

SCR

4

<TARGET><BILL>SCR 4</BILL><SUBJECT>SCR
4</SUBJECT><COMM>SJUD29</COMM></TARGET>

SENATE COMMITTEE REPORT

DATE: 3/27/15

FURTHER: Finance

DATE TURNED IN TO OFFICE: 2/9/16

Judiciary Committee considered SENATE CONCURRENT RESOLUTION NO. 4

SCR 4 US COUNTERMAND CONVENTION DELEGATES

Relating to the duties of delegates selected by the legislature to attend a convention of the states called under art. V, Constitution of the United States, to consider a countermand amendment to the Constitution of the United States; establishing as a joint committee of the legislature the Delegate Credential Committee and relating to the duties of the committee; providing for an oath for delegates and alternates to a countermand amendment convention; providing for a chair and assistant chair of the state's countermand amendment delegation; providing for the duties of the chair and assistant chair; providing instructions for the selection of a convention president; and providing specific language for the countermand amendment on which the state's convention delegates are authorized by the legislature to vote to approve.

and recommends:

be replaced with CS 2012 4 (JUD) Same Title New Title

adopt previous CS _____ (_____) Same Title New Title

attached amendment(s)

adopt _____ Letter of Intent

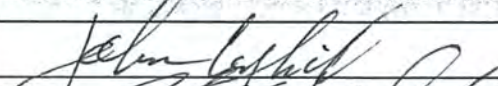
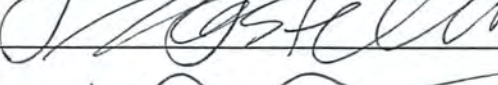
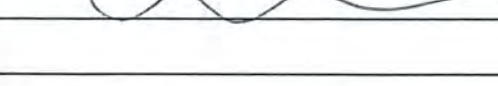
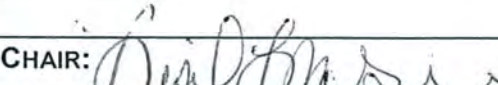
further referral to _____ Committee

Dept Abbr.	
ADM	LWF
CED	LAW
COR	LEG
EED	MVA
DEC	DNR
DFG	DPS
GOV	REV
DHS	DOT
AJS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #
<u>LEG</u>		<input checked="" type="checkbox"/>		

PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	No REC	AMEND
	Coghlin	<input checked="" type="checkbox"/>			
	COSTELLO	<input checked="" type="checkbox"/>			
	Wielechowski		<input checked="" type="checkbox"/>		
CHAIR: 	MCGILKE	<input checked="" type="checkbox"/>			

CS FOR SENATE JOINT RESOLUTION NO. 15(JUD)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered:
Referred:

Sponsor(s): SENATORS STOLTZE, Dunleavy, Kelly, McGuire, Coghill, Giessel, Huggins

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

12 **WHEREAS** the United States Congress has, at times, exceeded its delegated powers,
13 the President of the United States has, at times, exceeded the constitutional authority of the
14 office of the President of the United States, and the federal courts have, at times, exceeded
15 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.

ALASKA STATE LEGISLATURE



Chair:
Senate State Affairs Committee

Member:
Resources Committee
Health & Social Services Committee
Finance Subcommittees on:
 Department of Fish and Game
 Department of Administration
 Department of Commerce,
Community and Economic
Development

BILL STOLTZE
STATE SENATOR
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Toll Free: 1-866-465-4958

MEMORANDUM

Date: March 27, 2015

To: Senator Lesil McGuire
Chair, Senate Judiciary Committee

From: Senator Bill Stoltze *Bill Stoltze*

Subject: SCR 4 - Hearing Request

I respectfully request that **SCR 4 "US Countermand Delegates"** be scheduled in the Senate Judiciary Committee at your earliest convenience.

Attached you will find:

- SCR 4 version A
- Sponsor Statement
- Sectional Summary by Legislative Legal
- Fiscal Note LEG-SESS 3-16-15
- Supporting Documents:
 - Email Mike Coons 3-25-15
 - Letter Citizens Initiatives (Charles Kacprowicz)

Please contact Oren Brown, 465-4958, in my office for further information.

