Submitted on: 3/17/2024 11:30:43 PM

Testimony for PSM on 3/20/2024 3:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Mark White	Testifying for Convention of States Action Hawaii	Support	In Person

Comments:

Aloha PSM Chair Wakai and Committee Members

As the volunteer State Director for Convention of States Action Hawaii, I am submitting this testimony on behalf of my organization and myself as a strong proponent for passage of SCR196/SR168.

Most Important Measure You'll Consider in 2024: It's not hyperbolic to say SCR196 has far reaching implications beyond Hawaii. You are considering a resolution that puts Hawaii in a pantheon of 19+ other courageous states seeking to wrest decision-making authority (state sovereignty) away from Washington D.C. and return that authority to all the states.

Do You Realize? You've been given authority unlike any other elected official in our federalist system. Article V of the U. S. Constitution designates you, a state legislator, as the only office holder with the power to both proposed amendments, and then ratify them for adoption. No branch or process in the federal government has this ability.

SCR196 Needed Now For Hawaii: Decades of federal government overreach, welcomed or not, has hurt your constituents and this state. Hawaii citizens are...

- ...over regulated and underrepresented in D.C. creating the highest cost of living in the US
- ...burdened with such a poor economy they are fleeing the stae to create better lives elsewhere
- ...dependent on federal education funds resulting in the 49th worst overall education ranking
- ...struggling to keep affordable health care after "Obamacare" eliminated our state's popular and effective 1974 Prepaid Health Care Act.
- ...in debt to the federal government over \$100,000, each man woman and child, for a lifetime, until the \$34 Trillion national debt is paid off.

We Are at the Precipice: The U.S. Constitution's Article V convention method for proposing amendments was given to state legislators for exactly the conditions we find today. State legislators must act now before it's too late to curtail federal intrusion into state sovereignty and restore the intended balance of power between states and the federal government.

Vote Yes on SCR196/SR168: The federal government is not competent to perform the myriad of roles and state level tasks it has presumed for itself over the last 60 years. State legislators can and should reverse this cycle of dehumanizing dependence on Washington D.C. I urge passage of this resolution calling for a convention of states to restore liberty to the people of Hawaii.

Thank you for your service to our state.

Sincierely.

Mark White

Waikele, Waipahu

(808) 753-5323

TESTIMONY OF MARK MECKLER, J.D. IN SUPPORT OF SCR 196/SR 168 HAWAII SENATE COMMITTEE ON PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS

March 20, 2024

My name is Mark Meckler. I am an attorney residing in Texas, and I am the Co-Founder and President of Convention of States Action.

Honorable committee members, the resolution before you offers a structural solution to a structural problem. It offers you the chance to restore the balance of powers in our federal system by using your constitutional authority under Article V.

Congress and administrative agencies have long usurped powers that rightfully belong to you--the elected lawmakers of Hawaii. The activities of Washington, D.C. today would have been unthinkable to our Founding Fathers. Federal laws and regulations now touch upon every aspect of our lives: What kind of light bulbs we can buy. Farming practices. School curriculum. Health care and insurance.

Meanwhile, we live under the shadow of a crushing national debt that threatens to enslave our grandchildren and their children. All of this comes courtesy of decades of activist federal courts, which have vastly expanded federal power through their precedents. The Supreme Court has created loopholes to the Constitution's limits on federal powers, and those loopholes will remain there until someone closes them.

That "someone" has to be you. It's obvious that Congress is never going to curtail its own power—at least not definitively or permanently. It would take decades for the Supreme Court to reverse enough precedents to eliminate the constitutional loopholes it has created. One president might choose to act with some restraint during his or her term—maybe—but can do nothing to restrain future presidents.

Fortunately, in their wisdom, our Founding Fathers predicted that this very situation would arise. Toward the very end of the Constitutional Convention, George Mason specifically predicted that the federal government would one day overpower the states. And that is why he insisted that Article V include a way for states to propose constitutional amendments through a state-controlled convention.

Mason's proposal was adopted without dissent. This final version of Article V gave the states the ultimate constitutional power—the power to unilaterally amend the Constitution of the United States, without the consent of Congress.

