAN waltnoaol@gmail.com

We are currently at about 1500 members. Of those 1075 are lifetime members. Last month's VFW National magazine put our post at #16 in the world. Not too shabby I would say.

Sent from my Verizon 4G LTE smartphone

-------- Original message --------
From: Walter DONOVAN <waltnoaol@gmail.com>
Date: 2/14/17 10:06 (GMT-07:00)
To: dcneibaur <dcneibaur@yahoo.com>
Subject: numbers members question

Denny, i know our Post is over 100 years old.
as to members on roster, when i testify, how many members may i say are in Post 63 ?
walt

Budget solution will not be found in Convention of States – Todd Hatfield

Proponents for an Article V, Constitutional Convention, say this is a necessary procedure. They profess it is necessary to implement a Balanced Budget Amendment to the U.S. Constitution, in order to control the National Debt.

This simply is not true.

The state of Idaho has a Balanced Budget amendment cradled within the Idaho Constitution and at the same time lists 1.38 billion dollars of long term debt on its financial statements. This is the key- Budgets vs. Debt misleading the public. Budgets and Financial Statements are two separate reports providing different information. Idahoans are led to believe that all financial transactions are in the budgeting process. Citizens are never told that the budget is or will be balanced through borrowing more than Idaho collects in revenue. Many state legislators and county commissioners have voted for bonding measures without understanding the consequences. Debt is debt and there is no escaping this fact.

Idaho politicians have set up a handful of Bonding Authorities and Associations for specific financing purposes. They are legally separate from the State but intertwined and blended, which imposes a financial burden on the State. Here is an example of how this debt incurrence works; the Highway Department has an approved budget, but the budget does not cover the cost of replacing a bridge, which is on their wish list of projects for the fiscal year. No problem, the Idaho Housing and Finance Association can issue bonds to raise 100 million dollars and fund the project. The money is now put into the Highway Department's budget and the project proceeds. The beauracrats are happy and Idaho looks good not spending more than they have in the budget. This basically works the same way at the county level as well. What citizens and legislators overlook is that the state now owes 100 million dollars and this is recorded as long term debt on the separate financial statements. They have just kicked this debt can down the road to make Idaho's 1st and 2nd graders pay for that bridge when they become adults and the bond comes due. Politicians can fund any pet project they want and disguise the debt incurred. A saddening yet ironic fact- Idaho passed the Balanced Budget Amendment in 1998. Before that time Idaho had zero long term debt.

Another example refuting the argument that a balanced budget will reduce debt is found in the state of Ohio. Governor Kasich has long been an advocate for an Article V and has said he is for a, "Constitutional Convention for purposes of balancing the budget". He toured the western states, stopping in Idaho a couple years ago to promote this idea. Ohio also has a balanced budget amendment in their constitution. Governor Kasich, one of the biggest cheerleaders of the Article V, has a debt in Ohio of 17.67 billion dollars.

As you can see, a Balanced Budget Amendment will not bring debt under control. If prudence is not being sought at the state and local level with existing balanced budget amendments in state constitutions, there will be no better adherence to an amendment at the federal level!

Furthermore, the idea of imposing term limits is another attempt to gain voter allegiance. Most voters would like term limits, but in all reality the elected politicians are not going to vote themselves out of a

job. Idaho voters passed a referendum to impose term limits in 1994. They reaffirmed this measure 3 more times in 1996, 1998 and 2000. In 2002 the Idaho Legislature ignored the will of the voters and repealed the term limit laws.

Todd Hatfield

1088 E. Fleetwood Ct.
Boise, Idaho 83706

February 24, 2017

To: Senator Jeff Siddoway, Chairman
Senator Marv Hagedorn, Vice Chairman
Members of the Senate State Affairs Committee

From: Julie Custer, Co-President
AAUW Idaho

Re: Testimony in Opposition to Senate Concurrent Resolution SCR108 – Formal application to Congress for a balanced budget

Good morning, Chairman Siddoway and Committee Members,

My name is Julie Custer. I am co-president of AAUW Idaho. I am testifying today in opposition to Senate Concurrent Resolution 108.

