

# Alaska House of Representatives

## Representative Calvin Schrage

*Co-Chair: House Finance Committee*

*Session:*

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## ***House Joint Resolution 41 - version A***

### **Sponsor Statement**

*"Rescinding all previous requests by the Alaska State Legislature to call for a constitutional convention under art. V of the Constitution of the United States."*

The U.S. Constitution serves as the anchor to our nation. It encapsulates the foundational rules and values of our nation and provides the necessary stability for effective governance. Yet this stability does not depend on our Constitution remaining static. This reality creates critical tension: while our constitutional structures must provide order and endurance, they must also adapt to the evolving needs of a changing society. The Founding Fathers of our nation understood this critical tension and, rather than leave it unresolved, they enshrined a solution directly into our constitutional fabric through Article V.

Article V provides a pathway to amend the Constitution through two distinct processes: (1) Congress may propose amendments by a vote of two-thirds vote in both the House and Senate, or (2) Congress *must* call a convention to propose amendments when two-thirds of state legislatures (34 states) petition Congress. The second pathway, specifically its procedural posture, is the subject of this joint resolution.

The absence of authoritative guidance in Article 5 raises several key questions that have not been answered, such as: Who sets the agenda and scope of the Convention? Congress, the states, or some combination? Can states limit a convention to specific constitutional topics, or does the mere act of calling a convention open the doors to a process unbounded by subject-matter constraints? Neither Congress nor the Courts have addressed these issues despite decades of proposals.

This creates a significant possibility of a "runaway convention," a convention unconstrained by procedural safeguards or predictable limits. Without clarity on this issue, states cannot appropriately protect and promote their interests, and many of the values Alaskans hold most dear – including free speech, religious freedoms, Second Amendment rights, and privacy protections – could be at risk.

*March 12, 2026*