

## HOUSE CONCURRENT 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.

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
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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

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

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-second Legislature of the State of Hawaii, Regular 26 Session of 2023, the Senate concurring, that this body urges and



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## H.C.R. NO. **IS**

applies to the Congress of the United States under the 1 provisions of Article V of the Constitution of the United States 2 for the calling of a convention of the states, limited to 3 4 proposing amendments to the Constitution of the United States 5 that limit the terms of office for officials of the federal government and members of Congress; subject, however, to the 6 7 following reservations, understandings, and declarations:

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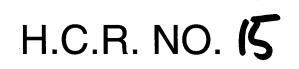
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- (1)An application to the Congress of the United States to call an amendment convention of the states pursuant to Article V of the United States Constitution confers no power to Congress other than the power to call such a convention. The power of 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;
- 18 (2) Congress shall perform its ministerial duty of calling an amendment convention of the states only upon the 19 20 receipt of applications for an amendment convention for substantially the same purpose as this application 21 22 from two-thirds of the legislatures of the several 23 states;
- Congress does not have the power or authority to 25 (3) determine any rules for the governing of an amendment 26 convention of the states pursuant to Article V of the 27 28 United States Constitution. Congress does not have the power to set the number of delegates sent by any 29 state to such a convention, nor does it have the power 30 to name delegates to such a convention. 31 The power to 32 name delegates remains exclusively within the authority of the legislatures of the several states; 33
  - (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 topic 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 1 repeal any provision of the Bill of Rights shall not 2 3 be authorized for consideration at any stage. This application shall be void ab initio if ever used at 4 any stage to consider any change to any provision of 5 6 the Bill of Rights; 7 (6) Pursuant to Article V of the United States 8 Constitution, Congress may determine whether proposed 9 amendments shall be ratified by the legislatures of 10 the several states or by special state ratification 11 12 conventions. This body of the State of Hawaii recommends that Congress select ratification by the 13 legislatures of the several states; and 14 15 (7) This body of the State of Hawaii may provide further 16 17 instructions to its delegates and may recall its delegates at any time for a breach of duty or a 18 violation of the instructions provided; and 19 20 BE IT FURTHER RESOLVED that this application constitutes a 21 continuing application in accordance with Article V of the 22 Constitution of the United States until the legislatures of at 23 24 least two-thirds of the several states have made applications on 25 the same subject; and 26 27 BE IT FURTHER RESOLVED that certified copies of this 28 Concurrent Resolution be transmitted to the Majority Leader and 29 Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and the presiding 30 31 officers of each of the legislative houses in each of the other forty-nine states. 32 33 34 35

OFFERED BY:

FEB 1 3 2023

