

Indiana Senate leader working toward U.S. constitutional convention



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INDIANAPOLIS | The leader of the Indiana Senate has invited lawmakers from every state to join him Dec. 7 at Mount Vernon, George Washington's Virginia home, to discuss the state-led process for crafting amendments to the U.S. Constitution.

Senate President David Long, R-Fort Wayne, asks in a letter written to fellow legislative leaders that each state send a bipartisan group of three delegates to the "Mount Vernon Assembly."

He said the meeting will lay the groundwork for a Convention of the States that would, when established by Congress, propose amendments to change various provisions of the Constitution.

"The authors of the Constitution included a state-led amendment option as a check on a runaway federal government," Long said. "The dysfunction we see in Washington, D.C., provides an almost daily reminder of why this option is needed now more than ever."

The initial meeting won't actually consider potential amendment topics, Long said. Instead, it's intended to set up the rules to be followed if and when a constitutional convention is called.

There are two authorized methods for changing the nation's fundamental governing document. The only one that has been used is when two-thirds of Congress proposes an amendment and three-fourths of the states (38 states) ratify it.

However, the Constitution also permits what has come to be known as an "Article V convention," named for its placement in the fifth section of the Constitution.

Under that scenario, two-thirds of state legislatures (34 states) ask Congress to call a Convention of the States for proposing constitutional amendments. If the convention approves an amendment, it then can be ratified by three-fourths of the states and added to the Constitution without congressional approval.

Because an Article V convention has never been called, there are no clear rules on how it would begin — does every state have to pass an identical convention request? — what rules the convention would follow or whether it could be limited in scope.

The primary criticism of the convention idea is the possibility that a "runaway convention" will scrap the entire Constitution.

In fact, the current U.S. Constitution emerged from a convention called to recommend fixes to the Articles of Confederation, America's first constitution.

Long tackled the "runaway convention" issue earlier this year for Indiana by winning approval of two new laws that severely restrict the ability of a Hoosier delegate to a future Article V convention to make decisions outside the explicit instructions provided by the General Assembly.

An Indiana delegate that acts contrary to the wishes of the legislature not only is automatically replaced, but also faces up to three years in prison.

"I was proud to see Indiana lead on this issue in the most recent legislative session and I will continue to support it as a legitimate tool of the states to push back against federal overreach and restore a more proper balance of power," Long said.

He said the Mount Vernon Assembly will devise a "prudent and cautious process" other states can follow to ensure an Article V convention remains focused on specific subjects.

Long has indicated he supports a convention that would propose amendments limiting the power of Congress to impose taxes and regulate business.