

BY THE JUDICIARY COMMITTEE

1 IN THE SENATE

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SENATE RESOLUTION NO. 19

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IN THE LEGISLATURE OF THE STATE OF ALASKA

4

SIXTEENTH LEGISLATURE - SECOND SESSION

5

Relating to amendments to the United

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States Constitution.

7 BE IT RESOLVED BY THE SENATE:

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WHEREAS all 33 amendments proposed to the United States Constitution

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since 1789 have been initiated by the Congress; and

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WHEREAS more than 400 petitions from the Several States requesting a

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constitutional convention to propose amendments have been filed with the

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Congress but have never resulted in the calling of a convention or adoption

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of an amendment; and

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WHEREAS there should be a proper balance of national and state power

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in a federal system; the present mechanism for the states to initiate a

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constitutional convention has proved to be unworkable; and the envisioned

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and desirable equipoise between national and state powers requires a means

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for the Several States to be able to propose amendments to the Constitu-

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tion; and

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WHEREAS an Intergovernmental Partnership Task Force has proposed, in

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its 1989 report to the Intergovernmental Affairs Committee of The Council

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of State Governments, an amendment to Article V of the United States Con-

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stitution to establish a thoughtful balancing of national and state inter-

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ests in the constitutional amendment process; and

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WHEREAS the gist of the task force proposal is to enable the legisla-

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tures of three-fourths of the states to propose amendments to the Constitu-

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tion subject to the veto of the Congress by a two-thirds vote of both

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Houses within two years of the states' submission of the amendments; and

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WHEREAS this proposal embodies a prudent method for constitutional

1 amendments to be initiated by a substantial majority of the Several States
2 and be yet subject to a veto by the Congress;

3 BE IT RESOLVED that the Alaska State Senate requests the Congress of
4 the United States to propose an amendment to Article V of the Constitution
5 of the United States that in essence provides that:

6 Whenever three-fourths of the Legislatures of the Several States
7 deem it necessary, they shall propose amendments to this Consti-
8 tution. Two years after the date the Clerk of the House of
9 Representatives receives a certified copy of a proposed amendment
10 from the last state necessary for three-fourths of the Several
11 States to propose the amendment, the proposed amendment shall be
12 valid to all intents and purposes as a part of this Constitution
13 unless disapproved by two-thirds of both Houses of Congress
14 within that two-year period. Each state shall have the power to
15 rescind its proposal of the amendment only until the beginning of
16 the two-year period.

17 and be it

18 FURTHER RESOLVED that the Alaska State Senate requests the legis-
19 latures of the Several States to apply to the Congress for the proposal of
20 this amendment to the Constitution of the United States.

21 COPIES of this resolution shall be sent to the Honorable Dan Quayle,
22 Vice-President of the United States and President of the U.S. Senate; the
23 Honorable Thomas S. Foley, Speaker of the U.S. House of Representatives; to
24 the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators,
25 and the Honorable Don Young, U.S. Representative, members of the Alaska
26 delegation in Congress; and to the legislatures of the Several States.

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