ALASKA STATE LEGISLATURE



Chair:
Senate State Affairs Committee

Member:
Resources Committee
Health & Social Services Committee
Finance Subcommittees on:
Department of Fish and Game
Department of Administration
Department of Public Safety

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Sponsor Statement for *Senate Joint Resolution 15 and Senate Concurrent Resolution 4*

Recent actions taken by the Federal Government constitute an unprecedented level of overreach in Alaska.

SJR 15 and SCR 4 seek to restore the balance of power between the states and federal government. The pair of resolutions would strengthen state sovereignty by providing states with veto (countermand) power over federal decisions deemed not in their best interest by establishing an amendment to the U.S. Constitution. These two resolutions in tandem are intended to start the process of amending the US Constitution via the powers granted in Article V.

SJR 15 (The Application) provides Alaska's call to Congress for a clearly defined, single-issue Countermand Amendment Convention. The Countermand Amendment to the United States Constitution, when ratified, will allow states to propose Countermand Initiatives, which upon approval by three-fifths of the state legislatures, will repeal any federal statute, executive order, judicial decision, or regulatory decision listed in the Initiative.

SCR 4 (The Delegate Resolution) enables the state legislature to institute parameters for the convention, ensuring that a "runaway convention" is not possible, and provides for a productive, safe and timely process. The Delegate Resolution establishes a Credential Committee for selection of delegates to the convention, and outlines the duties of the delegates. SCR 4 also includes the language of the proposed Countermand Amendment to the U.S. Constitution.

These two resolutions do not pertain to a conservative versus liberal agenda; this is a state versus federal issue. Passage of these resolutions is an actionable step the Legislature can take toward restoration of the proper balance of state and federal powers.

DISTRICT F

BUTTE • CHUGIAK • EKLUTNA • FAIRVIEW LOOP • GREATER PALMER
KNIK RIVER ROAD • LAZY MOUNTAIN • GATEWAY • PETERS CREEK

ALASKA STATE LEGISLATURE



Chair:
Senate State Affairs Committee

Member:
Resources Committee
Health & Social Services Committee

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BILL STOLTZE

STATE SENATOR

Senator.Bill.Stoltze@akleg.gov

SCR4

Section Analysis

Section	Action	Comments
Resolve 1 Pg 2 Ln 26	Authorizes the legislature to appoint and summon delegates for the amendment convention.	
Resolve 2 Pg 2, Ln 29	Gives the legislature authority to decide the qualifications and total number of delegates to send to the convention.	
Resolve 3 Pg 3, Ln 1	Gives the legislature the ability to add or remove delegates and	
Resolve 4 Pg. 3, Ln 6	Provides parameters and instructions for state's delegates at the convention.	Prohibits delegates from voting for any other amendments, outside of the countermand amendment, at the convention.
Resolve 5 Pg 3, Ln 13	Reserves the countermand amendment as the only amendment for consideration for ratification by the legislatures.	
Resolve 6 Pg 3, Ln 15	Upon a call for convention by 34 states, this resolve allows for establishing of the Delegate Credential Committee within the Alaska Legislature, with duties listed in section A.	Speaker of the House shall appoint three members from the House, one being a minority caucus member. The President of the Senate shall appoint three members of the Senate, one being a minority caucus member.
Resolve 7 Pg 3, Ln 24	Provides for replacement procedure for members of the Delegate Credential Committee.	
Resolve 8	Allows for selection of co-chairs of the Delegate	One co-chair from the House, one from

