

TESTIMONY OF LORRAINE O. GLOEDE ON HR 206

TO: Melanie Donnelly

CC: Chanin Zwing

RE: WRITTEN TESTIMONY AGAINST HR 206

Senator Garth D. Everett, Chair; Senator Kevin J. Boyle, Democrat Chair; and Members of the House State Government Committee:

Will you please accept the following as written testimony against HR 206.

Thank you for this opportunity.

Lorraine O. Gloede

I urge the Committee members to VOTE NO on HR 206.

While it is evident that much time has been spent to carefully craft a Bill that will limit what your delegates may and may not do at an Article V convention, it appears that conventions are sovereign and make their own rules, regardless of how or by whom delegates are chosen and the restrictions placed on them. Once the convention convenes, the delegates have “plenipotentiary power” to do whatever they want because they no longer represent their states. They would be doing federal business, and as such, represent all the people of the country. The second paragraph of our Declaration of Independence gives delegates that power. State rules would not apply. Ratification methods could be changed, and the Constitution itself could be changed (e.g., George Soros wants a new constitution by 2020, and the North American Union wants a parliament. Socialists want a new constitution that will reflect our culture rather than having our culture adapt and reflect our present constitution.)

Robert’s Rules of Law say that a convention is the highest law-making body of any organization. Therefore, lower law-making bodies—the states—cannot recall or control the delegates. So, “faithful delegate” bills deceive legislators into believing that an Article V convention is safe because delegates can do only what the state legislators tell them to do. From what I have read, when there is resistance among legislators to passing an application for an Article V convention, the strategy of the convention lobby is to get a “faithful delegate” Bill passed, even though they must know there is no such thing.

The U. S. Constitution does not lay out any guidelines or rules for a convention. There is no clear judicial, legislative, or executive body that would have authority over the convention, although Congress may feel that it has (see *Sovereign Duty* by KrisAnne Hall, “The Congressional Research Service Report”). It was last modified in 2014 and says what Congress believes its duties are with respect to an Article V convention. There are many. Given the lack of rules and authority, the convention would likely be open to outside and special interests. It’s unclear how delegates would be chosen. Congress could make themselves the delegates if they decide that each state would have the same number of delegates as it has electors.

According to Constitutional expert Publius Huldah, "State legislators are "creatures of their State Constitutions, and have no 'competent authority' to control the Representatives of the People at an Article V convention. Americans have forgotten a principle which is the basis of free government—that political power originates with The People (Federalist No. 22, last paragraph [Hamilton]). The People create governments by means of constitutions. Since a government is the 'creature' of its constitution, it can't be superior to its Creator, The People." This is why, at the federal convention of 1787, where our present federal Constitution was drafted, our Framers understood that only The People were competent to ratify the new Constitution. George Mason said on July 23, 1787, "...The [State] Legislatures have no power to ratify it. They are the mere creatures of the State Constitutions, and cannot be greater than their creators..."

He did not say he was proposing Article V to rein in the power of the federal government, nor did any other Founder. Amendments do not do that; they correct perceived flaws in documents. Federalist No. 85, 13th paragraph, says that useful amendments would address the "organization of the government, not...the mass of its powers."

We have a limited government, but neither our representatives in Congress nor our state legislators are doing their duty to keep it that way. State representatives can say no (nullification) to any federal law or regulation that is unconstitutional. If our Constitution is not being followed now, why will amendments suddenly make everything right? We need to elect the right people, and we need to be educated to do so. We also need obedience and enforcement. That is the right solution to an out-of-control federal government.

Thank you.

Lorraine O. Gloede

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