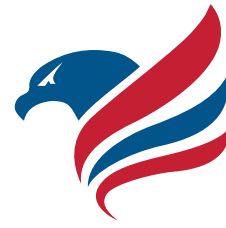


Policy Brief

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COMPACT FOR AMERICA

Estimating the Cost of an Article V Convention

By Geoffrey Hersch, JD

Introduction

Advocates of amending the U.S. Constitution through a convention to propose amendments under Article V often fail to grapple with commonsense questions about the process. They prefer instead to publish esoteric tracts on constitutional law and history. However, at bottom, an Article V convention is a governmental activity. One of the most basic commonsense threshold questions that should be asked about any governmental activity before it begins is: “How much will it cost?” The same question should be asked about the cost of an Article V convention; especially as interest in convening such bodies gains steam around the country for everything from a total revision of the Constitution¹ to single amendment proposals.²

This article estimates the ultimate cost of an Article V convention as ranging between forty-one thousand dollars (Compact for a Balanced Budget) and three hundred fifty million dollars (unlimited convention) by analogy to the expenditures for state conventions during the 1960s and 1970s.³ Although an Article V convention is not legally empowered to accomplish everything a state constitutional convention can accomplish,⁴ both types of conventions can have similar organizational structures and, therefore, can be

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expected to have similar cost components. During the 1960s and 1970s, several states made significant constitutional amendments and revisions by convention, including many related to reapportionment.⁵ These bodies reflect the substantial variation in cost for such a convention.⁶

The following sections immediately offer our findings and conclusions; and then briefly address relevant characteristics of state conventions and their rules, including their duration, the number of delegates, their election, compensation, and occupations, state appropriations for conventions, the selection of officers, the structure and appointment of committees, the proposals by each convention, and their relative success.⁷ The findings and conclusions reached by this article arise from a methodology described in more detail in the appendix. Essentially, we have estimated the cost of various types of Article V conventions based on a standard statistical regression model using inflation-adjusted data from analogous historical state conventions.

Findings and Conclusions

Based on the available data from state constitutional conventions during the 1960s and 1970s, the projected expenditures for an article V convention are reflected in Table I. The average cost of the underlying state conventions, their average duration, and the average number of delegates and committees is reflected in Table II, as well as the cost of each convention relative to each of these characteristics. Fur-

thermore, the following pages provide a breakdown of information regarding state conventions based on the conventions that were limited in scope compared with those that were unlimited reflected in Tables III and IV respectively.

The first two estimates shown in Table I were based on an assumption of 9 delegates per state with 50 states attending the Article V convention (based on delegate appointment legislation proposed in Florida and New Hampshire). The third estimate is based on the assumption that a laser-focused convention organized along the lines of the Compact for a Balanced Budget will involve 100 delegates (25 states appearing through their governors and 25 states appearing through three delegates), one committee of the whole, and a 24 hour convention duration. Based on those assumptions, the cost output was generated using a regression model constituted by the data shown in Table II for state conventions.⁸ The “lower,”

“fit,” and “upper” prediction intervals in Table I are likely very conservative for the first two convention types because we relied on the regression model to estimate automatically the underlying duration and committee numbers based on our state convention data in Table II. This may understate the potential duration and numbers of committees at such conventions.⁹ For example, an unlimited or broadly limited Article V convention could easily have as many as 1000 delegates serving on 20 or more commit-

Table I

Projected Cost of an Article V Convention			
	Lower	Fit	Upper
Limited convention of 450 Delegates	\$13,203,000	\$52,612,000	\$92,021,000
Unlimited Convention of 450 Delegates^a	\$38,350,000	\$191,193,000	\$344,036,000
Limited Convention of 100 Delegates for 24-hour period	N/A (Plausible Projection: \$41,000) ^b	\$791,392.10	\$14,493,953

Note. All figures in this table were rounded to the nearest thousand. The data for this table reflects the prediction intervals for the cost of each approach to an article V convention, based on the data reflected in Table II. Specifically, the data from that table—not including New Hampshire and New Jersey—was used to formulate multiple linear regressions for limited and unlimited conventions, based on their duration, the number of delegates, and the number of committees. The number of delegates—and the duration for the third category—were then input as new data and used with the regression models to create a prediction interval reflecting the projected cost for each convention approach. The descriptive statistics for the regressions mentioned above, while helpful to demonstrate the variation in the adjusted cost of conventions attributable to their duration and the number of delegates and committees is less significant with respect to the prediction intervals provided in the table because the prediction interval necessarily accounts for uncertainty in a single prediction compared with a predicted mean of an additional sample. Note. The primary purpose of the regression models based on data reflected in Table II is to provide a method for establishing the prediction intervals in the above table. Therefore, although the *t*-statistic and *p*-value for each variable provides interesting insight into their relationship with the adjusted cost of a convention, the *p*-values for each of the regression models in their entirety reflect a sufficient relationship to establish significance with 90% confidence and the above prediction intervals necessarily account for the potential error in projecting the cost of a single convention. Thus, the models provide a more accurate estimation of an article V convention based strictly on the 1960s and 1970s state constitutional conventions than using minimum, maximum, and average figures alone.

^a As discussed, the estimates provide merely a baseline prediction, however, these are subject to change where characteristics such as the number of delegates, the duration, or the number of committees are not controlled.

^b The lower bound of the estimate for a 100 delegate 24-hour convention is not available because the model for state conventions has a negative intercept and the limitations to only 100 delegates and a single day yield sufficiently low values that the projection exceeds the scope of the model and yields a negative cost. Therefore, the lower most bound of the prediction interval, without undermining its fit by trying to force the intercept, is most accurately stated as outside the scope of the model. Although the lower bound for a single-day, 100 delegate, limited convention exceeds the scope of the model, it is nonetheless possible to produce a reasonable projection. For example, the \$41,046 figure reflects the average daily per delegate cost for limited conventions, applied to 100 delegates, for a single 24-hour period, which provides a potential lower bound for the approach.

Table II

State	Duration (days) ^a	Delegates ^b	Committees ^c	Inflation Adjusted Cost ^d	Adjusted Cost (per day)	Adjusted Cost (per delegate)	Adjusted Cost (per committee)
Connecticut	166	84	3	3,777,000	22,752	44,963	1,258,968
Louisiana	470	132	12	15,756,000	41,572	119,362	1,312,985
Pennsylvania	144	163	8	11,114,000	77,178	68,182	1,389,200
Rhode Island	63	100	9	107,000	1,701	1,072	11,909
Tennessee	218	99	20	2,749,000	7,121	27,763	137,427
Texas	203	181	13	18,341,000	89,905	101,329	1,410,814
Arkansas	694	100	13	2,209,000	3,183	22,087	169,897
Hawaii	125	102	16	5,474,000	43,794	53,669	342,137
Illinois	372	116	12	18,673,000	50,195	160,970	1,556,044
Maryland	245	142	11	14,248,000	58,156	100,339	1,295,291
Michigan	545	144	13	1,273,000	2,336	8,842	97,945
Montana	190	100	14	2,933,000	15,439	29,334	209,526
New Mexico	126	70	12	1,621,000	12,763	23,155	135,073
New York	217	186	15	71,241,000	328,300	383,016	4,749,401
North Dakota	388	98	13	3,525,000	12,960	35,970	271,162
Average	275	121	12	11,536,000	51,157	78,670	956,519

Note. Averages for the first three columns were rounded to the nearest whole number, the average for adjusted cost to the nearest thousand, and averages for the final three columns to the nearest whole number. Further, figures for adjusted cost were rounded to the nearest thousand and figures for the adjusted cost by duration, the number of delegates, and the number of committees were rounded to the nearest whole number.

Note. As mentioned, the duration of each convention reflects the date from which the body was convened until the date in which the vote for the first proposals by the relevant body was to be submitted to voters for approval. This standard is used because the different procedures for each convention make estimating the number of actual days each body was convened unclear. For example, certain conventions adjourned, but were later reconvened to make amendments, some were continuing bodies, others only held partial meetings for the entire body and largely operated through committees, and some initially met and adjourned for a period with committees working the interim. Thus, considering the ultimate goal of an article V convention would be proposal and ratification of an amendment, the amount of time from the initial convening until the date of submission for voter approval is used as a standard to allow for reasonable comparison.

Note. All adjusted costs are calculated net of average annual CPI using data from the Bureau of Labor Statistics based on the appropriations made for each convention. See United States Department of Labor, Bureau of Labor Statistics, CPI Inflation Calculator, http://www.bls.gov/data/inflation_calculator.htm.

^a See *infra* at Page 8.

^b See *infra* at Page 8.

^c See *infra* at Pages 8-9.

^d See *infra* at Page 10 (Appendix-Methodology).

tees.¹⁰ If we had inputted those specific numbers into our model (while still using state convention data to estimate the likely duration), the “fit” prediction for an unlimited Article V convention would leap to \$205,123,110, with low and high bounds of \$59,353,767 and \$350,892,454.

Limited Conventions

As used in this article, a “limited convention” is: a convention with authority to propose changes confined to specific subjects or areas.¹¹

Conventions that were characterized as limited bodies, included Connecticut, Louisiana, New Jersey, Pennsylvania, Rhode Island, Tennessee, and Texas.¹² On average, limited conventions lasted approximately 210 days, with 127 delegates serving on 11 committees.¹³ Furthermore, average appropriations for limited conventions were \$7,668,375.25 when adjusted for inflation.¹⁴ As a result, the average adjusted cost per day was \$35,448.97, the average adjusted cost per delegate was \$53,891.78,

Table III

Limited Conventions				
State	Duration (days)	Delegates	Committees	Inflation Adjusted Cost
Connecticut	166	84	3	3,777,000
Louisiana	470	132	12	15,756,000
Pennsylvania	144	163	8	11,114,000
Rhode Island	63	100	9	107,000
Tennessee	218	99	19	2,749,000
Texas	203	181	13	1,834,1000
Average	211	127	11	8,640,000

Note. Averages were rounded to the nearest whole number, except the adjusted cost, which is rounded to the nearest thousand. The data for this table reflects the figures provided in Table II limited to those conventions characterized as limited conventions, meaning they did not have plenary authority to propose amendments.

and \$920,217.25 per committee. Finally, Figures 1–3 represent the relationship between the duration of limited conventions, the number of delegates and committees and the adjusted cost of each convention.