Pg 3, In 26	Credential Committee	the Senate. Along with staff assignments for committee support.
Resolve 9 Pg 3, In 30	Establishes when Delegate Credential Committee can meet.	
Resolve 10 Pg 4, In 1	Acknowledges that the Delegate Credential Committee will continue until the first day of the Thirtieth Alaska State Legislature.	
Resolve 11 Pg 4, In 3	Requests that the Delegate Credential Committee be considered for reestablishment during the Thirtieth Alaska Legislature.	
Resolve 12 Pg 4, In 6	Provides for removal and replacement procedure for members of the Delegate Credential Committee	Members are removed or replaced by the presiding officer that appointed them.
Resolve 13 Section A. Pg 4, In 17	Provides the duties of the Delegate Credential Committee.	Majority vote on decisions, official facilitator for the legislature, appointment of delegates, provide a committee report on selected delegates, appointing chair and assistant chair of delegation, properly vet and confirm delegates, issue convention passes to delegates, notify legislature of financial needs at the convention, administer oaths to the delegates, alternates, chair and assistant chair, monitor activities of Alaska's delegation, submit quarterly reports to the legislature on events, progress, and recommendations for the convention, authority to recommend removal of a delegate or alternate for approval by the legislature.
Resolve 13 Section B Pg 6, In 11	Provides for the duties of the chair of Alaska's state delegation and the president of the convention,	Chair is responsible for communicating with other state delegations to open convention for business; identifying other legislatures that have approved a delegate resolution; build consensus with at least 26 state delegations to require that each state delegation at the convention has only one vote; require a simple majority vote at all roll calls; nominate convention officials; require a quorum of 26 state to conduct business; build a consensus of at least 26 states to support sending the countermand amendment for ratification; work to conclude convention in 21 days, or no longer than 180 days; nominate a candidate for convention president from Alaska's delegation, or work to elect a president

		from a delegate resolution state;
Resolve 13 Section B, J Pg 7, ln 31	Under duties of the Alaska delegation chair, includes supporting the following duties of the convention president.	Convention president duties include: securing a vote for this delegate resolution to be the rules of order at the convention; focus on the purpose of sending the countermand amendment for ratification by the states; request security measures as needed; oversee installment of officers at the convention; establish convention agenda; provide equal time for floor discussion for all states; to prohibit introduction of any subject other than the countermand amendment; call for a vote for sending countermand amendment to the states; report to 50 state legislatures, and the media on convention progress; provide formal requests, when needed, to states for money that will be needed to carry on business; oppose any effort to delay or modify the countermand amendment vote; oppose any effort by states to offer amendments other than the countermand amendment
Resolve 13 Section C Pg 10, ln 3	Addresses duties and responsibilities of convention delegates.	Delegate duties include: comply with directives in this resolution; follow instructions of the chair and assistant chair of Alaska's delegation; be present to vote at all roll calls; attend all assigned sessions at the convention; report to the delegation chair the number of states in favor of the countermand amendment; recommend strategies to help join 26 states in favor of the countermand amendment
Resolve 13 Section D Pg 11, Ln 1	Addresses duties and responsibilities of convention delegate alternates.	
Resolve 13 Section E Pg 11, Ln 8	Provides the text for the countermand amendment to the United States Constitution.	

Fiscal Note

State of Alaska
2015 Legislative Session

Bill Version: SCR 4
Fiscal Note Number: _____
() Publish Date: _____

Identifier: SCR4-LEG-SESS-03-16-15
Title: US COUNTERMAND CONVENTION DELEGATES
Sponsor: STOLTZE
Requester: Senate State Affairs

Department:
Appropriation:
Allocation:
OMB Component Number: 0

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2016 Appropriation Requested	Included in Governor's FY2016 Request	Out-Year Cost Estimates				
			FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
OPERATING EXPENDITURES	FY 2016	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None							
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time							
Part-time							
Temporary							

Change in Revenues							
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Estimated SUPPLEMENTAL (FY2015) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2016) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency?
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Initial Version. One Page, Zero Note.

Prepared By: Jessica Geary, Finance Manager
Division: Legislative Affairs Agency
Approved By: Pam Varni, Executive Director
Agency: Legislative Affairs Agency

Phone: (907)465-6626
Date: 03/16/2015 11:07 AM
Date: 03/16/2015

Daniel George

Subject: HCR 4 comment Add to SCR 4

From: Mike Coons [mailto:mcoons@mtaonline.net]
Sent: Wednesday, March 25, 2015 2:38 PM
To: Oren Brown
Subject: HCR 4 comment Add to SCR 4

This is my testimony to the House State Affairs re: HCR4, companion bill to SCR 4

My name is Mike Coons, National Director for Citizen Initiatives.

Assistant Attorney General Mike Shechter in his opinions last Tuesday made comments that need to be corrected.

