

SENATE RESOLUTION NO. 2

IN THE LEGISLATURE OF THE STATE OF ALASKA
THIRTY-THIRD LEGISLATURE - FIRST SESSION

BY SENATOR MYERS

Introduced: 5/10/23

Referred: Judiciary, Finance

A RESOLUTION

1 **Urging the governor to direct the attorney general to assess the number of other state**
2 **applications under art. V of the Constitution of the United States that call for a**
3 **constitutional convention; and urging the governor to direct the attorney general to**
4 **institute or intervene in legal action on behalf of the state relating to the proposal of**
5 **amendments to the Constitution of the United States.**

6 **BE IT RESOLVED BY THE SENATE:**

7 **WHEREAS** art. V of the Constitution of the United States declares that "Congress ...
8 on the Application of the Legislatures of two thirds of the several States, shall call a
9 Convention for proposing Amendments"; and

10 **WHEREAS** Congress has a ministerial duty under art. V of the Constitution of the
11 United States to call the convention as requested by multiple state legislatures once the
12 legislatures of two-thirds of the several states have requested a convention; and

13 **WHEREAS** the Twelfth Alaska State Legislature passed HJR 17 in 1982 calling for a
14 convention to propose an amendment that would require the total federal appropriations not to
15 exceed the total estimated federal revenue in a fiscal year; and

1 **WHEREAS** the Twenty-Eighth Alaska State Legislature passed HJR 22 in 2014
2 calling for a convention to propose amendments that impose fiscal restraints on the federal
3 government, limit the power and jurisdiction of the federal government, and limit the terms of
4 the office of federal government officials; and

5 **WHEREAS** it is currently unknown how many other state legislatures have called for
6 a constitutional convention equivalent to HJR 17 and HJR 22 and whether the two-thirds
7 threshold for a constitutional convention has been met; and

8 **WHEREAS**, under AS 44.23.020(b)(1), "the attorney general shall ... defend the
9 Constitution of the State of Alaska and the Constitution of the United States of America"; and

10 **WHEREAS**, under AS 44.23.020(b)(5), "the attorney general shall ... give legal
11 advice on a law ... upon request by the legislature or a member of the legislature";

12 **BE IT RESOLVED** that the Senate requests the governor to direct the attorney
13 general to assess the number of other state applications under art. V of the Constitution of the
14 United States that call for a constitutional convention equivalent to the calls made by the state
15 and make the findings available to the Alaska State Legislature; and be it

16 **FURTHER RESOLVED** that the Senate urges the governor to direct the attorney
17 general to defend the Constitution of the United States and institute legal action requiring
18 Congress to call for a constitutional convention on behalf of the state if the attorney general
19 determines that two-thirds of state legislatures have called for a constitutional convention
20 under art. V of the Constitution of the United States.

21 **COPIES** of this resolution shall be sent to the Honorable Mike Dunleavy, Governor
22 of Alaska; and the Honorable Treg Taylor, Alaska Attorney General.