

# Committee Report

# CONSENT CALENDAR

February 12, 2021

## HOUSE OF REPRESENTATIVES

### REPORT OF COMMITTEE

**The Committee on State-Federal Relations and Veterans Affairs to which was referred HCR 4,**

**AN ACT recognizing the authority of states to enact laws protecting the lives of the unborn and calling for a Constitutional Convention to propose a human life amendment to the Constitution. Having considered the same, report the same with the following resolution:**

**RESOLVED, that it is INEXPEDIENT TO LEGISLATE.**

**Rep. Brodie Deshaies**

**FOR THE COMMITTEE**

## **COMMITTEE REPORT**

Committee:	<b>State-Federal Relations and Veterans Affairs</b>
Bill Number:	<b>HCR 4</b>
Title:	<b>recognizing the authority of states to enact laws protecting the lives of the unborn and calling for a Constitutional Convention to propose a human life amendment to the Constitution.</b>
Date:	<b>February 12, 2021</b>
Consent Calendar:	<b>CONSENT</b>
Recommendation:	<b>INEXPEDIENT TO LEGISLATE</b>

### **STATEMENT OF INTENT**

An Article V Constitutional Convention will not guarantee the objective of this resolution and could actually have contrary results during an Article V Constitutional Convention, any conceivable amendments can come to fruition. Any suggested constitutional amendments made by the convention can be later ratified by individual states, and if enough individual states ratify the amendments, they become adopted in our Federal Constitution. This hypothetical convention could even suggest amendments that prevent very reasonable limits on abortion procedures. If enough states agree to such a change, it would run contrary to the purpose of this resolution. It is best for states to constitutionally pass legislation that defends the gift of human life; and for state's to make legal arguments in front of state and federal courts explaining why a state government has an interest in defending any and all persons in the womb.

Vote 21-0.

Rep. Brodie Deshaies  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## CONSENT CALENDAR

State-Federal Relations and Veterans Affairs

**HCR 4**, recognizing the authority of states to enact laws protecting the lives of the unborn and calling for a Constitutional Convention to propose a human life amendment to the Constitution.  
**INEXPEDIENT TO LEGISLATE.**

Rep. Brodie Deshaies for State-Federal Relations and Veterans Affairs. The committee unanimously recommends ITL because an Article V Constitutional Convention will not guarantee the objective of this resolution and could actually have contrary results during an Article V Constitutional Convention, any conceivable amendments can come to fruition. Any suggested constitutional amendments made by the convention can be later ratified by individual states, and if enough individual states ratify the amendments, they become adopted in our federal constitution. This hypothetical convention could even suggest amendments that prevent very reasonable limits on abortion procedures. If enough states agree to such a change, it would run contrary to the purpose of this resolution. It is best for states to constitutionally pass legislation that defends the gift of human life; and for state's to make legal arguments in front of state and federal courts explaining why a state government has an interest in defending any and all persons in the womb. **Vote 21-0.**

Original: House Clerk

Cc: Committee Bill File

# Voting Sheets

**HOUSE COMMITTEE ON STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS**

**EXECUTIVE SESSION on HCR 4**

**BILL TITLE:** recognizing the authority of states to enact laws protecting the lives of the unborn and calling for a Constitutional Convention to propose a human life amendment to the Constitution.

**DATE:** February 12, 2021

**LOB ROOM:** 206/208

**MOTIONS: INEXPEDIENT TO LEGISLATE**

Moved by Rep. Deshaies

Seconded by Rep. Labranche

Vote: 21-0

Respectfully submitted,

Rep Susan DeLemus, Clerk



2021 SESSION

State-Federal Relations and Veterans Affairs

Bill #: HCR 4 Motion: ITL AM #: 9:45 Exec Session Date: 2/12/21

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Baldasaro, Al P. Chairman	✓		
Moffett, Michael Vice Chairman	✓		
<del>Lundgren, David C.</del> <u>Dennis Acton</u>	✓		
Katsakiores, Phyllis M.	✓		
Rollins, Skip A.	✓		
DeLemus, Susan C. Clerk	✓		
Binford, David W.	✓		
Foster, William S.	✓		
Deshaies, Brodie S.	✓		
Harley, Tina L.	✓		
Leavitt, John A.	✓		
Massimilla, Linda A.	✓		
Piedra, Israel F.	✓		
Booras, Efstathia C.	✓		
Wilhelm, Matthew B.	✓		
Espitia, Manny	✓		
<del>Griffith, Willis T.</del> <u>Art Ellison</u>	✓		
Toll, Amanda Elizabeth	✓		
Labranche, Tony	✓		
Laughton, Stacie-Marie	✓		
Welkowitz, Lawrence	✓		

# Public Hearing



# House Remote Testify

## State-Federal Relations and Veterans Affairs Committee Testify List for Bill HCR4 on 2021-01-29

Support: 4 Oppose: 124 Neutral: 0 Total to Testify: 6

12

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Signed Up</u>
Darivemula, Shilpa	darivems294@gmail.com	703.945.6065	A Member of the Public	Myself	Oppose	Yes (0m)	1/26/2021 2:31 PM
Hruska, Jeanne	Jeanne@aclu-nh.org	307.272.8727	A Lobbyist	ACLU-NH	Oppose	Yes (0m)	1/28/2021 2:40 PM
Toland, Maris	maris.k.toland@hitchcock.org	617.922.0810	A Member of the Public	Myself	Oppose	Yes (0m)	1/29/2021 9:12 AM
Quinn, Kenn	kennethquinn@roadrunner.com	207.713.8700	A Member of the Public	Myself	Support	Yes (0m)	1/28/2021 12:10 PM
Abramson, Max	Max.Abramson@leg.state.nh.us	603.760.7090	An Elected Official	Myself	Support	Yes (0m)	1/29/2021 12:20 PM
Toll, Amanda	electamandan@gmail.com	603.860.1994	An Elected Official	Myself	Oppose	Yes (0m)	1/22/2021 2:50 PM
Lynch, Chrisinda	cmmelynh@comcast.net	603.225.5614	A Member of the Public	Myself	Oppose	No	1/23/2021 10:30 AM
Glass, Jonathan	Jglass1063@gmail.com	603.675.2037	A Member of the Public	Myself	Oppose	No	1/29/2021 1:01 PM
Crandell-Glass, Jane	Bostonjane@me.com	603.675.2037	A Member of the Public	Myself	Oppose	No	1/29/2021 1:04 PM
Levesque, Cassandra	cassandra.levesque@leg.state.nh.us	603.833.8687	An Elected Official	Myself	Oppose	No	1/29/2021 4:48 PM
Levesque, Patricia	pntsmom99a@yahoo.com	603.923.2474	A Member of the Public	Myself	Oppose	No	1/29/2021 4:54 PM
Turcotte, Margit	Mslady301@comcast.net	603.305.9330	A Member of the Public	Myself	Oppose	No	1/29/2021 9:48 PM
Grassie, Chuck	chuck.grassie@leg.state.nh.us	603.978.7417	An Elected Official	Strafford 11	Oppose	No	1/30/2021 1:23 AM
Hathaway, Mallory	mallory.hathaway@gmail.com	646.515.1313	A Member of the Public	Myself	Oppose	No	1/28/2021 1:13 PM
Kayla, Kenney	kayla.a.kenney@gmail.com	603.475.9955	A Member of the Public	Myself	Oppose	No	1/28/2021 12:53 PM
Toumpas, Mary	mtoump40@gmail.com	203.257.9050	A Member of the Public	Myself	Oppose	No	1/28/2021 2:02 PM
Watters, Senator David	david.watters@leg.state.nh.us	603.271.2104	An Elected Official	Myself (SD 4)	Oppose	No	1/29/2021 9:56 AM
Michelman, Annalia	michael.padmore@nhms.org	603.858.4744	A Lobbyist	American Medical Association	Oppose	No	1/29/2021 9:58 AM
MD, MPH, J. J. Smith	jaycmd7699@gmail.com	603.485.4231	A Member of the Public	Myself	Oppose	No	1/29/2021 10:01 AM
Soundy, Matt	mattsoundy@hotmail.com	603.443.7320	A Member of the Public	Myself	Oppose	No	1/29/2021 10:35 AM
Hackmann, Kent	hackmann@uidaho.edu	603.934.3225	A Member of the Public	Myself	Oppose	No	1/29/2021 11:05 AM
Marino, Doug	doug@603forward.org	603.686.3283	A Member of the Public	Myself	Oppose	No	1/29/2021 11:15 AM
Frizzell, Jennifer	jennifer@nhwomensfoundation.org	603.340.1593	A Lobbyist	New Hampshire Women's Foundation	Oppose	No	1/29/2021 11:22 AM
Fordey, Nicole	nikkif610@gmail.com	516.318.2296	A Member of the Public	Myself	Oppose	No	1/21/2021 3:27 PM

