



Wednesday, February 14, 2018

Senate Concurrent Resolution 1611

Lisa Ochs, President, AFT-Kansas

Written OPPOSITION Testimony

Chair Estes and Members of the Committee:

My name is Lisa Ochs, the President of the American Federation of Teachers-Kansas, and our organization represents State and local public employees, nurses, teachers, and workers at our public universities. Our representation covers workers in all Kansas counties. On behalf of all our members and the communities for which they care, thank you for the opportunity to submit testimony in opposition to SCR 1611 for the following reasons:

- **States cannot limit the agenda of a Constitutional Convention.** A Constitutional Convention would open up the Constitution to whatever amendments delegates chose to propose, just as the convention that produced the current Constitution ignored its original charge, to amend the Articles of Confederation, and instead wrote an entirely new governing document. In fact, any agreed upon pre-ratification process fails to be a safeguard. Conventions have the authority to change the process for ratifying amendments.
- **Calling a Constitutional Convention is very dangerous.** If Congress called a Constitutional Convention, or attempted to do so, the country could be thrown into great turmoil, a period of extraordinary tension and deep anxiety, and likely find itself quickly mired in momentous, lengthy legal and political battles of great consequence to the nation's future.
- **Prominent legal scholars have also warned against a constitutional convention.** During the question-and-answer session following a speech Supreme Court Justice Antonin Scalia gave to the Federalist Society in Morristown, New Jersey, on May 8, 2015, he was asked whether a constitutional convention would be in the nation's interest. "A constitutional convention is a horrible idea," Scalia replied. "This is not a good century to write a constitution."¹

¹ <https://www.thenewamerican.com/usnews/constitution/item/22625-justice-scalia-s-warning-of-a-constitutional-convention>

Rather than threaten our country's constitutional stability, policymakers should focus on their responsibilities to Kansans and the communities where their constituents live. For these reasons, AFT-Kansas urges the Committee to reject Senate Concurrent Resolution 1611.