The way it works is that when 2/3s of the state legislatures (34) pass resolutions applying for a convention to propose amendments on the same topic (which serves as the meeting agenda),

Congress has a constitutional duty to name the initial time and place for the meeting and then stand back and let it happen. Each state chooses and instructs its delegation of commissioners, who attend the meeting and work with the other state delegations to hammer out possible amendment proposals on the topic specified in the 34 state applications. Because they act as agents of their state legislatures, the commissioners only have legal authority to act pursuant to that specified agenda, and only to act in pursuance of their legislature's instructions. Every state gets one vote.

Any proposals that are supported by a majority of the states at the convention stage then get submitted back to the states for ratification. Only when 38 states ratify a proposal can it become part of our Constitution.

Now some people will try to prey on fear by telling you that because some of these details are not explicitly stated in the text of Article V, we have no idea how an Article V convention would operate. But that simply is not true. We know what a convention of state is, and the basics of its operation, because we have a very rich history of interstate conventions in America. That history is the very reason this process was provided as an alternative in Article V. Just as we know what a trial by jury looks like without having every detail written into the Constitution, we know how an Article V convention would function.

By passing the resolution before you, Hawaii will effectively be raising its hand to say, "Yes, we believe it is time for the states to gather to consider proposing amendments that will re-balance federal power with state power." Specifically, the Article V convention called pursuant to the resolution before you would be limited to three topics for amendment proposals:

- 1. Amendments that impose fiscal restraints on the federal government;
- 2. Amendments that limit the power and jurisdiction of the federal government; and
- 3. Amendments that set term limits for federal officials—including or possibly limited to federal bureaucrats or judges.

Now this does not mean that the convention must propose an amendment on each of these topics. Rather, these topics describe the outer limit on what would be germane for consideration at the convention.

With this approach, the convention could propose a balanced budget amendment accompanied by limitations on Congress' spending and taxation powers. It could propose limits on executive power, federal agencies, and impose real checks and balances on the Supreme Court.

Most American citizens, and the vast majority of state legislators I speak with as I travel the country, agree that our nation is in desperate need of a re-balancing of power between the federal government and the states. The Article V convention for proposing amendments is *the* constitutional process designed to address that problem.

In fact, in George Washington's farewell address to the American people, his final admonishment to us was this: "If in the opinion of the People, the distribution or modification of the Constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed."

Thank you for allowing me to testify today.

Submitted on: 3/19/2024 11:12:54 AM

Testimony for PSM on 3/20/2024 3:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Brett Kulbis	Testifying for COS Action Hawaii	Support	In Person

Comments:

I SUPPORT SCR-196 - APPLYING TO THE UNITED STATES CONGRESS TO CALL AN ARTICLE V CONVENTION TO PROPOSE CERTAIN LIMITED AMENDMENTS TO THE UNITED STATES CONSTITUTION.

Chair Wakai and Committee Members,

Mahalo for holding this hearing for the vitally important Convention of States Resolution SCR-196. As the COS Hawaii Action State Grassroot Coordinator representing over nine thousand petition signers and supporters, I fully support the passage of SCR-196.

As a 26-year Navy veteran (submarines), I swore an oath before God and my peers that I would support and defend the Constitution of the United States. Today, seventeen years since my retirement, that oath is still in effect.

I've been in my position since the Convention of States Hawaii began nine years ago, and I've talked with thousands of Hawaii residents regarding our efforts to have you pass this resolution calling for a Convention of States. While there are many differing opinions on the solution, overwhelmingly everyone knows the problem – Washington DC is broken!

Hawai'i needs to pass SCR-196 for the following reasons:

- 1. To regain our self-governing authority, a freedom our Founding Fathers always intended to be vigilantly guarded by state legislatures like you. Article V contains today's only remaining constitutionally legal check and balance states, through their state legislators, can use to limit the federal government and hold it accountable.
- 2. To free you of regulations created by unelected federal bureaucrats, that reduce Hawaii to a regional agency simply to implement federal policies, often ignoring the needs of the people of Hawaii. Federal agencies annually issue three times as many regulations, legally equivalent to laws passed by Congress.
- 3. To return control of Hawaii land and resources to Hawaii. Case in point Papahānaumokuākea National Marine Sanctuary, because of it Hawai'i fisheries experienced millions in loss of revenue due to federal expansion.
- 4. Freedom of Choice: The people of Hawaii should be free to decide on policies and curriculum for our schools without interference from the federal government. Of the 50 states and Washington, D.C. Hawai'i ranks 49th overall in education.

