

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 126

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND MAKING APPLICATION TO THE CONGRESS OF THE UNITED STATES UNDER ARTICLE V OF THE CONSTITUTION OF THE UNITED STATES FOR CALLING A CONVENTION FOR PROPOSING AMENDMENTS TO THE UNITED STATES CONSTITUTION LIMITED TO SPECIFIC SUBJECTS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, the Legislature of the State of Idaho hereby makes Application to the Congress of the United States as follows:

SECTION 1. The Legislature of the State of Idaho hereby makes Application to the Congress of the United States under the provisions of Article V of the Constitution of the United States, for the call of a convention for proposing amendments to the United States Constitution.

SECTION 2. This Application is for a convention limited to considering and proposing amendments to the Constitution of the United States on the following subjects:

1. Improving the fiscal management of the federal government by doing any combination of any or all of the following:

(a) Imposing requirements, with any stated conditions and/or exceptions, that federal expenditures during a fixed time period not exceed federal revenues or anticipated revenues during that time period;

(b) Imposing either or both of the following:

(i) Prohibitions on the amount and/or other aspects of the federal debt.

(ii) Limits on the amount and/or other aspects of the federal debt.

(c) Imposing limits with any stated requirements and/or conditions on federal expenditures, revenue, and/or taxes or any combination of any or all of these.

2. Improving the legislative process by requiring any combination of any or all of the following:

(a) That all bills, orders, votes, and resolutions introduced in and passed by Congress contain only a single subject.

(b) A minimum time period before passage for bills, orders, votes and resolutions to be reviewed by members of Congress and members of the general public.

3. Restraining Congress from exercising its power beyond the defined, limited, and enumerated powers set forth in the Constitution by doing any combination of any or all of the following:

(a) Prohibiting Congress from employing its spending power to regulate activities of any state, subdivision of any state, or any official

1 thereof, unless the federal government fully funds the cost of compli-  
2 ance.

3 (b) Prohibiting Congress, with stated conditions and/or exceptions,  
4 from exercising its powers under Article I, Section 8, Clause 3 (the  
5 "Commerce Clause") to do the following:

6 (i) To mandate or regulate activities and/or conduct of primarily  
7 an intrastate nature or having primarily an intrastate effect.

8 (ii) To mandate non-extant conduct or activities thereby re-  
9 stricting such power to regulation of existing conduct or activi-  
10 ties.

11 (iii) To own, manage, or regulate any and/or all wildlife located  
12 in any state without the express consent of the state in which such  
13 wildlife is located.

14 4. Restoring the balance to federalism by providing that the legisla-  
15 tures of two thirds of the states can repeal any federal law or regulation.

16 5. Re-enforcing the right to bear arms as a fundamental right of every  
17 citizen of the United States and that the exercise of this right, with any  
18 stated conditions and/or exceptions, shall not be subject to licensure, reg-  
19 istration, or taxation.

20 6. Eliminating and/or curtailing, with any stated conditions and/or  
21 exceptions, any and/or all of the benefits and pensions, present and/or  
22 past, provided by the federal government to members of Congress.

23 7. Eliminating and/or curtailing, with any stated conditions and/or  
24 exceptions, any and/or all federal lobbying activities of members of Con-  
25 gress for a period of time after they leave office.

26 WHEREAS, this Application shall be deemed an Application for a conven-  
27 tion under the provisions of Article V of the Constitution of the United  
28 States to address each and/or any of the subjects in Section 2. For purposes  
29 of the determining whether two thirds of the states have applied for such a  
30 convention addressing any subjects in Section 2. of this Application, the  
31 subjects set forth in this Application are severable and any said subject is  
32 to be aggregated with any like subject in any applications of any other state  
33 legislatures for the purpose of calling such a convention.

34 WHEREAS, this is a continuing Application and remains in effect until  
35 rescission by any sitting session of the legislature of this state. This Ap-  
36 plication does not constitute a recognition that any particular activity or  
37 activities currently undertaken by the federal government is or are autho-  
38 rized by the Constitution.

39 NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Ses-  
40 sion of the Sixty-first Idaho Legislature, the Senate and the House of Rep-  
41 resentatives concurring therein, that the Secretary of State is hereby di-  
42 rected to transmit copies of this Application to the President and Secretary  
43 of the United States Senate, the Speaker and Clerk of the House of Represent-  
44 atives of the United States Congress, the Archivist of the United States,  
45 and copies to the members of the said Senate and House of Representatives  
46 from this State; also to transmit copies hereof to the presiding officers of  
47 each of the legislative chambers in the several states, requesting their co-  
48 operation.