Figure 1

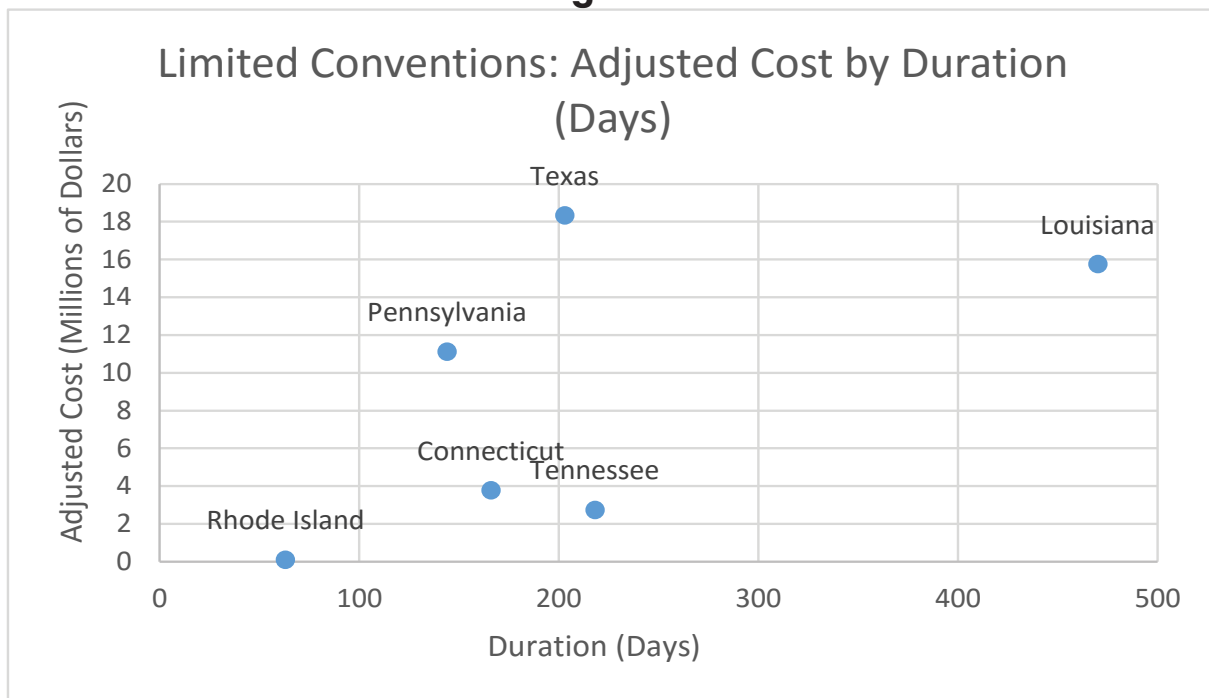


Figure 2

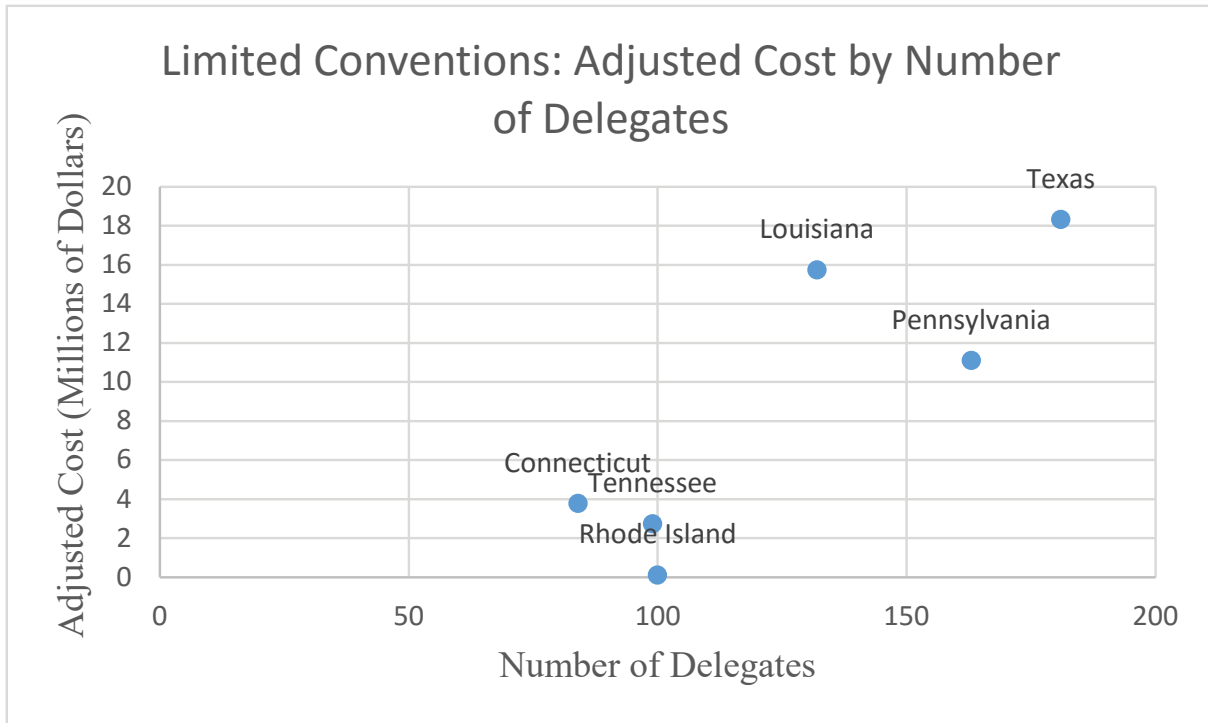
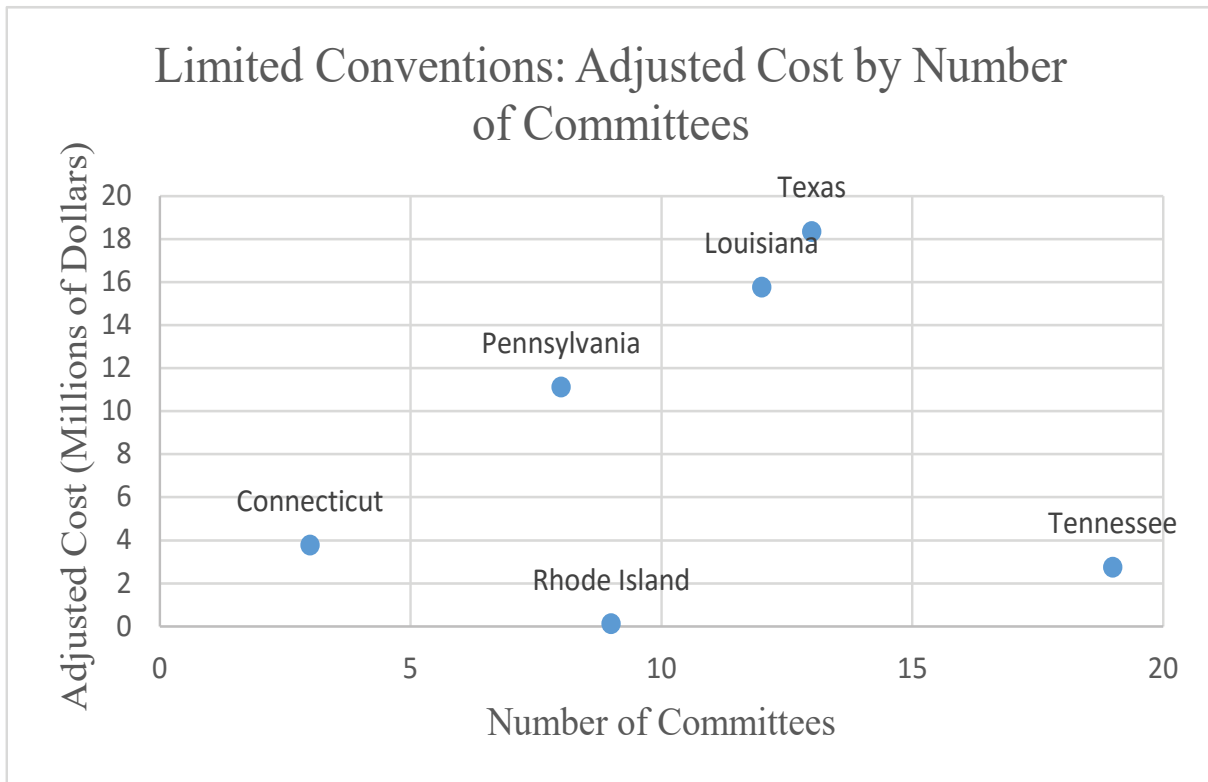


Figure 3



Unlimited Conventions

As used in this article, an unlimited convention is one that has complete authority to propose any constitutional change.¹⁵ The group of unlimited conventions included Arkansas, Hawaii, Illinois, Maryland, Michigan, Montana, New Hampshire, New Mexico, New York, and North Dakota.¹⁶ The average duration for unlimited conventions was 322 days and composed of approximately 118 delegates and 13 committees.¹⁷ For unlimited conventions, the average cost adjusted for inflation was \$12,206,600.¹⁸ Finally, Figures 4–6 represent the relationship between the duration of limited conventions, the number of delegates and committees and the adjusted cost of each convention.

Table IV

State	Duration (days)	Delegates	Committees	Inflation Adjusted Cost
Arkansas	694	100	13	2,209,000
Hawaii	125	102	16	5,474,000
Illinois	372	116	12	18,673,000
Maryland	245	142	11	14,248,000
Michigan	545	144	13	1,273,000
Montana	190	100	14	2,933,000
New Mexico	126	70	12	1,621,000
New York	217	186	15	71,241,000
North Dakota	388	98	13	3,525,000
Average	322	118	13	13,466,000

Note. Averages were rounded to the nearest whole number, except the adjusted cost, which is rounded to the nearest thousand. *Note.* The data in this table reflects that from Table II, for only conventions characterized as unlimited conventions meaning they exercised complete authority in proposing amendments, revisions, or entirely new constitutions.

