



LEAGUE OF WOMEN VOTERS OF MAINE

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TO: The Honorable Senator Rodney L. Whittemore
The Honorable Representative Roland Danny Martin, Co-chairs
The Joint Standing Committee on State and Local Government

Date: May 27, 2015

RE: HP 804 JOINT RESOLUTION MAKING APPLICATION TO THE CONGRESS OF THE UNITED STATES
CALLING A CONVENTION OF THE STATES TO PROPOSE AMENDMENTS TO THE UNITED STATES
CONSTITUTION TO IMPOSE FISCAL RESTRAINTS, LIMIT FEDERAL POWER AND IMPOSE TERM
LIMITS

SP 499 MAKING APPLICATION TO THE CONGRESS OF THE UNITED STATES CALLING A
CONSTITUTIONAL CONVENTION TO PROPOSE AN AMENDMENT TO THE UNITED STATES
CONSTITUTION TO REQUIRE A BALANCED FEDERAL BUDGET AND FURTHER FISCAL RESTRAINTS

My name is Helen Hanlon. I am a member of the Board of Directors of the League of Women Voters of Maine. I am a resident of Winthrop. I am here today as a volunteer member of the League's Advocacy Committee in opposition to HP 804 and SP 499, which call on the Maine State Legislature to apply to the U.S. Congress for an Article V Constitutional Convention to propose Constitutional amendments that require a balanced federal budget, impose other fiscal restraints on the Federal Government, limit the power and jurisdiction of the Federal Government, and limit the terms of office for federal government officials and members of Congress.

Before addressing the policy matters in these proposals, we would like to convey one overarching concern. The Constitution is the foundational document of the United States, containing vital assurances of our rights and liberties, as well as the governmental structure and processes that have carried us as a nation for over 220 years. While there are times when constitution change is warranted, it may be unwise to initiate an amendment process without a clear national consensus on the scope and content of the proposed changes. We do not have such consensus on the content of HP 804 and SP 499. Both HP 804 and SP 499 contain such vague language that it may be hard to assure a common understanding and a clear national consensus on what they mean to accomplish.

We are uncertain what specifically is meant by amendments that "limit the power and jurisdiction of the Federal Government," as called for in HP 804, and we are therefore wary of a Constitutional Convention called for that purpose.

The phrase, “impose fiscal restraints,” as used in HP 804 is vague and therefore, troubling. But if we understand it correctly from press coverage and proposals in other states, it refers to a balanced budget amendment, but that is not clear from the language before us. SP 499 clearly calls for a Constitutional Convention to propose a balanced budget amendment and “any related and appropriate fiscal restraints,” but the latter phrase is also vague and concerning for that reason.

Those reservations aside, we would also like to address two of the policy proposals called for by these two resolutions.

The League of Women Voters believes that the current federal deficit should be reduced. However, the League recognizes that deficit spending is sometimes appropriate and therefore opposes a constitutionally mandated balanced budget for the federal government. The League supports deficit spending when necessary to stimulate the economy during recession and depression, meet social needs in times of high unemployment, and meet defense needs in times of national security crises.

A balanced budget constitutional amendment would damage the economy, not strengthen it. Demanding that policymakers cut spending and/or raise taxes, even when the economy slows, is the opposite of what is needed to stabilize a weak economy and avert recessions. Such steps would risk tipping a faltering economy into recession or worsening an ongoing downturn, costing large numbers of jobs while blocking worthy investments to stimulate jobs and growth and address the nation’s urgent needs in infrastructure and other areas.

A balanced budget amendment has no place in the Constitution of the United States. Our Constitution has served the nation well because it represents enduring principles that are the foundations of our government. It should not be used as a substitute for real leadership on fiscal policy

In addition, HP 804 calls for term limits. Promoting an open governmental system that is representative, accountable, and responsive is key to our democracy and central to the mission of the League of Women Voters.

The League has opposed term limits since 1991 on the grounds that such limits would adversely affect the accountability, representativeness, and effective performance of Congress, and by decreasing the power of Congress, would upset the balance of power between Congress and an already powerful presidency. We have worked against state-imposed term limits for members of Congress since then, and we have opposed Constitutional amendments to impose term limits nationwide. We have consistently opposed term limits since this issue came before the citizens of Maine in 1993. Our original position is unchanged and our objections to term limits have only been bolstered and reinforced by Maine’s experience since term limits went into effect at the state level in 1996.

Term limits violate the ultimate right of voters to choose the representatives who best serve the needs of their district and the State of Maine. By disqualifying experienced and capable legislators, term limits make our government less representative of voters, less accountable, and less effective.

In Maine, we have seen that, by disqualifying legislators who have been able to gain skill through experience, term limits dilute the effective performance of the Legislature and weaken the Legislature's role in crafting sound policy solutions to complex problems.

Furthermore, under term limits, we can expect that policy expertise will be ceded to Executive Branch department heads, lobbyists, and partisan professional staff, further distancing voters from the people

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