

Chairperson and Committee Members on Financial Liability Reform.

Recently, a House Joint Resolution was introduced into the " Committee on Financial Liability Reform " that calls for the states to call a Constitutional Convention to propose amendments to the Constitution of the United States to inter alia require a Balanced Federal Budget (Balanced Budget Amendment). This Amendment is being promoted by the American Legislative Executive Committee and others. It is my understanding there will be a hearing to discuss this matter at 9:00 A.M., on Thursday, February 6, in Room 519, of the House Office Building in Lansing, Michigan. I would like to submit the following for your consideration and, if possible reading, by the Chairperson at the meeting and included in the record of testimony for such meeting.

Thank you for your consideration.

James Fuscaldo
4249 S. Whitehill Road
Cedar, Mi 49621
231 256 2237

Amending the U.S. Constitution Under Article V

Article 5 of the Constitution empowers the citizens through their respective state legislatures to propose changes to the Federal Constitution and specifies the process by which the changes may be introduced and adopted.

Article 5 states, "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...".

There are two methods for proposing amendments:

1. Congress may propose them directly, or
2. Application of the Legislatures of two-thirds of the several States by calling a convention of the States.

Why did the Founders provide for two separate methods? They authorized the States to initiate the process to propose Constitutional amendments because the Founders recognized that Congress either couldn't or wouldn't deal with the issues or problems requiring a Constitutional amendment. Dr. Milton Friedman, an iconic economist, said, " It is not in the interest of a legislator to vote against a particular appropriation bill if that vote would create strong enemies while a vote in its favor would alienate few supporters. That is why simply electing the right people is not a solution".

In short, the state application and convention process is a method to bypass Congress, but Article 5 gives Congress the authority to determine the Mode of Ratification of any proposed amendments be it by ratification by the Legislatures or by Convention of three-fourths of the states (United States v. Sprague, 282 U.S. 716 (1931)).

Since 1789, over 5000 bills proposing to amend the Constitution have been introduced in Congress; thirty-three amendments have been sent to the states for ratification. No attempt by the states to call a convention proposing amendments to the Constitution has ever succeeded, although some have come within one or two state votes to meet the requisite two-third votes. A call to amend the Constitution on the application of the Legislatures of two-thirds of the several states has never

succeeded. Therefore whether a convention to amend the Constitution can be limited in scope either to a single amendment, a particular purpose or within a particular subject is questionable (The Heritage Guide to the Constitution, Edwin Meese III, Chairman of the Editorial Advisory Board, 2005).

A convention for proposing amendments to the U.S. Constitution is a convention of the states (Smith v. Union Bank of Georgetown, 30 U.S. 518 (1831)). Therefore, the delegates are agents of the state legislatures and are subject to the instruction of the state legislatures. The state legislatures have the power to determine how the delegates are selected. They can choose the delegates themselves or leave it to the election by the people. Regardless of the number of delegates each state only gets one vote.

A convention for proposing amendments to the U.S. Constitution is a "federal convention" because it is a creature of the states specifically authorized by the Federal Constitution under Article 5. As such, it is a limited purpose convention and cannot be used to set up an entirely new constitution or a new form of government.

Legal scholars are divided whether a "Convention for proposing Amendments" may be limited to specific and narrowly defined subject matter, scope and purpose (Budget Amendment). In short a single amendment with specific language requiring only a yes or no vote without debate, discussion, deliberation or change may be challenged by those states who do not support passage of the proposed amendment?

Implicit in the word proposing in the Article 5 phrase a "Convention for proposing Amendments" is the need to resolve an identifiable problem with a solution that usually anticipates collective deliberation, compromise and conciliation among all the states. Limiting the convention to merely a vote for or against a proposed Constitutional Amendment is inconsistent with the deliberative freedom possessed by all the participating states as sovereigns within the Constitutional framework. (The State Application and Convention Method of Amending the Constitution, Robert G. Natelson, Adaptation of Remarks, Thomas M. Cooley Law Review Article V Symposium, September 16, 2010)

The call for a "Convention for proposing Amendments" may encourage other states to add to the agenda of proposed constitutional changes as a condition precedent to their willingness to participate in the convention. This may lead to a "basket" of proposed Constitutional Amendments requiring trade offs and significant erosion of Constitutional rights granted elsewhere.