Figure 4

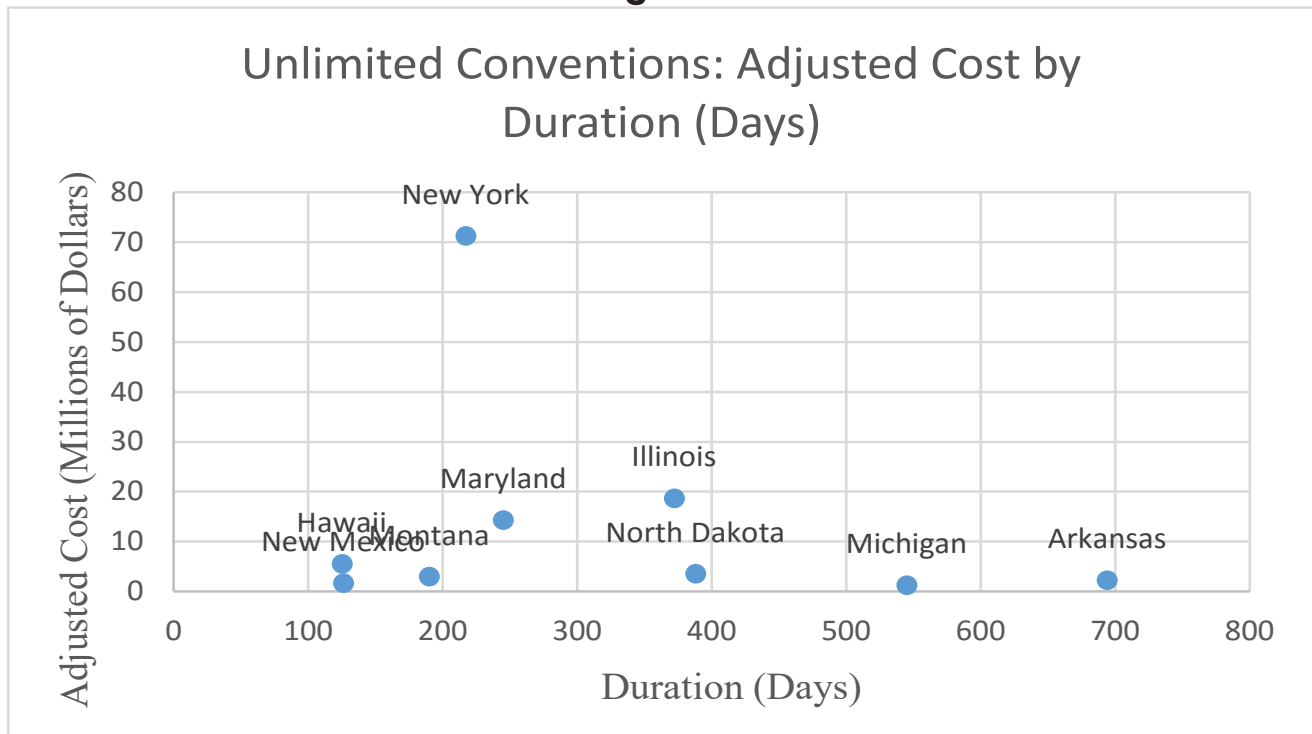


Figure 5

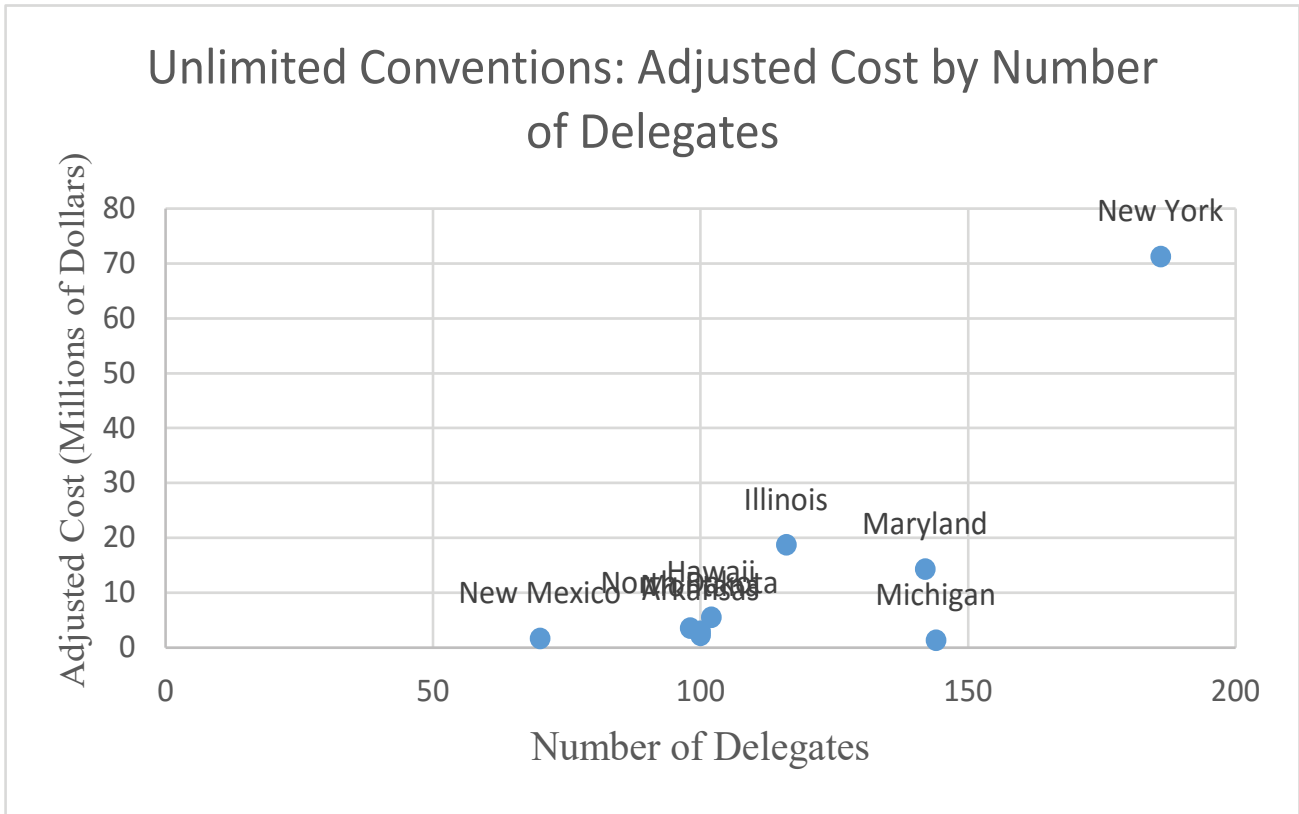
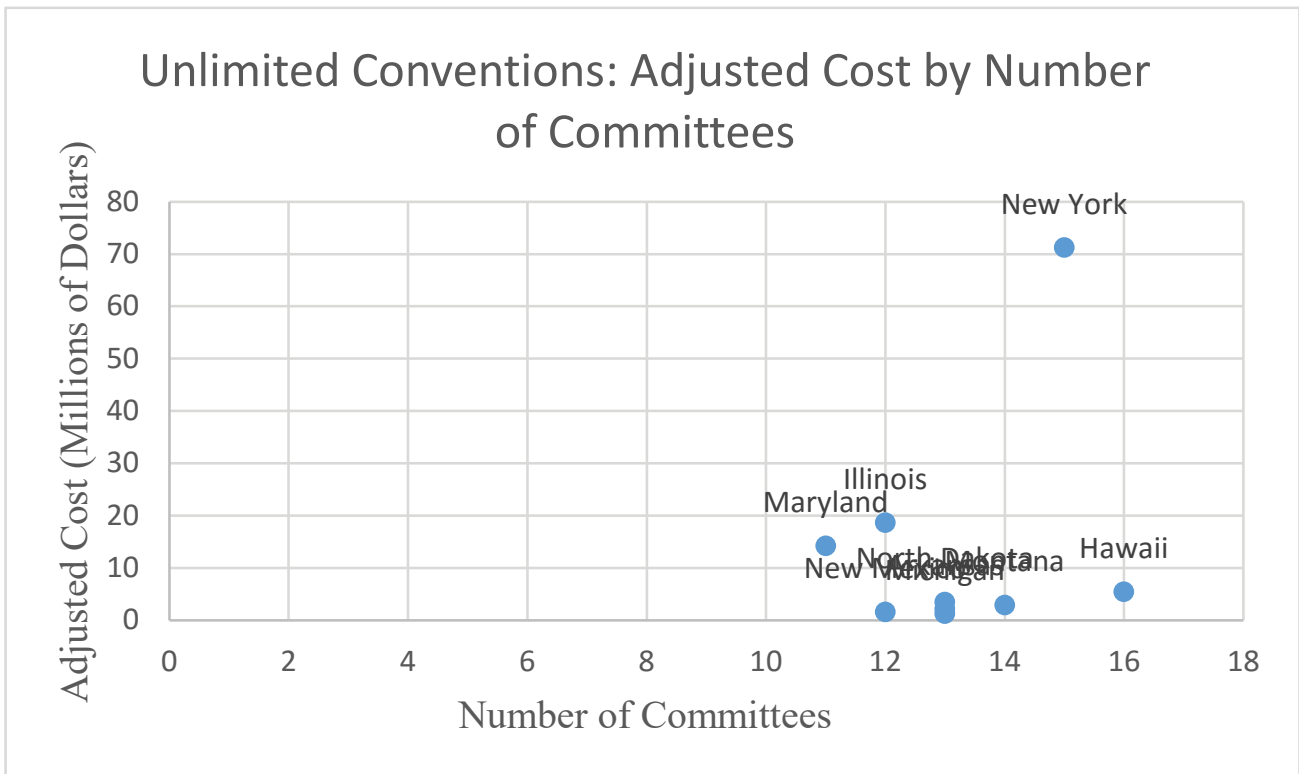