The American Association of University Women (AAUW) and its six branches in Idaho have been active in community and advocacy activities supporting women and families in Idaho since 1909.

Some people are testifying today about the possible unintended consequences of holding a Constitutional Convention. I want to focus on the possible unintended consequences of approving a balanced budget

amendment, specifically as it relates to the financial security of women, students, and working families.

A balanced budget amendment would require federal spending not to exceed federal receipts. While this sounds laudable in theory, the practicality of it may not be as laudable. Sometimes incurring a certain amount of debt is necessary. I was reminded recently that many of us would not enjoy the quality of life we have if we had not incurred debt; for example, getting a loan to purchase a home, a car, or a college education.

Although AAUW recognizes that these are tough budgetary times, a balanced budget should not come on the backs of vulnerable Americans, including students, women, and working families.

There are many programs benefitting women, students, and working families that would be endangered if a balanced budget amendment were to be passed; for example, Pell grants.

The amendment would impose drastic cuts to federal student aid. More students are seeking aid and additional people are returning to school to retrain, making additional Pell grant investments crucial. This is particularly important given that the Pell grant program was designed to help low-income students and their families achieve their college dreams. Cutting Pell grant award levels would deny this dream to millions of students.

Further, the constrained spending mandated by the amendment would weaken the federal government's ability to help the most vulnerable. The amendment requires policymakers to cut spending when the economy is weak or in a recession, causing revenues to fall. This means policymakers would either have to overcome the "supermajority" imposed by the amendment to raise taxes, or would have to slash programs, such as Head Start, job training, aid for low-income students, food assistance for low-income women, infants, and children, and block grant programs that aid victims of domestic violence.

I urge you to consider the long-term damage that a balanced budget amendment would likely cause, and ask that you vote NO on SCR 108. We have enjoyed a system of law that has worked in the best interest of the American people since the founding of our great country, and tampering with the Constitution will be at our own peril.

Thank you.

February 24, 2017 Senate State Affairs Committee RE: SCR 108

The United States Congress has provided clear and concrete historical evidence on how they would precede with an Article V convention; if ever called: From the US Senate Judiciary Committee 1984, re: S.119 we have the following statement; "...[a]s a necessary incident of its responsibility to "call" the convention, Congress must have the authority to determine that the constitutional preconditions exist for such a convention...***The Congress, as well, clearly possesses the authority to set forth the necessary and attendant details of the convention.***" (See US Constitution Article 1 Section 8 Clause 18) Also, this statement from Congressional Research Services referring to 41 bills introduced by Congress; "Apportionment of convention delegates among the States was generally ***set at the formula provided for the electoral college,*** with each State assigned a number equal to its combined Senate and House delegates." (CRS#R42589, pg. 37) Lastly, this statement from the US House Judiciary Committee in 1993; "If the State legislatures were permitted to propose the exact wording of an amendment and stipulate that the language not be altered, the convention would be deprived of this function and would become instead part of the ratification process."

Article V of the US Constitution precisely defines the powers the State legislatures, Congress, and the convention possess, within the process, if a convention is called. The two powers the State legislatures are granted follow: 1) application to Congress for a convention to be called, 2) ratification of what comes out of the convention; unless the convention changes the ratification process entirely. There is no authority given in Article V, to the States, to define terms, procedures, delegates, etc. to the convention.

For those who contend that we must rein in the spending of the out of control federal government through a balanced budget amendment the following observations are provided for your critical thinking: 1) any balanced budget amendment will have the stipulation, "in the absence of a national emergency", applied. The United States has been in a perpetual national state of emergency since 1979, with currently 30 simultaneous congressional national state of emergency declarations on the books. 2) what a balanced budget amendment will accomplish, utilizing the artifice of law, is make current levels of unconstitutional federal spending constitutional. Currently, 80% of spending by the US Congress is not authorized by the Constitution. 3) to the State legislatures demanding the federal government be fiscally responsible the Congress will say "you first". Every State legislature, including Idaho, demanding more fiscal responsibility from Congress currently accepts nearly forty cents on every dollar, in its budget, from the federal government.

