

2017 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2145

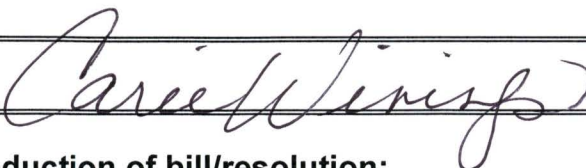
2017 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Sheyenne River Room, State Capitol

SB 2145
1/26/2017
Job Number 27435

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL for an Act to amend and reenact section 54-03-33 of the North Dakota Century Code, relating to certification of delegates to the United States convention of the states.

Minutes:

Attachments: 1

Chairman Poolman: Opened the hearing on SB 2145.

Senator Larsen, District 3: Testified to explain the bill as the prime sponsor. We did a good job last session on passing this bill to be able to pick a delegate to go to a constitutional convention or countermand etc. When we were looking at the legislation, it allows you to pick the delegate but there is not really a clear guideline. We do not know who is in charge of the delegates. There is a process with the Republican and Democratic conventions that you have delegates and throughout the states some of those delegates, they have stringent rules to live by. They cannot alter what they are doing when they go to their conventions in selectin their candidates. As we saw in the electoral college, we had some folks, one in particular in Washington that voted not for their candidate that was chosen. One of the big problems when we have a convention of states together, is that we don't want people coming in and saying that they have a different idea. It has to be structured and it has to flow and make sense so that we are not in a convention for an extended period of time. We have the expert and he will walk you through the part of the legislation that we already have in place and the inserts of where to make this flow. As he reviewed this, we did find a few hiccups in the legislation that you have right before you where we want to amend some things. Then changing and identifying that it is a delegate that we are working with. We want to have the nice overview and the explanation of what we need to do in legislation to pick a delegate. We want to make sure to keep our blinders on for this piece of legislation in picking the delegate and nothing else. (See Attachment #1 for an amendment proposed to committee.)

(4:15) Charles Kacprowicz, National Chairman and Executive Director, Citizen Initiatives on the Countermand Amendment: Testified in support of the bill. (Gave personal background.) I have spent over 40 years working on Article V issues either through Congress or state legislatures. I am convinced that if this nation has any possible restoration of its constitutional republic, it has to be through you. It will not be through politics, law, judicial

decisions, none of it is going to get it done. You have to make the decisions because that is what you have in Article V, your sovereign authority to decide the future course of the Republic. There are some pitfalls. The founders had a problem when they created Article V, they knew that they had a document that they wanted to preserve for future generations. They were not sure how to do that. The genius of the founders was to insert Article V. in Article V they specifically said it is for proposing amendments. It allows the state legislatures to decide how a convention is to be conducted. It is not a subject convention, it is not constitutional convention, it is an amendment convention. It says so twice in the article. Why that is important is because the founders, in their effort to pass to your sovereign authority to decide matters effecting you state and other states, they wanted it to go into perpetuity. They also wanted to go to where you were the decision makers. Not them. They could not anticipate everything that was going to go on in the future. They left it vague on how Article V should be used. There is much debate on how conventions are organized, what role Congress has, and what role the government has. In my estimation, they have no role. You are the final authority in Article V. The state legislatures are the ones that decide exactly what to do with it. Having said that, there are a few problems that need to be addressed. 1. Congress does have procedural responsibilities. They are facilitators in this process. They help the states to process an Article V convention so that can be manageable. They don't control it; contrary the opinion of many. I have tried to convince many over the country that is the case. (7:40) (Lists states - all of whom have moved this forward and will be expecting to get a positive vote this year.) If you are the sovereign body to decide how a convention is to be used, and if in fact Article V does not allow for a Constitutional Convention, and it does not; It allows for an amendment convention. Then you decide what the delegates do. (Gave an example of the Southern Baptist annual convention.) You have more authority than that because your authority is sovereign. There is another aspect to sovereignty; there are many that claim that the supreme court and the federal government has the supremacy clause in the Constitution; meaning that it somehow usurps the authority of the states. That is not true. The fact is that sovereignty in state legislatures in Article V, usurps the supremacy clause. You make rules and policies that govern how the court will decide matters. That is how powerful your position is as senators. I like to tell legislators all over the country that I see them more as statesman than politicians because you are really responsible for governing the future of this republic in ways that will preserve our liberties for future generations. Lastly, the fact is if we lose our constitutional republic with each state having equal standing; Article IV, Section 4 says that we are guaranteed a republican form of government. That means you are equal to California. Under this Constitution you have one vote and they cannot usurp your authority unless you let them. My job is to get as many of you smaller states together to understand that you cannot surrender what you have. If you listen to some of the wrong voices, you are going to send delegates who will think of it as Constitutional Convention, which it cannot be, as a result it would mayhem rather than accomplishing what needs to be done and also you would be sending them to decide the issues. They will be un-elected, un-accountable politically charged delegates who will make decisions instead of you. You are responsible in your deliberative status to decide the wording of every amendment and also the duties of those delegates. When we look at delegates, we see them as ambassadors of their state legislatures. Not independent agents. This is a non-partisan issue. It has to do with preserving state's rights and personal liberties for your people. It may be the last opportunity we have to protect this constitutional republic through the authority of the states. You need to understand that you have something you cannot surrender. If you surrender sovereignty you can never get it back. With this delegate resolution we are trying to make sure that the