Figure 6



Duration

Assessing the duration of state conventions was challenging because in some cases, states appeared to regard a convention as a resumption of an earlier convention.¹⁹ This forced us to make judgment calls on when to deem a convention adjourned and which iterations to exclude as outliers. Based on such judgment calls, we excluded Rhode Island's convention in the 1960s, which lasted nearly four years, as an anomaly. Instead, our model assumed that the duration of state constitutional conventions during the 1960s and 1970s varied substantially, with the shortest lasting several weeks and the longest lasting nearly two years.²⁰

Delegates

New Mexico's seventy-delegate convention was the smallest during the period contrasted by the four hundred delegates attending the New Hampshire constitutional convention.²¹ Few other states had less than one hundred,²² and all others had between one hundred and two hundred delegates.²³ Almost every state provided for the election of a portion of delegates, if not all delegates.²⁴ Delegates for Texas, however, exclusively included members of the state legislature.²⁵ Delegates to the Hawaii convention were paid \$1,000 a month, up to \$4,000, mileage based on their location, and a per diem.²⁶ Illinois delegates received \$625 a month, not to exceed eight months, and a per diem for a maximum of 100 days, a postage allotment and expenses.²⁷ Maryland delegates received a flat fee of \$2000 and a \$25 per diem for expenses.²⁸ Delegates in Michigan received \$7,500 and mileage once a month between their home and the convention.²⁹ Significantly, New Hampshire did not have a pay plan for delegates and merely reimbursed certain expenses.³⁰ Conversely, New York paid delegates the same salary as legislators, which included \$15,000 per annum and \$3,000 for expenses.³¹ Finally, Tennessee delegates received the same per diem and mileage as legislators, which was approximately \$63 per day.³²

Further, in Hawaii, state or county officials were required to take an unpaid leave of absence to serve as delegates.³³ Michigan, however, prohibited active members of the legislature, active circuit judges, and sheriffs from being delegates, but individuals could still generally receive compensation from private employers.³⁴ New York permitted numerous sitting judges to act as delegates for its convention.³⁵ In Michigan, as in other states, there were many attorneys, businessmen, former state and local officials, and similar individuals acting as delegates, however, there were also technical workers, manufacturers, and homemakers.³⁶ Not every state explicitly provided for the replacement of delegates other than officers, but Hawaii and Michigan permitted the governor to appoint a qualified elector from the same district and

The average cost of limited conventions was roughly half that of unlimited conventions.

New York permitted the remaining delegates from the district or the group of

at large delegates to vote a qualified elector in as a replacement.³⁷ By contrast, as indicated previously, Texas exclusively had delegates that were legislators on leave while acting as delegates.³⁸ In every state, delegates elected the president or chairman of the convention shortly after being convened.³⁹

State Appropriations

The amount states appropriated for their conventions also varied considerably; for example, Rhode Island's conventions only initially included \$224,000 and \$20,000 in appropriations respectively, despite the duration of the first convention,⁴⁰ while Texas provided legislators with \$3.8 million.⁴¹ Occasionally other states, including Michigan, provided smaller appropriations, but relied on private grants to help subsidize the cost of preparation and organization.⁴² New Hampshire provided \$180,000, New Mexico's brief convention received a \$250,000 appropriation, and Montana followed at \$499,281.⁴³ Connecticut appropriated \$500,000, North Dakota \$600,000, Arkansas \$605,200, and Tennessee's convention exceeded its appropriations more than

once costing in excess of \$700,000.⁴⁴ Every other state provided more than \$1 million, and, in some cases, well over \$2 million.⁴⁵

Committees

While most other characteristics of conventions varied, the organization and establishment of committees was relatively consistent.⁴⁶ Further, in most cases, individuals were appointed to committees by the president or chairman of the convention, occasionally after consulting with Vice Presidents and subject to provision otherwise by the convention, and delegates would generally serve on multiple committees, except for Connecticut delegates.⁴⁷ Specifically, Pennsylvania maintained 8,⁴⁸ Rhode Island 9,⁴⁹ Maryland 11,⁵⁰ Illinois, Louisiana, and New Mexico established 12,⁵¹ Arkansas, Michigan, North Dakota, and Texas each had 13,⁵² and Montana, New York, and Hawaii established, 14, 15, and 16 committees, respectively.⁵³ Connecticut and Tennessee were the greatest outliers, the former establishing only 3 and the latter maintaining 19.⁵⁴

Successes and Failures

After completing the proposed Arkansas constitution, voters rejected the convention's work in November 1970.⁵⁵

Conversely, Connecticut's

convention proposed amendments on the topics to which it was limited and voters ultimately approved fourteen articles.⁵⁶ In Hawaii, the convention proposed 34 amendments after considering 105 proposals, and voters eventually approved every amendment.⁵⁷ Illinois voters approved of the convention's proposed constitution, but ultimately rejected the alternative proposals made by the convention.⁵⁸ Louisiana's convention proposed a new constitution that was ultimately adopted by voters.⁵⁹

The Maryland convention's proposed constitution, however, was rejected when submitted for voter approval.⁶⁰ Michigan voters eventually adopted the new constitution proposed by their convention.⁶¹ Montana voters approved of the new constitution and multiple of the proposed alternatives by the convention.⁶² In New Hampshire, voters eventually approved 10 amendments submitted as referendums of the 27 proposed by the convention.⁶³ Voters approved the New Jersey convention's proposal that was limited to apportionment.⁶⁴ New Mexico's proposed constitution, on the other hand, was quickly rejected by voters, as were New York's and North Dakota's.⁶⁵ The Pennsylvania convention's five proposed amendments were approved by voters.⁶⁶ Rhode Island's constitution was initially rejected, but several amendments were eventually passed.⁶⁷ In Tennessee, of thirteen proposals submitted by the convention, voters approved twelve.⁶⁸ Finally, the Texas convention failed to even establish sufficient support to submit a new constitution to voters for approval.⁶⁹

Conclusion

In sum, the conventions of the 1960s and 1970s reflect the flexibility and variety amongst state constitutional convention rules and procedures. However, it is worth mentioning that the average cost of limited

conventions was roughly half that of unlimited conven-

tions, and that proposals offered to voters incrementally or separated from major controversial provisions were more successful than attempts at wholesale revision of an entire, or nearly entire, state constitution. As policy makers and advocates look to the array of Article V convention options, from the Compact for a Balanced Budget to the Convention of States model, it should not be forgotten that their choice will eventually have a price tag.

Limited conventions were more successful than attempts at revision of an entire state constitution.

**Likely Article V Convention Price Tag:
Compact for Balanced Budget = \$791,500
Balanced Budget Amendment Task Force = \$52.5 million
Convention of States = \$52.5 to \$191.2 million**

As our model's "fit" prediction indicates, the cost is likely \$791,500 for the strictly limited convention of the Compact for a Balanced Budget, \$52.5 million for a narrowly enforced topic-limited convention, and \$191.2 million for a defacto or actual unlimited convention.

###

Geoff Hersch recently completed his J.D. at Chapman University. He has a Bachelor of Science in Political Science and Criminology from the University of Idaho. He served as a legislative intern in the U.S. House of Representatives, and as a law clerk with Legal Aid of Cambodia, the Orange County District Attorney in the Special Prosecutions and Homicide Units, and the Startup Cities Institute. Geoff recently finished a Bastiat Fellowship with the Mercatus Center at George Mason University.

Acknowledgements

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Appendix: Methodology

Data for the foregoing analysis was collected from a variety of archives of state records, memoranda by state agencies, and articles and books. The duration of each convention is measured from the time the body first convened until the date its first proposals were submitted to voters. The number of delegates reflects the raw number of individuals elected, not the number of votes apportioned among them. The number of committees refers to standing committees of each convention, not including the committee of the whole, which generally reflects the entire body operating informally. The cost of each convention is determined by the appropriations made for the body. The adjusted cost reflects that figure, adjusted for inflation net of average annual CPI based on data available through the Bureau of Labor Statistics. Finally, conventions were grouped based on whether they were

granted authority to make only particular revision proposals to their state's constitution or whether they were convened as an unlimited body permitted to propose complete revision or a new constitution.

These figures were then built into a set of data frames in R, grouped by bodies characterized as limited and unlimited conventions. The data frames were used to develop basic descriptive statistics of the minimum, maximum, average, and quadrant breakdown for the duration, number of delegates, number of committees, and adjusted cost. Furthermore, using R, multiple linear regression models were developed for limited conventions and unlimited conventions, including further descriptive statistics of the models. Finally, new data frames were created for each of the proposed approaches to an article V convention and incorporated into the appropriate linear model to create a prediction interval reflecting the projected cost of each.

Regression Model Outputs

```
> Limited=data.frame(
+ State=c("Connecticut","Louisiana","Pennsylvania","Rhode Island","Tennessee","Texas"),
+ "Adjusted Cost"=c(3776904.76,15755817.57,11113598.80,107182.43,2748539.60,18340588.24),
+ Duration=c(166,470,144,63,218,203),
+ Delegates=c(84,132,163,100,99,181),
+ Committees=c(3,12,8,9,20,13))
> Limited
      State Adjusted.Cost Duration Delegates Committees
1 Connecticut    3776904.8      166         84          3
2 Louisiana    15755817.6      470        132         12
3 Pennsylvania  11113598.8      144        163          8
4 Rhode Island   107182.4       63        100          9
5 Tennessee    2748539.6      218         99         20
6 Texas    18340588.2      203        181         13
> summary(Limited.lm)
```

```
Call:
lm(formula = Adjusted.Cost ~ Duration + Delegates + Committees,
    data = Limited)
```

```
Residuals:
      1      2      3      4      5      6
110994 1108880 -2971904 1067359 -1195894 1880565
```

```
Coefficients:
              Estimate Std. Error t value Pr(>|t|)
(Intercept) -15842936    4882341  -3.245  0.0833 .
Duration      36909      13647   2.704  0.1138
Delegates    181502      33478   5.422  0.0324 *
Committees   -621413     317010  -1.960  0.1890
---
```

```
Signif. codes:  0 '***' 0.001 '**' 0.01 '*' 0.05 '.' 0.1 ' ' 1
```

```
Residual standard error: 2844000 on 2 degrees of freedom
Multiple R-squared:  0.9426, Adjusted R-squared:  0.8566
F-statistic: 10.95 on 3 and 2 DF, p-value: 0.08481
```

```
> lm(Limited)
```

```
Call:
lm(formula = Limited)
```

```
Coefficients:
(Intercept) Adjusted.Cost      Duration      Delegates      Committees
 4.168e+00    3.128e-07   -1.613e-02   -2.796e-02    3.290e-01
```

```
Warning messages:
```

```
1: In model.response(mf, "numeric") :
  using type = "numeric" with a factor response will be ignored
2: In Ops.factor(y, z$residuals) : '-' not meaningful for factors
> plot(Limited)
> Limited.lm<-lm(Adjusted.Cost~Duration+Delegates+Committees,data=Limited)
> summary(Limited.lm)
```

```
Call:
lm(formula = Adjusted.Cost ~ Duration + Delegates + Committees,
    data = Limited)
```

```
Residuals:
      1      2      3      4      5      6
1308672.5 -634892.0 -1879815.1 -764569.9    -788.9 1971393.4
```

```
Coefficients:
              Estimate Std. Error t value Pr(>|t|)
(Intercept) -14409925    3757527  -3.835  0.0618 .
Duration      27539      7670   3.590  0.0696 .
Delegates    153772     26243   5.860  0.0279 *
Committees   -203383     185310  -1.098  0.3869
---
```

```
Signif. codes:  0 '***' 0.001 '**' 0.01 '*' 0.05 '.' 0.1 ' ' 1
```