If State legislators, around the nation, are truly serious about bringing our treasonous federal government under control then men and women full of integrity and courage will step forward and apply the "rightful remedy" of nullification, as Jefferson and Madison confirmed, to end the "pretended legislations" coming from Washington D. C. The good men and women of Idaho will boldly stand with their State legislators in this righteous cause. Please allow us the opportunity to do so.

Sincerely,
Duncan Farris
Kuna, Idaho
(208) 861-7562

Additions:

- Washington Post Article 2007; Congress enacted 138 public laws, while federal agencies finalized 2,926 rules.
- Nevada resended its application for an Article V Convention because those selling the idea to the legislature misled them. They specifically state that their application was "induced by fraud".
- Founders recommended many solutions, but never an Article V Convention.
- Daniel Webster: "A strong conviction that something must be done is the parent of many bad measures."
- Black's Law dictionary defines Constitutional Convention as "a duly constituted assembly of delegates or representatives of the people of a State or nation for the purpose of framing, revising, or amending its constitution. Article V of the U.S. Constitution provides that a Constitutional Convention may be called on application of of the Legislatures of two-thirds of the States."

My name is David Christiansen. I am an Idaho native and a retired Professor of Biostatistics at the University of North Carolina, Chapel Hill. When I was student at the University of Idaho, a salesman came to town to extoll us on the value of the Great Books. Basically he said that unless we owned our own 20 plus volume set of Aristotle, Newton, etc, we would not succeed in our education or in life. He was very persuasive and sold several sets to some of my classmates. I called my father and said "I need these books to succeed in my life." His response was some of the best advice he ever gave me. "David" he said, "Think". That was it. I did and the next day I realized that all those books were in the library and I was an electrical engineering student and didn't have time to read most of them until I graduated any way.

My dad didn't create that advice, it also hung behind the desk of Thomas Watson, president of IBM.

Before we add Idaho to the states that are calling for an Article V Constitutional Convention, please heed the words of Thomas Watson and my dad: "Think".

How much say will Idahoans have in this convention? We don't know. If it is one state, one vote then we will be 1 of 50. If it is based on the electorial college, we will be 4/538 or about 1 in 130. If it is based on population, we will be 1.6/320 million, or 1 in 200. We just don't know. Who will represent Idaho? We don't know. Congress will decide. It could be a non-elected politician or the lobbyist with the most money. Think.

Proponents say the convention will be limited to a specific topic, in our state, a balanced budget amendment. Most legal scholars think that once the convention is called, that the entire constitution and bill of

rights can be changed. Are we willing to gamble losing the bill of rights, the right to free and fair elections and our representative government with a 1 in 50, 1 in 130 or 1 in 200 say? Think!

Proponents argue that any changes would have to be ratified by three quarters of the states. We only have one example of this power being used. In 1787, the convention threw out the articles of confederation and changed the ratification rule from 13 to nine states. In other words, they changed the constitution and changed to voting requirements. Are we willing to take the chance that fundamental changes to the constitution could be made by a simple majority of non-elected unknown persons selected by those with the most money? I would not take that chance with a 1 in 50 vote, let alone 1 in 130 or 1 in 200. Think!

So far 28 states have voted to hold this convention. Idaho is one of six states targeted by proponents outside the state as a potentia yes vote. I would prefer being one of six saying "No, leave our constitution alone", than being one of 50, 130 or 200 causing it's demise. Think!

Thank you Mr. Chairman and members of this committee.
My name is Regina Bayer and I'm from Meridian.

I'm here today representing myself and my husband.

Good morning to all of you.

The Constitution of the United States of America has been amended many times in the history of this nation and may be amended many more times, without the need to resort to a constitutional convention. It has been interpreted for more than 200 years and has been found to be a sound document which protects the lives and liberties of the citizens.

There is no need for, rather, there is great danger in, a new Constitution or in opening the Constitution to sweeping changes, the adoption of which would only create legal chaos in this nation and only begin the process of another two centuries of litigation over its meaning and interpretation.

Ladies and gentlemen, those words are not my words but they are the precise words of the esteemed men and women who comprised the first regular session of the 55th legislature of the State of Idaho in 1999 when they passed SCR 129.