In summary, if a proposed amendment to the Constitution is sought by the State Legislatures the Constitution is clear. It will occur when and "... on the Application of the Legislatures of two-thirds of the several States shall call a Convention for proposing Amendments..." Therefore it seems to me all the State Legislatures have the right to propose an Amendment as a condition precedent to agreeing to a Convention. This may be a reason why all attempts by the states to call a convention have never succeeded.

A Balanced Budget amendment is but one side of a two headed coin. There are two ways to balance a budget. One is to reduce spending, the other is to raise taxes.

A Balanced Budget amendment without a Constitutional Amendment to limit the taxing power of the Federal Government will create the unintended consequence of enabling Congress to balance the budget by raising taxes. To prevent Congress from using the taxing power authorized by the Sixteenth Amendment to meet a Balanced Budget, the Sixteenth Amendment of the Constitution must be repealed. In its place a Constitutional amendment that authorizes a flat tax of not more than 15% of a person's annual income, from whatever source derived should be considered. In addition the amendment MUST include provisions prohibiting Congress from instituting a national sales tax, a

value added tax or any other tax, and it must also eliminate all taxes on a decedent's estate. The 15% flat tax must be applicable to all persons (individuals and corporations).

Congress should have the power in times of a war declared by Congress to institute a war tax. The war tax shall not exceed an additional 15% of a person's annual income. The war tax must be renewed every year as part of the approval of the annual budget, and a separate War Budget must be proposed and approved by Congress. In addition a Constitutional provision must be considered to limit the total expenditures of the Federal Government (not including duly authorized expenditures included in an approved War Budget) to not more than 18% of the Nation's Gross Domestic Product for the previous calendar year.

The Anti-Federalists were prescient when they asserted, "that the taxing power (of the Federal Government) has amounted to an unlimited commission to exercise every power which may be alleged to be necessary for the common defense or general welfare".

Regrettably, the arguments of James Madison, Thomas Jefferson and their fellow Federalists that the power of Congress to lay taxes was limited to the enumerated powers set forth in the Constitution have been eroded by the courts notwithstanding Supreme Court's Justice Joseph Story's opinion in 1830 that Congress's power to "lay and collect taxes, duties, imposts, and excises, to pay debts and provide for the common defense, and general welfare of the United States was indeed limiting".

A Constitutional Convention must have a definitive purpose to solve the reality of the Federal Government's insatiable appetite for spending and its inability to reform itself. It must have demonstrative goals and avoid becoming merely populist demagoguery for the sole purpose of developing campaign fodder in an election year for the incumbents.

***About the Author:** The author is a retired attorney with degrees in law and science. The author has a Bachelor of Science in Pharmacy from Drake University in Des Moines, Iowa, and a Juris Doctorate in Law from John Marshall Law School in Chicago, Illinois.

The author was employed by Broadlawns Polk County Hospital in Des Moines, Iowa; Eli Lilly and Company, Indianapolis, Indiana; Northwestern University Medical School, Chicago, Illinois, and The Dow Chemical Company, Midland, Michigan before retirement.

The author has been actively engaged in the following areas of the law during his 30-year legal career with The Dow Chemical Company.

- International Law. (European Economic Community and Latin America)
- Intellectual Property Law.
- Commercial Business Law, including compliance with Federal Antitrust and Unfair Competition Laws.
- Federal Bankruptcy, Mergers and Acquisitions.
- Federal, Food, Drug and Cosmetic Law and compliance with Federal Trade Commission Regulations.
- Product liability litigation pertaining to prescription and nonprescription drugs.

The author served as International Counsel for Merrill Dow Pharmaceuticals, General Counsel for Dow Chemical Latin America and General Trademark and Copyright Counsel for The Dow Chemical Company and was part of Dow's corporate legal management and supervisory team before retirement.

I am submitting this email in an effort to express my support for a balanced budget amendment as sought through amending article five of the constitution. Thank you for your consideration of my position on this earnestly important matter.

James Grover

Sent from my iPhone

From: Michael Callahan

To: House Financial Liability Reform Committee

Regarding: Joint resolutions HJR CC and SJR V

To The Great State of Michigan, "The Great Lake State", home of the Wolverines,

"Si quaeris peninsulam amoenam circumspice."

(If you seek a pleasant peninsula, look about you.)

We support your effort regarding two joint resolutions (HJR CC and SJR V) that would apply to Congress to convene an Article V convention for the purpose of proposing a Balanced Budget Amendment (BBA) to the Constitution.

We offer all information on our site as PRO ARTICLE V support information.

