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## **HOUSE CONCURRENT** RESOLUTION

URGING THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS.

WHEREAS, Executive Orders by the President of the United States have become a vehicle through which the President may overstep the limits of the President's constitutional authority; and

WHEREAS, the concentration of power at the federal level has had the effect of making federal officials less responsive to the will of the people and more readily influenced by lobbyists, wealthy corporations, and special interests in Washington, D.C.; and

WHEREAS, much of federal law is now enacted by federal bureaucrats who were never chosen by the people and have no accountability to the people whatsoever; and

WHEREAS, policy decisions made at the state level tend to be more responsive to the needs and desires of the people; and

WHEREAS, the federal government has created a crushing national debt through improper and imprudent spending; and

WHEREAS, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, many of which are unfunded to a great extent; and

WHEREAS, the states have the ability to restore the responsiveness of government to the people and to restrain abuses of federal power by proposing amendments to the Constitution of the United States through a limited convention of the states under Article V; now, therefore,

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BE IT RESOLVED by the House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2020, the Senate concurring, that this body urges and applies to Congress under the provisions of Article V of the Constitution of the United States for the calling of a convention of the states, limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress; subject, however, to the following reservations, understandings, and declarations:

(1) An application to the Congress of the United States to call an amendment convention of the states pursuant to Article V of the United States Constitution confers no power to Congress other than the power to call such a convention. The power of Congress to exercise this ministerial duty consists solely of the authority to name a reasonable time and place for the initial meeting of a convention;

(2) Congress shall perform its ministerial duty of calling an amendment convention of the states only upon the receipt of applications for an amendment convention for substantially the same purpose as this application from two-thirds of the legislatures of the several states;

 (3) Congress does not have the power or authority to determine any rules for the governing of an amendment convention of the states pursuant to Article V of the United States Constitution. Congress does not have the power to set the number of delegates sent by any state to such a convention, nor does it have the power to name delegates to such a convention. The power to

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name delegates remains exclusively within the authority of the legislatures of the several states;

(4) By definition, an amendment convention of the states means that states shall vote on the basis of one state, one vote;

- (5) A convention of the states convened pursuant to this application shall be limited to consideration of the topics specified herein and no other. This application is made with the express understanding that an amendment that in any way seeks to amend, modify, or repeal any provision of the Bill of Rights shall not be authorized for consideration at any stage. This application shall be void ab initio if ever used at any stage to consider any change to any provision of the Bill of Rights;
- (6) Pursuant to Article V of the United States
  Constitution, Congress may determine whether proposed
  amendments shall be ratified by the legislatures of
  the several states or by special state ratification
  conventions. The Legislature of the State of Hawaii
  recommends that Congress select ratification by the
  legislatures of the several states; and
- (7) The Legislature of the State of Hawaii may provide further instructions to its delegates and may recall its delegates at any time for a breach of duty or a violation of the instructions provided; and

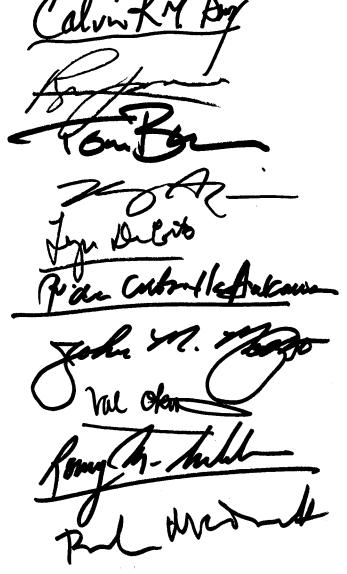
BE IT FURTHER RESOLVED that this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Majority Leader and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and to the presiding officers of each of the legislative houses in each of the other forty-nine states.

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OFFERED BY:



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