And I submit that those words are just as pertinent and applicable today as they were in 1999.

That esteemed Legislature went on to repeal, rescind, cancel, nullify, and supercede to the same effect as if they had never been passed, any and all extant (surviving) applications to call a convention to propose amendments to the Constitution, pursuant to the terms of Article V.

I would suggest long hard thought be given to the intentions expressed by that 1999 Legislature before their work is thrown to the wind.

I believe that 1999 resolution stands on solid ground in that it urged the Legislatures of each and every state which had applied to Congress to call a convention to repeal and rescind such applications, rather than ask other states to join Idaho in a convention call.

That Idaho Legislature in 1999 went further and reaffirmed its request to the Congress of the United States of America that they propose an amendment to the Constitution of the United States of America requiring, in the absence of a national emergency, that the total of all federal outlays for any fiscal year shall not exceed the total of all federal receipts for that fiscal year, which amendment may also limit the power of Congress to increase federal taxes, and remit it (that being a balanced budget amendment) to the several states for ratification. How long has it been since Idaho even suggested Congress pass a balanced budget amendment themselves? With new members in Congress and a new President, maybe that should be tried again. That method of ratifying the Constitution is tried and true without the unknown risks being suggested in recent years.

Also, I do object to the last sentence of this resolution on lines 7 & 8, page 2. There are no previous applications by this legislature on this subject. Any and all have been rescinded and have the effect of never being passed so let's not insinuate that Idaho has previous calls for a convention.

I sincerely request that this legislature does not open a can of worms by calling for a Constitutional Convention.

Please vote NO and hold SCR 108 in committee.

Thank you.

Questions from W.F. Pierce

1) How many delegates from Idaho
2) How will delegates be chosen?
3) What assures the American public that democracy will not be destroyed by the convention?
4) Why is a Constitutional convention needed to pass a simple amendment?

9272 Wichita St.
Boise, 83709.
(208) 258-9195

No! on SCR 180

02/23/2017

Honorable Senators of the State Senate Affairs Committee,

We are writing you to express our sincere **opposition to Senate Concurrent Resolution No. 108.** While we support the U.S. Congress to work on establishing a balanced budget, we are deeply concerned for the need to call for a "Constitutional Convention for proposing Amendments" to the U.S Constitution.

There seems to be no specific guidelines of how this convention would operate and thus opens up our Constitution to potential for rewriting any or all parts, and could allow the convention to revise the ratification process the States currently have. Would a small populous State, such as Idaho, be on equal footing as the many larger States?

If there is a need to amend our Constitution, such as for a "Balanced Budget Amendment", we support the route that has historically been used, that is for two-thirds of the U.S. House and Senate to propose an amendment, and then each of the States having the opportunity to ratify that proposed amendment. If it is truly for the purpose of seeking one, and only one Amendment, as some have professed, our historically used process is the route that should be taken.

The one and only Constitutional Convention that has convened in our history was in 1787, when our U.S. Constitution was written. It, and subsequent Amendments in its current form, is the foundation of our freedoms that must **NEVER be** taken for granted.

Considering the divisive current political atmosphere in our County right now, we fear that taking a risk to using a Constitutional Convention, for the purpose of adding an amendment, has the potential to do irreparable harm to our Constitution and lead to the demise of our great Nation as we know it now. It is far too great a risk to take.

We respectfully request that you reject SCR No. 108.

Sincerely,

Steven E. Lipus - Idaho Resident for 42+ years

Steven E Lipus

Teresa A. Lipus – Idaho Resident for 41+ years

Teresa A Lipus

5513 S. Tecoma Place
Boise, ID 83716

Testimony re: **Constitutional Convention**
Professor McKay Cunningham
Concordia University School of Law
February 24, 2017

Chairman Siddoway, Members of the Committee:

Thank you for this opportunity to speak with you about a constitutional convention. My name is McKay Cunningham, I am a lawyer and law professor here in Boise, Idaho. I teach constitutional law and, as a result, have had some occasion to study the history of that foundational document.