Residual standard error: 2249000 on 2 degrees of freedom
 Multiple R-squared: 0.9641, Adjusted R-squared: 0.9103
 F-statistic: 17.91 on 3 and 2 DF, p-value: 0.05334

```
> newdata=data.frame(Delegates=450)
> predict(Limited.lm,newdata,interval="predict")
      fit      lwr      upr
1 52612199 13203329 92021070
> Unlimited=data.frame(
+ State=c("Arkansas", "Hawaii", "Illinois", "Maryland", "Michigan", "Montana", "New Mexico", "
  York", "North Dakota"),
+ "Adjusted Cost"=c(2208655.12,5474194.79,18672523.16,14248203.59,1273284.28,2933368.33,162087
  5,71241017.96,3525111.11),
+ Duration=c(694,125,372,245,545,190,126,217,388),
+ Delegates=c(100,102,116,142,144,100,70,186,98),
+ Committees=c(13,16,12,11,13,14,12,15,13))
> Unlimited
```

	State	Adjusted.Cost	Duration	Delegates	Committees
1	Arkansas	2208655	694	100	13
2	Hawaii	5474195	125	102	16
3	Illinois	18672523	372	116	12
4	Maryland	14248204	245	142	11
5	Michigan	1273284	545	144	13
6	Montana	2933368	190	100	14
7	New Mexico	1620879	126	70	12
8	New York	71241018	217	186	15
9	North Dakota	3525111	388	98	13

```
> summary(Unlimited)
      State Adjusted.Cost      Duration      Delegates
Arkansas:1  Min.   : 1273284  Min.   :125.0  Min.   : 70.0
Hawaii :1   1st Qu.: 2208655  1st Qu.:190.0  1st Qu.:100.0
Illinois:1 Median : 3525111  Median :245.0  Median :102.0
Maryland:1 Mean   :13466360  Mean   :322.4  Mean   :117.6
Michigan:1 3rd Qu.:14248204  3rd Qu.:388.0  3rd Qu.:142.0
Montana :1  Max.   :71241018  Max.   :694.0  Max.   :186.0
(Other) :3
      Committees
Min.   :11.00
1st Qu.:12.00
Median :13.00
Mean   :13.22
3rd Qu.:14.00
Max.   :16.00
```

```
> lm(Unlimited)
```

Call:
 lm(formula = Unlimited)

Coefficients:
 (Intercept) Adjusted.Cost Duration Delegates Committees
 1.094e+01 4.894e-08 -4.107e-03 -9.751e-03 -3.123e-01

```
Warning messages:
1: In model.response(mf, "numeric") :
  using type = "numeric" with a factor response will be ignored
2: In Ops.factor(y, z$residuals) : '-' not meaningful for factors
> plot(Unlimited)
> Unlimited.lm<-lm(Adjusted.Cost~Duration+Delegates+Committees,data=Unlimited)
> summary(Unlimited.lm)
```

Call:
 lm(formula = Adjusted.Cost ~ Duration + Delegates + Committees,
 data = Unlimited)

Residuals:
 1 2 3 4 5 6 7 8
 9132858 -10003376 9331063 -10767521 -18951294 -6551743 8792211 16575051
 9

2442752

Coefficients:

	Estimate	Std. Error	t value	Pr(> t)
(Intercept)	-57865613	50964611	-1.135	0.3077
Duration	-29544	28510	-1.036	0.3476
Delegates	516971	158839	3.255	0.0226 *
Committees	1519075	3613660	0.420	0.6917

Signif. codes: 0 '***' 0.001 '**' 0.01 '*' 0.05 '.' 0.1 ' ' 1

Residual standard error: 15140000 on 5 degrees of freedom

Multiple R-squared: 0.7172, Adjusted R-squared: 0.5476

F-statistic: 4.228 on 3 and 5 DF, p-value: 0.07731

```
> newdata=data.frame(Delegates=450)
```

```
> predict(Unlimited.lm,newdata,interval="predict")
```

```
      fit      lwr      upr
1 191193193 38350485 344035901
```

```
> Limited=data.frame(
+ State=c("Connecticut","Louisiana","Pennsylvania","Rhode Island","Tennessee","Texas"),
+ "Adjusted Cost"=c(3776904.76,15755817.57,11113598.80,107182.43,2748539.60,18340588.24),
+ Duration=c(166,470,144,63,218,203),
+ Delegates=c(84,132,163,100,99,181),
+ Committees=c(3,12,8,9,20,13))
> Limited
  State Adjusted.Cost Duration Delegates Committees
1 Connecticut  3776904.8      166         84          3
2  Louisiana 15755817.6      470        132         12
3 Pennsylvania 11113598.8      144        163          8
4 Rhode Island  107182.4       63         100          9
5  Tennessee  2748539.6      218         99         20
6    Texas 18340588.2      203        181         13
> lm(Limited)
```

```
Call:
lm(formula = Limited)
```

```
Coefficients:
(Intercept) Adjusted.Cost      Duration      Delegates      Committees
  4.168e+00   3.128e-07   -1.613e-02   -2.796e-02   3.290e-01
```

Warning messages:

```
1: In model.response(mf, "numeric") :
  using type = "numeric" with a factor response will be ignored
2: In Ops.factor(y, z$residuals) : \-' not meaningful for factors
> plot(Limited)
> Limited.lm<-lm(Adjusted.Cost~Duration+Delegates+Committees,data=Limited)
> summary(Limited.lm)
```

```
Call:
lm(formula = Adjusted.Cost ~ Duration + Delegates + Committees,
    data = Limited)
```

```
Residuals:
    1         2         3         4         5         6
1308672.5 -634892.0 -1879815.1 -764569.9   -788.9 1971393.4
```

```
Coefficients:
            Estimate Std. Error t value Pr(>|t|)
(Intercept) -14409925   3757527  -3.835  0.0618 .
Duration      27539     7670    3.590  0.0696 .
Delegates    153772    26243    5.860  0.0279 *
Committees   -203383    185310   -1.098  0.3869
---
Signif. codes:  0 '***' 0.001 '**' 0.01 '*' 0.05 '.' 0.1 ' ' 1
```

```
Residual standard error: 2249000 on 2 degrees of freedom
Multiple R-squared:  0.9641, Adjusted R-squared:  0.9103
F-statistic: 17.91 on 3 and 2 DF, p-value: 0.05334
```

```
> newdata=data.frame(
+ (Duration=1),
+ (Delegates=100)
+ (Committees=1))
Error in data.frame((Duration = 1), (Delegates = 100)(Committees = 1)) :
  attempt to apply non-function
> predict(Limited.lm,newdata,interval="predict")
      fit      lwr      upr
1 791392.1 -12911169 14493953
>
```

Endnotes

1. See e.g. Philip Klein, *Is It Time for a Convention?*, *Am. Spectator*, Oct. 2014 (describing proponents of a convention to revise the entire constitution).
2. See e.g. Nick Dranias, *Introducing "Article V 2.0": The Compact for A Balanced Budget*, 15 *Engage: J. Federalist Soc'y Prac. Groups* 65 (2014).
3. Therefore, the following discussion assumes that the cost of the conventions will be approximately representative of the cost of organizing and operating an Article V convention. Further, although there are several methods that could be used to produce these estimates—for example, using party conventions as a sample—the state conventions are used to provide the most accurate comparison currently, which can be supplemented by later data.
4. See Nick Dranias, *States Can Fix the National Debt: Reforming Washington with the Compact for America Balanced Budget Amendment*, *Goldwater Institute Policy Report No. 257* at 17–19 (Apr. 23, 2013).
5. Albert L. Sturm, *State Constitutions and Constitutional Revision: 1978–79 and the 1970s*, in *The Book of the States, 1980–1981* at 1 (1980); Albert L. Sturm and Janice C. May, *State Constitutions and Constitutional Revision, 1980–81 and the Past 50 Years*, in *The Book of the States, 1982–1983* at 120–23 (1982) (describing constitutional conventions in states including: Arkansas, Connecticut, Illinois, Louisiana, Maryland, Montana, New Hampshire, New Jersey, New Mexico, New York, Pennsylvania, Rhode Island, Tennessee, and Texas).
6. See e.g., Albert L. Sturm, *State Constitutions and Constitutional Revision, 1972–1973*, in *The Book of the States, 1974–1975* at 12 (1974) (explaining the Rhode Island convention in the 1970s only received a \$20,000 appropriation); compare Henrik N. Dullea, *Charter Revision in the Empire State: The Politics of New York's 1967 Constitutional Convention at 12* (1997) (describing the more than \$10 million that was spent on the convention, not including the amount spent by third-parties to establish support for the proposed constitution).
7. As mentioned, characteristics of state conventions varied substantially. For example, Rhode Island held multiple conventions during the two decades reflected the second being substantially shorter, more limited in scope, and more successful than the first. See Albert L. Sturm, *State Constitutions and Constitutional Revision, 1972–1973*, in *The Book of the States, 1974–1975* at 12 (1974) (describing the stark contrast between the two Rhode Island conventions). Thus, the following analysis controls for such variations as best as possible—for example, the duration of each convention reflects the time from which the body was convened until the date the first proposals offered by each body were submitted to voters for approval—however, many conventions first met to establish procedures and elect officers before adjourning for a period, others returned to make amendments after apparently adjourning, and others held committee meetings and hearings while not in session. See *infra* notes 14–16 and accompanying text. Therefore, the discussion should also be read with the understanding that the ultimate duration of a convention is subject to variation based on these differences.
8. Specifically, the characteristics described for each approach were run through the appropriate regression model and where a particular input is not established—for example, the duration of an unlimited convention is not defined—the regression model accounts for the variation in cost based on the projected input.
9. Albert L. Sturm, *State Constitutions and Constitutional Revision, 1967–1969*, in *The Book of the States: 1970–1971* at 13, 27 (1967) (noting the unlimited body in Rhode Island lasted from December 8, 1964 to February 16, 1969).
10. See e.g., Brandon Moseley, *Meckler Addresses*

