

SENATE JUDICIARY

COMMITTEE NO. 11

DATE 1/23/13

CASE NO. SJ 5

ALERT

Take Action

March 22, 2012

Please Forward this to everyone you know!

Victory! SCR 1005: "Amendments Convention" Defeated in Committee

Thanks to all who sent emails, made calls and especially to those who attended and spoke at the hearing. You made all the difference!

Yesterday, March 20, the House Appropriations Committee voted 7 against and 5 in favor with one passing to defeat SCR 1005.

MESSAGE: Thank you for voting NO on SCR 1005 the Amendments Convention and protecting our Constitution.

Call or Email: THANK Representatives for Voting NO:

John Fillmore: 602-926-3012
 Russ Jones: 602-926-3002
 Steve Urie: 602-926-4136
 Lela Alston: 602-926-5829
 Chad Campbell: 602-926-3026
 Matt Heinz: 602-926-3424
 Ana Tovar: 602-926-3392
 Michelle Ugenti: 602-926-4480 (voted "pass" which helped us as much as a NO vote)

EMAILS: jfillmore@azleg.gov, rjones@azleg.gov, surie@azleg.gov, lalston@azleg.gov, ccampbell@azleg.gov, mheinz@azleg.gov, atovar@azleg.gov, mugenti@azleg.gov,

Voted Yes:

John Kavanagh: 602-926-5170
 Tom Forese: 602-926-5168
 Nancy McLain: 602-926-5051
 Justin Olson: 602-926-5288
 Vic Williams: 602-926-5839

jkavanagh@azleg.gov, tforese@azleg.gov, nmclain@azleg.gov, jolson@azleg.gov, vwilliams@azleg.gov

TWENTY CRITICAL QUESTIONS ABOUT AN "ARTICLE V AMENDMENTS CONVENTION" OR CONSTITUTIONAL CONVENTION THAT MUST BE ANSWERED

1. **How would Delegates be selected or elected to a Constitutional Convention?** (Would each state have one delegation vote like the original Constitutional Convention or would delegates be apportioned according to population like the House of Representatives giving large states the largest number of delegates?)
2. What authority would be responsible for determining the number of Delegates from each state?

3. What authority would be responsible for electing the Delegates to the convention?
4. Would Delegates be selected based on Population, number of Registered Voters, or along Party lines?
5. Would Delegates be selected based on race, ethnicity or gender?
6. What authority would be responsible for organizing the convention, such as committee selection, committee chairs and members, etc.?
7. How would the number of Delegates serving on any committee be selected and limited?
8. How would the Chair of the Convention be selected or elected?
9. What authority will establish the Rules of the Convention, such as setting a quorum, how to proceed if a state wishes to withdraw its delegation, etc?
10. What authority would be responsible for selecting the venue for the Convention?
11. Would proposed amendments require a two-thirds majority vote for passage?
12. How would the number of votes required to pass a Constitutional Amendment be determined?
13. What would happen if the Con Con decided to write its own rules so that 2/3 of the states need not be present to get amendments passed?
14. Could a state delegation be recalled by its legislature and its call for a convention be rescinded during the convention?
15. Would non-Delegates be permitted inside the convention hall?
16. Will demonstrators be allowed and/or controlled outside the convention hall?
17. Would congress decide to submit Con Con amendments for ratification to the state legislatures or to a state constitutional convention as permitted under Article V of the constitution?
18. Where would the Convention be held?
19. Who will fund this Convention?
20. If these questions cannot be answered (and they CANNOT!), then why would any state legislator even consider voting for such an uncertain event as an Article V Constitutional Convention?

“Occupy Wall Street” endorses Article V—Amendments Convention

<http://alqoxy.com/ows/strategyofamerica1.html> **This is how an Article V Convention can be hijacked by those with a very different agenda than those who want to limit the federal debt.**

Barry Goldwater said: *"[I am] totally opposed [to a Constitutional Convention]... We may wind up with a Constitution so far different from that we have lived under for two hundred years that the Republic might not be able to continue."*

SCR1005 is a Call for a Constitutional Convention or an “amendments convention” to consider whether an increase in the federal debt should require approval from a majority of the legislatures of the states. Have you witnessed the ferocious battles in Congress over the debt ceiling? Can you imagine what that same battle would entail in a Constitutional Convention which could put our whole Constitution at risk as the “amendments convention” considers multiple versions and multiple amendments?

There is no way provided in Article V of the U.S. Constitution to limit the number of amendments which can be proposed in an “amendments convention,” even if the states, as in SCR1005, try to limit it. Article V states, “Congress... on the application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments...” (that’s amendments in the plural).

The highest authority to ever speak on an amendments convention was Chief Justice Warren Burger. He said, “I have repeatedly given my opinion that there is **no effective way to limit or muzzle the actions of a Constitutional Convention**. The Convention could make its own rules and set its own agenda. *Congress might try to limit the Convention to one amendment or to one issue*, but there is no way to assure that the Convention would obey. After a Convention is convened, it will be too late to stop the Convention if we don’t like its agenda... Our 1787 Constitution was referred to by several of its authors as a ‘miracle.’ Whatever gain might be hoped for from a new Constitutional Convention could **not be worth the risks involved...**” .

[Letter](#) from retired Chief Justice Warren Burger opposing a Constitutional Convention, June 22, 1988

More information from Phyllis Schlafly on a Call for a Constitutional Convention:

- [Con Con Brochure](#)
- [Good Advice Against a Con Con](#)
- [Beware of Attacks on the Constitution](#)
- [Con Con Is a Terrible Idea](#)