The constitution, as you know, has been amended 27 times. In *each* instance, Congress proposed amendments for ratification by the states. Today, we consider amending the constitution using a different method. It is true, Article V expressly provides for a constitutional convention.

But in so providing, James Madison, the principal drafter of the constitution expressed great concern. Madison was concerned about the amendment *process* of a constitutional convention, noting the "*difficulties that would arise as to the form*" that a convention would take.[1] Indeed, when Madison drafted the first Ten Amendments, he had to decide whether to propose the amendments through Congress, or to propose the amendments through a constitutional convention. Several academics suggest that Madison purposely chose the former due to uncertainty over the latter.

The concern that Madison voiced in 1787 is the same concern I present today.

It is not that a constitutional convention is illegal or even improper. It is that a constitutional convention is ill advised. Its parameters are unknown, its internal processes untested, and its remedies for deviations are non-existent.[2]

Many will attempt to assure you that a constitutional convention can be constrained to a single issue, and that the document is not at risk of wholesale revision. Proponents say that a state (like Idaho) could restrict its delegates to a single topic. However, this very body, eighteen years ago, rejected that premise. Senate Concurrent Resolution 129 expressly dismissed as ineffective: "any limitations or restrictions imposed by the states in applying for such a convention."[3] The Heritage Foundation – among many other groups – says the same. A Convention generates "extensive unknowns, significant risks." It is an "uncharted option" leading to "potential chaos."[4]

Even if a single-subject amendment was proposed, there is no assurance that the delegates would abide by that restriction. Indeed, the only historical precedent we have demonstrates the opposite. The

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[1] See James Madison, Notes of Debates on the Federal Convention of 1787 (Madison's notes ask: "How was a Convention to be formed? By what rule decided? What force of its acts?" Madison also queried about "difficulties that might arise as to the form, the quorum etc., which in constitutional regulations ought to be as much as possible avoided.").
[2] See Heritage Foundation Report of February 10, 2011, "Article V: Congress, Conventions, and Constitutional Amendments," available at http://www.heritage.org/node/13117/print-display.
[3] See Senate Concurrent Resolution 129, Idaho Legislature 1999.
[4] See id.

constitutional convention of 1787 began as an effort to *amend* our then-governing document – the Articles of Confederation. But the delegates in 1787 – once the convention began -- immediately abandoned their call to amend the Articles of Confederation, instead choosing to completely start over.

In summary, the uncertainty inherent in a constitutional convention counsels against it. The constitution represents who we are as Americans. Risking that identity and our system of representational democracy when Idahoans are not clamoring for you to do so, is ill advised. For these reasons, I ask that you vote *against* a constitutional convention. Thank you. I am happy to stand for questions, if there are any.

If you would like to speak further, please do not hesitate to contact me:

McKay Cunningham
Concordia University School of Law
Boise, Idaho 83702
mccunningham@cu-portland.edu
Phone: (208) 639-5412

please do not approve this resolution without hearing from expert testimony against

CONSTITUTIONAL CONVENTION

My name is Anne Hausrath. I live at 1820 N. 7th St. in Boise. I am a Christian and basically a conservative person. I have lived in the same house for 40 years. I have been married to the same man for 45 years. He and I always balance our budget.

The unknown, unanticipated risks of a Constitutional Convention far out-weigh any possible benefits.
weigh any possible benefits

Our Constitution gives very little guidance about the specifics of a Constitutional Convention. How would delegates be chosen? How many would each state be allowed? I imagine that large states like New York and California would want delegate representation based soley on population.

The Constitution does not limit a new convention to just one amendment. There is no guarantee that such a convention would limit itself to just a balanced budget.
no guarantee that such a convention would limit itself to just a

Anne Hausrath - opposed to Constitutional convention

Whatever Idaho delegates might want to add to the Constitution, it is likely that there would be delegates from other states pushing for the exact opposite—for example, gun control, sanctioning of gay marriage or abortion.

Our country is suffering right now from great polarization. A Constitutional Convention would only serve to divide us further.

would only serve to divide us further!

There is a time-tested way to seek a balanced budget amendment.

Vote NO—I beg you. The risk of a Constitutional Convention is too great!