state legislators, through a credential committee that you assign, it would be bipartisan and there would be two in the majority and one in the minority from both the House and the Senate, they would be able to carry on the work at a convention to that committee so that if you are not in session your delegates still have ways to get things done at the convention. The term "delegate credential committee" is important because it allows you to continue in continuity the purposes you had in sending those delegates when you are not available in your legislative session. You can make other arrangements. This delegate resolution is absolutely necessary to protect your state's rights and it can be applied to any proposed amendment that the states would like to make. The template that we are asking you to approve you can use over and over again for delegates going to a convention. Because it is for proposing amendments in Article V, you could have 10 amendment conventions going on at the same time. You could be addressing all kinds of federal encroachment issues and personal liberty violations to your people. You don't have to worry it is a Constitutional Convention. It is not one convention and no others at the same time. It is an Amendment Convention. If you are holding a Constitutional Convention or some modified form, then you would have to succeed from the union and declare that you want to form a new government and you would have to have a convention for the purpose of doing exactly that. We had this in the Civil War. It cost 620,000 young lives. If they understood how to use Article V that could have been avoided. The fact the remains that the Constitutional Convention alternative that is being proposed is a flawed understanding of what Article V is and the founders wanted Article V to be a way to protect the Constitution. In our case, the Countermand Amendment does not change the Constitution. All it does is give the state legislatures the right to stop federal encroachment on the Constitution and in so doing, protect the three branches of government etc. What we are emphasizing here is to make sure that you carry into perpetuity a control over any kind of a convention. We you get 26 or more states that agree to a delegate resolution, the exact wording could change from state to state, then your delegate will be able to go to Countermand Amendment Convention, join up with the other states that are advancing the same delegate resolution, and then decide how to go forward with organizing the convention. The decide, rules, how to bring it to a vote, control text for the amendment, and the ultimate purpose is to keep the sovereign authority in your hands. I get no benefit from this and have not received a dime from anyone. It is not a matter of me trying to find some benefit from this labor. I love this country. I love what God has given us. I know that this country is unique among the nations and if we lose it we are in trouble. This delegate resolution is simply an attempt to try to get the issue that will have to be considered at the convention by the delegates into some kind of assembly and order so that they are prioritized and at the same time they know how to go about working with other delegates to get the goal attained. On Page 4, line 9, there is a proposed amendment that varies from the exact text of the amendment in the bill. In your copy it says "application", we are scratching that out and suggesting "delegate resolution" because what you would be doing with this document is inserting your pre-approved text for your delegates. It won't be an application on congress, that would be a separate document that we will be working with. We changed it to "delegate resolution" only so that the language is consisted with only what we are trying to accomplish and that is to make certain that the delegate resolution is controlling the text that you are approving to be considered. We see you as the deliberative body. We do not see the delegates in this case as the deliberative body. They are going to propose an amendment that the states in their deliberative status have already approved.

