

SENATE JOINT RESOLUTION NO. 15

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY SENATORS STOLTZE, Dunleavy, Kelly, McGuire, Coghill, Giessel, Huggins

Introduced: 2/13/15

Referred: State Affairs, Judiciary

A RESOLUTION

1 **Making application to the United States Congress to call a convention of the states to**
2 **propose a countermand amendment to the Constitution of the United States as provided**
3 **under art. V, Constitution of the United States; and urging the legislatures of the other**
4 **49 states to make the same application.**

5 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 **WHEREAS** the state's sovereignty has been infringed upon by the federal
7 government, including by the federal government's recent denial of and refusal to work with
8 state officials on the construction of a lifesaving road from King Cove to Cold Bay; and

9 **WHEREAS** the state's access to a fair permitting process for projects that will
10 develop the state's natural resources and provide revenue streams to the state, including oil
11 exploration in the Arctic National Wildlife Refuge and large-scale mining projects throughout
12 the state, has been continually denied by the United States Environmental Protection Agency
13 and other agencies of the federal government; and

14 **WHEREAS** the United States Congress has, at times, exceeded its delegated powers,
15 the President of the United States has, at times, exceeded the constitutional authority of the

1 office of the President of the United States, and the federal courts have, at times, exceeded
2 their authority by issuing decisions on public policy matters reserved to the states in violation
3 of the principles of federalism and separation of powers, all of which have adversely affected
4 the state and its people; and

5 **WHEREAS**, under the authority of art. V, Constitution of the United States, the
6 several states should apply to the United States Congress to call a convention of the states to
7 amend the United States Constitution and adopt a countermand amendment to authorize the
8 states, upon a vote of three-fifths of the state legislatures, to nullify and repeal a federal
9 statute, executive order, judicial decision, regulatory decision by a federal government
10 agency, or government mandate imposed on the states by law that adversely affects the
11 interests of the states, in order to properly exercise the states' constitutional authority to check
12 federal power, preserve state sovereignty, and protect the rights of the states and the people;
13 and

14 **WHEREAS** the states have the authority to define and limit the agenda of a
15 convention to a single-issue "countermand amendment convention" called for by the states as
16 provided under art. V, Constitution of the United States; and

17 **WHEREAS** the delegates sent by the states to a countermand amendment convention
18 shall have the limited authority to deliberate on and decide whether the countermand
19 amendment, as preapproved by state legislatures, should be sent back to the state legislatures
20 for ratification;

21 **BE IT RESOLVED** that, under art. V, Constitution of the United States, the Alaska
22 State Legislature directs the United States Congress to call a single-issue convention of the
23 states, called a "countermand amendment convention," for the sole purpose of deciding
24 whether the proposed countermand amendment should be sent back to the state legislatures
25 for ratification; and be it

26 **FURTHER RESOLVED** that the Alaska State Legislature directs the United States
27 Congress to convene the countermand amendment convention within 60 days after the date it
28 receives the 34th call for that convention from state legislatures; and be it

29 **FURTHER RESOLVED** that this application constitutes a continuing application in
30 accordance with art. V, Constitution of the United States, until at least two-thirds of the
31 legislatures of the several states have applied for a similar convention of the states; and be it

1 **FURTHER RESOLVED** that the Alaska State Legislature urges the legislatures of
2 the other 49 states to apply to the United States Congress to call a single-issue countermand
3 convention of the states under art. V, Constitution of the United States.

4 **COPIES** of this resolution shall be sent to the Honorable Barack Obama, President of
5 the United States; the Honorable Joseph R. Biden, Jr., Vice-President of the United States and
6 President of the U.S. Senate; the Honorable John Boehner, Speaker of the U.S. House of
7 Representatives; the Honorable Mitch McConnell, Majority Leader of the U.S. Senate; the
8 Honorable Nancy Erickson, Secretary of the U.S. Senate; the Honorable Karen L. Haas, Clerk
9 of the U.S. House of Representatives; the Honorable Lisa Murkowski and the Honorable Dan
10 Sullivan, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the
11 Alaska delegation in Congress; and the presiding officers of the legislatures of each of the
12 other 49 states.