Chapter No. 2144
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SENATE CONCURRENT RESOLUTION No. 596

Originated in Senate Liz Welch Secretary

SENATE CONCURRENT RESOLUTION NO. 596

A CONCURRENT RESOLUTION APPLYING TO THE CONGRESS OF THE UNITED STATES TO CALL AN AMENDMENT CONVENTION OF THE STATES PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION.

WHEREAS, the Founders of the United States Constitution empowered state legislators to be guardians of liberty against excessive use of power by the federal government; and

WHEREAS, the federal government has created a crushing national debt through improper and imprudent spending; and

WHEREAS, the federal government has ceased to operate under a proper interpretation of the United States Constitution; and

WHEREAS, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

WHEREAS, it is the solemn duty of the states to protect the liberty of our people, particularly for the generations to come, by proposing amendments to the United States Constitution through a Convention of the States under Article V for the purpose of restraining these and related abuses of power; NOW, THEREFORE,

BE IT RESOLVED BY THE SENATE OF THE STATE OF MISSISSIPPI, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

SECTION 1. That pursuant to Article V of the Constitution of the United States, the Legislature of the State of Mississippi joins in the applications of the States of Georgia (SR 736, 2014), Florida (SM 476, 2014), Alaska (HJR 22, 2014), Alabama (HJR 112, 2015), Tennessee (SJR 67, 2016), Indiana (SJR 14, 2016), Oklahoma (SJR 4, 2016), Louisiana (SCR 52, 2016), Texas (SJR 2, 2017), Missouri (SCR 4, 2017), North Dakota (HCR 3006, 2017), Arizona (HCR 2010, 2017), and Arkansas (SJR 3, 2019) to call a Convention for the specific and exclusive purpose of proposing amendments to the Constitution of the United States limited to the purposes stated in those applications; provided, however, that the commissioners from Mississippi to the Convention are expressly limited to consideration and support of amendments that impose fiscal restraints on the federal government, and amendments that limit the power and jurisdiction of the federal government, and no amendments on any other topic whatsoever. The Mississippi delegates are hereby instructed not to support term limits for members of Congress.

SECTION 2. It is the express intention of the Mississippi Legislature that this application is to be aggregated with the applications of the above-mentioned states and with subsequent applications of other states limited to the purposes identified in

this application and in those applications of the above-mentioned states.

SECTION 3. The Legislature of Mississippi adopts this application expressly subject to the following reservations, understandings and declarations:

(a) 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;

(b) 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;

(c) 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;

(d) By definition, an Amendment Convention of the States means that states shall vote on the basis of one state, one vote;

(e) 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;

(f) 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 of Mississippi recommends that Congress select ratification by the legislatures of the several states; and

(g) The Legislature of Mississippi 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.

SECTION 4. The Secretary of State is hereby directed to transmit copies of this application to the President and Secretary of the United States Senate and to the Speaker and Clerk of the United States House of Representatives, and

copies to the members of the said Senate and House of Representatives from this state; also to transmit copies hereof to the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

SECTION 5. This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject, or until the Mississippi Legislature acts to withdraw this application.

ADOPTED BY THE SENATE
March 21, 2019

Tate Reeves

PRESIDENT OF THE SENATE

ADOPTED BY THE HOUSE OF REPRESENTATIVES
March 27, 2019

Philip Gunn

SPEAKER OF THE HOUSE OF REPRESENTATIVES