

## **LWVUS Position on Constitutional Amendment Proposals**

Following the January 29-31 meeting, the League of Women Voters board announced a new position outlining considerations for evaluating constitutional amendment proposals. State Leagues can use this new position, as well as the new position calling for safeguards to govern the constitutional convention process, to address the ongoing debates in many legislatures regarding constitutional conventions, in particular as they related to the Balanced Budget amendment.

### **Considerations for Evaluating Constitutional Amendment Proposals**

*Adopted January 2016*

The League will only support a proposed amendment to the U.S. Constitution if it advances and conforms to an LWVUS position.

In addition, the League believes the following should be considered in identifying an appropriate and well-crafted constitutional amendment:

- a) Whether the public policy objective addresses matters of such acute and abiding importance that the fundamental charter of our nation must be changed. Amendments are changes to a document that provides stability to our system and should be undertaken to address extreme problems or long-term needs.
- b) Whether the amendment as written would be effective in achieving its policy objective. Amendments that may be unenforceable, miss the objective, or have unintended consequences may not achieve the policy objective.
- c) Whether the amendment would either make our political system more democratic or protect individual rights. Most adopted amendments have sought to make our system more representative or to protect the rights of minorities.
- d) Whether the public policy objective can be achieved by a legislative or political approach that is less difficult than a constitutional amendment. In order to expend resources wisely, it is important to consider whether legislation or political action is more likely to succeed than an amendment.
- e) Whether the public policy objective is more suited to a constitutional and general approach than to a statutory and detailed approach. It is important to consider whether the goal can best be achieved by an overall value statement, which will be interpreted by the courts, or with specific statutory detail to resolve important issues and reduce ambiguity.

*AS ANNOUNCED BY THE NATIONAL BOARD FEBRUARY 2016*