
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.

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

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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

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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

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

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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



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



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1 amendment that in any way seeks to amend, modify, or
 2 repeal any provision of the Bill of Rights shall not
 3 be authorized for consideration at any stage. This
 4 application shall be void *ab initio* if ever used at
 5 any stage to consider any change to any provision of
 6 the Bill of Rights;

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

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

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 21 BE IT FURTHER RESOLVED that this application constitutes a
 22 continuing application in accordance with Article V of the
 23 Constitution of the United States until the legislatures of at
 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
 30 the United States House of Representatives, and the presiding
 31 officers of each of the legislative houses in each of the other
 32 forty-nine states.

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 35 OFFERED BY: James S. King
 FEB 13 2023