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Gardner
4/11/16

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 14(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES HUGHES, Muñoz, LeDoux, Stutes, Millett, Lynn, Keller, Tilton, Johnson, Wilson

A RESOLUTION

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

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

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

WHEREAS the state's right and duty to provide for the use, development, and conservation of natural resources for the maximum benefit of the people has been continually infringed on by various federal agencies; and

WHEREAS the United States Congress has, at times, exceeded its delegated powers, the President of the United States has, at times, exceeded the constitutional authority of the office of the President of the United States, and the federal courts have, at times, exceeded their authority by issuing decisions on public policy matters reserved to the states in violation

1 of the principles of federalism and separation of powers, all of which have adversely affected
2 the state and its people; and

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

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

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

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

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

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

30 **FURTHER RESOLVED** that the Alaska State Legislature urges the legislatures of
31 the other 49 states to apply to the United States Congress to call a single-issue countermand

1 convention of the states under art. V, Constitution of the United States.

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