5. Federal Misrepresentation: Out-of-touch politicians in Washington, D.C. regardless of party, should not be permitted to force their social agendas upon the people of Hawaii. The Affordable Care Act (i.e., Obamacare) obliterated Hawaii's local, statewide and popular health care solution: the 1974 Prepaid Health Care Act.

You're going to hear from opponents of SCR-196, and much of their remarks will attempt to invoke fear in you. What you will hear will be filled with false or misleading information and quotes, and other forms of mis- dis- and mal-information. I'm confident you will know the difference because over the last six weeks we've provided all the factual information that debunks their remarks.

When the Founding Fathers wrote the Constitution, they intended the state legislators to check the power of the national government they created. They foresaw the potential for federal abuses, that is why they gave you the authority, and only you, to stand in the gap when liberty was at risk. They told you that if things fall apart, if things get difficult, if Washington DC starts to ignore the states and the will of the people. They gave you an authority that's unique among all members of the federal government in Article V. The authority to call a convention to propose amendments and then to ratify the amendments proposed, thereby reforming the structure of the Federal government.

I will end with this quote, "What is the risk of not standing up to the federal government, just how much more will we let them step on us before we say enough is enough, and by the time we decide to fight back will it be too late?" That quote was by Natalie Trevor, a 14yr old young lady, at the end of her testimony in support of the Convention of States to a South Carolina Senate Sub-Committee in 2022.

I urge you to PASS SCR-196.

Mahalo!

Brett Kulbis COS Action Hawaii Stata Grassroots Coordinator

Submitted on: 3/19/2024 1:42:41 PM

Testimony for PSM on 3/20/2024 3:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Alberta Lono	Testifying for Convention of States Hawaii Project	Support	In Person

Comments:

Thank you for the opportunity to speak today. My name is Alberta Lono and I am a District Captain for HD25 in Honolulu Hawaii for COS-Hawaii. I have only been involved with COS for 3 years but what prompted me to be involved was during the 2020 election. I realized what was happening to our country let alone our state. I have never been in politics before, but I have children and grandchildren and future generations that need to be protected by this federal government. And that's the reason I support Article 5 Convention of States. Our Founding Fathers knew that some day the federal government would try to do more than they can in power to do and that day is now here.

So they added Article 5 to call a Convention of States to propose amendments, not to change anything in the constitution. The resolution calls for proposal amendments for fiscal restraint to our existing budget of \$44 trillion dollars that our children and grandchildren who haven't started out in life yet will be responsible for paying this debt in taxes. If we don't get our spending under control,we will lose our country.

Another proposed amendment is term limits for career politicians, staffers, bureaucrats, lobbyist and justices. The last one and more important is federal government overreach. The federal governments only job is to protect the country which they are not doing a very good job. An Article 5 Convention of States would stop the federal government from overreaching into states business which I am all for. I hope you are too.

You and others that is the body of Hawaiis' State Legislature have the power to govern our state according to the needs of the people of Hawaii. For every state is different and the needs are not the same.

At this moment we have 19 states that passed the resolution. There's 4 states ready to call for a vote in one chamber. We are at the halfway mark of having 34 states call a convention. So I urge you to vote yes on SCR196. Thank you for your time.

In Liberty, Alberta Lono

SCR-196 Submitted on: 3/15/2024 6:58:16 PM

Testimony for PSM on 3/20/2024 3:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Chanara Casey Richmond	Individual	Support	In Person

Comments:

I, Chanara Richmond, support SCR 196.