(18:31) Chairman Poolman: No further testimony. Closed the hearing on SB 2145.

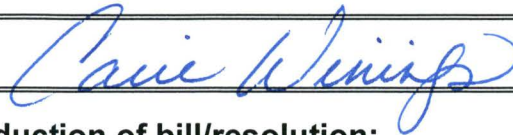
2017 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Sheyenne River Room, State Capitol

SB 2145
2/2/2017
Job Number 27818

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL for an Act to amend and reenact section 54-03-33 of the North Dakota Century Code, relating to certification of delegates to the United States convention of the states.

Minutes:

No Attachments

Chairman Poolman: Opened SB 2145 for committee discussion. We only had one person from out of state to come and speak on the bill. I always worry a little bit when we have one person in there from out of state coming forward to speak in favor of the bill. I know we have other convention of the state's bills that are going through the house. Some of the language already exists because we already had a version of this bill last session. They are trying to add language and change what they did last session.

Senator Bekkedahl: As I understood the testimony and their discussions with the sponsor of the bill, it does correct the language from the prior session on the bill that was passed and it administratively makes it work better. I would be in support. My only question was that I seem to get from the testimony of the out of state party that there may be some amendments coming forward on it, do you recall that?

Chairman Poolman: No one followed up with us on amendments so I think we are probably ready. (Found amendments from Senator Larsen.)

Senator Bekkedahl: Moved Amendments 17.0655.01001.

Senator Vedaa: Seconded.

A Roll Call Vote Was Taken: 5 yeas, 0 nays, 1 absent.

Motion Carried.

Senator Bekkedahl: With the understanding that there are several bills working through the house on these issues as well, and we will have the opportunity in the second half to start managing bills together; **Moved a Do Pass As Amended.**

Senator Vedaa: Seconded.

A Roll Call Vote Was Taken: 5 yeas, 0 nays, 1 absent.

Motion Carried and Senator Vedaa will carry the bill.

PROPOSED AMENDMENTS TO SENATE BILL NO. 2145

Page 4, line 8, overstrike the semicolon

Page 4, line 9, overstrike "a. A" and insert immediately thereafter "a"

Page 4, line 10, overstrike "application" and insert immediately thereafter "delegate resolution"

Page 4, line 11, overstrike ", or if the legislative"

Page 4, overstrike lines 12 through 21

Page 4, line 22, overstrike "concurrent resolution and provided to each delegate and alternate delegate"

Renumber accordingly

2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2145

Senate Government and Veterans Affairs Committee

☐ Subcommittee

Amendment LC# or Description: 17.0655.01001

Recommendation: ☒ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar
Other Actions: ☐ Reconsider ☐ _____

Motion Made By Bekkedahl Seconded By Vedaa

Senators	Yes	No	Senators	Yes	No
Chairman Poolman	<input checked="" type="checkbox"/>		Senator Marcellais	<input checked="" type="checkbox"/>	
Vice Chairman Davison	<input checked="" type="checkbox"/>				
Senator Bekkedahl	<input checked="" type="checkbox"/>				
Senator Meyer	<input checked="" type="checkbox"/>				
Senator Vedaa	<input checked="" type="checkbox"/>				

Total (Yes) 5 No 0

Absent 1

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

2017 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2145

Senate Government and Veterans Affairs Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☒ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar
Other Actions: ☐ Reconsider ☐ _____

Motion Made By Bekkedahl Seconded By Vedaa

Senators	Yes	No	Senators	Yes	No
Chairman Poolman	<input checked="" type="checkbox"/>		Senator Marcellais	<input checked="" type="checkbox"/>	
Vice Chairman Davison	<input checked="" type="checkbox"/>				
Senator Bekkedahl	<input checked="" type="checkbox"/>				
Senator Meyer	<input checked="" type="checkbox"/>				
Senator Vedaa	<input checked="" type="checkbox"/>				

Total (Yes) 5 No 0

Absent 1

Floor Assignment Vedaa

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2145: Government and Veterans Affairs Committee (Sen. Poolman, Chairman)
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends
DO PASS (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2145 was placed
on the Sixth order on the calendar.