...."Americans are increasingly questioning-and resisting - the endless growth of the federal government. Part of this resistance finds voice in efforts to enforce state sovereignty....while litigation and legislative measures continue....the growing discontent has also reignited interest in an even more direct route for The People and The States to regain control over the federal government-the Article V constitutional amendment process...." The Goldwater Institute.

This is the TOOL LEFT TO US IN THE CONSTITUTION by the Framers, intended for use by the States and the People therein, for such a time as these; where the federal/executive / and judicial branches of our government have usurped their power and/or have placed the financial -political and future security of our Nation in peril. Our government no longer conducts itself in accordance to the will of the People, nor does it work within the confines of The United States Constitution.

We have built our website, complete with research and extensive libraries, dedicated to the Article V Process.

<http://articlevprojecttorestoreliberty.com/index.html>

<http://articlevprojecttorestoreliberty.com/understanding-article-v.html>

<http://articlevprojecttorestoreliberty.com/not-a-constitutional-convention.html>

<http://articlevprojecttorestoreliberty.com/the-basic-library.html>

We share with you our own approach to the Article V process. We have patterned our process after the proven process of amendment - the 21st Repealing the 18th Amendment-accomplished in very short order.

WE THE PEOPLE BELIEVE THAT DC- CANNOT, AND WILL NOT CHANGE.

1- We are working to build this movement in Our Country.

2-We seek to educate and inform; to grow support in the public venue for the advocacy of Article V (5).

3-We seek to carry the movement forward in the required - 38 states, to call for an Article V proposed amendment process, considering ONE amendment only.

It will gut D.C., which sounds simplistic, it is not-it is however; simply and completely effective.

It takes an amendment to repeal an amendment.

We are not about Amend and Add-we are about Repeal to Restore.

Our Repeal option -does not open up the Convention option to entertain multiple amendment proposals. That is what makes us unique...and lethal.

OUR PROPOSAL

The Twenty-eighth (28th) Amendment*

The fourteenth, the sixteenth, and the seventeenth articles of amendment to the Constitution of the United States are hereby repealed.

The articles shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the conventions in several states, as provided in the Constitution, within seven years from the date of submission hereof, to the States by the Congress.

So simple -and in that simplicity, is the key to success.

4-We offer overviews of the Constitution's Article V, the 14th, 16th and 17th Amendments, Conclusions, Insight; as well as extensive Libraries, Resources, and References for review and study.

When the 14th, 16th and 17th amendments are repealed, the original Constitution will be restored.

This is the safety-measure to prevent re-write of the entire document. The guarantee.

We have in-depth research of the history of the amendments, their impact, and the necessity of repeal.

With them removed from the Constitution the people and the States lose nothing....the federal government and courts lose all power they have usurped.

Repeal of the 14th restores the power of the tenth amendment.

IMAGINE HOW POWERFUL WOULD BE THE RESTORATION OF THE 10th AMENDMENT?

THE REPEAL OF FEDERAL TAXING AUTHORITY?

THE RETURN OF OUR SENATORS TO THEIR STATES TO CONDUCT STATE NOT POLITICAL PARTY BUSINESS?

<http://articlevprojecttorestoreliberty.com/14th-amendment.html>

<http://articlevprojecttorestoreliberty.com/14th-support-discussion.html>

<http://articlevprojecttorestoreliberty.com/16th-amendment.html>

<http://articlevprojecttorestoreliberty.com/16th-support-discussion.html>

<http://articlevprojecttorestoreliberty.com/17th-amendment.html>

<http://articlevprojecttorestoreliberty.com/17th-support-discussion.html>

We promote organized citizen initiative, taken to their state representatives the repeal amendment, presented and voted on within each State legislature. 34 (2/3) States that will vote to adopt the single amendment -cause it to be presented to Congress-the Congress must recognize and return the Amendment to All the States- it will require 38 (3/4) States to vote to Ratify. Upon this final ratification, it becomes the Law of the Land.

5- In Constitutional study, understanding context and definition of language is crucial. It will be of interest to you to note:

. . The 1828 definition of Convention is ...a meeting between two or more parties . . so there are no limits on how it is structured - it is Legislative choice of process.

[There is no such thing as a CONSTITUTIONAL CONVENTION]

The process can be 100% controlled by the 38+ State Legislatures . . no Congressional- no Presidential- and no Judicial participation is allowed or required.

