
HOUSE RESOLUTION

URGING AND APPLYING TO THE CONGRESS OF THE UNITED STATES 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 LIMIT THE TERMS OF OFFICE FOR OFFICIALS OF THE FEDERAL GOVERNMENT AND MEMBERS OF CONGRESS.

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

5
6 WHEREAS, the concentration of power at the federal level
7 has made federal officials less responsive to the will of the
8 people and more readily influenced by lobbyists, wealthy
9 corporations, and special interests in Washington, D.C.; and

10
11 WHEREAS, much of federal law is now enacted by federal
12 bureaucrats who were never chosen by the people and have no
13 accountability to the people whatsoever; and

14
15 WHEREAS, policy decisions made at the state level tend to
16 be more responsive to the needs and desires of the people; and

17
18 WHEREAS, the states have the ability to restore the
19 responsiveness of government to the people and to restrain
20 abuses of federal power by proposing amendments to the
21 Constitution of the United States through a limited convention
22 of the states under Article V; now, therefore,

23
24 BE IT RESOLVED by the House of Representatives of the
25 Thirty-first Legislature of the State of Hawaii, Regular Session
26 of 2022, that this body urges and applies to the Congress of the
27 United States under the provisions of Article V of the
28 Constitution of the United States for the calling of a



1 convention of the states, limited to proposing amendments to the
2 Constitution of the United States that limit the terms of office
3 for officials of the federal government and members of Congress;
4 subject, however, to the following reservations, understandings,
5 and declarations:

- 6
- 7 (1) An application to the Congress of the United States to
8 call an amendment convention of the states pursuant to
9 Article V of the United States Constitution confers no
10 power to Congress other than the power to call such a
11 convention. The power of Congress to exercise this
12 ministerial duty consists solely of the authority to
13 name a reasonable time and place for the initial
14 meeting of a convention;
- 15
- 16 (2) Congress shall perform its ministerial duty of calling
17 an amendment convention of the states only upon the
18 receipt of applications for an amendment convention
19 for substantially the same purpose as this application
20 from two-thirds of the legislatures of the several
21 states;
- 22
- 23 (3) Congress does not have the power or authority to
24 determine any rules for the governing of an amendment
25 convention of the states pursuant to Article V of the
26 United States Constitution. Congress does not have
27 the power to set the number of delegates sent by any
28 state to such a convention, nor does it have the power
29 to name delegates to such a convention. The power to
30 name delegates remains exclusively within the
31 authority of the legislatures of the several states;
- 32
- 33 (4) By definition, an amendment convention of the states
34 means that states shall vote on the basis of one
35 state, one vote;
- 36
- 37 (5) A convention of the states convened pursuant to this
38 application shall be limited to consideration of the
39 topic specified herein and no other. This application
40 is made with the express understanding that an
41 amendment that in any way seeks to amend, modify, or
42 repeal any provision of the Bill of Rights shall not



H.R. NO. 97

1 be authorized for consideration at any stage. This
2 application shall be void *ab initio* if ever used at
3 any stage to consider any change to any provision of
4 the Bill of Rights;

5
6 (6) Pursuant to Article V of the United States
7 Constitution, Congress may determine whether proposed
8 amendments shall be ratified by the legislatures of
9 the several states or by special state ratification
10 conventions. This body of the State of Hawaii
11 recommends that Congress select ratification by the
12 legislatures of the several states; and

13
14 (7) This body of the State of Hawaii may provide further
15 instructions to its delegates and may recall its
16 delegates at any time for a breach of duty or a
17 violation of the instructions provided; and

18
19 BE IT FURTHER RESOLVED that this application constitutes a
20 continuing application in accordance with Article V of the
21 Constitution of the United States until the legislatures of at
22 least two-thirds of the several states have made applications on
23 the same subject; and

24
25 BE IT FURTHER RESOLVED that certified copies of this
26 Resolution be transmitted to the Majority Leader and Secretary
27 of the United States Senate, the Speaker and Clerk of the United
28 States House of Representatives, and the presiding officers of
29 each of the legislative houses in each of the other forty-nine
30 states.

31
32
33 OFFERED BY:



MAR 11 2022