Antman, Alyssa	alyssa.antman2@gmail.com	603.973.5133	A Member of the Public	Myself	Oppose	No	1/25/2021 10:00 AM
Swymer, Maddie	mws10@wildcats.unh.edu	603.738.5407	A Member of the Public	Myself	Oppose	No	1/25/2021 12:38 PM
WOODS, GARY	gwpop054@gmail.com	603.228.3827	An Elected Official	Myself	Support	No	1/25/2021 12:58 PM
Morando-Robbins, Renee	honorfarmnh@gmail.com	781.608.4385	A Member of the Public	Myself	Oppose	No	1/25/2021 1:59 PM
Joyce, Ellen	ellen.m.joyce@hitchcock.org	603.558.1961	A Member of the Public	Myself	Oppose	No	1/26/2021 12:53 AM
Weisbrot, Jason	hideouspenguinboy@gmail.com	857.544.5443	A Member of the Public	Myself	Oppose	No	1/26/2021 12:05 PM
Lurie, Elizabeth	ehlurie@comcast.net	603.469.3810	A Member of the Public	Myself	Oppose	No	1/26/2021 9:24 AM
Hackl, Ann	ahackl@roadrunner.com	603.569.3930	A Member of the Public	Myself	Oppose	No	1/26/2021 9:48 AM
Monroe, Chris	92monroe@gmail.com	603.568.0887	A Member of the Public	Myself	Oppose	No	1/26/2021 9:53 AM
I, RoAnne	sunnylegdefarm@aol.com	603.448.2549	A Member of the Public	Myself	Oppose	No	1/26/2021 10:03 AM
Reynolds, Carin	carin.reynolds@gmail.com	603.276.9250	A Member of the Public	Myself	Oppose	No	1/26/2021 10:13 AM
Wilson, Morgan	morganwilsonportfolio@gmail.com	603.477.1819	A Member of the Public	Myself	Oppose	No	1/26/2021 10:40 AM
Grover, Elliot	te Elliot@gmail.com	603.387.4807	A Member of the Public	Myself	Oppose	No	1/26/2021 11:00 AM
Grover, Martha	martygrover@gmail.com	603.253.6852	A Member of the Public	Myself	Oppose	No	1/26/2021 11:02 AM
Knill, Courtney	cnknill@gmail.com	301.639.7482	A Member of the Public	Myself	Oppose	No	1/26/2021 11:11 AM
Ward, Jenna	jenna@jglhc.org	603.436.7588	A Member of the Public	Joan G. Lovering Health Center	Oppose	No	1/26/2021 11:16 AM
Pinto, Josie	josie@nhyouthmovement.org	413.461.5766	A Lobbyist	New Hampshire Youth Movement	Oppose	No	1/28/2021 2:47 PM
Montgomery, Kayla	kayla.montgomery@ppnne.org	603.674.8372	A Lobbyist	Planned Parenthood NHAF	Oppose	No	1/28/2021 2:53 PM
Canada, Elizabeth	elizabeth.canada@ppnne.org	720.483.5944	A Lobbyist	Planned Parenthood New Hampshire Action Fund	Oppose	No	1/28/2021 3:30 PM
Draper, Liza	ldraper@dartmouth.edu	603.477.4753	A Member of the Public	Myself	Oppose	No	1/28/2021 4:19 PM
Lasky, Bette	brl1647@aol.com	603.315.1924	A Member of the Public	Myself	Oppose	No	1/28/2021 4:45 PM
Hawkins, Christine	christinehawkins@comcast.net	603.542.2458	A Member of the Public	Myself	Oppose	No	1/28/2021 4:51 PM
seaman, richard	rseam@aol.com	603.477.4752	A Member of the Public	Myself	Oppose	No	1/28/2021 4:53 PM
Killay, Sam	rhodysox@gmail.com	603.391.9178	A Member of the Public	Myself	Oppose	No	1/28/2021 4:56 PM
Irwin, Virginia	bidly.irwin@gmail.com	603.520.7038	A Member of the Public	Myself	Oppose	No	1/28/2021 5:05 PM
Fleischer, Christina	cmf.med@dartmouth.edu	415.823.7235	A Member of the Public	Myself	Oppose	No	1/28/2021 5:06 PM
McDowell, John	jmcowell@ne.rr.com	603.723.0269	A Member of the Public	Myself	Oppose	No	1/28/2021 5:14 PM
GASC, JESSICA	jgasc@gdidesign.com	603.686.0889	A Member of the Public	Myself	Oppose	No	1/28/2021 5:20 PM
Dardani, John	jdardani@gdidesign.com	603.686.0888	A Member of the Public	Myself	Oppose	No	1/28/2021 5:30 PM
Koch, Laurie	kochlj@aol.com	603.491.2000	A Member of the Public	Myself	Oppose	No	1/28/2021 5:39 PM
Koch, Helmut	helmut.koch.2001@gmail.com	603.491.3306	A Member of the Public	Myself	Oppose	No	1/28/2021 5:48 PM
Ehlers, Hon. Eileen	Eileensdesk@aol.com	603.485.7013	A Member of the Public	Myself	Oppose	No	1/28/2021 5:54 PM
Clafin, Kyri	KyriClafin@comcast.net	603.540.4492	A Member of the Public	Myself	Oppose	No	1/28/2021 6:06 PM
Catsos, Christine	Christy.catsos@gmail.com	207.272.4791	A Member of the Public	Myself	Oppose	No	1/28/2021 7:01 PM
Raymond, Codi	codiraymond@gmail.com	720.934.5799	A Member of the Public	Myself	Oppose	No	1/28/2021 7:02 PM
Young MD, Oglesby	Ohpryoung@comcast.net	603.224.9035	A Member of the Public	Myself	Oppose	No	1/28/2021 7:02 PM

Collier, KC	kathryn.c.collier.med@dartmouth.edu	717.307.1872	A Member of the Public	Myself	Oppose	No	1/28/2021 7:30 PM
Mauck, Henry	mauck.henry@gmail.com	617.875.4708	A Member of the Public	Myself	Oppose	No	1/28/2021 7:31 PM
Blair, Darlene	darleneball3@gmail.com	603.543.0388	A Member of the Public	Myself	Oppose	No	1/28/2021 7:37 PM
FLEISCHER, CAROLINE	Callamf@kikoi.com	415.305.4791	A Member of the Public	Myself	Oppose	No	1/28/2021 9:26 PM
Dewey, Karen	pkdewey@comcast.net	603.504.2813	A Member of the Public	Myself	Oppose	No	1/28/2021 8:49 PM
johannensen, renee	reneejohannensen@gmail.com	802.299.9778	A Member of the Public	Myself	Oppose	No	1/28/2021 11:22 PM
Farley, Teresa	tdfarley@outlook.com	425.890.4413	A Member of the Public	Myself	Oppose	No	1/28/2021 9:49 PM
Thompson, Tye	1bowtye@gmail.com	603.397.2009	A Member of the Public	Myself	Oppose	No	1/28/2021 10:14 PM
See, Alvin	absee@4Liberty.net	7380656	A Member of the Public	Myself	Oppose	No	1/28/2021 11:07 PM
Rathbun, Eric	ericrathbun@gmail.com	860.912.3751	A Member of the Public	Myself	Oppose	No	1/29/2021 12:18 AM
Ellermann, Maureen	ellermannf@aol.com	603.545.5878	A Member of the Public	Myself	Oppose	No	1/29/2021 8:32 AM
hatch, sally	sallyhatch@comcast.net	603.724.7448	A Member of the Public	Myself	Oppose	No	1/29/2021 8:40 AM
Brennan, Nancy	burningnan14@gmail.com	5291969	A Member of the Public	Myself	Oppose	No	1/29/2021 8:44 AM
Cote, Emma	emmacote@comcast.net	603.777.2491	A Member of the Public	Myself	Oppose	No	1/26/2021 2:45 PM
Cromwell, Jill	schlichtercromwell@gmail.com	603.544.2064	A Member of the Public	Myself	Oppose	No	1/26/2021 3:00 PM
Almy, Susan	susan.almy@comcast.net	603.448.4769	An Elected Official	Myself	Oppose	No	1/26/2021 6:08 PM
Feraco, Katrina	katrina.feraco@gmail.com	603.769.0968	A Member of the Public	Myself	Oppose	No	1/26/2021 6:32 PM
Picard, Barbara	bpicard626@gmail.com	603.250.8066	A Member of the Public	Myself	Oppose	No	1/26/2021 6:42 PM
Baranes, Sarah	sarah.m.baranes.med@dartmouth.edu	202.251.0147	A Member of the Public	Myself	Oppose	No	1/26/2021 7:21 PM
DiFilippo, Courtney	ctsquare52@gmail.com	603.369.9470	A Member of the Public	Myself	Oppose	No	1/26/2021 7:41 PM
Strayer, Frances	fdstrayer@gmail.com	603.986.6914	A Member of the Public	Myself	Oppose	No	1/26/2021 8:26 PM
Gutchess, Susan	sgutchess@gmail.com	603.284.6866	A Member of the Public	Myself	Oppose	No	1/26/2021 8:49 PM
Dodge, Caroline	dodge.caroline.p@gmail.com	603.236.2394	A Member of the Public	Myself	Oppose	No	1/26/2021 9:01 PM
Ingalls, Helen	Ingalls20007@icloud.com	202.236.1733	A Member of the Public	Myself	Oppose	No	1/26/2021 10:06 PM
TRUDEAU, CHRISTIAN	stoner27gp@gmail.com	802.238.6318	A Member of the Public	Myself	Support	No	1/27/2021 7:43 AM
Maroon, Laura	lamaroon@gmail.com	603.986.7593	A Member of the Public	Myself	Oppose	No	1/27/2021 7:50 AM
Rowe, Ann	Otralr@yahoo.com	603.455.2864	A Member of the Public	Myself	Oppose	No	1/27/2021 8:09 AM
Speers, Will	wsspeers@gmail.com	302.463.5356	A Member of the Public	Myself	Oppose	No	1/27/2021 9:01 AM
Silfvenius, Charles	Silfvenius.c@gmail.com	603.455.2862	A Member of the Public	Myself	Oppose	No	1/27/2021 8:26 AM
Danielovich, Linda	danielovichl@gmail.com	603.520.3280	A Member of the Public	Myself	Oppose	No	1/27/2021 8:33 AM
Leach, Lisa	lisa@jglhc.org	603.812.3797	A Member of the Public	Myself	Oppose	No	1/27/2021 8:36 AM
Rowe, Heidi	hasrowe@gmail.com	302.824.3348	A Member of the Public	Myself	Oppose	No	1/27/2021 8:42 AM
Kerr, Debbi	Kerraug@gmail.com	978.500.2344	A Member of the Public	Myself	Oppose	No	1/27/2021 9:11 AM
Coons, Caroline	Cassie.coons@gmail.com	603.520.3160	A Member of the Public	Myself	Oppose	No	1/27/2021 9:22 AM
Duffield, Jill	duffieldjill4@gmail.com	603.832.3528	A Member of the Public	Myself	Oppose	No	1/27/2021 9:29 AM
Kelley, Kathleen	kukelley@me.com	603.723.9734	A Member of the Public	Myself	Oppose	No	1/27/2021 9:52 AM

