

HOUSE CONCURRENT RESOLUTION NO. 3016

Introduced by

Representatives Fehr, Damschen, Dosch, Kasper, Meier, Schatz, Steiner

Senators Armstrong, Larsen

1 A concurrent resolution providing a method for states to appoint a delegate if a constitutional
2 convention is called for the purpose of proposing an amendment to the Constitution of the
3 United States to provide states a process to collectively countermand or repeal any law or
4 ruling.

5 **WHEREAS**, Article VI, Section 4, of the Constitution of the United States guarantees to
6 every state a republican form of government that gives each state equal standing when calling
7 for a constitutional convention; and

8 **WHEREAS**, the state legislatures alone have the sovereign authority to limit the agenda
9 and authority of delegates or alternates they send to a convened constitutional convention and
10 this authority does not reside in the Congress of the United States, the federal or state courts,
11 the federal or state executive branches, regulatory agencies, or the delegates sent to a
12 constitutional convention; and

13 **WHEREAS**, the authority of the Congress, under Article V of the United States Constitution,
14 requires the Congress to convene a constitutional convention for the purpose of proposing
15 amendments as applied for and defined by the state legislatures of several states; and

16 **WHEREAS**, the delegates sent by the North Dakota Legislative Assembly to the
17 countermand amendment convention are ambassadors of this legislature and are required to
18 fulfill the commission assigned to them in this resolution; and

19 **WHEREAS**, the North Dakota Legislative Assembly authorizes that delegates be
20 summoned and appointed to participate at the convened convention according to this resolution
21 and this Legislative Assembly can add to, replace, or remove any delegate or alternate; and

22 **WHEREAS**, this Legislative Assembly reserves the right to alter and change this resolution
23 and delegates will be bound by any alteration or change and instructs and authorizes the
24 delegates of the state to send the countermand amendment back to the states for ratification

1 through the Congress of the United States and delegates are prohibited from voting in favor of
2 any alternate amendment that may be introduced at the constitutional convention.

3 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF**
4 **NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

5 That the Sixty-fourth Legislative Assembly urges the Congress of the United States to call a
6 convention of the states for the purpose of proposing an amendment to the Constitution of the
7 United States to provide states a process to countermand or repeal any law or ruling.

8 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution
9 to the President and Secretary of the Senate and the Speaker and Clerk of the House of
10 Representatives of the Congress.