1.He kept calling Article V (pertaining to the States) a Constitutional Convention. This is not a Constitutional Convention, it is an amendment convention and to continue calling it a Constitutional Convention is one of the many reasons the John Birch and Eagle Forum has been so vocal and effective. The only Constitutional Convention was in 1787 whereby Article V was put into the Constitution for purposes of amending the Constitution either by the Congress or the States.

2.For clarification he stated that Article V, Congress, has been used 27 times. Actually the number is closer to 100. Reason this is significant is that the States rejected all but 27 proposed Amendments, which is why we put such an emphasis on State Legislature sovereignty in this process.

3.He talked about concerns if States can limit to a single amendment.
Article V is about the right of States to propose amendments. That means 1 or more.

4.He further commented that this has never been acted upon by the courts or Congress and that the Dept of Law didn't know how the question of a convention will be received. The courts have nothing to do with the convening of or running the convention. The Congress has only three duties; 1. Keep count of applications per subject matter; 2. Convene a convention upon 34 States making the same application and 3. receive and send proposed amendment for ratification to the 50 States.

5.Mr Shechter stated: "Once called a convention creates it's own rules and they can consider any amendments it may choose to is also an equally valid theory". This is why the Delegate Resolution, HCR 4 is so important! When 26 or more States, a majority, pass this, along with the embedded Countermand Amendment language, there is no option for the several States at the convention to create it's own rules or to bring up other amendments.

Of the two resolutions before you, HCR 4 is the most important. The safety and efficiency of the convention is assured with 26 or more States adopting the rules for the convention prior to the convening of the convention.

Mike Coons
National Director Citizen Initiatives

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Using Opera's mail client: <http://www.opera.com/mail/>

Citizen INITIATIVES

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'Single Issue' Article V Countermand Amendment Convention

August 30, 2014

The Honorable State Legislator
Senator

Subject: Bi-partisan – Article V Countermand Amendment Convention – Making the States partners in government, not subjects to Federal mandates.

The Honorable State Senator:

What State Legislatures must retain is their Constitutional sovereign authority under Article V. If this nation has any hope of restoring our Republic, then State Legislatures must not allow Congress, the Courts, Executive Branch, delegates sent a Convention, or State Governors define their Article V sovereignty for them. Presently Article V groups are proposing convening a Convention for the Balanced Budget Amendment, the Convention of States, Compact for America, Term Limits, etc. They are all bent on finding political solutions with the Federal government. Citizen Initiatives is opposed to these compromises. We see the battle for our Constitutional Republic as a matter of State Legislative sovereignty under Article V. Sovereignty trumps political and legal precedence. When the Legislatures amend the Constitution through the Convention process, all branches of the government are subject to the Amendment's provisions. To argue that the State Legislatures can exercise their Article V authority only if the Federal government approves their *Applications* and deliberations at a *Convention* is absurd. In such a case the Article V process would be meaningless to the States. As long as the *Application* on Congress is for a Single Issue Amendment Convention, Congress will have no justification for refusing to convene the Convention.

In all the confusion and debate about Article V Conventions over the last several months, it will be easy for legislators to confuse the authority they have to make an *Application* directing Congress to convene a Convention, with the authority they have to control the deliberations at a Convention. **This is not a subtle point.** If the Legislatures allow delegates they send to a Convention to function as free agents and not Ambassadors, then they will have surrendered at least part of their sovereign authority to delegates and the Convention process will be forever mired in politics. For the first time since the Constitutional Convention, States have an opportunity to be respected partners in government, not subjects to Federal mandates. When Legislatures adopt the *Single Issue Amendment* process, the Convention will be safe, quick (maybe only one week) and successful. Legislatures alone have authority to control the *Amendment* process through to *Ratification*. Their sovereignty has been passed down to them from the Articles of Confederation through Article V in the United States Constitution. **It must not be abdicated.** State Legislatures are the final arbiters in all Constitutional matters.