Page 4, line 8, overstrike the semicolon

Page 4, line 9, overstrike "a. A" and insert immediately thereafter "a"

Page 4, line 10, overstrike "application" and insert immediately thereafter "delegate
resolution"

Page 4, line 11, overstrike ", or if the legislative"

Page 4, overstrike lines 12 through 21

Page 4, line 22, overstrike "concurrent resolution and provided to each delegate and
alternate delegate"

Renumber accordingly

2017 HOUSE GOVERNMENT AND VETERANS AFFAIRS

SB 2145

2017 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Fort Union, State Capitol

SB 2145
3/3/2017
28689

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature

Carmen Hart

Explanation or reason for introduction of bill/resolution:

Relating to certification of delegates to the United States convention of the states

Minutes:

Attachment 1

Chairman Kasper opened the hearing on SB 2145.

Senator O. Larsen appeared in support. This bill provides clarity by providing the guidelines and the process in which we are going to pick delegates. He walked through the bill. (:01:48-:06:40). The individual who is the expert on this spoke at the Senate hearing but was unable to be here for the House hearing. We had no floor discussion about it, so I think we did a fairly clean job in trying to explain what it is when we select a delegate and what their job duties are. They are going to be regulated by the legislature. I am not the expert here, but I fully support this and state sovereignty. Right now I feel the federal government is a top down system. The federal government gives an idea or a guidance or an executive order, and we have to follow it. With state sovereignty those 26 or 34 states can come together and say that is not okay when you write an executive order that stops the drilling off the coast of Alaska. They have the ability to rewrite it and make it better or just rescind it entirely. This system allows the legislatures to use the legislative branches and the legislative system which is equal to the court system.

Rep. Steiner: Are you moving away from one state one vote? She read from Line 29 at the bottom of Page 5.

Chairman Kasper: Let me clarify. According to the mock convention I attended, any state could have sent as many delegates as they chose. The mock convention recommended three states, but each state only had one vote among the three delegates.

Rep. Steiner: This is still one state one vote?

Chairman Kasper: Yes.

Senator Larsen: We will have one representative to represent the cause, but we are going to have a check system.

Vice Chair Louser: Who is the expert? Where did this language come from?

Senator Larsen: Charles Kacprowicz

Vice Chair Louser: You mentioned about having this language for choosing our delegates and our certifying to be similar to other states, but that would not be binding. If I understand right, that would only bind ND to vote for a chairman of the convention that came from a state with similar language. If there were ten versions of how delegates were chosen from the 50 states, but the vast majority were the same, ND would be bound to choose their convention chairman from the pool of states that had the same language. That is what this says. Correct?

Senator Larsen: I believe that is correct.

Vice Chair Louser: That referencing is only in regard to electing the chairman once at the convention.

Chairman Kasper: What page and line are you on?

Vice Chair Louser: Page 6, Lines 22-23. What states have passed this language?

Senator Larsen: Alaska and I think Texas and Arkansas. I don't know all of them that are on board. My concern with this is that our legislation that we passed last session was way too vague, and we need clarity in who it is, what we are doing, and what they are doing when we send them to any convention.

Rep. B. Koppelman: I think the purpose with the current language that is in law was to make sure that the individual or individuals are the intent of what they are charged to do and the intent of the call of the convention. I am wondering if this is going too far. Do you agree with that, or do you think that this is important to all of Article V efforts?

Senator Larsen: I totally disagree. Let us say there is going to be one delegate per state. That is 50 people with an idea of one issue. We work with committees now that have 20 people on them, and nothing gets done, because there is no clear, concise order of business clarity of how they have to run and what they have to do. I think the credential committee is selected by the legislative body, and the legislative body has the hammer. I do know that the expert's intention is that the legislature will always be in control of the delegate.

Chairman Kasper handed out Attachment 1 which is a copy of HB 1441 passed last session.

Rep. B. Koppelman: I am a little curious how this bill fits in?

Senator Larsen: I don't know.

Chairman Kasper: There is no repealer in 2145, so the language would conflict. Two of us were at the mock convention. To alleviate your concerns, each state of the 50 states had delegates that were sent there or selected as delegates to represent that state. The convention asked each state to have three delegates. Almost everyone were legislators.

