

MAR 08 2024

SENATE RESOLUTION

APPLYING TO THE UNITED STATES CONGRESS TO CALL AN ARTICLE V
CONVENTION TO PROPOSE CERTAIN LIMITED AMENDMENTS TO THE
UNITED STATES CONSTITUTION.

1 WHEREAS, executive orders by the President of the United
2 States have become vehicles for overstepping the President's
3 constitutional authority; and
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5 WHEREAS, the concentration of power at the federal level
6 has made federal officials less responsive to the will of the
7 people and more readily influenced by lobbyists, wealthy
8 corporations, and special interest groups; and
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10 WHEREAS, rulemaking authority allows federal law to be
11 enacted by bureaucrats who were never chosen by, and have no
12 accountability to, the people; and
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14 WHEREAS, the federal government has created a crushing
15 national debt through improper and imprudent spending; and
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17 WHEREAS, policy decisions made at the state level may be
18 more responsive to the people's needs; and
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20 WHEREAS, federal moneys allocated to Hawaii for economic
21 development are generally subject to federal fiscal restraints;
22 and
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24 WHEREAS, the federal government has interfered in matters
25 within the states' authority by imposing federal mandates,
26 including unfunded mandates; and
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28 WHEREAS, the states can restore the responsiveness of the
29 federal government to the people and restrain federal abuses of
30 power by applying for a convention in accordance with Article V
31 of the United States Constitution to propose amendments to the
32 Constitution; now, therefore,



1 BE IT RESOLVED by the Senate of the Thirty-second
2 Legislature of the State of Hawaii, Regular Session of 2024,
3 that the United States Congress is urged to call an Article V
4 convention to propose certain amendments to the United States
5 Constitution, limited to amendments that:

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- 7 (1) Impose fiscal restraints on the federal government;
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 - 9 (2) Limit the power and jurisdiction of the federal
10 government; and
 - 11
 - 12 (3) Limit the terms of office for federal officials and
13 members of Congress; and
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15 BE IT FURTHER RESOLVED that this application for an Article
16 V convention is subject to the following conditions:

- 17
- 18 (1) This application to the United States Congress to call
19 an Article V convention to propose amendments to the
20 United States Constitution confers no power on
21 Congress other than the power to call the convention.
22 The power of Congress to exercise this ministerial
23 duty consists solely of the authority to name a
24 reasonable time and place for the initial meeting of
25 the convention;
 - 26
 - 27 (2) Congress shall perform its ministerial duty of calling
28 an Article V convention to propose amendments to the
29 United States Constitution only upon the receipt of
30 applications from two-thirds of the legislatures of
31 the several states;
 - 32
 - 33 (3) Congress shall not have the power or authority to
34 determine any rules governing an Article V convention.
35 Congress does not have the power to determine the
36 number of delegates sent by any state to the
37 convention, or the power to name states' delegates to
38 the convention. The power to name delegates remains
39 exclusively within the state legislatures;
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- 1 (4) At any Article V convention to propose amendments to
2 the United States Constitution, the states shall vote
3 on the basis of one state, one vote;
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- 5 (5) A convention of the states convened pursuant to this
6 application shall be limited to the consideration of
7 the topics specified herein, and no others. This
8 application is made with the express understanding
9 that no proposed amendment that in any way seeks to
10 amend, modify, or repeal any provision of the Bill of
11 Rights shall be authorized for consideration at any
12 stage of the convention. This application shall be
13 void *ab initio* if ever used, at any stage, to consider
14 any changes to any provision of the Bill of Rights;
15
- 16 (6) Pursuant to Article V of the United States
17 Constitution, Congress may determine whether proposed
18 amendments shall be ratified by the legislatures of
19 the several states or by special state ratification
20 conventions. The Legislature of the State of Hawaii
21 recommends that Congress select ratification by the
22 legislatures of the several states; and
23
- 24 (7) If a convention of the states is convened pursuant to
25 this application, the Legislature of the State of
26 Hawaii reserves the right to provide further
27 instructions to its delegates and to recall its
28 delegates at any time for any breach of duty or
29 violation of the instructions provided; and
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31 BE IT FURTHER RESOLVED that this application constitutes a
32 continuing application in accordance with Article V of the
33 United States Constitution, until the legislatures of at least
34 two-thirds of the several states have made applications on the
35 same subject; and
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37 BE IT FURTHER RESOLVED that certified copies of this
38 Resolution be transmitted to the Majority Leader and Secretary
39 of the United States Senate, Speaker and Clerk of the United
40 States House of Representatives, members of Hawaii's



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1 congressional delegation, and presiding officers of each of the
2 legislative houses in each of the other forty-nine states.

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OFFERED BY:

David DeLo

