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CARYN TYSON
12TH DISTRICT

February 9, 2023

To: Chairman Thompson, Vice-Chairman Kloos, Ranking Member Faust-Goudeau, and honorable committee members:

Re: Senate Bill 92 – Testimony in Support

Thank you for the opportunity to testify in support of SB 92 and your consideration of a process to select delegates for an Article V convention.

Our Founding Fathers, by their own words, demand participation of state legislatures to amend the Constitution, either by ratification or by initiating an amendment.

“The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.” U.S. Constitution


SB 92 provides language to define a process in Kansas for selecting and removing delegates for a state legislature initiated Article V convention. It is a result of work proposed by The Assembly of State Legislatures and legislation passed in other states. Codifying how delegates are selected provides a framework that alleviates ambiguity and can reduce frustration or fear of an Article V convention. We must be prepared for when a Convention is called.

As important as selecting delegates for an Article V convention, is the ability to remove delegates who are misrepresenting Kansas at a convention. Delegates can be removed by a majority vote of delegates at the convention, by the appointing officer, or by a vote of the legislature.

Even though this legislation proposes multiple delegates, make no mistake, the convention should be one state, one vote. No matter how many delegates a state sends to a convention, each state must only represent one vote.

Thank you for your consideration of SB 92.

Sincerely,


Caryn Tyson