2/23/17

Mr Chairmen and Senators, My name is

I am a concerned citizen of Idaho and our country. I question the logic of a constitutional convention. Using a convention, which is something that has not been needed for 240 years jeopardizes our constitution which has stabilized the foundation of our country for over 200 years. History tells us our constitution is an enduring document that has passed the test of time.

Why would anyone put in place a process that could undercut our constitution? Anything could happen at a constitutional convention. Why would you give any delegation the kind of power that could create chaos and put our democracy at risk? My dad, who was an FBI special agent for 25 years gave me advice that I have always heeded. He said, When in Doubt, Don't. So I ask that you hear that advice and if you have any doubt about this resolution, Don't!

Please vote No.

Pam Piper-Ruth

Pam Piper-Ruth 2/23/17
1615 N 21 St
Boise ID 83702

Senate State Affairs Committee,

My name is John Goettsche and I am from Boise. Mr. Chairman, members of the committee. I am not in favor of this bill because the unintended consequences of its passage could threaten our Constitution. The Constitution has protected our liberty and property over the years.

There is nothing in Article V that limits the agenda of a Constitutional Convention. Actions of this convention will be the supreme law of the land when adopted. Its authority will trump any congressional direction or the current Constitution itself. The delegates are free to do what they will.

These are turbulent times. Passions are running high. Activist demands are fueled by frustration and strong commitments. I find it hard to believe delegates will limit the agenda to a balanced budget. Highly organized well-funded activist groups are prepared to demand:

- Overturning Citizens united
- Overturning Row vs Wade
- The assault on the 2nd Amendment

Let's not let our frustration with Congress's fiscal irresponsibility cause us to overlook other emotional issues that will arise. I believe the struggle for fiscal responsibility should within the framework our constitution. It can be done.

Thank you for the opportunity to be heard on this issue.

John Goettsche
3314 Sweetwater Dr
Boise, Idaho 83716

Chairman Sidoway, Committee Members, my name is Maria Le and I am here on behalf of myself. I am in opposition to SCR108.

I am a deeply concerned Idahoan and United States citizen opposed to "AN AMENDMENT TO THE CONSTITUTION WHICH REQUIRES A BALANCED FEDERAL BUDGET." for one very important reason.
Federal taxes do NOT fund federal spending.

Our federal government does not work the same way that a state and household budget works. Why? Because unlike Idaho and me, the United States government is monetarily sovereign. Federal taxes are what give our currency value. They do not fund a single government purchase or program. Fear over our government debt is misplaced - we cannot go into debt to ourselves.

Warren Mosler, author of "soft Currency Economics" explains:
"The concept of fiat money can be illuminated by a simple model: Assume a world of a parent and several children. One day the parent announces that the children may earn business cards by completing various household chores. At this point the children won't care a bit about accumulating their parent's business cards because the cards are virtually worthless. But when the parent also announces that any child who wants to eat and live in the house must pay the parent, say, 200 business cards each month, the cards are instantly given value and chores begin to get done. Value has been given to the business cards by requiring them to be used to fulfill a tax obligation. Taxes function to create the demand for federal expenditures of fiat money, not to raise revenue per se. In fact, a tax will create a demand for at LEAST that amount of federal spending. A balanced budget is, from inception, the MINIMUM that can be spent, without a continuous deflation. The children will likely desire to earn a few more cards than they need for the immediate tax bill, so the parent can expect to run a deficit as a matter of course."

As your constituent I am testifying today that with the current state of our country's infrastructure, income inequality and job scarcity, what we need our federal government to do is fund programs and create jobs and spend into a deficit - not balance its' budget!

"The truth is that economics is the one issue from which all others flow. If you do not understand macroeconomics, you cannot fix the issues which you feel are important."
Ellis Winnigham

Thank you so much Chairman Sidoway and committee members for your time.

February 23, 2017

Dear Senator Cherie Buckner-Webb, and the esteemed Senate State Affairs Committee,

I urge you to vote no on Senate Concurrent Resolution 108 -- the resolution that calls on Congress to convene a Constitutional Convention. This would inevitably cause irreparable harm to our democracy. It is ~~not~~ reasonable to assume our civil rights, our civil liberties, and our basic freedoms as Americans would be undermined.