2/4/2021

House Remote Testify

Padmore, Michael	michael.padmore@nhms.org	603.858.4744	A Lobbyist	NH Medical Society	Oppose	No	1/27/2021 12:40 PM
Wells, Heidi	heidiwells48@gmail.com	603.586.4587	A Member of the Public	Myself	Oppose	No	1/27/2021 10:00 AM
Spinney, Shaun	shaunspin95@gmail.com	603.856.4279	A Member of the Public	Myself	Oppose	No	1/27/2021 10:00 AM
Wyman, Burleigh	biff.wyman@gmail.com	603.631.2200	A Member of the Public	Myself	Oppose	No	1/27/2021 10:19 AM

1 2

# Testimony

**Archived:** Tuesday, March 16, 2021 1:38:12 PM  
**From:** [Rebecca Stuart](#)  
**Sent:** Friday, January 29, 2021 1:11:21 PM  
**To:** [~House State-Federal Relations and Veterans Affairs](#)  
**Subject:** FW: In opposition of HCR4  
**Response requested:** No  
**Importance:** Normal

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**From:** Maris K. Toland <Maris.K.Toland@hitchcock.org>  
**Sent:** Friday, January 29, 2021 1:11 PM  
**To:** 'HCS@leg.state.nh.us' <HCS@leg.state.nh.us>; Rebecca Stuart <Rebecca.Stuart@leg.state.nh.us>  
**Subject:** RE: In opposition of HCR4

Dear House Committee ,

Unfortunately, I wasn't given an opportunity to speak this morning regarding my opposition of HCR4. I would like to add that protecting the individual rights and privacy of patients regarding their personal health care decisions is central to our national ideals of autonomy and personal dignity. A unilateral decision to restrict abortion is a disservice to the complexity of individualized decision-making around this issues, which I firm believe should be up to patients, families, and their health care providers, not lawmakers.

Respectfully,

Dr. Maris Toland

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**From:** Maris K. Toland  
**Sent:** Friday, January 29, 2021 9:28 AM  
**To:** 'HCS@leg.state.nh.us' <[HCS@leg.state.nh.us](mailto:HCS@leg.state.nh.us)>  
**Subject:** In opposition of HCR4

Greetings,

I am writing here as the provided Committee email address for written testimony was non-functional. I wish to testify my opposition to the proposed HCR4 in the NH House.

My name is Maris Toland, and I am a second year medical resident in Obstetrics and Gynecology at Dartmouth-Hitchcock Medical Center. I strongly believe that it is not the purpose nor responsibility of government to dictate or regulate medical procedures or decisions pertaining to women's health. There are many reasons that a person may desire an abortion and that decision should be made by that individual and their health care provider based on personal values, health considerations, and life situation. I strongly feel that attempts by state governments to deny patients the right to health care as this bill proposes will only worsen health outcomes in our state as well as promote health inequities for those patients unable to access safe health care, including abortion, in our own state. This bill hurts the women of New Hampshire, including my patients, and I oppose it.

Respectfully,

Maris K. Toland, MD, PGY2

Dartmouth-Hitchcock Medical Center  
Department of Obstetrics and Gynecology  
[Maris.k.toland@hitchcock.org](mailto:Maris.k.toland@hitchcock.org)

IMPORTANT NOTICE REGARDING THIS ELECTRONIC MESSAGE:

This message is intended for the use of the person to whom it is addressed and may contain information that is privileged, confidential, and protected from disclosure under applicable law. If you are not the intended recipient, your use of this message for any purpose is strictly prohibited. If you have received this communication in error, please delete the message and notify the sender so that we may correct our records.

**Archived:** Tuesday, March 16, 2021 1:38:12 PM  
**From:** Sue Long  
**Sent:** Tuesday, February 9, 2021 8:04:05 PM  
**To:** ~House State-Federal Relations and Veterans Affairs  
**Subject:** Vote NO to HCR4  
**Importance:** Normal

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Dear Honorable Representative Al Baldasaro, Chairman; Representative Michael Moffett, Vice Chairman; and Members of the House State-Federal Relations & Veterans Affairs Committee

This bill calls for you to apply to Congress for Congress to call a constitutional convention for the purpose of having a constitutional amendment protecting human life in the womb.

Please vote NO to HCR4

Thank you, Sue Long

*Unless we are the Home of the Brave  
We will no longer be the Land of the Free*



**Archived:** Thursday, February 18, 2021 2:22:53 PM  
**From:** [Ann-Marie Grenier](#)  
**Sent:** Thursday, February 11, 2021 6:22:23 PM  
**To:** [~House State-Federal Relations and Veterans Affairs](#)  
**Subject:** NHOpposition to HCR1 and HCR4.  
**Importance:** Normal

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Representative Al Baldasaro, Chairman; Representative Michael Moffett, Vice Chairman; and Members of the House State-Federal Relations & Veterans Affairs Committee,

I am writing to ask that you VOTE "No" on HCR1, HCR4 and any other applications asking Congress to call an Article V convention.

QUICK LESSON: Article 5 provides two ways to amend our Constitution :

- 1) Congress proposes amendments and sends them to the States for ratification (this was done with our existing 27 Amendments);
- 2) States call for a Constitutional Convention for proposing amendments (need 2/3 of the State Legislatures apply for it).

We've never had a convention under Article V - they are dangerous!

But today, various factions lobby State Legislators to ask Congress to call an "Article V convention-Constitutional Convention". They use many tactics-such as proposed amendments which sound so nice and innocuous, such as "term limits", a "balanced budget amendment", "getting money out of politics", or "limit the power and jurisdiction of the federal government". While this sounds well, meaning it is designed to appeal to specific groups of people to get them to support an Article V convention.

The phrase within Article V, "a Convention for proposing Amendments", doesn't restrict the Delegates to the Convention to merely proposing Amendments. Our Declaration of Independence recognizes that a People have the "self-evident Right" to throw off their government and set up a new government.

We've already invoked that Right twice: Once in 1776 to throw off the British Monarchy; and then in 1787, James Madison invoked it to throw off our first Constitution-the Articles of Confederation, to set up a new Constitution [the one we now have] which created a new government.

