

TESTIMONY OF DAVID P. SCHNEIDER - MARION KS ON HCR
5009 KANSAS HOUSE COMMITTEE ON FEDERAL AND STATE
AFFAIRS 2019

My name is David Schneider, I am the Regional Director for Convention of States. I am a resident of Marion, Kansas and was a volunteer leader in this state for years prior to going to work with the Convention of States.

I am a father of three teenage children. My youngest is a Sophomore at Marion High School and my two oldest are enrolled at Emporia State University where my son is on the ESU football team. I started volunteering because of my children and for their futures. I think of them every time I leave my home for a week on the road spreading the word about this process. I understand that the country I grew up in is being lost to over encroaching federal government, and I do not want my children to be left with the burden of our unwise decisions.

My time as a volunteer here in Kansas, took me across the state educating and finding other grassroots leaders like me to join the team. You see many of these people here today in the room and we will have many more assemble in the rotunda after this committee to show our support for Kansas joining this initiative.

I now help the grassroots in other states and travel quite a bit working with teams throughout the midwest. I helped North Dakota, Texas, Oklahoma, and Missouri pass this identical resolution over the last couple of years. Recently Arkansas and Utah have also passed this resolution making fourteen states that have joined in.

Working in so many states has given me an interesting perspective. I have seen the legislators in these states. I have worked with them side by side in their struggles. Their struggles are the same as yours. Education, roads, revenue shortages, taxes, etc. These legislators understand what it means to compromise and meet the needs of their state as a whole while representing the constituents that sent to the capitol. I can tell you without any reservation, by in large, they do not trust you any more than you trust them. Nobody seems to trust California.

You see, this is part of the beauty of the convention process. Individuals go as one of a delegation to truly represent the interests of Kansas. When it is all done, the members of the delegation have to come back to Kansas. Member of Congress might hide between elections and do things for political reasons. The delegates at this convention hold no power individually, and are completely done with their positions when the convention gavel itself closed and sends it proposals to each of the states for ratification.

This process of conventions was well known to the Founding Fathers, as they had met several times prior to the convention that gave us the United States Constitution. They did not write down the procedures in the text of the Constitution, nor more than they wrote the procedures in which Congress operates under with their daily business. There have been upward of 40 interstate conventions in our nation's history. In looking through those conventions some things are universal.

- This a meeting of equal sovereign states with each having one vote
- Motions are adopted by the majority of states (now being 26)
- These meetings have ALWAYS stayed on topic to why the meeting was convened

Article V of the Constitution is specific in the power of this said meeting of states. The only power granted to it is to "propose amendments to this constitution". This, I point out, is the same power granted to Congress every day they are in session through the first clause in Article V. I far more trust you, the state legislators of the several states, to propose further limits on the size, scope, and jurisdiction of the federal government. You live in my community, and my children attend schools in our state. I can go to an event and see you and talk to you very easily. This is exactly why the Founders put you in charge to right the ship if it had lost its way.

I trust the Founder's and their vision of this Republic, and I believe them to be divinely inspired in the writing of the Constitution. The whole document was inspired by God, including the second clause of Article V in which we are discussing today. They knew the day would come in which the federal government stretched the meanings of the words they had just put to paper, and therefore this action plan was meant for you to utilize.

James Madison made it quite clear in several letters written in the 1830's that we must

use this step before we look for a solution outside of the Constitution. In his own words in 1830 in a letter to Robert Young Hayne:

“The last resort within the purview of the Constn. is the process of amendment provided for by itself, and to be executed by the States.”

You will hear from opposition to using Article V today. Please someone ask each of them their solution if not this. If you hear, “hold officials accountable to their oath of office”, please ask them to explain how they plan on doing that. You see the Founders had just fought a revolution, they knew the sacrifice they had suffered. They gave you this tool to avoid any such step.

I believe this debate worthy of the floor, and I urge you to move it to a full discussion of the House.

Thank you for your time and service to this great state we live in, and thank you for allowing me to provide testimony to you.