Citizen Initiatives has been the leading authority on Article V *Amendments* through Congress and Conventions for 40 years. We are presently partnering with legislators in many State Legislatures to secure a Call for the *Single Issue Countermand Amendment Convention*. At this time there are 5 States with one or more sponsors directing Congress to convene the Article V Single Issue Countermand Amendment Convention. At least another 7 States are reviewing with interest the "Application". Individual Countermand Initiatives by the States could be starting by mid 2016. The *Amendment* restores sovereignty in the States by empowering Legislatures to *Countermand* any law or regulatory ruling that is burdensome to the States, their citizens, businesses or Industries. When 30 States exercise their *Countermands*, the law or ruling is rescinded. The Federal government will then have to decide if it wants to rewrite the law in a way more amenable to the States, or abandon it. The government will also have to consider that any rewrite can also be Countermanded. Most important is the empowerment clause in Section 5, 6. The States can prosecute intentional violators of the *Amendment* in the absence of Federal prosecution. Key sections of the *Countermand Amendment* follow:

Section 1. The Article restores State sovereignty in our Constitutional Republic by providing State Legislatures Countermand authority.

Section 2. State Legislatures in the several States shall have the authority to Countermand and rescind any Congressional Statute, Judicial decision, Executive Order, Treaty, government agency's regulatory ruling, or any other government or non-government mandate (including excessive spending and credit) imposed on them when in the opinion of 60 percent of State Legislatures the law or ruling adversely affects their States' interest. When the Countermand threshold has been reached, the law or ruling shall be immediately and automatically nullified and repealed. This Countermand authority shall also apply to existing laws and rulings.

Section 5. Any elected or non-elected government official, or any non-government individual or organization, who intentionally obstructs or prevents the implementation of any provision in this Article shall have committed a criminal offense and shall be subject to impeachment (when applicable) and criminal prosecution and upon conviction serve up to five years in prison.

Section 6. Individual States shall have authority to prosecute violators of this Article under State laws in the absence of Federal prosecution after 90 days from the date of the alleged violation. . .

We are asking you to sponsor the *Application* directing Congress to convene the *Countermand Amendment Convention* in your Legislature. Also, we are requesting that you sponsor the Delegate Resolution and text for the Countermand Amendment which is included in the Delegate Resolution.

When 34 Legislatures complete their *Applications* it automatically becomes a mandate on Congress to convene the Convention. Because the States making *Applications* for the *Single Issue Countermand Amendment Convention* will use the same *Application* on Congress with the same title and instructions, Congress will be required to convene the Convention. If Congress delays then the States, having met their obligations under Article V, will be Constitutionally authorized to convene the Convention on their own. After all, it was the State Legislatures who authorized the delegates at the Constitutional Convention to include the Article V process for proposing Amendments. Their primary concern was protecting the sovereignty of State Legislatures.

Comments made at the time the Constitution was adopted indicate that it was understood when the Constitution was drafted that Congress would have no discretion.

In *The Federalist*, Alexander Hamilton stated that when the proper number of applications had been received, Congress was "obliged" to call a convention and that "nothing is left to the discretion of Congress. James Madison also affirmed Hamilton's contention that Congress was obligated to call a convention when the requisite number of states requested it. In the North Carolina debates about ratifying the Constitution, James Iredell, who subsequently became one of the founding members of the Supreme Court, stated that when two-thirds of states have applied to Congress for a convention, Congress is "under the necessity of convening one" and that they have "no option." (Source: <http://en.wikipedia.org/>)

The purpose of Article V is to empower the Legislatures to address egregious wrongs suffered by the States and their citizens in the absence of Federal remedies. That sovereign authority is retained by our Legislatures today in Article V. In 1787 the Legislatures wanted a perpetual Constitution, but recognized the need future Legislatures would have to amend it. Under the Articles of Confederation a unanimous vote was needed to amend the Articles which meant that one State could hold the other 12 hostage. This almost cost us the Revolutionary War. The Founders found the solution to both States sovereignty and the legitimate role of the Federal government in Article V by requiring three quarters of the State Legislatures to ratify amendments to the new Constitution.

The Countermand Amendment will enable States to define their un-enumerated Rights in the 9th and 10th Amendment. In fact, the Amendment will allow the States to define issues that they would otherwise want to nullify without the risk of violence. Once a law or ruling is Countermanded it is automatically rescinded. Individual States, however, would still be able to employ nullifications on issues important to them independent of the Amendment.