The first order of business was to elect a chairman. People had been asked in advance to submit their names and biography to all of the delegates if they were interested in being considered for the chairman of the convention. It was a vote by roll call, and it was one vote for each state delegation. In some cases I see where you need to call back to the legislative assembly and ask if you can do this or that. The place that really concerns me is all of the detail. If we send delegates are we not empowering them to use their best and ethical and constitutional minds to follow the dictates of those delegates being sent there to represent our state? To me it is such a micromanaging situation in your bill. It is very concerning to me. You, on the other hand, from your testimony do not have that concern?

Senator Larsen: No I don't. We had an electoral college where we had people that are supposed to vote the way we sent them out to vote, and our state of Washington voted for a loose cannon, and that delegate should have been pulled back and not allowed to vote for that loose cannon. I want clarity with my delegates.

Chairman Kasper: The call of an Article V convention I believe is totally separate from the direction for the delegates who attend and represent the state. They are not intertwined.

Senator Larsen: I agree.

Chairman Kasper: California could have a bill like 1441. North Dakota could have 2145. Other states could have bills that are all kinds of directives to the delegate, but they are still representing that state once they get there. In your bill you are calling for the fact that if other states have not passed legislation similar to 2145, then I think they are also in many cases being restricted. This convention would most likely be streamed on the internet so everybody could see it in real time.

Senator Larsen: Once this piece of paper hit the basket, it wasn't my bill anymore. It is the state of North Dakota's bill. It is up to us to fix it and make it a good piece of legislation.

Chairman Kasper closed the hearing.

2017 HOUSE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee Fort Union, State Capitol

SB 2145
3/23/2017
29649

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature

Carmen Hart

Explanation or reason for introduction of bill/resolution:

Relating to certification of delegates to the United States convention of the states

Minutes:

Vice Chair Louser opened the meeting on SB 2145. Chairman Kasper was called out on an emergency. The gentleman that was proposing these amendments was also the proponent of 4006, but was also unable to be here. Senator Larsen presented this to our committee, and my understanding was there was going to be some potential for amendments to this bill. However, I have not heard from anybody either in the other chamber or ours. This bill as stands is eight pages of delegate certification.

Rep. B. Koppelman: We just defeated the partner to this. The way this is worded is only geared toward a countermand amendment. This does not indicate how they are going to merge this in the state law. I make a motion for a DO NOT PASS on SB 2145.

Rep. Dockter seconded the motion.

A roll call vote was taken. 12 Yeas, 1 Nay, 1 Absent.

Rep. B. Koppelman will carry the bill.

Date: 3-23-17
Roll Call Vote #: 1

2017 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2145

House Government and Veterans Affairs Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☐ Do Pass ☒ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By B. Koppelman Seconded By Dockter

Representatives	Yes	No	Representatives	Yes	No
Jim Kasper-Chairman	<u>X</u>		Pamela Anderson	<u>X</u>	
Scott Louser-Vice Chairman	<u>X</u>		Mary Schneider	<u>X</u>	
Jason Dockter	<u>X</u>				
Craig A. Johnson	<u>X</u>				
Daniel Johnston		<u>X</u>			
Karen Karls	<u>X</u>				
Ben Koppelman	<u>X</u>				
Vernon Laning	<u>X</u>				
Christopher D. Olson	<u>X</u>				
Karen M. Rohr	<u>X</u>				
Vicky Steiner	<u>X</u>				
Steve Vetter	<u>X</u>				

Total (Yes) 12 No 1

Absent 1

Floor Assignment B. Koppelman

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2145, as engrossed: Government and Veterans Affairs Committee (Rep. Kasper, Chairman) recommends **DO NOT PASS** (12 YEAS, 1 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2145 was placed on the Fourteenth order on the calendar.