We lend our voice to you in support of Article V. It is our sincere hope that all states will join in a united effort to realize and utilize the Constitutional solution designed by the Founders, Framers, and Ratifiers to correct out of control government.

Article V Project To Restore Liberty Team

Dear Members of the Financial Liability Reform Committee,

I am contacting you to inform you of my opposition to House Joint Resolution CC.

While the resolution states the purpose of the resolution is" to call a convention of the states limited to proposing an amendment to the constitution of the United States requiring....." (a balanced budget), there are no specific provisions in Article V of the U.S. Constitution to limit a Con-Con to amendments on a single issue.

We have our current constitution as a result of a convention called for the sole purpose of amending the Articles of Confederation. When the convention was convened the delegates wrote the rules governing the convention and dissolved the Articles of Confederation and propose a new Constitution. Fortunately for the Country the convention was attended by God fearing, classically educated statesmen.

Wise and thoughtful men who had endured the abuses of English rule gave us the Constitution which has given the citizens of the United States unprecedented individual liberty, freedom, and prosperity. Unfortunately today, persons of that caliber are virtually non-existent, particularly in the arena of politics. Today, there many who are hostile to the Constitution and our current form of government (a constitutionally limited, democratically elected, representative republic).

A Con-Con held today would most likely be hijacked by those who love power, want to control every aspect of our daily lives, and despise our current system of government. President Obama complains that the constitution "constrains him" from taking action he deems necessary on Gun Control. The President once stated "that generally the Constitution is a charter of negative liberties. Says what the states can't do to you. Says what the federal government can't do to you, but doesn't say what the federal government or state government must do on your behalf".

While many sincere and well meaning people claim that an Article V Con-Con this is the only solution to an out of control federal government, the potential for disaster to our nation and our freedoms is incalculable. I fear we could loose our system of government and the protections afforded the citizens by the U.S. Constitution and Bill of Rights.

Please vote NO when this resolution comes before the committee.

Sincerely,

Richard E. Hogan

6197 Atlas Valley Dr.

Grand Blanc, MI 48439

You State and Federal legislators you took an oath to protect and defend this Republic, and our Constitution. There's a war going on at your door step, the sleepers in this country are slowly waking up. I think it's going to get real ugly when they wake up to find our country is in a tyrannical control government. Stop this madness, hands off our Republic.

From: davidlonier@gmail.com

To: davidlonier@gmail.com

Subject: A Constitutional Convention is Suicide

Date: Mon, 3 Feb 2014 17:02:52 -0500

Dear Liberty Activist,

Looks like the tyrants are on their continuing rampage to take our last hope of freedom away from us...Our Constitution

Call, write or fax your state rep or senator and use my letter below if you wish for talking/writing points.

If these uninformed legislators pass this monstrosity, America as we once knew it will no longer exist.

Without our Constitution all hope of restoring our liberty will be gone.

There will be a Committee hearing in Lansing on Thursday:

Financial Liability Reform

Thursday, 9:00 AM, Room 519, House Office Building, Lansing, MI

Committee Clerk: Malika Abdul-Basir

517-373-7256

mabdul@house.mi.gov

Poleski (C), Victory (Maj. VC), Denby, McMillin, Schmidt, Callton, Jacobsen, Cavanagh (

Dear Michigan State Senator/Representative,

It's certainly not necessary to rewrite the constitution to pass an amendment.

Another glaring flaw in the resolution is proposing "amendments" to require a balanced budget.

How many amendments_ does it take to balance a budget?

Whether an amendment or amendments would balance the budget or not, is irrelevant if a Con Con is implemented.

A Con Con will destroy any hope of restoring our life, freedom and prosperity, which have been on the wane since 1787.

A Con Con would give the people (power elite) who have been trashing our constitution in spirit for decades the opportunity to trash our constitution in WORD!

...and don't think for a minute that this won't happen, as this has been a dream of theirs since our founding fathers ratified it in 1787. You can be absolutely certain these power grabbers who now control government will surely control the delegates to the convention.

Our Constitution is all that stands between the people and tyranny:

There has never been a document so eloquently drafted (giving the people domain over their government) in the history of civilization.

Even if we had people of the caliber of Washington, Jefferson, Madison, Franklin, etc. , (which we don't) it is doubtful that anyone could come up with a better document than our Constitution. We must keep it, maintain it, promote it, cherish it, protect it and most importantly... abide by it in word and spirit.

