



## **Contact Senator Lam About a Vote Tomorrow!**

For many years LWVUS and LWVMD along with other groups such as Common Cause, ACLU and the Brennan Center have been fighting the call for an Article V Constitutional Convention. State Legislatures around the country have been trying to pass resolutions calling for such a convention for various reasons including:

- A balanced budget amendment
- Congressional term limits
- Repealing Row V Wade
- Repealing the Citizens United decision

While LWVMD and LWVUS would really like to see the Citizens United decision overturned, we along with many constitutional scholars, believe such a move with all of the uncertainties around calling for a convention, is a bad idea. More background information on why is below.

Senator Lam has indicated that he is uncertain about what to believe regarding this issue. He has also said that he would like to know how his constituents think he should vote. **Please contact Senator Lam ([clarence.lam@senate.state.md.us](mailto:clarence.lam@senate.state.md.us) or 410-841-3653) and ask him to vote NO on SJ 001.**

After two years of study and consensus about amending the constitution, in 2016 the LWVUS announced the following position: “*The League of Women Voters is concerned that there are many unresolved questions about the powers and processes of an Article V Constitutional Convention.*”

***The League believes that such a convention should be called only if the following conditions are in place:***

- *The Constitutional Convention must be transparent and not conducted in secret. The public has a right to know what is being debated and voted on.*
- *Representation at the Constitutional Convention must be based on population rather than one state, one vote, and delegates should be elected rather than appointed. The delegates represent citizens, should be elected by them, and must be distributed*
- *by U.S. population.*
- *Voting at the Constitutional Convention must be by delegate, not by state. Delegates from one state can have varying views and should be able to express them by individual votes.*

- *The Constitutional Convention must be limited to a specific topic. It is important to guard against a “runaway convention” which considers multiple issues or topics that were not initiated by the states.*
- *Only state resolutions on a single topic count when determining if a Constitutional Convention should be called. Counting state requests by topic ensures that there is sufficient interest in a particular subject to call a Convention and enhances citizen interest and participation in the process.*

**Congress has taken no action to make sure that any of the safeguards outlined above are in or will be in place.**

While legal scholars have varied opinions on whether an Article V Convention can be convened for a single purpose, the League feels that the risks outweigh the possible benefit. Below are opinions from two very different Supreme Court Justices:

*“[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.”* Warren Burger, former Supreme Court Chief Justice.

*I certainly would not want a constitutional convention. Whoa! Who knows what would come out of it?”* Antonin Scalia, Former Supreme Court Justice.