2017 TESTIMONY

SB 2145

17.0655.01001
Title.

1-26-17 #1
Prepared by the Legislative Council staff for
Senator O. Larsen

January 25, 2017

PROPOSED AMENDMENTS TO SENATE BILL NO. 2145

Page 4, line 8, overstrike the semicolon

Page 4, line 9, overstrike "a. A" and insert immediately thereafter "a"

Page 4, line 10, overstrike "application" and insert immediately thereafter "delegate resolution"

Page 4, line 11, overstrike ", or if the legislative"

Page 4, overstrike lines 12 through 21

Page 4, line 22, overstrike "concurrent resolution and provided to each delegate and alternate delegate"

Renumber accordingly

FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1441

Sixty-fourth
Legislative Assembly
of North Dakota

Introduced by

Representatives K. Koppelman, Brabandt, Dockter, Karls, Klein, Maragos, Owens, Paur,
Schatz

Senators Burckhard, Hogue, Larsen

2-14-17

2015
Session

House

64-31

Senate

31-15

1 A BILL for an Act to create and enact a new section to chapter 54-03 of the North Dakota
2 Century Code, relating to certification of delegates to a convention of the states, called pursuant
3 to article V of the United States Constitution, to amend the United States Constitution; ~~and to~~
4 ~~provide a penalty.~~

5 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

6 SECTION 1. A new section to chapter 54-03 of the North Dakota Century Code is created
7 and enacted as follows:

8 Certification of delegates to United States convention of the states - Penalty.

- 9 1. If ~~an interstate~~ a convention of the states is called pursuant to article V of the United
10 States Constitution, the legislative assembly or an official designated by the legislative
11 assembly shall certify each delegate and alternate delegate from ~~the~~ this state to the
12 convention and provide a written copy of the certification to each delegate and
13 alternate delegate and to the convention. If a delegate is ineligible or unwilling to serve
14 as a delegate at the convention, the legislative assembly or the official designated by
15 the legislative assembly shall certify an alternate delegate to replace the delegate and
16 immediately provide a copy of the certification to the delegate and the convention.
17 2. If a delegate is rendered ineligible to serve under subsection 4, the delegate's
18 certification must provide notice to the convention that any vote or other action taken
19 by that delegate should be considered void.
20 3. An individual who has not been certified under this section may not serve as a
21 delegate at the convention.
22 4. As a condition of being eligible for consideration or selection as a delegate or alternate
23 delegate, each delegate and alternate delegate shall execute the following oath:

OATH BY EACH Delegate

I do solemnly swear or affirm that I will, to the best of my abilities, support the United States Constitution and the Constitution of North Dakota and I will not vote to allow consideration of or consider or approve any unauthorized amendment proposed for ratification to the United States Constitution. I understand that a violation of this oath will result in my being rendered ineligible to serve as a delegate at the convention as well as subject me to additional penalties under the laws of the North Dakota.

5. A delegate at the convention may not vote to allow consideration of or consider or approve any unauthorized amendment. An "unauthorized amendment" means:

- a. A proposed amendment that varies from the exact text of the amendment contained in the application made by the legislative assembly, which limits the convention to approving or disapproving that exact text, or; if the legislative assembly did not make the application, the exact text of the amendment contained in the applications relied ~~on~~ upon by the United States Congress in calling the convention, if the application contains exact text for a proposed amendment; or
- b. A proposed amendment that is outside the permitted subject matter of the application made by the legislative assembly, or; if the legislative assembly did not make the application, the permitted subject matter of the applications relied ~~on~~ upon by the United States Congress in calling the convention and as the subject matter may be further defined by the legislative assembly or an official designated by the legislative assembly, in instructions adopted by the legislative assembly by concurrent resolution and provided to each delegate and alternate delegate.

6. The legislative assembly or an official designated by the legislative assembly shall provide guidance upon the request of any delegate or alternate delegate as to whether a proposed amendment is within the permitted subject matter of the convention.

7. A delegate casting or attempting to cast a vote at a convention in violation of this section must be rendered ineligible to continue to serve as a delegate and must be immediately removed from office and replaced by an alternate delegate as provided under this section. A vote cast by a delegate at a convention which is in violation of this section is void.

1

~~8. A delegate who knowingly and willfully violates this section is guilty of a class C felony.~~

Tenn

Towards
History of Nation
 37 limited
 consequences of
 state
All

We are A Republic
of States