I am sending this email to the members of our State Legislature, asking each of you to reject this nonsense.

Vote NO on HJR CC.

To do otherwise is to drive the last nail in the coffin of our once free and proud Republic.

HOUSE JOINT RESOLUTION CC

January 15, Introduced by Rep. Franz and referred to the Committee of Financial Liability Reform

A joint resolution to petition the congress of the United States to

call a convention to propose amendments to the constitution of the

United States to require a balanced federal budget.

For Liberty,

David Lonier, Precinct Delegate

1842 Commonwealth

Auburn Hills, Michigan 48326

248-373-9111

Dear Representative Poleski,

As a veteran and voter in this great state of Michigan, I am writing to ask you to vote **NO** on a very misleading resolution you will be hearing on Thursday, February 6.

The Committee on Financial Liability Reform on which you sit will take into consideration **whether or not to pass HJR CC**. This measure calls for Michigan to join in an application to Congress

to call a constitutional convention to propose amendments to the constitution of the United States to require a balanced federal budget.

The reason this resolution is deceptive is that Michigan and the other 34 states who would apply to call for a constitutional convention (con-con) would think that the assembled delegates would be

willing and bound to limit it's amendments to just a balanced budget amendment. In reality, it could and (would) open up our U.S. Constitution to many of the congressional delegates who are responsible in the first

place for spending practices and unfunded mandates that caused our colossal debt in the first place. How do you spell STING ?

Over 30 years ago another Michigan House Committee had the same application come up before it. At that time Senator Jack Welborn (Republican Senate Leader) and Sen. Harmon Cropsey appeared

before the committee and testified against Michigan joining any such call for a con-con. The reason they gave as I recall (I was there) was that once called, the limitations on such a con-con in all likelihood

would not be followed. The reason being is that Convention Delegates are higher in authority than the constitution itself since it was the convention delegates that are the architect's, or creators of the

constitution. Remember also, Article V references proposing **Amendments**.

You will undoubtedly hear at your committee hearing those that say, "hey if we don't like the additional amendment's we (Michigan) won't vote to ratify since it needs 3/4's of the states to ratify." Wrong again. Congress/ Convention delegates do not have to send it back to the state legislatures for ratification. Read Article V please. "**Or by conventions in three-fourths thereof.**" Even the amount of states needed to ratify can be changed prior to it coming to the states. i.e., The Articles of Confederation amendment process stipulated a unanimous consent of the states. The 1787 convention changed the "unanimous

approval of the states" to Three-fourths of the several states." Con-con delegates would not be hindered in changing the ratification process.

The well intentions of state legislators would hardly be an excuse for damaging the finest document on constitutional government the world has ever seen.

Please use the letter as my entry into public comments as I am unable to attend Thursdays Hearing due to prior scheduled Ultra-sound medical procedure.

Matthew F. Schoech

306 w. 9th

Traverse City, MI 49684

1231-932-1653

I am asking that my message opposing HJR CC be given to all members of the Committee for Financial Liability Reform.

Are you as a legislator willing to refuse the federal money and mandates? Unless you are, an application for a Constitutional Convention for a balanced budget is a sham.

A Con Con was recently voted down by the People in the most recent state election. The People have spoken. Nothing Earth shattering has happened since.

Those that want this I suspect are up to some sort of mischief of which needs to be quashed immediately.

Respectfully,

James McKindles

18439 Iroquois Ln

Ocqueoc, MI 49759

Republican Delegate

Campaign for Liberty Coordinator

Cheboygan TEA Party Patriot

My e-mail is about the hearing at 9 AM on Thursday, February 6, before the House Financial Liability Reform Committee, regarding two joint resolutions (HJR CC and SJR V) that would apply to Congress to convene an Article V convention for the purpose of proposing a Balanced Budget Amendment (BBA) to the Constitution. My view is:

An Article V convention should **not** be held. The problem with our legislators is **not** that we need to change the US Constitution. The problem is that our legislators ignore the Constitution. They do not abide by the limits that the Constitution places on them. If our legislators would limit their powers to those given to them by the Constitution, then our country's problems would be greatly diminish.

John Wagner

620 Vought St.

Ypsilanti, Michigan 48198

(HJR CC and SJR V) I am in support of this Amendment, and encourage you to do your part in upholding it.

Thanks

Larry McAdams

😊 May GOD's richest blessings be with you.