To Whom it may concern;

I am writing in support of SCR196, a call for an Article V Convention to propose certain limited amendments to the United States Constitution. Our country, sadly, is on a path to assured failure, insolvency and destruction. We as a nation have arrived to a time when our country is more than \$33 Trillion in debt (\$33,000,000,000,000), yearly deficits run upwards to a trillion dollars a year and there is nothing to imply that these gross yearly over expenditures will ever be reversed, let alone paying down the growing national debt. THIS IS UNSASTAINABLE! The borrowing against future generations is criminal and blatantly WRONG! This monster of debt is stealing our wealth in the form of inflation and enormous yearly interest. When I was a young man this country had no monstrous debt and the United States was the largest lender in the world. Now we are the largest debtor in the world! Debtor nations were viewed with mild bewilderment and derision, referred to as "Banana Republics". Now we are the Banana Republic! This is a travesty and there is absolutely no reason to think or believe that the politicians in Washington DC will ever have the fortitude to grapple with this almost insurmountable "33 Trillion Pound Gorilla" that is in the room! I believe one of the most prominent reasons that politicians will not solve the debt crisis is that they are too concerned with getting re-elected and their own governmental positions are predicated on bringing something back, continuously, to their own districts. This incentivizes the decisions to spend more and kick the debt crisis can down the road. Well, we have reached the end of the proverbial road! This problem raises yet another reason for the proposed Constitutional Convention; term limits. There is little incentive for sitting congressional representatives and senators to enact term limits, not to mention that the requirements of a Constitutional Amendment would be needed in order to have term limits for elected congressional representatives and senators. I feel it hardly necessary to go into the details or explain my reasoning as to why term limits are necessary. The corruption of Washington DC is legendary and proposed term limits would act as a firewall by limiting the number of years someone spends in Washington DC.

I believe these two reasons alone would satisfy the request and approval of an Article V Constitutional Convention. The United States is a great country with a great history! We are the fortunate beneficiaries of an incredible group of Founders who gave us this country and the Constitution to govern ourselves. But our Founders knew the evils of an overbearing, over reaching, all powerful government that could grow to be unaccountable to the citizens of the United States. That is the exact reason, in their wisdom, they gave us Article V, so that We the People would have a mechanism to reign in a government run by a permanent, entrenched political elite and bureaucracy!

MA. Letter MARCH 16TH, 2024

Respectfully yours,

Marc Cotter

Keaau, Hawaii 96749

Submitted on: 3/17/2024 4:33:19 PM

Testimony for PSM on 3/20/2024 3:02:00 PM

Submitted By	Organization	Testifier Position	Testify
TERI SAVAIINAEA	Individual	Support	Written Testimony Only

Comments:

I support SCR196 to stop government over reach, have term limits and for our government to be fiscally responsible with taxpayers money.

Thank you,

Teri Kia Savaiinaea

Submitted on: 3/18/2024 1:12:17 PM

Testimony for PSM on 3/20/2024 3:02:00 PM

Submitted By	Organization	Testifier Position	Testify
David Nichols	Individual	Support	Written Testimony Only

Comments:

I fully support this. We need to give more he power back to the people. Government is ignoring the people. Our system is corrupted with long term representatives that poisons our country by pocketing and giving money to socialist beauracrats. We can limit terms, control government spending and bring this beautiful country back on its own feet again.

PSM, Public Safety and Intergovernmental and Military Affairs Senators Glenn Wakai, Chair & Brandon Elefante Vice Chair Members Senators Fukunaga, Rhoads and Awa

Hearing Wedneday 03.20.2024
SCR196 Article V; Convention of States; Constitutional Amendment

I am reaching out, to ask you to support this resolution SCR196 Article V.

Simple put, our founders were aware that the over reach of Congress could and would eventually get out of hand.

Congress is never going to rein in or limit the power they currently have, if anything they look at and have been expanding their reach ...

I look at Article V as the fourth arm of the gov't. it give us the people a voice through you.

Firstly, serving in Washington DC was never suppose to be a lifelong career. They were to serve a few terms and then return to their lives in the private sector, to live among the people they swore to represent and live under the laws and regulations they enacted.

However, in todays world, they spend so much time away from those consititunet, that their priorities change. They are surrounded by powerful people and eventully receive recognition themselves and a great deal of attention where ever they go ... They tend to forget about the people back home, the taxpayers, those they swore to represent.