In today's crazy world of politics and politicians, an "Article V" is too risky. Do you think the Delegates to a Convention today would be smarter than James Madison? **The SAFEST way to AMEND THE CONSTITUTION REMAINS the same way as was done for the existing 27 AMENDMENTS which is by proposing amendments and sending them to the States for ratification.**


Please do not risk opening up our ENTIRE CONSTITUTION, NOW IS CERTAINLY NOT THE TIME OR PLACE FOR SUCH ACTION.

The Declaration of Independence, para 2, expresses the self-evident Right of a People (i.e. convention Delegates) “to alter or to abolish” our Form of Government.

So regardless of the supposed subject of the application for a convention, the Delegates can invoke that same Right and draft a new Constitution which sets up a completely new Form of Government over us! And the new constitution likely would have its own new and easier mode of ratification. Thus, you’re jeopardizing our Constitution at any convention Congress calls, because **conventions can’t be limited.**

I strongly urge you to vote NO on HCR1, HCR4, and any other applications asking Congress to call an Article V convention.

Thank you,  
Ann-Marie Grenier  
4 Juniper Dr,  
Windham, ME 04062  
1-207-892-8355

**Archived:** Thursday, February 18, 2021 2:22:53 PM  
**From:** Kathy O'Donnell  
**Sent:** Thursday, February 11, 2021 4:53:08 PM  
**To:** ~House State-Federal Relations and Veterans Affairs  
**Subject:** Oppose and VOTE "No" on HCR1 and HCR4  
**Importance:** Normal  
**Attachments:**  
[Abortion Flyer.pdf](#) 

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Representative Al Baldasaro, Chairman,  
Representative Michael Moffett, Vice Chairman,  
and Members of the House State-Federal Relations & Veterans Affairs Committee

I am writing to ask you to oppose and vote NO on HCR1 and HCR 4 and any other applications asking Congress to call an Article V Convention.

Research will show, that calling a convention of the states will more likely than not, mean the end of our Constitution and Republic!  
(Be sure to look at all the links below.)

[How to get a new Constitution under the pretext of proposing amendments](#) shows that the Framers understood that the purpose of a convention is to get a New Constitution: and that enemies of our Constitution would use 'getting amendments' as a pretext for getting a convention so that they could impose a New Constitution! That is exactly how it is being used today -- and the NEW CONSTITUTIONS ARE ALREADY WRITTEN and in the Works.!

As for the issue of murder in the womb, have a read of this flyer,  
This issue is NOT a federal matter, it is a state matter. SO, you all are the ones who can take back our state's right to abolish it through State Statutes, not through an Article V Convention.


Brilliant men such as James Madison, Alexander Hamilton, 4 US Supreme Court Justices, and other scholars and jurists have warned that delegates to an Article V convention can not be controlled! <https://caavc.net/wp-content/uploads/2020/06/Brilliant-men-meme.pdf>

The Declaration of Independence flyer, here: <https://caavc.net/wp-content/uploads/2020/09/Declaration-of-Independence-Sep-21-2020-1.pdf> shows why Delegates to a convention have the power to throw off the Constitution we have and set up a new one with a new and easier mode of ratification!

PLEASE, don't be fooled!

VOTE NO and thank you for defending our Constitution!

Sincerely,  
Kathy O'Donnell

**Archived:** Thursday, February 18, 2021 2:22:53 PM  
**From:** [JUDI CALER](#)  
**Sent:** Thursday, February 11, 2021 4:28:43 AM  
**To:** [~House State-Federal Relations and Veterans Affairs](#)  
**Subject:** Vote "No" on NH HCR1 & HCR4 - Art. V convention applications  
**Importance:** Normal  
**Attachments:**  
[Brilliant men & meme.pdf](#) 

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Dear Representative,

Article V conventions can't be limited to the subject of the application. Delegates to such a convention could propose any and all amendments, or write a new constitution with a new mode of ratification--just as they did in 1787--our only precedent! And we have no idea who those Delegates would be, or who would select them!

The Constitution isn't the problem. Defend it, don't amend it!

Please **Vote "No" on HCR1, HCR4**, and any other applications asking Congress to call a convention under Article V. We could lose our Constitution!

Respectfully,

Judi Caler, President  
Citizens against an Article V Convention

**Archived:** Thursday, February 18, 2021 2:22:53 PM  
**From:** [Trudy Stamps](#)  
**Sent:** Wednesday, February 10, 2021 11:28:28 PM  
**To:** ~House State-Federal Relations and Veterans Affairs  
**Subject:** Opposition to HCR1 and HCR4  
**Importance:** Normal

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Representative Al Baldasaro, Chairman;  
Representative Michael Moffett, Vice Chairman;  
and Members of the House State-Federal Relations & Veterans Affairs Committee

**New Hampshire must VOTE NO on HCR1, HCR4 and all other Article V Convention applications.**

In our politically divided situation, neither extreme would want the “other” re-writing our Constitution. **WE MUST PRESERVE the ORIGINAL!**

The writers of our Constitution were concerned about **Article V being used by "nefarious factions" to rewrite our Constitution**, just as we are today. Consider this: **How to get a new Constitution under the pretext of proposing amendments.**  
<https://caavc.net/wp-content/uploads/2020/07/COS-Fake-Quote.pdf>

**And NO! a state CANNOT “prevent” a runaway convention:** <http://www.renewamerica.com/columns/huldah/170916>

“[Don't Blame the Constitution for Your Loss of Liberty](#)” shows that when lack of enforcement of our Constitution is the cause of federal overreach; amending the Constitution can't be the solution to federal overreach. **Defend it, don't amend it!**

[HERE](#) are words from *brilliant men* who warned against an Article V convention.

[HERE](#) is our flyer that includes the “Declaration of Independence” argument (highlighted) against an A5C: *The Declaration of Independence, paragraph 2, expresses the self-evident Right of a People (i.e. convention Delegates) “to alter or to abolish” our Form of Government!*

We're jeopardizing our Constitution at any convention Congress calls, because **conventions can't be limited.**

**There is no need for an Article V convention (or in "Newspeak", a "convention of states").**

If our Constitution (as is) is followed, the improprieties we've fought for decades (budget concerns and more) can be readily resolved. If the Constitution is NOT rigorously followed, how can additions to it make any change?

It is the **LACK of following our Constitution** that is the issue. Remedy THAT first.

**Thank you for your consideration of these significant issues. New Hampshire must VOTE NO on HCR1, HCR4.**

Trudy Stamps

**Archived:** Thursday, February 18, 2021 2:22:53 PM

**From:** Beverly Manning

**Sent:** Tuesday, February 9, 2021 6:01:44 PM

**To:** ~House State-Federal Relations and Veterans Affairs; Al Baldasaro; david@davidbinford.com; Susan DeLemus; brodieforNH@gmail.com; foster4493@yahoo.com; Tina Harley; Phyllis Katsakiores; leavittbrothersauto@outlook.com; David Lundgren; Michael Moffett; Skip Rollins; Efstathia Booras; Manny Espitia; Willis Griffith; laughton2012@gmail.com; Linda Massimilla; Israel Piedra; electamandanh@gmail.com; Iwelkowi@keene.edu; Matt Wilhelm

**Subject:** VOTE "No" on HCR1, HCR4 & Any other bill calling for an A5C

**Importance:** Normal

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**Representative Al Baldasaro, Chairman; Representative Michael Moffett, Vice Chairman; and Members of the House State-Federal Relations & Veterans Affairs Committee**

**Calling for an Article V Convention is VERY DANGEROUS! It most assuredly will result in a new constitution! The NewStates constitution, written by The Ford Foundation, is waiting in the wings ready to be rolled out on a moment's notice. If you are not aware of this, PLEASE DO YOUR RESEARCH. I don't think this is anything you would want for Our Country! I SURELY DO NOT!**

**PLEASE SEE THE FOLLOWING:**

**["How to get a new Constitution under the pretext of proposing amendments"](#) shows that the Framers understood that an Article V convention could be used to *replace* our Constitution--and that's how it's being used today!**

**This issue not only affects New Hampshire, but impacts Our entire Country.**

**Respectfully,  
Beverly Manning  
106 Lakewood  
Waleska, Ga. 30183**

**Archived:** Thursday, February 18, 2021 2:22:53 PM

**From:** [Tim Marden](#)

**Sent:** Monday, February 8, 2021 2:15:25 PM

**Subject:** HCR1 and HCR4, Opposed

**Importance:** Normal

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I am a conservative.

I am an elected official.

I am frustrated.

But, the problems are NOT solved by changing the Constitution via some Convention of States or Article V Convention...whatever it is called.

We do not correct error by players by fixing or changing the rules. The Constitution is the rules of politics.

***Solution:***

1. Nullification. State Legs have the authority to reject UN-Constitutional federal mandates. It has been done before and can be done again.
2. Encourage education of the proper role of government. Why we have the Constitutional Republic. They who, what, when, and where of the founding of our country once again.
3. Encouraging the repeal of the 17th Amendment and let the State Legislators once again elect the US Senators.