- Rainy Day Patriots About Convention of States, Alabama Political Reporter, (Dec. 2, 2014) <http://www.alreporter.com/meckler-addresses-rainy-day-patriots-about-convention-of-states/> (explaining that for a Convention of States “[e]ach state can send as many delegates as they want.”); see also Michael Farris, TOOLS with TEETH for State Legislatures: Article V Bi-partisan “SINGLE-AMENDMENT ISSUE CONVENTIONS,” at 4 (Jan. 22, 2014) http://www.legis.state.ak.us/basis/get_documents.asp?docid=3338 (explaining that Congress could call 534 delegates to a convention and states could elect the same number).
11. Albert L. Sturm and Janice C. May, *State Constitutions and Constitutional Revision, 1980–81 and the Past 50 Years*, in *The Book of the States, 1982–1983* at 120–23 (1982). The clearest example of a limited Article V convention would be the one that would be organized by the Compact for a Balanced Budget. See Nick Dranias, *States Can Fix the National Debt: Reforming Washington with the Compact for America Balanced Budget Amendment*, Goldwater Institute Policy Report No. 257 at 17–19 (Apr. 23, 2013). It would limit the convention to voting up or down a particular amendment. Other examples could include topic-limited conventions, such as the longstanding Balanced Budget Amendment Task Force effort. See Balanced Budget Amendment Task Force, *Balanced Budget Amendment Convention*, at 8–9 (2013). However, topic limited conventions could be subject to creative legal arguments regarding germaneness rules that render them effectively unlimited conventions. See *infra* n. 12.
 12. See Table III. Texas was only limited in the sense that the Legislature acting as a convention was not permitted to change the state Bill of Rights, but could make changes to any other article or provision within the state Constitution. See Albert L. Sturm, *State Constitutions and Constitutional Revision*, in *The Book of the States, 1974–1975* at 170 (1974).
 13. See Table III.
 14. See Table III.
 15. Albert L. Sturm and Janice C. May, *State Constitutions and Constitutional Revision, 1980–81 and the Past 50 Years*, in *The Book of the States, 1982–1983* at 120–23 (1982). It is possible for a purportedly limited convention to function as a de facto unlimited convention under pressure from creative interpretations of a rule of germaneness. For example, the Convention of States effort calls for a convention limited to “proposing an amendment to the Constitution of the United States requiring that in the absence of a national emergency the total of all Federal appropriations made by Congress for any fiscal year may not exceed the total of all estimated Federal revenues for that fiscal year, together with any related and appropriate fiscal restraints.” See Balanced Budget Amendment Task Force, *Balanced Budget Amendment Convention*, at 7 (2013) This may appear to be a request for a limited agenda on its face. However, a creative convention delegate may attempt to argue that amendment proposals transferring federal governing authority to the United Nations, other countries, or new governmental bodies are germane. If such an argument were to persuade the convention parliamentarian, there would be no effective limit on such a convention.
 16. See Table IV.
 17. See Table IV.
 18. See Table IV.
 19. Albert L. Sturm, *State Constitutions and Constitutional Revision, 1972–1973*, in *The Book of the States, 1974–1975* at 13 (1974); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1974–1975*, in *The Book of the States, 1976–1977* at 169 (1976)(describing the succinct session held by the New Hampshire convention from May 8, 1974 to June 16, 1974, with votes on its first proposals on November 5, 1974 although it was to be a continuing body for 10 years); compare Albert L. Sturm, *State Constitu-*

tions and Constitutional Revision, 1972–1973, in *The Book of the States, 1974–1975* at 13 (1974) (Rhode Island’s convention in the 1960s persisted from December 8, 1964 to February 29, 1968, however, Rhode Island’s later convention was substantially shorter lasting only from September 4 to October 4, 1973, and submitting proposals to voters on November 6, 1973). See also, Albert L. Sturm, *State Constitutions and Constitutional Revision 1978–79 and the 1970s*, in *The Book of the States, 1980–1981* at 11–12 (1980) (describing the Arkansas convention which first convened December 11, 1978 with proposals submitted to voters on November 4, 1980 after meeting to alter proposed constitution); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1972–1973*, in *The Book of the States 1974–1975* at 12 (1974) (explaining that the seventh Rhode Island convention convened and adjourned in one month); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1970–1971*, in *The Book of the States, 1972–1973* at 11, 26 (1972) (describing state conventions, including the earlier Arkansas, that body convened for a period dictated by the enabling legislation).

20. W. Brooke Graves, *State Constitutions and Constitutional Revision, 1963–1965*, in *The Book of the States 1966–1967* at 3–4 (1966) (the Connecticut convention began on July 1, 1965 and its proposals were voted on at a special election on December 14, 1965); Albert L. Sturm, *State Constitutions and Constitutional Revision: 1978–79 and the 1970s*, in *The Book of the States, 1980–1981* at 11 (1980) (the Hawaii body convened July 5, 1978, adjourned September 21, 1978, and its proposals were voted on November 7, 1978); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1970–1971*, in *The Book of the States, 1972–1973* at 12 (1972) (Illinois convened on December 8, 1969 and adjourned September 3, 1970, with voting on proposals on December 15, 1970); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1972–1973*, in *The Book of the States, 1974–1975* at 13 (1974); Albert L. Sturm, *State*

Constitutions and Constitutional Revision, 1974–1975, in *The Book of the States, 1976–1977* at 168–69 (1976) (Louisiana convened January 5, 1973, adjourned January 19, 1974, and submitted its proposals to voters on April 20, 1974); Dan Friedman, *Magnificent Failure Revisited: Modern Maryland Constitutional Law from 1967 to 1998*, 58 *Md. L. Rev.* 528, 533–34 (1999) (Maryland convened September 12, 1967 and adjourned January 10, 1968 before the May 14, 1968 vote on its proposals); W. Brooke Graves, *State Constitutions and Constitutional Revision, 1959–1961*, in *The Book of the States, 1962–1963* at 5 (1962) (explaining the Michigan convention began on October 3, 1961); W. Brooke Graves, *State Constitutions and Constitutional Revision, 1961–1963*, in *The Book of the States, 1964–1965* at 5 (1964) (describing the referendum vote on the Michigan Constitution on April 1, 1963); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1970–1971*, in *The Book of the States, 1972–1973* at 14 (1972) (describing the early sessions of the Montana convention on November 27, 1971); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1972–1973*, in *The Book of the States, 1974–1975* at 11 (1974) (describing the vote on the new Montana constitution and proposals on June 6, 1972); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1967–1969*, in *The Book of the States, 1970–1971* at 15 (1970) (New Mexico convened from August 5, 1969 to October 20, 1969, and its proposals were voted upon December 9, 1969); New York State Library, *New York State Constitutional Conventions and Constitutional History* (last visited November 22, 2015) <http://www.nysl.nysed.gov/scandocs/nyconstitution.htm> (explaining the New York Convention began on April 4, 1967 and the proposed constitution was submitted to voters on November 7, 1967); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1972–1973*, in *The Book of the States, 1974–1975* at 11–12 (1974) (North Dakota first convened on April 6, 1971 submitting a new constitution and proposals to voters on April

28, 1972); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1967–1969*, in *The Book of the States, 1970–1971* at 14, 27 (1970) (Pennsylvania’s convention lasted from December 1, 1967 to February 29, 1968 and submitted proposals to voters on April 23, 1968); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1976–1977*, in *The Book of the States, 1978–1979* at 201, 213 (1978) (Tennessee convened from August 1, 1977 to December 22, 1977 and submitted proposals on March 7, 1978); (Texas legislators met as a convention between January 8, 1974 and July 30, 1974).

21. Albert L. Sturm, *State Constitutions and Constitutional Revision, 1967–1969*, in *The Book of the States, 1970–1971* at 15 (1970); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1974–1975*, in *The Book of the States, 1976–1977* at 169 (1976).
22. W. Brooke Graves, *State Constitutions and Constitutional Revision, 1963–1965*, in *The Book of the States 1966–1967* at 3–4 (1966) (Connecticut included 84 delegates); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1970–1971*, in *The Book of the States, 1972–1973* at 14 (1972) (North Dakota had 98 delegates); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1976–1977*, in *The Book of the States, 1978–1979* at 201 (1978) (Tennessee maintained 99 delegates).
23. Albert L. Sturm, *State Constitutions and Constitutional Revision, 1970–1971*, in *The Book of the States, 1972–1973* at 15 (1972) (Arkansas had 100 delegates); Albert L. Sturm, *State Constitutions and Constitutional Revision: 1978–79 and the 1970s*, in *The Book of the States, 1980–1981* at 11 (1980) (Hawaii provided for 102 delegates); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1967–1969*, in *The Book of the States, 1970–1971* at 16 (1970) (Illinois had 116 delegates); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1972–1973*, in *The Book of the States, 1974–1975* at 13 (1974) (Louisiana included 132 delegates);

John P. Wheeler, Jr., *Constitutional Reform Fails In The Free State: The Maryland Constitutional Convention Of 1967–68**, 26 *Wash. & Lee L. Rev.* 218, 225 (1969) (Maryland had 142 delegates); John E. Bebout, *Organizing the Constitutional Convention*, *Proceedings of the Academy of Political Science* at 26 (Jan., 1967) (Michigan provided for 144 delegates); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1970–1971*, in *The Book of the States, 1972–1973* at 13 (1972) (Montana had exactly 100 delegates); *State of New Jersey, Manual of the Legislature of New Jersey: Two Hundred and Eleventh Legislature (First Session)* at 330 (2004 Ed.) (New Jersey maintained 126 with 112 votes allocated based on population); John E. Bebout, *State Constitutions and Constitutional Revision, 1965–1967*, in *The Book of the States, 1968–1969* at 7 (1968) (New York included 186 total delegates); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1967–1969*, in *The Book of the States, 1970–1971* at 27 (1970) (Pennsylvania had 163 delegates); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1967–1969*, in *The Book of the States, 1970–1971* at 27 (1970); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1972–1973*, in *The Book of the States, 1974–1975* at 19 (1974) (Rhode Island maintained 100 as well); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1974–1975*, in *The Book of the States, 1976–1977* at 170 (1976) (Texas had 181 legislators serve as delegates).