Sadly in past years congress has and continues to show an irresponsible handling of tax payer monies that are collected. Freely spending not millions but billions of taxpayer dollars for things that do not benefit or are approved by the American Tax Payor with much of that/our money leaving our country being sent elsewhere around the world.

All with a total disregard for the struggling tax-payers here at home.

If that is not enough, in past decades and continuing today, they have reach into areas they were never supposed to be involved in. Education is a key issue today.

The Constitution says nothing about education. That is because education is a matter that was to be left for the states to oversee.

I remember reading this somewhere which makes absolute sense ... Federal Government has no authority under the Constitution to standardize the American education system. The citizens of each state run their own schools. Officially, it is because it is not a power given to the federal government. Sept. 8, 2021

The Federal Government needs to dissolve the National Dept. of Education. Full control to go back to the individual states where it belongs and that money allocated for education at the federal level also needs to be returned to the states.

With these three areas in mind, I ask you to please support the passing of this resolution.

Respectfully, Rita Kama-Kimura

Testimony on SCR196/SR168 Committee on Public Safety and Intergovernmental

And Military Affairs

Wednesday, March 20, 2024

By Jack and Donna Van Osdol

Dear Chair Wakai, Vice Chair Elefante, and members of the Committee

We are Jack and Donna Van Osdol, and we are submitting testimony favoring SCR196/SR168. We are part of the Convention of States' ("COS") national grassroots movement, and for the last six years, during the legislative session, we have been visiting our local state representatives and senators discussing what COS is about and distributing reading materials in the hopes that our legislators and their staff will support our efforts.

Our state and country, as a whole, is in a crisis: financially, ethically, and constitutionally. As seniors, we have seen the degradation of our rights slowly but surely being chipped away through the ideologies of socialism, a form of government that is contradictory to what America's U.S. Constitution grants its citizenry. It is a form of government that, in the end, dictates what its people are allowed to do. Our testimony is about the instability of our constitutional rights as noted in the examples below.

The overreaching of our federal government today is oppressive and becoming tyrannical: Strict regulations regarding the ownership of guns to protect ourselves make it easier for a criminal to cause harm to our families. Unforgiving mandates, all in the name of "sustainability," regarding the farming/beef industry is making it difficult for that industry to provide meals for millions of American families. Because of the censuring of many good people just trying to bring about truth in the media arena, our right to free speech is now questionable. During the recent pandemic, we were witness to forced vaccinations. These prohibitive actions contradict what America's Constitution guarantees: the life, liberty, and pursuit of happiness.

As senior citizens, what we want for our grandchildren and for future generations is for them to live in a country that has (1) balanced its budget; (2) kept its politicians from being corrupt through the implementation of term limits at all levels of government; and (3) most importantly, kept the U.S. Constitution still intact thus certifying Americans their freedoms and rights.

Please pass SCR196/SR168. Thank you for this opportunity to support these important pieces of legislation.

Submitted on: 3/18/2024 11:13:11 PM

Testimony for PSM on 3/20/2024 3:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Lorraine Nip	Individual	Support	In Person

Comments:

Americans see that Washington DC is no longer working for our best interest.. We continue to watch irresponsible spending in Congress and a wide-open border.

Our national debt has reached \$34T; our annual tax revenues can only pay off the yearly interest owed on this debt. We will be paying for this for the rest of our lives. Your children and my children will inherit this tax burden for the rest of their lives, and so will our children's children, and their children's children. The national debt continues to trend higher, not lower, and our government has not been accountable for why all of this debt is being accumulated.

Clearly the border states have laws and a duty to protect their residents, but we have watched this administration for more than 3 years not enforce the immigration laws we already have and even oppose the border states from trying to stop 10M+ migrants from coming in illegally.

Congress can still correct itself, but it won't.

Article 5 was added to the Constitution by our Founding Fathers because they foresaw that one day our government could become tyrannical. Article 5 was written to also provide the needed check & balance on our Federal Govt. Should a time ever come about, as it has now, Article 5 gives the power back to the States, allowing them to propose amendments to the Constitution that would bring back sound government and preserve our beloved republic. We respectfully ask that you allow the State of Hawaii to file an application for COS and pass SCR196.