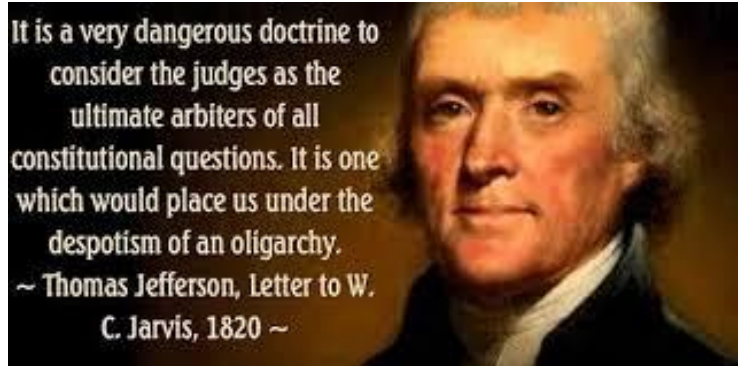
Sincerely,

Tim Marden



## How States can Stop Abortion

If the American People [and American lawyers] had been properly educated, they would know that our federal Constitution created a federal government of enumerated powers only; and that most of the powers delegated to Congress over the Country at Large are listed at Art. I, §8, clauses 1-16, US Constitution.



“Abortion” is not listed among the enumerated powers. Therefore, Congress has no power to make any laws about abortion for the Country at Large.<sup>1</sup> And since “abortion” isn’t “expressly contained” in the Constitution, it doesn’t “arise under” the Constitution; and since state laws restricting abortion don’t fit within any of the other categories of cases the federal courts are authorized by Art. III, §2, cl. 1 to hear, the federal courts also have no power over this issue.

So from the beginning of our Constitutional Republic until 1973, everyone understood that *abortion is a State matter*. Accordingly, many State Legislatures enacted statutes restricting abortion within their borders.

But in 1973, the US Supreme Court issued its opinion in [Roe v. Wade](#) and made the absurd claim that Section 1 of the 14<sup>th</sup> Amendment contains a “right” to abortion. In [Why Supreme Court opinions are not the ‘Law of the Land,’ and how to put federal judges in their place](#), I showed why the Supreme Court’s opinion in *Roe* is unconstitutional.

But Americans have long been conditioned to believe that the Constitution means whatever the Supreme Court says it means.<sup>2</sup> Accordingly, for close to 50 years, American lawyers and federal judges have mindlessly chanted the absurd refrain that “*Roe v. Wade* is the Law of the Land”; State governments slavishly submitted; and [60 million babies died](#).

So who has the lawful authority to stop abortion?

### **1. Congress has constitutional authority to ban abortion in federal enclaves and military hospitals**

Over the federal enclaves, Congress has constitutional authority to ban abortion: Pursuant to Article I, §8, next to last clause, Congress is granted “exclusive Legislation” over the District of Columbia, military bases, dock-Yards, and other places purchased with the consent of the State Legislatures (to carry out the enumerated powers).<sup>3</sup> Article I, §8, cl.14 grants to Congress the power to make Rules for the government and regulation of the Military Forces. Accordingly, for the specific geographical areas described at Article I, §8, next to last clause, and in US military hospitals everywhere, Congress has the power to make laws banning abortion.

## 2. But *federal courts* have no constitutional authority over abortion

Article III, §2, cl. 1 lists the ten categories of cases federal courts have authority to hear. They may hear *only* cases:

- ◆“Arising under” the Constitution, or the Laws of the United States, or Treaties made under the Authority of the United States [“federal question” jurisdiction];
- ◆Affecting Ambassadors, other public Ministers & Consuls; cases of admiralty & maritime Jurisdiction; or cases in which the U.S. is a Party [“status of the parties” jurisdiction];
- ◆Between two or more States; between a State & Citizens of another State; between Citizens of different States; between Citizens of the same State claiming Lands under Grants of different States; and between a State (or Citizens thereof) & foreign States, Citizens or Subjects [“diversity” jurisdiction].<sup>4</sup>

These are ***the only*** cases federal courts have authority to hear. Alexander Hamilton wrote in [Federalist No. 83](#) (8<sup>th</sup> para):

“...the judicial authority of the federal judicatures is declared by the Constitution to comprehend certain cases particularly specified. **The expression of those cases marks the precise limits beyond which the federal courts cannot extend their jurisdiction**, because the objects of their cognizance being enumerated, the specification would be nugatory if it did not exclude all ideas of more extensive authority.” [boldface added]

Obviously, State laws restricting abortion don’t fall within “status of the parties” or “diversity” jurisdiction; and federal courts haven’t claimed jurisdiction on those grounds. Instead, they have asserted that abortion cases “arise under” the US Constitution!

But in [Federalist No. 80](#) (2<sup>nd</sup> para), Hamilton states that cases “**arising under the Constitution**” **concern**

“...the execution of the provisions **expressly contained** in the articles of Union [the US Constitution]...”<sup>5</sup> [boldface added]

Obviously, “abortion” is not “expressly contained” in the Constitution. So it doesn’t “arise under” the Constitution. In *Roe v. Wade*, the Supreme Court had to **redefine** the word, “liberty”, which appears in §1 of the 14<sup>th</sup> Amendment, in order to claim that “abortion” “arises under” the Constitution.

Section 1 of the 14<sup>th</sup> Amendment says:

“All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, **liberty**, or property,

without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” [boldface added] <sup>6</sup>

*Do you see where it says that pregnant women have the “right” to abortion? It isn’t there! So this is what the Supreme Court did in *Roe v. Wade* to force States to legalize killing babies: They said “liberty” means “privacy” and “privacy” means state laws banning abortion are unconstitutional. And American lawyers and judges have slavishly gone along with this evil absurdity ever since!*

### **3. States must *reclaim* their traditionally recognized reserved power to restrict abortion!**

Since “abortion” is a power reserved by the States or the People, State Legislatures should reenact State Statutes restricting abortion.

When a lawsuit is filed in Federal District Court alleging that the State Statute [or State constitutional ban of abortion] violates Section 1 of the 14<sup>th</sup> Amendment, the State Attorney General should file a motion in the Court to dismiss for lack of subject matter jurisdiction. He should point out that the Court has no constitutional authority to hear the case; **that *Roe v. Wade* is void for lack of subject matter jurisdiction**; that “abortion” is one of the many powers reserved by the States; and that the State Legislature properly exercised its retained sovereign power when it re-enacted the Statue restricting abortion.

The State Attorney General should also advise the Court that if the Court denies the Motion to Dismiss, the State will not participate in the litigation and will not submit to any pretended Orders or Judgments issued by the Court.

Now! Here is an interesting fact which everyone would already know if they had had a proper education in civics: **Federal courts have no power to enforce their own Judgments and Orders**. They must depend on the Executive Branch of the federal government to enforce their Judgments and Orders.<sup>7</sup>

Since President Trump has proclaimed [his opposition to abortion](#), who believes that he would send in the National Guard to force the State to allow more baby-killing within the State? **Please understand**: An opinion or ruling from a federal court means *nothing* unless the Executive Branch chooses to enforce it.<sup>8</sup> THIS IS THE EXECUTIVE BRANCH’S “CHECK” ON THE JUDICIAL BRANCH! If the President, in the exercise of his independent judgment, thinks that an Order or Judgment of a federal court is unconstitutional, it is his duty imposed by his Oath of Office <sup>9</sup> to refuse to enforce it.

### **4. The modern day approach to dealing with absurd Supreme Court Opinions**

I deal with the genuine – original – meaning of our Constitution.

But most pro-life lawyers will tell you we should proceed as follows: That we need to get a number of States to pass “heartbeat laws”. Pro-abortion forces will then file lawsuits in federal district courts alleging that the heartbeat laws violate *Roe v. Wade* and are “unconstitutional”. Most States will lose in

the federal district courts. But they can appeal to one of the 13 US Circuit Courts of Appeal. Most of the States will also lose in the Circuit Court. But if just one Circuit Court rules in favor of the heartbeat law, then there will be “conflict” among the Circuits and the US Supreme Court is likely to hear the issue. This will give the US Supreme Court the opportunity [years from now] to revisit *Roe v. Wade*, and they *might* overrule it!

But I suggest, dear Reader, that we must purge our thinking of the slavish assumption that we can’t have a moral and constitutional government unless Five Judges on the Supreme Court say we can have it. Since it is clear that federal courts have no constitutional authority over abortion, why do we go along with the pretense that they do? Why not just man-up and tell them, “*You have no jurisdiction over this issue*”?

Our Framers would be proud of you.

### **Endnotes:**

<sup>1</sup> Accordingly, the federal Heartbeat Bill and the Pain-Capable Unborn Child Protection Act, to the extent they purport to apply outside federal enclaves and military hospitals, are unconstitutional as outside the scope of powers delegated to Congress over the Country at Large.