24. Albert L. Sturm, *State Constitutions and Constitutional Revision, 1967–1969*, in *The Book of the States, 1970–1971* at 13 (1970) (delegates for Arkansas were elected during a general election); W. Brooke Graves, *State Constitutions and Constitutional Revision, 1963–1965*, in *The Book of the States 1966–1967* at 3–4 (1966) (Connecticut delegates were also elected, but based on political parties within the districts); Albert L. Sturm, *State Constitutions and Constitutional Revision: 1978–79 and the 1970s*, in *The Book of the States, 1980–1981* at 21 (1980); *Legislative Reference Bureau, Hawaii Constitutional Con-*

vention Studies 1978: Constitutional Convention Organization and Procedures at 21–22 (Richard F. Kahle, Jr. ed., 1978) (delegates in Hawaii were elected by representative district on a nonpartisan basis); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1967–1969*, in *The Book of the States, 1970–1971* at 16 (1970) (two Illinois delegates were elected from each senatorial district on a nonpartisan basis); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1972–1973*, in *The Book of the States, 1974–1975* at 13 (1974) (105 delegates in Louisiana were elected from representative districts on a nonpartisan basis and the remaining 27 were appointed by the Governor from specified interest groups and the public at large); Dan Friedman, *Magnificent Failure Revisited: Modern Maryland Constitutional Law from 1967 to 1998*, 58 Md. L. Rev. 528, 532 (1999); John P. Wheeler, Jr., *Constitutional Reform Fails In The Free State: The Maryland Constitutional Convention Of 1967-68**, 26 Wash. & Lee L. Rev. 218, 225–26, 230 (1969) (Maryland elected delegates via a nonpartisan special election); Albert L. Sturm, *Constitution Making in Michigan, 1961–1962*, Mich. Gov. Stud. at 40–47 (1963) (providing a detailed description of Michigan’s election process); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1970–1971*, in *The Book of the States, 1972–1973* at 13 (1972) (Montana delegates were elected from representative districts on the same basis as members of the legislature); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1974–1975*, in *The Book of the States, 1976–1977* at 169 (1976) (New Hampshire delegates were elected from representative districts on a nonpartisan basis); John E. Bebout, *Organizing the Constitutional Convention*, *Proceedings of the Academy of Political Science* at 25 (Jan., 1967); W. Brooke Graves, *State Constitutions and Constitutional Revision, 1963–1965*, in *The Book of the States 1966–1967* at 5 (1966) (New Jersey delegates were elected, but neither political party could provide more than half the delegates from a given district); Albert L. Sturm, *State Constitutions*

and Constitutional Revision, 1970–1971, in *The Book of the States, 1972–1973* at 14 (1972); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1972–1973*, in *The Book of the States, 1974–1975* at 11 (1974) (North Dakota delegates were elected from representative districts on a nonpartisan basis); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1967–1969*, in *The Book of the States, 1970–1971* at 27 (1970) (Pennsylvania elected three delegates from each representative district and 13 legislators ex officio); John E. Bebout, *Organizing the Constitutional Convention*, *Proceedings of the Academy of Political Science* at 25 (Jan., 1967); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1967–1969*, in *The Book of the States, 1970–1971* at 27 (1970); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1972–1973*, in *The Book of the States, 1974–1975* at 19 (1974) (Rhode Island); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1976–1977*, in *The Book of the States, 1978–1979* at 201 (1978) (Tennessee elected ninety-nine delegates elected from the representative districts on a nonpartisan basis).

25. Albert L. Sturm, *State Constitutions and Constitutional Revision, 1974–1975*, in *The Book of the States, 1976–1977* at 170 (1976).
26. Albert L. Sturm, *State Constitutions and Constitutional Revision: 1978–79 and the 1970s*, in *The Book of the States, 1980–1981* at 21 (1980); Legislative Reference Bureau, *Hawaii Constitutional Convention Studies 1978: Constitutional Convention Organization and Procedures* at 21–22 (Richard F. Kahle, Jr. ed., 1978).
27. Albert L. Sturm, *State Constitutions and Constitutional Revision, 1967–1969*, in *The Book of the States, 1970–1971* at 16 (1970).
28. Dan Friedman, *Magnificent Failure Revisited: Modern Maryland Constitutional Law from 1967 to 1998*, 58 Md. L. Rev. 528, 532 (1999); John P. Wheeler, Jr., *Constitutional Reform Fails In The Free State: The Maryland Constitutional Convention Of 1967-68**, 26 Wash. & Lee L. Rev. 218,

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- 225–26, 230 (1969).
29. John E. Bebout, Organizing the Constitutional Convention, Proceedings of the Academy of Political Science at 25, 30 (Jan., 1967); Albert L. Sturm, Constitution Making in Michigan, 1961–1962, Mich. Gov. Stud. at 38, 40, 50 (1963).
30. Albert L. Sturm, State Constitutions and Constitutional Revision, 1974–1975, in The Book of the States, 1976–1977 at 169 (1976) (delegates received a \$3 per diem and mileage).
31. John E. Bebout, Organizing the Constitutional Convention, Proceedings of the Academy of Political Science at 24 (Jan., 1967); John E. Bebout, State Constitutions and Constitutional Revision, 1965–1967, in The Book of the States, 1968–1969 at 7 (1968); Montana Constitutional Convention Commission, Memorandum on Constitutional Convention Rules at 146–47 (1971–1972); Robert I. Nunez, New York State Constitutional Reform-Past Political Battles in Constitutional Language, 10 William & Mary L. Rev. 366, 377 (1968).
32. Albert L. Sturm, State Constitutions and Constitutional Revision, 1976–1977, in The Book of the States, 1978–1979 at 201 (1978).
33. Albert L. Sturm, State Constitutions and Constitutional Revision, 1976–1977, in The Book of the States, 1978–1979 at 201 (1978).
34. Albert L. Sturm, State Constitutions and Constitutional Revision: 1978–79 and the 1970s, in The Book of the States, 1980–1981 at 21 (1980); Legislative Reference Bureau, Hawaii Constitutional Convention Studies 1978: Constitutional Convention Organization and Procedures at 21–22 (Richard F. Kahle, Jr. ed., 1978).
35. John E. Bebout, Organizing the Constitutional Convention, Proceedings of the Academy of Political Science at 25, 30 (Jan., 1967); Albert L. Sturm, Constitution Making in Michigan, 1961–1962, Mich. Gov. Stud. at 38, 40, 50 (1963).
36. Robert I. Nunez, New York State Constitutional Reform-Past Political Battles in Constitutional Language, 10 William & Mary L. Rev. 366, 377 (1968).
37. John E. Bebout, Organizing the Constitutional Convention, Proceedings of the Academy of Political Science at 25, 30 (Jan., 1967); Albert L. Sturm, Constitution Making in Michigan, 1961–1962, Mich. Gov. Stud. at 38, 40, 50 (1963).
38. Albert L. Sturm, State Constitutions and Constitutional Revision: 1978–79 and the 1970s, in The Book of the States, 1980–1981 at 21 (1980); Legislative Reference Bureau, Hawaii Constitutional Convention Studies 1978: Constitutional Convention Organization and Procedures at 21–22 (Richard F. Kahle, Jr. ed., 1978); John E. Bebout, Organizing the Constitutional Convention, Proceedings of the Academy of Political Science at 25, 30 (Jan., 1967); Albert L. Sturm, Constitution Making in Michigan, 1961–1962, Mich. Gov. Stud. at 38, 40, 50 (1963); John E. Bebout, Organizing the Constitutional Convention, Proceedings of the Academy of Political Science at 24 (Jan., 1967); John E. Bebout, State Constitutions and Constitutional Revision, 1965–1967, in The Book of the States, 1968–1969 at 7 (1968); Montana Constitutional Convention Commission, Memorandum on Constitutional Convention Rules at 146–47 (1971–1972); Robert I. Nunez, New York State Constitutional Reform-Past Political Battles in Constitutional Language, 10 William & Mary L. Rev. 366, 377 (1968).
39. Albert L. Sturm, State Constitutions and Constitutional Revision, 1974–1975, in The Book of the States, 1976–1977 at 169–170 (1976) (Texas had 181 legislators serve as delegates).
40. Albert L. Sturm, State Constitutions and Constitutional Revision, 1967–1969, in The Book of the States, 1970–1971 at 13, 15–16 (1970); State of Connecticut, Journal of the Constitutional Convention of Connecticut, 1965, at 11 (1965); Albert L. Sturm, State Constitutions and Constitutional Revision: 1978–79 and the 1970s, in The Book of the States, 1980–1981 at 11 (1980); Albert L. Sturm, State Constitutions and Constitu-
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- tional Revision, 1972–1973, in *The Book of the States*, 1974–1975 at 13 (1974); Dan Friedman, *Magnificent Failure Revisited: Modern Maryland Constitutional Law from 1967 to 1998*, 58 Md. L. Rev. 528, 533 (1999); Albert L. Sturm, *Constitution Making in Michigan, 1961–1962*, Mich. Gov. Stud. at 56–57 (1963); Montana Constitutional Convention Commission, *Memorandum on Constitutional Convention Rules* at 113, 143, 187 (1971–1972).
41. Albert L. Sturm, *State Constitutions and Constitutional Revision, 1967–1969*, in *The Book of the States*, 1970–1971 at 27 (1970); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1972–1973*, in *The Book of the States*, 1974–1975 at 19 (1974).
42. Albert L. Sturm, *State Constitutions and Constitutional Revision, 1974–1975*, in *The Book of the States*, 1976–1977 at 170 (1976).
43. Albert L. Sturm, *Constitution Making in Michigan, 1961–1962*, Mich. Gov. Stud. at 69–70 (1963) (discussing the State’s use of an \$85,000 grant from the W.K. Grant Foundation before the convention).
44. Albert L. Sturm, *State Constitutions and Constitutional Revision, 1972–1973*, in *The Book of the States*, 1974–1975 at 13 (1974); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1967–1969*, in *The Book of the States*, 1970–1971 at 14 (1970); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1970–1971*, in *The Book of the States*, 1972–1973 at 14 (1972).
45. W. Brooke Graves, *State Constitutions and Constitutional Revision, 1963–1965*, in *The Book of the States* 1966–1967 at 3–4 (1966); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1970–1971*, in *The Book of the States*, 1972–1973 at 13 (1972); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1970–1971*, in *The Book of the States*, 1972–1973 at 169 (1972); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1976–1977*, in *The Book of the States*, 1978–1979 at 201 (1978).
46. Albert L. Sturm, *State Constitutions and Constitutional Revision: 1978–79 and the 1970s*, in *The Book of the States*, 1980–1981 at 21 (1980) (Hawaii appropriated \$1.5 million); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1967–1969*, in *The Book of the States*, 1970–1971 at 16 (1970) (Illinois provided for \$2.88 million); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1972–1973*, in *The Book of the States*, 1974–1975 at 13 (1974) (Louisiana provided \$2.94 million); John P. Wheeler, Jr., *Constitutional Reform Fails In The Free State: The Maryland Constitutional Convention Of 1967-68**, 26 Wash. & Lee L. Rev. 218, 230 (1969) (Maryland appropriated \$2 million); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1967–1969*, in *The Book of the States*, 1970–1971 at 27 (1970) (Pennsylvania provided \$1.56 million); Henrik N. Dullea, *Charter Revision in the Empire State: The Politics of New York’s 1967 Constitutional Convention* at 12 (1997) (explaining New York appropriated more than \$10 million, not including the amount spent by third-parties to help generate voter support).
47. Albert L. Sturm, *State Constitutions and Constitutional Revision: 1978–79 and the 1970s*, in *The Book of the States*, 1980–1981 at 11 (1980) (“Little variation occurred in the usual organizational pattern for constitutional conventions.”).
48. Albert L. Sturm, *State Constitutions and Constitutional Revision, 1967–1969*, in *The Book of the States*, 1970–1971 at 16 (1970); Albert L. Sturm, *State Constitutions and Constitutional Revision: 1978–79 and the 1970s*, in *The Book of the States*, 1980–1981 at 11 (1980); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1972–1973*, in *The Book of the States*, 1974–1975 at 13 (1974); John P. Wheeler, Jr., *Constitutional Reform Fails In The Free State: The Maryland Constitutional Convention Of 1967–68**, 26 Wash. & Lee L. Rev. 218, 228–29 (1969); *State of Connecticut, Journal of the*

