

STATE OF KANSAS  
HOUSE OF REPRESENTATIVES



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SUSAN O. ESTES  
REPRESENTATIVE, 87TH DISTRICT

March 8, 2022

The Honorable John Barker, Chairman  
House Committee on Federal and State Affairs  
Statehouse, Room 285-N  
Topeka, KS 66612

Dear Chairman Barker:

SUBJECT: HB 2722 Creating a procedure for appointment of delegates to a convention under article V of the constitution of the United States and prescribing duties and responsibilities therefore

Thank you for hearing HB 2722. This bill attempts to address two common areas of concern regarding a convention of states. Namely, will delegates act beyond the scope of the call and what happens after thirty-four states have submitted an application?

First, a runaway convention is a deep concern. Recalling and threatening delegates with jail seemed reactive. Thus, creating an advise and consent role for the Legislature seemed consistent with our role in submitting an application for a convention and proactive.

Second, those who support and oppose a convention have undertaken great efforts to pull together well researched logical arguments to make a case for what they believe will happen if Congress calls a convention. There has been great debate on important topics such as who will set the process for selecting delegates and whether each state will get one vote. These are concerning questions. My own research led me to conclude that the answers are unknown.

HB 2722 is a safety valve for each side. Kansas can be prepared in advance of any possible convention through a well-defined process if events unfold as supporters claim. If events unfold as opponents fear, it serves as a trigger to cause the Legislature to be responsive to Congressional action that is incompatible with this bill. For example, if Congress sets forth a delegate selection process, the Legislature would be forced to take some form of action. We could amend or repeal HB 2722, rescind the application, or sue Congress to take the right to select our own delegates. Most importantly, the Legislature would have held an important discussion.

Thank you again for hearing HB 2722.

Sincerely,

A handwritten signature in cursive script that reads "Susan Estes".

Susan Estes