<sup>2</sup> The Supreme Court was *created* by Art. III, §1, US Constitution, and is completely subject to its terms. As a mere “creature”, it may not re-write the document under which it holds its existence.

<sup>3</sup> In [Federalist No. 43](#) at 2., James Madison explains why Congress must have complete lawmaking authority over the District of Columbia and the federal enclaves.

<sup>4</sup> The 11<sup>th</sup> Amendment reduced the jurisdiction of federal courts by taking from them the power to hear cases filed by a Citizen of one State against another State.

<sup>5</sup> [Federalist No. 80](#) (3<sup>rd</sup> & 13<sup>th</sup> paras) illustrates what “arising under the Constitution” means: Hamilton points to the restrictions on the power of the States listed at Art. I, §10 and shows that if a State exercises any of those powers, and the fed. gov’t sues the State, the federal courts have authority to hear the case.

<sup>6</sup> “Privileges and immunities” and “due process” are ancient Principles of English Jurisprudence well-known to earlier generations of American lawyers. “Equal protection” within §1 of the 14<sup>th</sup> Amd’t means that with respect to the rights recognized by these ancient Principles, States were now required to treat black people the same as white people. See Raoul Berger, [Government by Judiciary The Transformation of the Fourteenth Amendment](#).

<sup>7</sup> In [Federalist No. 78](#) (6<sup>th</sup> para), Hamilton shows why federal courts have no power to enforce their orders and judgments – they must rely on the Executive Branch to enforce them:

“... the judiciary... will always be the least dangerous to the political rights of the Constitution; because it will be least in a capacity to annoy or injure them. The Executive not only dispenses the honors, but holds the sword of the community. The legislature not only commands the purse, but prescribes the rules by which the duties and rights of every citizen are to be regulated. **The judiciary**, on the contrary, has no influence over either the sword or the purse; no direction either of the strength or of the wealth of the society; and can take no active resolution whatever. It may truly be said to have neither FORCE nor WILL, but merely judgment; and **must ultimately depend upon the aid of the executive arm even for the efficacy of its judgments.**” [caps are Hamilton’s; boldface added]

<sup>8</sup> During the Eisenhower administration, a federal court ordered the State of Arkansas to desegregate their public schools. **But the Governor of Arkansas refused to comply with the federal court orders. So President Eisenhower sent in the National Guard to force Arkansas to admit black students to a public school.** See [this archived article](#) from the New York Times.

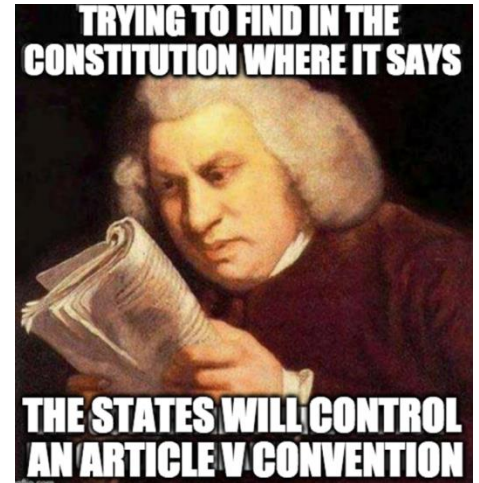
Here, Eisenhower chose to enforce the Court’s Order. But if he had decided that he would NOT enforce it, the schools would have remained segregated. *Federal courts are dependent on the Executive Branch of the fed. gov’t to enforce their Orders!* This is what Hamilton is talking about in Federalist No. 78.

<sup>9</sup> The President’s Oath is to “...preserve, protect and defend the Constitution of the United States” (Art. II, §1, last clause). It is not to obey the Judicial Branch of the fed. gov’t.

Contact Joanna Martin, J.D. at [publiushuldah@gmail.com](mailto:publiushuldah@gmail.com) or <https://publiushuldah.wordpress.com/>

## Brilliant men warned *Against* an Article V Convention

- During April 1788, our future 1<sup>st</sup> US Supreme Court Chief Justice John Jay wrote that another convention would run an "[extravagant risque.](#)"
- In [Federalist No. 49](#), James Madison shows a convention is **neither proper nor effective** to restrain government when it encroaches.
- In his Nov. 2, 1788 letter to [Turberville](#), Madison said he “trembled” at the prospect of a 2<sup>nd</sup> convention; and if there were an Article V convention: “the most violent partizans”, and “individuals of insidious views” would strive to be delegates and would have “a dangerous opportunity of sapping the very foundations of the fabric” of our Country.
- [In Federalist No. 85](#) (last para), Hamilton said he “dreads” the consequences of another convention because the enemies of the Constitution want to get rid of it.
- Justice Arthur Goldberg said in [his 1986 editorial in the Miami Herald](#) that “it cannot be denied that” the Philadelphia convention of 1787 “broke every restraint intended to limit its power and agenda”, and “any attempt at limiting the agenda [at an Article V convention] would almost certainly be unenforceable.”
- Chief Justice Warren Burger said in his [June 1988 letter to Phyllis Schlafly](#): “...there is no effective way to limit or muzzle the actions of a Constitutional Convention... After a Convention is convened, it will be too late to stop the Convention if we don’t like its agenda... A new Convention could plunge our Nation into constitutional confusion and confrontation at every turn...”
- Justice Scalia said on April 17, 2014 [at the 1:06 mark of this video](#): "I certainly would not want a Constitutional Convention. I mean whoa. Who knows what would come out of that?"
- Other eminent legal scholars have said the same – Neither the States nor Congress can control the Delegates. See [THIS](#).



Yet convention supporters ridicule these warnings as “fear mongering.” And they quote *law professor* Scalia *in 1979, before* his decades of experience as a Supreme Court Justice, to “prove” otherwise.

Ask yourself, "Is it possible that James Madison, Alexander Hamilton, Chief Justice Jay, Justice Goldberg, Chief Justice Burger and Justice Scalia understood something about the plenipotentiary powers of Delegates to an Article V convention which the pro-convention lobby *and sponsors* haven't yet grasped?"

## Testimony in support of HCR4 submitted by Kenn Quinn

Bridgton, Maine, kennethquinn@roadrunner.com

Dear Chairman Baldasaro and distinguished committee members,

My name is Kenn Quinn and I am here today to testify in support of HCR4. I am testifying as a member of the public on my own behalf and not representing any organization. The Declaration of Independence states that “We hold these truths to be self-evident, that all men are **created equal**, that they are endowed by their Creator with certain unalienable Rights, that among these are **Life, Liberty and the pursuit of Happiness.**” Thomas Jefferson did not write that all men are born equal, rather that all men are created equal. HCR4 seeks to protect the most basic right known to mankind, the very right to life which begins at conception.

For far too long the state legislatures have allowed our Constitution to be amended by usurpation instead of the by the provision the Framers gave us under Article V. They have allowed the U.S. Supreme Court to amend the Constitution through **judicial activism** without the consent of the people and by individuals who are not accountable to the people. They have allowed presidents to amend the Constitution through **executive orders** violating their oath of office. They have allowed Congress to amend the Constitution, **expanding their powers and abdicating their legislative authority to bureaucracies** who are also not accountable to the people. This is all being done right before our eyes and it is the duty and the responsibility of you, our state legislators to defend the Constitution against such usurpations to protect not only our rights as citizens, but to prevent the overreach of the federal government.

Alexander Hamilton in Federalist 85 expressly states that the Article V convention is the **ultimate check against a runaway federal government** that the Framers gave to the state legislatures; “*Nor however difficult it may be supposed to unite two thirds or three fourths of the State legislatures, in amendments which may affect local interests, can there be any room to apprehend any such difficulty in a union on points which are merely relative to the general liberty or security of the people. We may safely rely on the disposition of the State legislatures to erect barriers against the encroachments of the national authority.*” Unfortunately, the tactics of the fearmongers opposed to the States exercising their constitutional authority have paralyzed many of our state legislators with fear, allowing these usurpations to continue unchecked.

Since 1789 Congress has introduced over **12,000 amendments to the U.S. Constitution**. Sadly, during that same time period the state legislatures have introduced **ZERO amendments under Article V**. Many of the amendments introduced in Congress are excellent reforms that our country desperately needs, but the members of Congress refuse to take action on them in order to **maintain the status quo and protect The Establishment**.