Subject: Please Vote No on HJR CC (Constitutional Convention)

Vote No on HJR CC, an application for an Article V Constitutional Convention of the States

supposedly for a Balanced Budget Amendment. Article V does not limit a convention to one subject but states, "for proposing Amendments" in the plural. There is no way to limit an Article V Convention.

Michigan gets 33.74% of its state budget from the Federal Government. If Michigan really wants the federal government to balance the federal budget then Michigan should send back all

federal money coming into Michigan. Are you as a Legislator willing to refuse the federal money and mandates?

Unless you are, an application for a Constitutional Convention for a balanced budget is a sham.

Only Congress has the power to call the Convention, to decide which applications are valid and **to make the rules**.

Any rules passed by the states regarding delegate limitation can simply be ignored by Congress just like they ignore the Constitution and the rules now.

Question: Why do we think that the Congress that ignores the Constitution now would be any more likely to abide by a new amendment to the Constitution?

Again, please vote NO.

Respectfully,

Walt and Jan Woodruff

667 W. Irish St.

Sanford, MI 48657

989-687-5736

Representatives,

I strenuously oppose HJR CC for the following reasons:

1. The federal government does not respect the constitution and will not respect any amendments.
2. The correct way to process an amendment is that it passes in the house and senate, then is ratified by the states. (US constitution Article 5) The Convention method is dangerous!
3. There is no way to control the agenda of a convention or to get the statesmen we need at such a convention. The convention would run away, the rules for ratification would be changed and could well end up with a Soviet style constitution.
4. God gave us our rights and no one can take them away. Thomas Jefferson wrote this in the

declaration of independence.

5. We need to nullify all unconstitutional laws at State level and take back the rights the founders intended for the States. This would give more power to state elected officials and the closer to home the power is the better.

Please check out the following link:

<http://www.ibs.org/issues-pages/no-con-con>

David Drennen
2925 West 13 mile road apt 402
Royal Oak, Michigan
48073

From: Dan Mazurek

You State and Federal legislators you took an oath to protect and defend this Republic, and our Constitution. There's a war going on at your door step, the sleepers in this country are slowly waking up. I think it's going to get real ugly when they wake up to find our country is in a tyrannical control government. Stop this madness, hands off our Republic.

From: Carey Hill

The government has no right to change the constitution. They are only trying to do so, to enable Orwell's 1984 to come true.

Thank you, Carey Hill

From: Jeff Schmidt

I Urge You to Oppose Michigan Bills to Call an Article V Convention

Thank You

Jeff Schmidt
Sent from my iPhone

From: Robert Brim

I am opposed to a Convention of States because: It is assumed that rules can be set in place, which will control both the Amendments proposed and the votes of the Delegates on such Amendments. History has provided us with evidence against these assumptions.

1. The founding fathers sent Delegates to the first Constitutional Convention with instructions to amend the Articles of Confederation. When instead, it was discovered that a new government was being proposed, the delegates from four states returned home, because they felt that this was illegal.

THE ARTICLES OF CONFEDERATION BEING THE BINDING LAW AT THE TIME

"Article XIII. Every State shall abide by the determination of the United States in congress assembled, on all questions which by this confederation are submitted to them. And the Articles of this confederation shall be inviolably observed by every State, and the union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a congress of the United States, and be afterwards confirmed by the legislatures of every State."

The US Constitution on Line <http://www.usconstitution.net/articles.html#Article13>

2. As noted above, in Article XIII of the Articles of Confederation, the document that was, at that time, their current law, a unanimous decision was required by law to amend the Articles in any way. However, the framers bypassed this legal requirement and changed the requirement to nine of the thirteen states, which just happened to be the number present. Hmmm!! Sound familiar?
3. If our founding fathers did not want to follow the constructs of the law, which they had themselves created, then why would we expect the Delegates to a new Convention of States to be constrained by any instructions given to them? Once behind closed doors, all bets are off as to the results of such a convention.
4. If we cannot follow the Constitution that we have been given, how can we expect our government to follow the constraints of any new Amendments? We are currently circumventing the First, Second, Forth, Fifth and Sixth Amendments to our Constitution through numerous federal and state laws. U.S. Supreme Court Justice Antonin Scalia recently told law students at the University of Hawaii, that in spite of the fact that it was wrong to put Japanese Americans in detention camps, it was likely that this would happen again. John McCain and Lindsey Graham have both declared all U.S. soil a battlefield, justifying the arrest and detention of any American, under the Patriot Act.
5. The United Nations has been proposing a new Constitution for years, which is a nothing more than a regurgitated version of the Communist Manifesto. This document has been waiting in the wings for just such an opportunity as the Convention of States, that is currently being proposed.
6. We need to focus on using what leverage we have left, to get our government under control. Note Aaron Klein's book Impeachable Offenses, Page iii Paragraph 1 - The definition of "High Crimes and Misdemeanors." This phrase was well understood by the writers of the Constitution, since it was engrafted into English law since 1386. It applied to officials of the Crown who were charged with offenses such as: misappropriating government funds, appointing unfit subordinates, not prosecuting cases, not spending money allocated by Parliament, promoting themselves ahead of more deserving candidates, threatening a grand jury, disobeying an order from Parliament, and granting warrants without cause and bribery.

