



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HCR 36		DATE: 3/8/2021	
COMMITTEE: General Laws			
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ARNIE C. AC "HONEST-ABE" DIENOFF-STATE PUBLIC ADVO		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: arniedienoff@yahoo.com		ATTENDANCE: Written	SUBMIT DATE: 3/8/2021 2:02 PM

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I am in Support of this Bill. We need Term-Limits on Congress for sure!



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: RYAN JOHNSON		PHONE NUMBER: 314-560-4597	
REPRESENTING: UNITED FOR MISSOURI		TITLE: SENIOR ADVISOR	
ADDRESS: PO BOX 2193			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65102
EMAIL:	ATTENDANCE:	SUBMIT DATE: 3/8/2021 12:00 AM	
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: TRACY KING		PHONE NUMBER: 573-353-9576	
REPRESENTING: UNITED STATES TERM LIMITS		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:		SUBMIT DATE: 3/8/2021 12:00 AM
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: DAN R. SEXSON		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: DAVE HEIM		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:		SUBMIT DATE: 3/8/2021 12:00 AM
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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: ED MARTIN		PHONE NUMBER: 314-721-1213	
BUSINESS/ORGANIZATION NAME: PHYLLIS SCHLAFLY EAGLES		TITLE: PRESIDENT	
ADDRESS: 7800 BONHOMME AVENUE			
CITY: SAINT LOUIS		STATE: MO	ZIP: 63105
EMAIL: jordan@phyllisschlaflly.com	ATTENDANCE: Written		SUBMIT DATE: 3/8/2021 1:51 PM
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Dear Chairman and Distinguished Members of this Committee, I strongly urge you to vote "NO" on HCR 36. Missourians are people who love our Constitution and the freedoms it secures for us. I must testify against any legislation that seeks an Article V Constitutional Convention because such a convention would put our constitution in jeopardy. Proponents of a convention make many promises about how a convention would go, but they have no real evidence to back up their claims. The 143 words of Article V say very little about how a convention would work, aside from the fact that Congress would call it and determine the ratification process. Proponents also point to a mock convention that the Convention of States project held in Williamsburg, VA in 2016. However, proponents will not tell you that the mock convention was essentially rigged in their favor. They hand-picked all of the delegates to the convention, which certainly would not happen in reality. All three of the California delegates and the one New York delegate were Republicans, which also would never happen if a convention was actually held. Proponents also claim that other smaller "Conventions of States" have happened throughout American history. Again, the real problem comes when a convention must be called by Congress, which is what an Article V convention would require. Clearly, the outcome of a constitutional convention can only be a matter of speculation because one has never happened under Article V. If we cannot guarantee that there will be adequate safeguards on a convention, we must assume that all sides of the political spectrum will do everything within their power to have their own little chunk of the Constitution. The gun control lobby will seize the opportunity to destroy the Second Amendment, as Supreme Court Justice Stephens advocated in his book *On Handguns and the Law*. The abortion lobby will seize the opportunity to insert an abortion-on-demand amendment into the Constitution. No amount of promises from the proponents of a constitutional convention will be able to stop the Nancy Pelosi and Alexandria Ocasio-Cortezs of the country from trying to seize control. If they do not listen to the states now, what makes people think they will do so in a convention where they are granted even more power? To support an Article V Constitutional Convention is to underestimate the power of the grassroots to make real change. No one denies that it will be hard to rein in Congressional overreach. It is going to take the hard work of thousands of tireless patriots. However, I firmly believe that the voters can force Congress to listen to us. There is no silver bullet like a Constitutional Convention that can make everything easy for us. Although many proponents have the best of intentions, there is a lot of understandable confusion surrounding this important issue. I would be happy to act as a resource in whatever way possible for the members of this committee. I strongly urge you to vote "NO" on HCR 36. All the best. Ed Martin President, Phyllis Schlafly Eagles



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: MO DEL VILLAR		PHONE NUMBER: 816-929-6166	
REPRESENTING: AMERICAN CIVIL LIBERTIES UNION OF MISSOURI		TITLE: LEGISLATIVE ASSOCIATE	
ADDRESS: 406 W 34TH STREET SUITE 420			
CITY: KANSAS CITY		STATE: MO	ZIP: 64111
EMAIL: mdelvillar@aclu-mo.org	ATTENDANCE: Written	SUBMIT DATE: 3/8/2021 12:13 PM	
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March 8, 2021 House General Laws Committee Chairman Trent HCR 36 Dear Honorable Committee Members: Thank you for allowing me to provide testimony today. On behalf of the American Civil Liberties Union of Missouri and our approximately 15,000 supporters statewide, I would like to express our opposition to HCR 36. HCR 36 requests Congress call an Article V Convention of the states to propose amendments. The stated goal of the Convention is to examine term limits; however, this is impossible to control. While the ACLU recognizes the right to amend the Constitution by convention under Article V, we oppose any constitutional convention that may weaken civil liberties. It must be understood that no standards exist to govern how a constitutional convention should be convened and conducted. In the absence of such standards, there are no ways to assure, among other things that delegates are fairly representative, that the rules governing the conduct of the convention are fair, that the convention confines itself to the subject or subjects of the call, and that the convention does not otherwise infringe on civil liberties. Prominent jurists throughout the country have expressed concern about the scope of a potential constitutional convention. In 2014 the late Justice Scalia explained "I certainly would not want a constitutional convention. Whoa! Who knows what would come out of it?" In 1988, former Chief Justice of the United States Warren Burger wrote, "[T]here is no way to effectively 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 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." Former Supreme Court Justice Arthur Goldberg added to this analysis stating, "There is no enforceable mechanism to prevent a convention from reporting out wholesale changes to our Constitution and Bill of Rights." The last constitutional convention, held in 1787 started with the intent to promote interstate commerce and ended with the creation of the U.S. Constitution, a new governing document which replaced the Articles of Confederation. We cannot support a process which may undermine civil liberties for all. As provided for in the U.S. Constitution, there are pathways to amend the Constitution. The procedure allowing Congress to propose amendments and receive ratification from the states is better delineated, and poses less of a risk to civil liberties than a wide-ranging constitutional convention. In sum, there are no checks in place to keep Missouri from being pulled into a runaway convention with the resolutions proposed. I urge you to vote "no" on HCR 36. I am available to answer any questions that you might have going forward. Thank you again for your consideration. Sincerely, Mo Del Villar Legislative Associate ACLU of Missouri