

State lawmakers in Utah to discuss constitutional convention

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Photo: Rick Bowmer, AP

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Caption

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The Utah State Capitol is shown Wednesday, Nov. 11, 2015, in Salt Lake City. A small but unwavering group of mostly Republican state lawmakers are gathering in Utah to plan how legislatures would hold a convention to revise the U.S. Constitution. More than 80 legislators from 30 states are meeting

Wednesday through Friday at the State Capitol for The Assembly of State Legislatures.

The Utah State Capitol is shown Wednesday, Nov. 11, 2015, in Salt Lake City. A small but unwavering group of mostly Republican state lawmakers are gathering in Utah to plan how legislatures would hold a ... [more](#)

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SALT LAKE CITY (AP) — A small but unwavering group of mostly Republican state lawmakers is gathering in Utah to plan how legislatures would hold a convention to revise the U.S. Constitution.

More than 80 legislators from about 30 states kicked off the meeting of The Assembly of State Legislatures on Wednesday afternoon at the [State Capitol](#).

The assembly has gathered periodically in recent years to discuss what it would look like to hold the first constitutional convention since the founding of the United States, a longshot proposition.

This week, the group doesn't plan to consider or endorse any constitutional amendments. Instead, it will set procedural rules for voting and debate at a hypothetical convention.

The country's founding documents lay out two paths to amend the Constitution.

The method used for all current amendments requires a two-thirds vote of Congress, followed by a ratification of 38 states.

The alternative path allows amendments to be made through a constitutional convention of the states, a tactic not used since [George Washington](#) led such a gathering in Philadelphia in 1787.

Holding a convention would require 34 states to call for one. Any proposed amendment coming out of a convention would then need to be approved by 38 states.

Over the past few decades, legislatures have considered three proposals calling for a convention to pass a federal balanced budget amendment and other limitations on federal power. Calls to balance the federal budget have been championed by Republicans, who also currently control 30 state legislatures.

The proposal that's closest to the 34-state requirement calls for a convention solely dedicated to a federal balanced budget amendment.

So far, 27 states have endorsed that proposal. But the political makeup of some of those legislatures has shifted since they endorsed the convention idea decades ago. If more states sign on, legislatures that are politically divided or Democratically controlled could retract their support.

Utah Senate President, [Wayne Niederhauser](#), a Republican who serves on the Assembly's leadership team, said Wednesday that "it's conceivable" that a balanced budget amendment convention could be called in the next few years.

Conservatives and liberals both have worried that if a constitutional convention does occur, states wouldn't be limited to addressing just one issue and the convention could open the door for all manner of constitutional changes — from installing term limits on federal offices to campaign finance reform or limits on the Second Amendment's right to bear arms.

In Utah, The Assembly of State Legislatures plans to use this week's meeting to approve procedural rules about how a future convention would be conducted, such as how delegates would be called on during debate.

State Rep. [Lake Ray](#), Republican from Florida, said he supports the idea of a balanced budget amendment, but thinks there are six to 10 topics the states should take up at a convention to curtail what he says is an overreaching presidency and a U.S. Supreme Court "so it's not an end-all, be-all out of Washington."

"It was 240 years ago that we had an American Revolution whereby we told a king that we'd had enough," Ray said. "I think that at this point in time, we're saying that the people have had enough and it's time to rein some of that power back in and give control back to the people."

[Dan Kelley](#), a Democrat serving in Iowa's [House of Representatives](#), wouldn't speculate about how likely a constitutional convention might be, but if one is called, he wants campaign finance reform on the agenda. Kelley said he's attending the Utah meeting to ensure that a future convention allows the states to be represented not just by elected officials but by people from all walks of life such as farmers and teachers.

"Whether or not a convention should happen — I'm actually undecided on that," Kelley said. "I just want to make sure that if it happens, it's done right."

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