Submitted on: 3/19/2024 11:47:35 AM

Testimony for PSM on 3/20/2024 3:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Healy	Individual	Support	Remotely Via Zoom

Comments:

I am writing to ask for your support in voting yes for SCR 196. This resolution proposes an Article V convention of states, allowing for discussion of three important amendments: term limits for federal officials, restrictions on Congressional spending, and limits to federal jurisdiction. This issue holds great importance to me and I kindly request your vote in favor of it.

My name is Charles Stutz. I have been a citizen of Hawaii for some 40 years.

Please vote yes on this important resolution. It creates a process whereby powers between the federal government and the states are rightfully balanced. We always hear about the efforts of the Hawaiian people to express their sovereignty. What better way to carry on that effort than to take part in the Convention of States. The amendments that will be discussed at the Convention are meant to chip away at the federal government's abuse of power, not be directly related to some of the issues facing the hawaiian people, but it will send a message that the states have a fundamental right to govern their people in a way their citizens believe is right for them. It is an important opportunity for the State of Hawaii to stand tall for the sovereignty of the several states of our union, the United States of America. Vote yes

Submitted on: 3/19/2024 1:39:34 PM

Testimony for PSM on 3/20/2024 3:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennie Y Wolfe	Individual	Support	Written Testimony Only

Comments:

I am submitting this testimony on behalf of SCR196. I strongly reccommend that this committee pass this bill forward for a vote in the full Senate. Its time for we the people to assert our constitutional right to limit the size of our Federal Government and have term limited so these career politicians will make way for future generations to serve in congress. Too often the politicians that have been in 20 to 30 years grow stale in their thinking and won't listen to the will of the people. They start to think that unless you do as they say, we are in the wrong. I cannot and will not live in a banana republic where politicians treat us like pariahs. Time for a change, time to reign in big government, time to give government back to the people. Thank you for your consideration to this bill .

SCR-196 Submitted on: 3/19/2024 2:12:43 PM

Testimony for PSM on 3/20/2024 3:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Hokulani Lee	Individual	Support	Written Testimony Only

Comments:

I am in strong support of calling an Article V Convention.

Submitted on: 3/19/2024 2:36:37 PM

Testimony for PSM on 3/20/2024 3:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Robert Fitzgibbons	Individual	Support	Remotely Via Zoom

Comments:

Esteemd chairman and members,

I am a fourth generation American! As a veteran of Vietnam and other foreign wars, I see that federal government is moving in an adverse direction that would benerfits all American direction that is not best for all American citizens. The federal government is falling to protect and educate the Hawaiian children and the country as a whole. The Federal department of education is failure us and our ohana. I urge you all to vote yes to support SCR 196 and pass it to protect our children and our future.

Thanks you



Submitted on: 3/19/2024 3:02:37 PM

Testimony for PSM on 3/20/2024 3:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Craig Swanson	Individual	Support	Written Testimony Only

Comments:

I support the COS and the US Constitution. Our country needs this critical system of checks and balances.

respectfully,

Craig Swanson

Submitted on: 3/19/2024 5:22:21 PM

Testimony for PSM on 3/20/2024 3:02:00 PM



Submitted By	Organization	Testifier Position	Testify
Blanca Larson	Individual	Support	In Person

Comments:

Distinguished Chair and Committee members,

Thank you for the opportunity to testify on SCR 916 and SR 168.

I support this Resolution and its companion because we need to bring the power back to the people. To restrain federal abuse of power by applying for a convention according to Article V of the United States Constitution.

We The People

- 1. Impose federal restrictions on the Federal government
- 2. Limit the power and jurisdiction of the Federal government
- 3. Limit the terms of office for Federal officials and members of Congress

We the people need to take back our power because the politicians don't listen to us, the Federal government has failed, us the people.

We are tired of being ignored, our voices are not being heard by politicians who continuously introduce bills that hurt our community instead of helping. We want accountability and we want to be heard. We have to care for our state, for our people. We have to bring power back to the people. Mahalo.