In the late 1970s, the state legislatures did take bold action against the judicial activism of the Supreme Court’s 1973 decision in Roe v. Wade. In an effort to overturn that decision and protect the life of the unborn, state legislatures began applying for an **Article V convention to propose a Right to Life Amendment**. **Nineteen state legislatures passed applications by 1980** and were well on their way to reaching the necessary two-thirds by the mid-1980s to force Congress to call the convention. Unfortunately, groups on the Left and the Right such as The John Birch Society, Eagle Forum led by Phyllis Schlafly, The League of Women Voters, among others, began a **campaign of fear** against the Article V convention process by making **extreme and unfounded claims** that the convention was a Constitutional Convention that could rewrite the Constitution and that there were no rules for such a convention. Their fear tactics worked and derailed the efforts of the state legislatures to overturn Roe v. Wade. The time has come for our state legislators to **take bold action again** and not let fear stop them from doing what is right, but instead become **fearless leaders by pushing back against those that usurp the Constitution** and restore it to protect our liberties and defend our freedoms. I encourage you to protect life by voting Ought to Pass on HCR4.

Sincerely,  
Kenn Quinn

## Written Testimony of Joanna Martin, J.D.

### In opposition to HCR 1 & HCR 4 applications for an Article V Convention

For Committee Meeting on January 29, 2021 at 11:00 AM EST

Mr. Chairman Baldasaro, Vice Chairman Moffett, and Honorable Members of the House State-Federal and Veterans Affairs Committee:

My name is Joanna Martin, and this Testimony is offered in my capacity as a private citizen. I'm a retired litigation attorney, and have an undergraduate degree in philosophy where I specialized in political philosophy. I write under the pen name, Publius Huldah, on the genuine meaning of our federal Constitution and the false remedy of an Article V convention.

Those who don't know how we got *from* our first Constitution ([Articles of Confederation](#)) *to* our present Constitution can be deceived by those who falsely assure them that Delegates to an Article V convention are limited to proposing the amendment(s) described in the application sent to Congress for Congress to call a convention. The convention lobby is falsely assuring State Legislators that Delegates can do nothing except propose an amendment for a "balanced budget amendment", or for "term limits", or to "limit the power and jurisdiction of the federal government", or for whatever else is set forth in a State's application to Congress for Congress to call a convention.

But as our History illustrates, Delegates to a convention cannot be controlled and have that "self-evident Right", described in **our Declaration of Independence**, to throw off the Constitution we now have and write a new Constitution which creates a new Form of Government. The "Declaration of Independence" flyer [HERE](#) shows **why** Delegates to a convention have the power to propose a new Constitution (which would have its own new mode of ratification).

**New Constitutions are already prepared or waiting in the wings for a convention.** The "How to get a new Constitution *under the pretext* of proposing amendments" Flyer [HERE](#), shows that our Framers always understood that it's when you want a new Constitution that you need a Convention. The Flyer also links to several of the proposed new constitutions. One of them, the Constitution for the Newstates of America, is *ratified by a National Referendum!*

Furthermore, it's impossible to rein in the federal government with amendments because when the federal government usurps powers not delegated, they are ignoring the existing constitutional limits on their powers. Our existing Constitution limits the federal government to a small handful of powers: [This one page chart](#) lists those enumerated powers. Our problems are caused by a century of *ignoring the existing limits* on federal power.

Accordingly, organizations lobbying for a convention, such as the "Convention of States Project", cannot produce even one amendment which would fix the federal government's violations of our



Constitution. The 6 amendments approved at COS's "simulated convention" would INCREASE the powers of the federal government by delegating new powers to the federal government or by legalizing powers already usurped. This paper, *COS Project's "simulated convention" dog and pony show and what they did there* [[LINK](#)], describes the foolish - some even Stalinist - amendments approved at the COS simulated convention.

Likewise, a balanced budget amendment would also have the opposite effect of what you are told. Instead of limiting federal spending, it legalizes spending which is now unconstitutional as outside the scope of the enumerated powers; transforms the federal government into one which has lawful power over whatever *they* decide to spend money on; and does nothing to reduce spending [[LINK](#)].

The simple Truth is that there is no amendment on the face of this Earth which can make those who ignore the Constitution obey the Constitution. Our problems arose because for the last 100 years, everyone has ignored the Constitution we have. Americans generally have no idea what it says.

A convention is so dangerous, that the only prudent course of action is for States to rescind their existing applications for a convention. **This danger is why** James Madison, Alexander Hamilton, four US Supreme Court Justices, and other eminent jurists and scholars warn against another convention: **James Madison** "trembled"; **Alexander Hamilton** felt "dread"; and our first **Supreme Court Chief Justice John Jay** said another convention would run an "extravagant risque". Supreme Court **Justices Arthur Goldberg** and **Warren Burger** said the convention can't be controlled. **Justice Scalia** said, "I certainly would not want a constitutional convention. I mean whoa. Who knows what would come out of that?" For their actual words and links to where they said it, see the "Brilliant Men" flyer [HERE](#).

And [HERE](#) is a Legal Policy paper from well-known constitutional litigators, William J. Olson & Herbert W. Titus, who show that Convention of States Project's (COS) "false assurances" are "reckless in the extreme".

When James Madison, who is the Father of our Constitution; liberal *and* conservative Supreme Court Justices, and other eminent Jurists and Scholars agree that a convention can't be controlled; one marvels that some refuse to heed the warnings.

So please OPPOSE HCR 1 & HCR 4 applications for an Article V convention. And please rescind the applications New Hampshire has already passed!

At your service,  
Joanna Martin, J.D.  
[publiushuldah@gmail.com](mailto:publiushuldah@gmail.com)



4 Park St Room 200  
Concord, NH 03301

[www.LWVNH.org](http://www.LWVNH.org)

January 29, 2021

To: House State-Federal Relations and Veterans Affairs Committee

From: Liz Tentarelli, president, League of Women Voters NH      LWVNewHampshire@gmail.com

**Re: HCR 1 and HCR 4, calling for an Article V Convention**

The League of Women Voters NH, a non-partisan political organization, urges the committee to recommend Inexpedient to Legislate on HCR 1 and HCR 4. Both bills are resolutions, are non-binding, and call for Article V Conventions.

In addition to our non-partisan voter service work, such as moderating candidate forums and distributing How To Register and Vote information, the League also from time to time conducts studies of issues. Through that process of study and member consensus, we develop positions, from which we advocate at local, state, and federal levels.

In 2015, with Article V convention calls much in the news, the national League undertook a study of such conventions and reached a position. That position is available on the national League's website: <https://www.lwv.org/sites/default/files/2020-12/LWV-impact-2020.pdf> pp. 54-55.

While our position does not say an Article V Convention should never take place, it defines conditions that must be in place before such a convention is called. Those conditions are not currently in place.

The League of Women Voters agree that the possibility of a "run-away" convention is a real threat, and for that reason alone we would oppose any bill that attempts to resolve an issue in New Hampshire via calls for a Constitutional Convention.

The League also has major concerns about how state calls for a convention are counted. Thus we insist in our position that only those resolutions on a single topic be counted to ensure that there is "sufficient interest in a particular subject to call a Convention."

Finally, the way delegates would be chosen and the way votes would be cast—one per state, or one per delegate based on population—are part of our position and not yet defined in any calls for a convention.

Neither of the bills being heard on January 29 specify any of these conditions.

Please recommend Inexpedient to Legislate on HCR 1 and HCR 4.

\*\*\*

**Archived:** Monday, June 14, 2021 10:46:26 AM  
**From:** [Russell Payne](#)  
**Sent:** Thursday, January 28, 2021 2:38:45 PM  
**To:** [~House State-Federal Relations and Veterans Affairs](#)  
**Subject:** HCR 4  
**Importance:** Normal

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Dear Representative Al Baldasaro, Chairman; Representative Michael Moffett, VChairman; and Members of the House State-Federal Relations & Veterans Affairs Committee:

I am a proud pro-lifer , active as a member of the John Birch Society against the killing of innocent life in the womb since before Roe V Wade. Yet I am convinced that a move that calls for a constitutional amendment such as HCR 4 , for protecting the right of the unborn is another deception to bring about an Article V Convention ; for it is not to protect the unborn, but to completely destroy the Constitution of the United States in a runaway convention, that has blessed Americans with more liberty than any people who have walked the face of the earth.

This same “candy coating ploy” to deceive the people in a 1979 hearing on Article V conventions is a point of contention that proves my point. Mr William McNally testified before Senator Eleanor Poddles Committee. The Madam Chairman challenged Mr. McNally on his testimony that the “New Hampshire Legislature may be denied the opportunity of approving “Any Amendments to the Constitution at a Con-Con.” She ask his permission to ask a Washington Lawyer’s opinion on his statement. Mr McNally said "go right ahead." The lawyer then said, “basically, Mr. McNally is correct” and then sat down. Should this Committee unwisely vote for HCR 4, they will very possibly have no further say on what Amendments are brought up at said convention.

The best way to protect the “Right to Life” is for citizens to make their voice heard in choosing legislators and impacting their representatives vote with letters and phone calls.

