

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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SENATE JOINT RESOLUTION 506

Sponsors: Senator Hise (Primary Sponsor).

Referred to: Rules and Operations of the Senate.

March 26, 2015

1 A JOINT RESOLUTION TO APPLY TO CONGRESS FOR THE CALLING OF A
2 CONVENTION PURSUANT TO ARTICLE V OF THE UNITED STATES
3 CONSTITUTION.

4 Whereas, Article IV, Section 4 of the Constitution of the United States guarantees to
5 every state a republican form of government that gives each state equal standing when calling
6 for a federal amendment convention; and

7 Whereas, Article V of the Constitution of the United States reserves to the state
8 legislatures the right to apply for a federal convention for the purpose of proposing
9 amendments to the United States Constitution when Congress, the courts, or the executive
10 branch refuse to address an egregious wrong suffered by the people; and

11 Whereas, the state legislatures alone have the authority to limit the agenda and
12 authority of delegates and alternates they send to a convened federal convention. This authority
13 does not reside in the United States Congress, nor in the federal or state courts nor in the
14 executive branch. This authority resides solely in state legislatures; and

15 Whereas, the authority of Congress, under Article V of the United States
16 Constitution, requires it to convene a convention as called for and defined by the state
17 legislatures of the several states; Now, therefore,

18 Be it resolved by the Senate, the House of Representatives concurring:

19 **SECTION 1. Application for Calling of Convention.** – The North Carolina
20 General Assembly hereby applies to Congress, under the provisions of Article V of the
21 Constitution of the United States, for the calling of a single-issue convention of the states,
22 called a "countermend amendment convention," for the sole purpose of deciding whether the
23 proposed countermend amendment should be sent back to the state legislatures for ratification.

24 **SECTION 2. Duration of Application.** – The application set forth in Section 1 of
25 this act constitutes a continuing application in accordance with Article V of the Constitution of
26 the United States until the legislatures of at least two-thirds of the several states have made
27 identical or substantially similar applications as the one set forth in Section 1 of this act.

28 **SECTION 3. Instructions to Congress.** – Congress is directed to call the
29 Countermend Amendment Convention within 60 days from the date it receives the 34th Call
30 for this Convention from state legislatures.

31 **SECTION 4. Distribution of Copies of Act.** – The Secretary of State shall
32 transmit copies of this act to (i) the President and Secretary of the United States Senate; (ii) the
33 Speaker and Clerk of the United States House of Representatives; (iii) each member of the
34 North Carolina delegation to the United States Senate and United States House of
35 Representatives; and (iv) the presiding officers of each of the legislative houses in the several
36 states, requesting their cooperation with the purposes of this act.

37 **SECTION 5.** This resolution is effective upon ratification.

