

## A RESOLUTION

urging the United States Congress, pursuant to Article V of the United States Constitution, to call a Convention for the purpose of proposing amendments to the Constitution of the United States

Whereas, the constitutional right to abortion has been under assault by the federal Congress and presidency; and

Whereas, several presidential elections have resulted in the victor not commanding the confidence of the majority of the nation;

Be it enacted by the Assembly of Atlantic:

### **SECTION I. SHORT TITLE**

A. This resolution may be referred to as the Convention of the States Resolution.

### **SEC. II. TRANSMISSION**

- A. The Governor shall, as soon as is practical, transmit the following request to the United States Secretary of State, the Speaker of the House of Representatives, and the President pro tempore of the United States Senate;
  - a. The State of Atlantic requests a Convention of the States, pursuant to Article V of the Constitution.
  - b. The State joins in the applications of the States of Chesapeake, Dixie, and Lincoln, and requests these identical applications to be conjoined. This application is operable only for the purposes expressed herein.
  - c. The Legislature adopts this application expressly subject to the following reservations, understandings and declarations—
    - i. An application to the Congress of the United States to call an Amendment Convention of the States pursuant to Article V of the United States Constitution confers no power to Congress other than the power to call such a Convention. The power of Congress to exercise this ministerial duty consists solely of the authority to name a reasonable time and place for the initial meeting of a Convention;
    - ii. Congress shall perform its ministerial duty of calling an Amendment Convention of the States only upon the receipt of applications for an Amendment Convention for the substantially same purpose as this application from two-thirds of the legislatures of the several states;
    - iii. Congress does not have the power or authority to determine any rules for the governing of a Convention for proposing amendments called pursuant to Article V of the United States Constitution. Congress does not have the

power to set the number of delegates to be sent by any state to such a Convention, nor does it have the power to name delegates to such a Convention. The power to name delegates remains exclusively within the authority of the legislatures of the several states;

- iv. By definition, an Amendment Convention of the states means that states shall vote on the basis of one state, one vote;
- v. A Convention for proposing amendments convened pursuant to this application shall be limited to consideration of the topics specified herein and no other. This application is made with the express understanding that an amendment that in any way seeks to amend, modify or repeal any provision of the Bill of Rights shall not be authorized for consideration at any stage. This application shall be void if ever used at any stage to consider any change to any provision of the Bill of Rights;
- vi. Pursuant to Article V of the United States Constitution, Congress may determine whether proposed amendments shall be ratified by the legislatures of the several states or by special state ratification conventions. The Legislature recommends that Congress select ratification by the legislatures of the several states; and
- vii. The Legislature may provide further instructions to its delegates and may recall its delegates at any time for a breach of a duty or a violation of the instructions provided

Authored and Sponsored by Zairn