The best way to curtail the abusive power of the federal government is “state nullification’ mandated in Article VI. There are no short cuts in “representative government.” We must have an “informed electorate,” morally impacted with the wisdom to know the difference between “right and wrong.” Consider Abe Lincoln's powerful words when you make all your decisions: “Without the bible, we would not know the difference between right and wrong.”

Sincerely & Respectfully

Russ Payne

**Archived:** Monday, June 14, 2021 10:46:26 AM  
**From:** [Rebecca Stuart](#)  
**Sent:** Friday, January 29, 2021 1:11:21 PM  
**To:** ~House State-Federal Relations and Veterans Affairs  
**Subject:** FW: In opposition of HCR4  
**Response requested:** No  
**Importance:** Normal

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**From:** Maris K. Toland <Maris.K.Toland@hitchcock.org>  
**Sent:** Friday, January 29, 2021 1:11 PM  
**To:** 'HCS@leg.state.nh.us' <HCS@leg.state.nh.us>; Rebecca Stuart <Rebecca.Stuart@leg.state.nh.us>  
**Subject:** RE: In opposition of HCR4

Dear House Committee ,

Unfortunately, I wasn't given an opportunity to speak this morning regarding my opposition of HCR4. I would like to add that protecting the individual rights and privacy of patients regarding their personal health care decisions is central to our national ideals of autonomy and personal dignity. A unilateral decision to restrict abortion is a disservice to the complexity of individualized decision-making around this issues, which I firm believe should be up to patients, families, and their health care providers, not lawmakers.

Respectfully,

Dr. Maris Toland

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**From:** Maris K. Toland  
**Sent:** Friday, January 29, 2021 9:28 AM  
**To:** 'HCS@leg.state.nh.us' <[HCS@leg.state.nh.us](mailto:HCS@leg.state.nh.us)>  
**Subject:** In opposition of HCR4

Greetings,

I am writing here as the provided Committee email address for written testimony was non-functional. I wish to testify my opposition to the proposed HCR4 in the NH House.

My name is Maris Toland, and I am a second year medical resident in Obstetrics and Gynecology at Dartmouth-Hitchcock Medical Center. I strongly believe that it is not the purpose nor responsibility of government to dictate or regulate medical procedures or decisions pertaining to women's health. There are many reasons that a person may desire an abortion and that decision should be made by that individual and their health care provider based on personal values, health considerations, and life situation. I strongly feel that attempts by state governments to deny patients the right to health care as this bill proposes will only worsen health outcomes in our state as well as promote health inequities for those patients unable to access safe health care, including abortion, in our own state. This bill hurts the women of New Hampshire, including my patients, and I oppose it.

Respectfully,

Maris K. Toland, MD, PGY2

Dartmouth-Hitchcock Medical Center  
Department of Obstetrics and Gynecology  
[Maris.k.toland@hitchcock.org](mailto:Maris.k.toland@hitchcock.org)

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**Archived:** Monday, June 14, 2021 10:46:26 AM  
**From:** Sue Long  
**Sent:** Tuesday, February 9, 2021 8:04:05 PM  
**To:** ~House State-Federal Relations and Veterans Affairs  
**Subject:** Vote NO to HCR4  
**Importance:** Normal

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Dear Honorable Representative Al Baldasaro, Chairman; Representative Michael Moffett, Vice Chairman; and Members of the House State-Federal Relations & Veterans Affairs Committee

This bill calls for you to apply to Congress for Congress to call a constitutional convention for the purpose of having a constitutional amendment protecting human life in the womb.

Please vote NO to HCR4

Thank you, Sue Long

*Unless we are the Home of the Brave  
We will no longer be the Land of the Free*

**Archived:** Wednesday, March 17, 2021 3:37:59 PM  
**From:** HCS  
**Sent:** Friday, January 29, 2021 10:01:30 AM  
**To:** ~House Health Human Services and Elderly Affairs  
**Subject:** FW: In opposition of HCR4  
**Response requested:** No  
**Importance:** Normal

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**From:** Maris K. Toland <Maris.K.Toland@hitchcock.org>  
**Sent:** Friday, January 29, 2021 9:28 AM  
**To:** HCS <HCS@leg.state.nh.us>  
**Subject:** In opposition of HCR4

Greetings,

I am writing here as the provided Committee email address for written testimony was non-functional. I wish to testify my opposition to the proposed HCR4 in the NH House.

My name is Maris Toland, and I am a second year medical resident in Obstetrics and Gynecology at Dartmouth-Hitchcock Medical Center. I strongly believe that it is not the purpose nor responsibility of government to dictate or regulate medical procedures or decisions pertaining to women's health. There are many reasons that a person may desire an abortion and that decision should be made by that individual and their health care provider based on personal values, health considerations, and life situation. I strongly feel that attempts by state governments to deny patients the right to health care as this bill proposes will only worsen health outcomes in our state as well as promote health inequities for those patients unable to access safe health care, including abortion, in our own state. This bill hurts the women of New Hampshire, including my patients, and I oppose it.

Respectfully,

Maris K. Toland, MD, PGY2  
Dartmouth-Hitchcock Medical Center  
Department of Obstetrics and Gynecology  
[Maris.k.toland@hitchcock.org](mailto:Maris.k.toland@hitchcock.org)

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**Archived:** Tuesday, March 16, 2021 1:38:12 PM  
**From:** [Russell Payne](#)  
**Sent:** Thursday, January 28, 2021 2:38:45 PM  
**To:** [~House State-Federal Relations and Veterans Affairs](#)  
**Subject:** HCR 4  
**Importance:** Normal

---

Dear Representative Al Baldasaro, Chairman; Representative Michael Moffett, VChairman; and Members of the House State-Federal Relations & Veterans Affairs Committee:

I am a proud pro-lifer , active as a member of the John Birch Society against the killing of innocent life in the womb since before Roe V Wade. Yet I am convinced that a move that calls for a constitutional amendment such as HCR 4 , for protecting the right of the unborn is another deception to bring about an Article V Convention ; for it is not to protect the unborn, but to completely destroy the Constitution of the United States in a runaway convention, that has blessed Americans with more liberty than any people who have walked the face of the earth.

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The best way to curtail the abusive power of the federal government is “state nullification’ mandated in Article VI. There are no short cuts in “representative government.” We must have an “informed electorate,” morally impacted with the wisdom to know the difference between “right and wrong.” Consider Abe Lincoln's powerful words when you make all your decisions: “Without the bible, we would not know the difference between right and wrong.”

Sincerely & Respectfully

Russ Payne

Bill as  
Introduced

**HCR 4 - AS INTRODUCED**

2021 SESSION

21-0800  
05/04

HOUSE CONCURRENT RESOLUTION      **4**

A RESOLUTION      recognizing the authority of states to enact laws protecting the lives of the unborn and calling for a Constitutional Convention to propose a human life amendment to the Constitution.

SPONSORS:              Rep. Abramson, Rock. 37

COMMITTEE:            State-Federal Relations and Veterans Affairs

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ANALYSIS

This resolution calls for a constitutional convention to propose an amendment to the United States Constitution stating that a right to abortion is not secured by the Constitution.

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**HCR 4 - AS INTRODUCED**

21-0800

05/04

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

A RESOLUTION recognizing the authority of states to enact laws protecting the lives of the unborn and calling for a Constitutional Convention to propose a human life amendment to the Constitution.

1       Whereas, millions of abortions have been performed in the United States since the abortion  
2 decision of the Supreme Court on January 22, 1973; and

3       Whereas, the legislatures of Alabama, Arkansas, Delaware, Idaho, Indiana, Kentucky,  
4 Louisiana, Massachusetts, Mississippi, Missouri, Nebraska, Nevada, New Jersey, Oklahoma,  
5 Pennsylvania, Rhode Island, South Dakota, Tennessee, and Utah have made application of the same  
6 subject to Congress; and

7       Whereas, the Congress of the United States has not to date proposed, subject to ratification, a  
8 Human Life amendment to the Constitution of the United States; now, therefore, be it

9       Resolved by the House of Representatives, the Senate concurring:

10       That the legislature of the state of New Hampshire makes this application to Congress, that a  
11 convention be immediately called, of deputies from the several states, for the sole purpose of  
12 proposing an article declaring that a right to abortion is not secured by the Constitution of the  
13 United States.

14       That the method chosen for ratification be by the legislatures of three-fourths of the states.

15       That the house clerk is hereby directed to transmit copies of this application to the President and  
16 Secretary of the United States Senate and to the Speaker and Clerk of the United States House of  
17 Representatives, and copies to the members of the said Senate and House of Representatives from  
18 this state; also to transmit copies hereof to the presiding officers of each of the legislative houses in  
19 the several states, requesting their cooperation.

20       That this application constitutes a continuing application in accordance with Article V of the  
21 Constitution of the United States until the legislatures of at least two-thirds of the states have made  
22 applications on the same subject.