- Constitutional Convention of Connecticut, 1965, at 24–25, 37 (1965); John E. Bebout, Organizing the Constitutional Convention, Proceedings of the Academy of Political Science at 30 (Jan., 1967); Albert L. Sturm, Constitution Making in Michigan, 1961–1962, Mich. Gov. Stud. at 73 (1963); Albert L. Sturm, State Constitutions and Constitutional Revision, 1970–1971, in *The Book of the States, 1972–1973* at 13 (1972); Albert L. Sturm, State Constitutions and Constitutional Revision, 1967–1969, in *The Book of the States, 1970–1971* at 15 (1970); Montana Constitutional Convention Commission, Memorandum on Constitutional Convention Rules at 115, 123–24, 143, 150–51, 194–95 (1971–1972); Albert L. Sturm, State Constitutions and Constitutional Revision, 1976–1977, in *The Book of the States, 1978–1979* at 201 (1978); Albert L. Sturm, State Constitutions and Constitutional Revision, 1974–1975, in *The Book of the States, 1976–1977* at 170 (1976).
49. Montana Constitutional Convention Commission, Memorandum on Constitutional Convention Rules at 194–95 (1971–1972).
50. Albert L. Sturm, State Constitutions and Constitutional Revision, 1972–1973, in *The Book of the States, 1974–1975* at 12 (1974).
51. Constitutional Convention of 1967, Maryland State Archives Guide to Government Records (2015), <http://guide.mdsa.net/pages/history.aspx?id=SH101>
52. Montana Constitutional Convention Commission, Memorandum on Constitutional Convention Rules at 47–48 (1971–1972); Official Journal of the Proceedings of the Constitutional Convention of 1973 of the State of Louisiana at 5–6 (1973); Montana Constitutional Convention Commission, Memorandum on Constitutional Convention Rules at 123–24 (1971–1972).
53. Albert L. Sturm, State Constitutions and Constitutional Revision: 1978–79 and the 1970s, in *The Book of the States, 1980–1981* at 11–12, 14 n.13 (1980); 1 State of Michigan, Journal of the Constitutional Convention at 10 (Oct. 4, 1961); Albert L. Sturm, State Constitutions and Constitutional Revision, 1970–1971, in *The Book of the States, 1972–1973* at 14 (1972); Mary Lucia Barras and Houston Daniel, “CONSTITUTIONAL CONVENTION OF 1974,” *Handbook of Texas Online* (<http://www.tshaonline.org/handbook/online/articles/mjc07>), accessed November 17, 2015. Uploaded on June 12, 2010. Published by the Texas State Historical Association.
54. Montana Legislative Council, Montana Constitutional Convention, 1971–1972, at 21–23 (1979); Montana Constitutional Convention Commission, Memorandum on Constitutional Convention Rules at 148–50 (1971–1972); Peter G. Pan, Dean Y. Sugano, Lance C. Ching, Lynn W. Merrick, Cost Estimates for a Constitutional Convention, at 12 (Legislative Reference Bureau, Report No. 1, 2008).
55. Journal of the Constitutional Convention of Connecticut: 1965 at 18 (1965); Albert L. Sturm, State Constitutions and Constitutional Revision 1976–1977, in *The Book of the States, 1978–1979* at 201 (1978). Although a memorandum by the Legislative Service Bureau for Iowa stated the Tennessee Convention used 20 committees, the discrepancy is likely due to the inclusion of the Committee of the Whole, whereas, the same was likely not included in the count by Sturm. See Iowa Legislative Service Bureau, Constitutional Convention in Iowa at 2 (August, 1980).
56. Albert L. Sturm, State Constitutions and Constitutional Revision, 1970–1971, in *The Book of the States, 1972–1973* at 12 (1972).
57. W. Brooke Graves, State Constitutions and Constitutional Revision, 1963–1965, in *The Book of the States 1966–1967* at 3–4 (1966).
58. Albert L. Sturm, State Constitutions and Constitutional Revision: 1978–79 and the 1970s, in *The Book of the States, 1980–1981* at 11 (1980).
59. Albert L. Sturm, State Constitutions and Constitutional Revision, 1970–1971, in *The Book of the*

-
- States, 1972–1973 at 12 (1972).
60. Albert L. Sturm, *State Constitutions and Constitutional Revision, 1974–1975*, in *The Book of the States, 1976–1977* at 168–69 (1976).
61. Dan Friedman, *Magnificent Failure Revisited: Modern Maryland Constitutional Law from 1967 to 1998*, 58 Md. L. Rev. 528, 534 (1999); John P. Wheeler, Jr., *Constitutional Reform Fails In The Free State: The Maryland Constitutional Convention Of 1967-68**, 26 Wash. & Lee L. Rev. 218, 231–32 (1969).
62. Albert L. Sturm, *State Constitutions and Constitutional Revision, 1972–1973*, in *The Book of the States, 1974–1975* at 11 (1974).
63. Albert L. Sturm, *State Constitutions and Constitutional Revision, 1972–1973*, in *The Book of the States, 1974–1975* at 10–11 (1974).
64. Albert L. Sturm and Janice C. May, *State Constitutions and Constitutional Revision, 1980–81 and the Past 50 Years*, in *The Book of the States, 1982–1983* at 140 (1982).
65. W. Brooke Graves, *State Constitutions and Constitutional Revision, 1963–1965*, in *The Book of the States 1966–1967* at 5 (1966); John E. Bebout, *State Constitutions and Constitutional Revision, 1965–1967*, in *The Book of the States, 1968–1969* at 5–6 (1968).
66. Albert L. Sturm, *State Constitutions and Constitutional Revision, 1967–1969*, in *The Book of the States, 1970–1971* at 15 (1970); John E. Bebout, *State Constitutions and Constitutional Revision, 1965–1967*, in *The Book of the States, 1968–1969* at 6 (1968); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1972–1973*, in *The Book of the States, 1974–1975* at 11–12 (1974).
67. Albert L. Sturm, *State Constitutions and Constitutional Revision, 1967–1969*, in *The Book of the States, 1970–1971* at 14 (1970).
68. Albert L. Sturm, *State Constitutions and Constitutional Revision, 1967–1969*, in *The Book of the States, 1970–1971* at 27 (1970); Albert L. Sturm, *State Constitutions and Constitutional Revision, 1972–1973*, in *The Book of the States, 1974–1975* at 19 (1974).
69. Albert L. Sturm, *State Constitutions and Constitutional Revision: 1978–79 and the 1970s*, in *The Book of the States, 1980–1981* at 11 (1980).
70. Albert L. Sturm, *State Constitutions and Constitutional Revision, 1974–1975*, in *The Book of the States, 1976–1977* at 170 (1976).



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