

SENATE CONCURRENT RESOLUTION NO. 4012

Introduced by

Senators Clemens, Conley, Magrum

Representative Hoverson

1 A concurrent resolution to rescind all extant applications by the North Dakota Legislative
2 Assembly to call a convention to propose amendments to the United States Constitution, under
3 Article V of the United States Constitution.

4 **WHEREAS**, the North Dakota Legislative Assembly, acting with the best of intentions, has
5 applied to Congress to call one or more conventions to propose amendments regarding specific
6 subjects or purposes, or to call a general convention to propose an unspecified and unlimited
7 number of amendments to the United States Constitution, under the provisions of Article V of
8 the United States Constitution; and

9 **WHEREAS**, the Declaration of Independence proclaims "it is the Right of the People to alter
10 or abolish" the form of government when the government fails to secure rights of the people;
11 and

12 **WHEREAS**, the Declaration of Independence implies a convention of representatives of the
13 sovereign people in an Article V "convention for proposing amendments" would have inherent
14 power to propose sweeping changes to the United States Constitution, regardless of any
15 limitations purportedly imposed by the states in applying for the convention and creates an
16 imminent peril to the well-established rights of citizens and the duties of various levels of
17 government as defined by our Constitution; and

18 **WHEREAS**, the United States Constitution has been amended many times in the history of
19 this nation and may be amended many more times without the need to resort to an Article V
20 convention; and

21 **WHEREAS**, the United States Constitution has been interpreted for more than 200 years
22 and is a sound document that protects the lives and liberties of its citizens; and

23 **WHEREAS**, there is no need to subject our form of government, which is based on the
24 Declaration of Independence and the United States Constitution, to sweeping changes that

1 would undermine the philosophical foundation of instituting government based on the principle
2 of securing God-given rights; and

3 **WHEREAS**, the best solution for reining in the federal government is an informed electorate
4 who will hold public officials accountable to the existing United States Constitution with its
5 principles of limited government rather than risking the results of an Article V convention;

6 **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE**
7 **HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

8 That the Sixty-eighth Legislative Assembly rescinds all extant applications by the North
9 Dakota Legislative Assembly to Congress to call a convention to propose amendments to the
10 United States Constitution, under Article V of the United States Constitution; and

11 **BE IT FURTHER RESOLVED**, that the North Dakota Legislative Assembly urges all state
12 legislatures that have applied to Congress to call a convention for either a general or a limited
13 constitutional convention to rescind those applications; and

14 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution
15 to the President of the United States Senate, the Secretary of the United States Senate, the
16 Speaker of the United States House of Representatives, the Clerk of the United States House
17 of Representatives, the Chairman of the Judiciary Committee of the United States House of
18 Representatives, each member of the North Dakota Congressional delegation, and the
19 presiding officers of each house of each state legislature in the United States.