There is a *Delegate Resolution* associated with the *Application* and it needs to pass as a separate Resolution in your Legislature. It should not to be sent to Congress with your *Application*. The *Delegate Resolution* is a contract between your Legislature and the delegates you send to the Convention. The *Delegate Resolution* instructs delegates on how to: 1) open the Convention; 2) organize the Convention; 3) require Article IV, 4 guarantees giving each State Delegation one vote at the Convention; 4) require a simple majority vote on all roll calls; 5) vote on the pre-approved *Amendment* text at the Convention; and more. When 26 or more State Legislatures pass the same or similar *Delegate Resolution* a successful outcome at the Convention is assured. Because it is not an Interstate Agreement, it won't violate prohibitions in Article I, Section 10 that require Congressional approval before States can enter into Interstate Compacts. To assure that the Legislatures' pre-approved text for the *Countermand Amendment* will be approved by the State Delegations, the *Delegate Resolution* is imperative.

State Legislatures are the sovereign deliberative body to decide these matters, not the delegates sent to an Article V Convention. There can be multiple *Single Issue Amendment Convention Applications* for different grievances advancing at the same time. Each one will have its own Convention requiring an *Application*, pre-approved *Amendment* and *Delegate Resolution*. It is not necessary to secure the Governor's signature for approval of the *Application* or *Delegate Resolution* because he has no Constitutional authority under Article V:

1. COUNTERMAND AMENDMENT <https://www.countermands.us/countermand-amendment.html>;
2. APPLICATION <https://www.countermands.us/countermand-application-on-congress.html>;
3. DELEGATE RESOLUTION <https://www.countermands.us/countermand-delegate-resolution.html>.

Resolutions addressing any issues relating to an Article V Convention fall under the authority of State Legislatures alone. Retaining that sovereign authority in State Legislatures is critical. Separate legislation ad-

addressing criminal penalties for violators of the provisions of the *Countermand Amendment* would, of course, need your Governor's signature.

The *Countermand Amendment* is advancing in State Legislatures and is expected to receive 34 or more *Applications* by the middle of 2015. Because the Convention is for a Single Amendment with a pre-approved *Amendment* text in the *Delegate Resolution*, it is anticipated that 38 ratifications could be secured by early 2016.

Citizen Initiatives is serving as the Facilitator for State Legislatures and will be working hard to achieve ratification as soon as possible. If you would have interest in joining our *Single Issue Amendment Planning Committee*, please advise. The purpose of this Committee is to evaluate and approve Single Issue Amendments and Countermand Initiatives that should be advanced in the States.

Please support this bi-partisan *Amendment*. Use the links above for copies of each document. Once the *Amendment* is ratified the **States will be recognized as partners in government, not subjects**. Citizen Initiatives will be monitoring each step in the Article V process and reporting back to you the results in the States and in Congress. This is truly a joint initiative for both the States and their citizens. **The Countermand Amendment is simply too important to the States to be ignored. Let's work together and amend the U.S. Constitution with the Countermand Amendment as quickly as possible.**

Finally, Citizen Initiatives produces a weekly national radio program called "**State Legislators Round Table**". The program allows State legislators to discuss issues of importance to them and their constituents. Each State Legislature is assigned an evening that centers around issues important to their State. This is not a gotcha format. We require civility and mutual respect by members of the Round Table and listeners who call in. During a recent broadcast we had over 50,000 listeners on our network, plus 55 affiliated radio stations around the country rebroadcasting the program live into their local markets. We would be honored if you would be our Special Guest during one of these Round Table broadcasts. For the dates assigned to each of the 50 States go to

http://citizeninitiatives.org/Broadcast_Schedule/Legislator_Broadcast_Dates.pdf . We included suggested topics for each date, although, legislators are free to present and discuss other subjects of importance to them. Each weekly broadcast is on a Tuesday night. The first hour starts at 8:00 PM EST, the second at 9:00 PM EST and the third hour at 10:00 PM EST. You can confirm your State's date by calling me at (828) 783 0599 cell or by confirming your acceptance in an email to: director@countermands.us.

Yours respectfully,



Charles Kacprowicz,
National Executive Director

Countermand Amendment video for State Legislators: <http://youtu.be/4lqtADyUs14>

Sovereignty Amendment: <https://www.countermands.us/sovereignty-amendment.html> (To be announced soon.)