I love the U.S. Constitution! America has been a beacon of freedom and hope for over 240 years. Sending the country into calamity with a Constitutional Convention is not the right choice.

Please vote no on Senate Concurrent Resolution 108. We cannot gamble with losing the U.S. Constitution -- the very foundation of our nation. The risks outweigh the rewards.

This document has led us through the Civil War, two World Wars, a serious depression and most recently the recession. It is a three pillared way to govern that has no match in the world. There is no way to justify risking this incredibly creative way to govern. It has a system of checks and balances which protect us from zealotry. Stick to the legislative process to enact and remove the laws through debate in our state and federal assembly and congressional bodies. The quick, broad solution is often the worst solution. Please don't trample our current constitution!

Sincerely, Susan Lamberson

Susan Lamberson
District 18
498 E Old Saybrook Dr
Boise, ID 83706-4972

P.S. Entitlements, they are not.
Social security is paid into throughout a workers life. SS is distributed according to money paid in.
Federal retirement is part of an employees benefit program. It is a salary portion.

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Testimony of Kathy Griesmyer
SCR 108: Call for a Constitutional Convention
Before Senate State Affairs Committee
February 24, 2017

The ACLU of Idaho stands before you today due to our sincere concerns about the dangerous and unintended consequences that are likely to result from calling a constitutional convention for the first time in the modern history of our republic. A constitutional convention places our entire form of government and all of our carefully crafted freedoms and liberties at great risk.

In the entire history of our republic, a constitutional convention has never been convened, and it is no wonder.[1] To do so is a radical act that places our entire Constitution at risk. In recent years, however, numerous bills have been circulated among state legislatures calling for a convention. Some, like the one before you today, are based in a desire for a federal balanced budget amendment. Others center on the desire to address campaign finance reform.

While the idea of a constitutional convention may sound desirable and perhaps even necessary, the problem is that a convention is likely to create far worse problems than its proponents aim to solve. Why?

- Most importantly, a constitutional convention may not be confined to a single subject, nor is there any way to protect against a convention rewriting our nation's founding document wholesale. This means that those calling for various rights-limiting constitutional amendments in years past will undoubtedly advocate for additional changes on subjects as varied as reproductive rights and gun control.[2]
- There are no standards governing the conduct and procedures of a constitutional convention.
- There is no way to ensure that delegates will truly represent the will of the people or be representative of all who live in Idaho.
- There is no mechanism for ensuring that the rules governing the convention's conduct are fair.

The ACLU finds the prospect of such a convention particularly troubling in light of the fact that many of our contemporary policymakers have strayed far from the wisdom of our Founders, particularly in the realm of checks on government power. We live in an age when national security is often used as the basis for the violation of individual rights. In order to challenge abuses of power, such as the overreaching of the NSA and executive branch secrecy, we all too often have to call on our Founders' wisdom, rooted in our Constitution and Bill of Rights. Even in recent weeks, we've seen significant constitutional violations of citizens, legal permanent residents, and legally protected DACA students who have been subject to unlawful ICE detainers at the request of the federal government. Now more than ever we must be doing all in our power to protect our U.S. Constitution and the forethought of our Founders. Such wisdom should not be lightly abandoned simply because we are frustrated and disillusioned by politics, particularly when we have very little idea exactly which direction such a decision will take us.

For these reasons, we respectfully urge your no vote on SCR 108. A vote against a call for a Constitutional Convention is a vote to preserve, uphold, and defend the freedoms that make America great.

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[1] Under Article V of the Constitution, there are two methods to amend the constitution. While a constitutional convention has never been convened, the other method of approving a specific amendment by two-thirds of the House and senate and three-fourths of the states has been repeated 27 times.
[2] To give a few examples, the ACLU has lobbied against a Flag Desecration Amendment (criminalizing expression), a School Prayer Amendment (giving school officials authority to mandate how, when and where students pray), and a Federal Marriage Amendment (denying same-sex couples marriage rights).

For questions or comments, contact Kathy Griesmyer, Policy Director, at 208-344-9750 x1204.