Thank you for your vote against the move for a Convention of States and/or any other attempt to alter our Republican form of government.

Robert Brim

Candidate for Oakland County Commissioner for the City of Lathrup Village, MI

U.S. Supreme Court Justice Antonin Scalia told law students at the University of Hawaii on Monday
Read more at <http://www.wnd.com/2014/02/scalia-internment-ruling-could-happen-again/#W3I7AFI7SqyYjV64.99>

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From: Jim Tokarski

I support the Article V, Convention of States. All the arguments you list against this process are inaccurate if not deceptive. I have read Mark Levine's book and followed up with a lot of research. Most experts on the Article V idea have dealt with the objections your group addresses and they are easily debunked. My feeling is that at this point, in time in the history of our country, we need to do something big and bold because those on the other side are never going to stop until our country is destroyed. They have been at it for a long time and have accomplished just about everything they dreamed of. They must now be stopped in their tracks or we have and will lose. The stakes are too high to continue the things we have been doing to thwart their successes. Their winning, were losing! Stop objecting, stop dividing, stop your hatred towards Mark Levine and get on board now because your going to be left behind and wondering what happened as this idea gains momentum and moves forward with my support along with a lot of others.

From: Peter Konetchy

Greg,

I totally agree with this message. A balanced Budget Amendment is the socialists dream and would completely destroy any semblance of our constitutionally limited republic. Those proposing and/or supporting it either actively seek the destruction of the U.S., or are completely ignorant of the existing provisions within the Constitution.

Your right in your contentions that the current Constitution states that taxation must be limited to whatever is needed to fund the enumerated duties, and money can only be drawn from the federal treasury to pay for those same enumerated duties. If these limitations were followed we would have no problems -- but the federal government ignores all.

If a balanced budget amendment is passed limiting spending to 17 - 20% of GDP, this amendment will supersede the before mentioned restrictions. In effect any balanced budget amendment will completely eliminate the requirement that the federal government is limited to enumerated powers. The only

limitation will be that it spends only what it is able to collect -- and this can be rigged with bookkeeping tricks.

Thanks Greg fro the message.

Pete Konetchy

Candidate U.S. House of Representatives, Michigan, 4th District
PO Box 816
Roscommon, MI 48653
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On Tue, Feb 4, 2014 at 7:00 PM, Greg Groninger <ggron@charter.net> wrote:

Some folks want to see a balanced budget amendment. Bad idea for the following reasons:

- *The Constitution isn't broken. If it ain't broke, don't fix it. Enforce it.*
- *This entire Convention of States plan depends on the wise, selfless, dedicated State legislators fixing the Federal Frankenstein (which Republic of States Constitution simply needs to be enforced). Ferris says: "We can trust our legislators." Is he just naïve or suffering from dementia? How can any sane American think for a nanosecond that the State legislators today, who are either Republicans or Democrats, have anything in common with that miraculous, august body? I saw a bumper sticker two days ago that read: "Not Democrat; Not Republican. I am an American and I want my country back." For the most part, the State legislators are feeding at the same trough as the Federal legislators. Look at our Michigan legislators, denying trial by jury if one wants to sue the STATE. Are these the folks you want to entrust with your future?*
- *What we need is a Political Party that truly represents US, the strict Constitutionalists, who want our amazing, successful Republic back, built on individual responsibility and productivity, property rights, and the right to keep what we produce and earn, and the right to make our own decisions and live with the consequences. If there aren't enough of us left, then so be it. That is the litmus test. The last folks we can trust to restore our Republic are those who would have to find something honest to do to earn a living if the Constitution were enforced.*
- *Enforce Article 1 section 8 and there is only the Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years; To*

provide and maintain a Navy. If you can't enforce this what makes you think a new amendment will be enforced?

