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HCR No. 5008, Hearing in the House Federal and State Affairs Committee
Daniel Chase,
Opposing HCR No. 5008, with written testimony
Oxford, KS 67119, 620-218-8651, danielchase514969@gmail.com

I am Dan Chase, from Oxford, and I represent no organization in this testimony.

Honorable Chairman Barker and members of the House Federal and State Affairs Committee, I strongly oppose HCR No. 5008 and I urge you to vote no on this dangerous bill.

It is very clear that the states do not have the authority to limit a constitutional convention, but only the power to apply for a convention found in Article V. Contrary to the attempt in HCR No 5008 to oversee a convention and set limitations, under Article 1 Section 8 Clause 18 of the US Constitution, the US Congress has the delegated authority to oversee the structure of a constitutional convention, not the states.

A constitutional convention today would risk the replacement of the entire US Constitution just like the Constitutional Convention of 1787 replaced the Articles of Confederation. The 1787 Convention was called under the Articles of Confederation, and with the intent of revising the Articles of Confederation, but instead the convention replaced the Articles of Confederation and ignored the entirety of that document including the requirements for ratification.

Those who don't know and understand history are doomed to repeat it.

"If a general convention were to take place for the avowed and sole purpose of revising the constitution, it would naturally consider itself as having a greater latitude than the congress appointed, to administer and support as well as to amend the system. It would consequently give greater agitation to the public mind"

"Having witnessed the difficulties and dangers experienced by the first Convention which assembled under every propitious circumstance, I should tremble for the result of a Second, meeting in the present temper of America and under all the disadvantages I have mentioned"

- James Madison 1788

According to the wordage found in HCR No 5008, the sponsors and supporters of this bill wish to limit the federal government. The federal government is already clearly limited by wordage in the US Constitution but it should come as no shock that words on parchment

have no means to enforce themselves. Enforcement is a duty of the states and the states have failed at their job.

The states don't enforce the words already found in the US Constitution, how will adding more words strengthen the missing backbone of the states? What enforcement plan do sponsors of this resolution offer? Kansas failed to enforce its Second Amendment Protection Act that was passed in 2013 and challenged by the Obama Administration. Kansas has failed to vigorously challenge unconstitutional acts by the federal government but instead has folded in almost every contest. Kansas has implemented unconstitutional federal programs, accepted unconstitutional federal grant money, enforced unconstitutional federal law, worked with unconstitutional federal agencies, and has therefore taken part in the act of allowing federal usurpations of power and violating rights of the people.

The truth is this, with the unwise state governments that exist today, the only constitution the federal government will abide by is one that will give it expansive powers and unclear limitations. Any limitations on the federal government must be enforced, which the several states including Kansas have repeatedly proven themselves as unwilling to accomplish such a crucial task that is required of them. Two men trusted Kansas on second amendment issues related to the Kansas SAPA law and now those men are felons. What is Kansas doing about its own debt? What is Kansas doing about the millions of gun owners being turned felons by the ATF? What did Kansas do during the assault weapons ban in the 90s? What did Kansas do when millions of babies were murdered under Roe when the supreme court blatantly lied calling murder "constitutional"? Kansas has repeatedly proven to have no spine, no wisdom, and no willingness to exercise its powers.

"It is important to strengthen the State governments; and as this cannot be done by any change in the Federal Constitution (for the preservation of that is all we need contend for), it must be done by the States themselves, erecting such barriers at the constitutional line as cannot be surmounted either by themselves or by the General Government. The only barrier in their power is a wise government. A weak one will lose ground in every contest"

- Thomas Jefferson Dec 23, 1791, personal letter to Archibald Stuart

Weak governments have the special ability to make bad situations worse. We lack men with the brains of Madison or Jefferson. We clearly have men with minds that think more words added to an ignored and unenforced document will magically solve problems.

The answer to this rogue federal government is finding a backbone and enforcing the constitutional line, not changing the document that the several states have failed to enforce.

If there ever is a second constitutional convention, the results will yield more problems. Instead of working to change the US Constitution, start protecting and enforcing it, that is your job!