

By: Representatives Eubanks, Aguirre,
 Arnold, Barnett, Boyd, Brown, Busby, Byrd,
 Carpenter, Chism, Crawford, Criswell, Currie,
 Foster, Gipson, Guice, Hale, Haney, Henley,
 Hopkins, Horne, Johnson (87th), Lamar,
 McNeal, Mettetal, Oliver, Patterson, Rogers (14th), Rogers (61st),
 Rushing, Sanford, Scoggin, Shirley, Staples, Steverson, Touchstone,
 Tullos, Weathersby, Wilkes, Wilson, Zuber, Ford, DeLano, Mangold,
 Pigott

To: Rules

HOUSE CONCURRENT RESOLUTION NO. 56

1 A CONCURRENT RESOLUTION APPLYING TO THE UNITED STATES
 2 CONGRESS TO CALL A CONVENTION OF THE STATES UNDER THE PROVISIONS
 3 OF ARTICLE V OF THE UNITED STATES CONSTITUTION FOR THE PURPOSE OF
 4 PROPOSING AMENDMENTS LIMITED TO IMPOSING FISCAL RESTRAINTS ON THE
 5 FEDERAL GOVERNMENT AND LIMITING THE POWER AND JURISDICTION OF THE
 6 FEDERAL GOVERNMENT; AND FOR RELATED PURPOSES.

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

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

12 WHEREAS, ceasing to live under a proper interpretation of the
 13 United States Constitution, the federal government has invaded the
 14 legitimate roles of the states through the manipulative process of
 15 federal mandates, most of which are unfunded to a great extent;
 16 and

17 WHEREAS, it is the solemn duty of the states to protect the
 18 liberty of the people, particularly for the generations to come,
 19 by proposing amendments to the United States Constitution through



20 a convention of the states under Article V for the purpose of
21 restraining these and related abuses of power:

22 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
23 REPRESENTATIVES OF THE STATE OF MISSISSIPPI, THE SENATE CONCURRING
24 THEREIN, That the Legislature of the State of Mississippi applies
25 to Congress, under the provisions of Article V of the United
26 States Constitution, to call a convention of the states, limited
27 to proposing an amendment to the United States Constitution to
28 impose fiscal restraints on the federal government and limit the
29 federal government's power and jurisdiction.

30 BE IT FURTHER RESOLVED, That copies of this application shall
31 be transmitted by the Secretary of State to the President and
32 Secretary of the United States Senate, to the Speaker and Clerk of
33 the United States House of Representatives, to members of the
34 Mississippi congressional delegation and to the presiding officers
35 of each house of the several state legislatures, requesting their
36 cooperation in applying for the convention, limited to the subject
37 matter contemplated by this application.

38 BE IT FURTHER RESOLVED, Under Article V of the United States
39 Constitution, the Legislature of the State of Mississippi joins in
40 the applications of the states of Georgia (SR 736, 2014), Florida
41 (SM 476, 2014), Alaska (HJR 22, 2014), Alabama (HJR 112, 2015),
42 Tennessee (SJ 67, 2016), Indiana (SJR 14, 2016), Oklahoma (SJR 4,
43 2016) and Louisiana (SCR 52, 2016), to call a convention for the
44 specific and exclusive purpose of proposing amendments to the



45 United States Constitution limited to the purposes stated in those
46 applications; however, the commissioners from Mississippi to the
47 convention are expressly limited to consideration and support of
48 amendments that impose fiscal restraints on the federal
49 government, and amendments that limit the power and jurisdiction
50 of the federal government, and no amendments on any other topic
51 whatsoever.

52 BE IT FURTHER RESOLVED, It is the express intention of the
53 Mississippi Legislature that this application is to be aggregated
54 with the applications of the above-mentioned states and with
55 subsequent applications of other states limited to the purposes
56 identified in this application and in those applications of the
57 above-mentioned states.

58 BE IT FURTHER RESOLVED, That the Mississippi Legislature
59 adopts this application expressly subject to the following
60 reservations, understandings and declarations:

61 (a) An application to the United States Congress to
62 call a convention of the states under Article V of the United
63 States Constitution confers no power to Congress other than the
64 power to call such a convention. The power of Congress to
65 exercise this ministerial duty consists solely of the authority to
66 name a reasonable time and place for the initial meeting of a
67 convention;

68 (b) Congress shall perform its ministerial duty of
69 calling a convention of the states only upon receipt of



70 applications for a convention for the substantially same purpose
71 as this application from two-thirds (2/3) of the legislatures of
72 the several states;

73 (c) Congress does not have the power or authority to
74 determine any rules for the governing of a convention for
75 proposing amendments called under Article V of the United States
76 Constitution. Congress does not have the power to set the number
77 of delegates to be sent by any state to such a convention, nor
78 does it have the power to name delegates to such a convention.
79 The power to name delegates remains exclusively within the
80 authority of the legislatures of the several states;

81 (d) By definition, a convention of the states means
82 that the states shall vote on the basis of one state, one vote;

83 (e) A convention for proposing amendments convened
84 under this application shall be limited to consideration of the
85 topics specified in this application and no other. This
86 application is made with the express understanding that an
87 amendment that in any way seeks to amend, modify or repeal any
88 provision of the Bill of Rights shall not be authorized for
89 consideration at any stage. This application shall be void if
90 ever used at any stage to consider any change to any provision of
91 the Bill of Rights;

92 (f) Under Article V of the United States Constitution,
93 Congress may determine whether proposed amendments shall be
94 ratified by the legislatures of the several states or by special



95 state ratification conventions. The Mississippi Legislature
96 recommends that Congress select ratification by the legislatures
97 of the several states; and

98 (g) The Mississippi Legislature may provide further
99 instructions to its delegates and may recall its delegates at any
100 time for a breach of a duty or a violation of the instructions
101 provided.

102 BE IT FURTHER RESOLVED, That this application constitutes a
103 continuing application in accordance with Article V of the
104 Constitution of the United States until the legislatures of at
105 least two-thirds (2/3) the several states have made applications
106 on the same subject, or until the Mississippi Legislature acts to
107 withdraw this application. This application further supersedes
108 all previous applications by this Legislature on the same subject.