➤ LASTLY BUT MOST IMPORTANT we must remind folks that amendments override the constitution, example 17th amendment and senators, so a balance budget amendment would expand the authority of the feds to spend money beyond what is authorized in Article 1 section 8! That which is authorized under Art 1 section 8 is approx. 5% of GDP.

Your Freedom Wasn't & Still Isn't Free!

Greg Groninger

2720 Colony Dr. Midland, MI 48642

PLEASE BE ADVISED THAT I, AS A MI RESIDENT VOTER, VEHEMENTLY OPPOSE A CONSTITUTIONAL CONVENTION.

WE DO NOT NEED TO REVISE OUR CONSTITUTION...IT IS PERFECT FOR THE U.S.A. WE NEED TO INSIST ON THE CONSTITUTION BEING ENFORCED ONLY, NOT CHANGED....AND PROSECUTE THOSE WHO TOOK OATHS TO SUPPORT AND DEFEND THE CONSTITUTION AND ARE NOT HONORING THOSE OATHS. IN THE U.S.A., WHEN AN OATH IS TAKEN IT IS DEMANDED THAT THE PERSON SWEARING TO UPHOLD THE LAWS, DO SO, OR BE PROSECUTED, TRIED AND FOUND GUILTY. IN MANY OTHER COUNTRIES, OATHS DO NOT MEAN ANYTHING AND WHEN THEY ARE BEING SWORN IN TO UPHOLD THE LAWS, THEY DON'T EVEN MEAN IT. THIS IS NOT THE WAY IT IS IN THE U.S.A.

I SUBMIT MY OBJECTION TO THE CONSTITUTIONAL CONVENTION....WE DO NOT NEED IT! AND IT SHOULD NOT BE DONE!! JUST WORK TO ENFORCE THE CONSTITUTION AND OUR PROBLEMS WILL BE SOLVED.

THANK YOU.

JANICE VOELTZKE

PORTAGE MI

From: Greg Groninger

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Your Freedom Wasn't & Still Isn't Free!

Greg Groninger

2720 Colony Dr. Midland, MI 48642

From: Robert Tidd

I am against the Article V Convention.

I believe that many of our country's problems are rooted in the fact that we have deviated from our constitution and have moved away from a true accountability for our state and national leaders.

The proposed convention will by pass the popular vote of the people and authentic representation of the people.

It is time to come up with legislation that is for the benefit of the people not special interests groups and limit the power of government. Please know that I am adamantly opposed to any Article V con. convention. Rather than open the door to changes to our

Rule of Law, educate the people to the Constitution and especially the legislators in office and the Supreme Court justices..

Any Balanced Budget Amendment would in all probability be ignored. The current administration fails to even provide a Budget.

The Senate did not do so for 4 years and by law is required to do so yearly. We are currently living in a lawless state and the

possibility of turning the Constitution over to the demented legislators currently in office is appalling.

This current administration is making decisions not to enforce current law that it does not like. And, this current administration is

changing law as it goes along, ie, the mandates in question in ACA.

Our government is not functioning under the Constitution with this current traitor in the Oval Office ruling by "pen and phone"

and openly telling Congress he doesn't need them, nor does the country. And they clapped for him! What have we come to

when the Supreme Court sides with ordering the people to buy insurance. What next? Call it a tax and anything goes.

Don't change the Constitution USE IT. ENFORCE IT.

Sincerely,

Joan Grindel

30757 Charleston Court

Farmington Hills, MI 48331

248 661 1928

Please record my concerns: As a Libertarian I regard any attempt to hold a constitutional convention today, with those who seem to be in favor of it, as a clear attempt to further subvert the Constitution we have. The remedy is to restore the Constitution, not to change it. A Con Con would seriously risk eliminating the Bill of Rights and providing a direct path to absolute government tyranny.

Brian Wright
248.320.2813

Please pass my objection on to the committee.. Thanks.

This BBA resolution is a bait-and-switch con with a hidden agenda. Many of the proponents of calling an Article V convention for proposing a BBA are openly saying that a convention for this purpose would only be the first of many for adding many other amendments to the Constitution. What is the hidden agenda? And, since the Article V convention process is inherently unlimited, each and every such convention could lead to harmful changes to the Constitution.

Gordon Squires

Plainwell, MI
