

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

COMMITTEE SUBSTITUTE
 FOR
 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.

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

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

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

14 WHEREAS, it is the solemn duty of the states to protect the
 15 liberty of the people, particularly for the generations to come,
 16 by proposing amendments to the United States Constitution through
 17 a convention of the states under Article V for the purpose of
 18 restraining these and related abuses of power:



19 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
20 REPRESENTATIVES OF THE STATE OF MISSISSIPPI, THE SENATE CONCURRING
21 THEREIN, That copies of this application shall be transmitted by
22 the Secretary of State to the President and Secretary of the
23 United States Senate, to the Speaker and Clerk of the United
24 States House of Representatives, to members of the Mississippi
25 congressional delegation and to the presiding officers of each
26 house of the several state legislatures, requesting their
27 cooperation in applying for the convention, limited to the subject
28 matter contemplated by this application.

29 BE IT FURTHER RESOLVED, Under Article V of the United States
30 Constitution, the Legislature of the State of Mississippi joins in
31 the applications of the states of Georgia (SR 736, 2014), Florida
32 (SM 476, 2014), Alaska (HJR 22, 2014), Alabama (HJR 112, 2015),
33 Tennessee (SJ 67, 2016), Indiana (SJR 14, 2016), Oklahoma (SJR 4,
34 2016) and Louisiana (SCR 52, 2016), to call a convention for the
35 specific and exclusive purpose of proposing amendments to the
36 United States Constitution limited to the purposes stated in those
37 applications; however, the commissioners from Mississippi to the
38 convention are expressly limited to consideration and support of
39 amendments that impose fiscal restraints on the federal
40 government, and amendments that limit the power and jurisdiction
41 of the federal government, and no amendments on any other topic
42 whatsoever.



43 BE IT FURTHER RESOLVED, It is the express intention of the
44 Mississippi Legislature that this application is to be aggregated
45 with the applications of the above-mentioned states and with
46 subsequent applications of other states limited to the purposes
47 identified in this application and in those applications of the
48 above-mentioned states.

49 BE IT FURTHER RESOLVED, That the Mississippi Legislature
50 adopts this application expressly subject to the following
51 reservations, understandings and declarations:

52 (a) An application to the United States Congress to
53 call a convention of the states under Article V of the United
54 States Constitution confers no power to Congress other than the
55 power to call such a convention. The power of Congress to
56 exercise this ministerial duty consists solely of the authority to
57 name a reasonable time and place for the initial meeting of a
58 convention;

59 (b) Congress shall perform its ministerial duty of
60 calling a convention of the states only upon receipt of
61 applications for a convention for the substantially same purpose
62 as this application from two-thirds (2/3) of the legislatures of
63 the several states;

64 (c) Congress does not have the power or authority to
65 determine any rules for the governing of a convention for
66 proposing amendments called under Article V of the United States
67 Constitution. Congress does not have the power to set the number



68 of delegates to be sent by any state to such a convention, nor
69 does it have the power to name delegates to such a convention.
70 The power to name delegates remains exclusively within the
71 authority of the legislatures of the several states;

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

74 (e) A convention for proposing amendments convened
75 under this application shall be limited to consideration of the
76 topics specified in this application and no other. This
77 application is made with the express understanding that an
78 amendment that in any way seeks to amend, modify or repeal any
79 provision of the Bill of Rights shall not be authorized for
80 consideration at any stage. This application shall be void if
81 ever used at any stage to consider any change to any provision of
82 the Bill of Rights;

83 (f) Under Article V of the United States Constitution,
84 Congress may determine whether proposed amendments shall be
85 ratified by the legislatures of the several states or by special
86 state ratification conventions. The Mississippi Legislature
87 recommends that Congress select ratification by the legislatures
88 of the several states; and

89 (g) The Mississippi Legislature may provide further
90 instructions to its delegates and may recall its delegates at any
91 time for a breach of a duty or a violation of the instructions
92 provided.



93 BE IT FURTHER RESOLVED, That this application constitutes a
94 continuing application in accordance with Article V of the
95 Constitution of the United States until the legislatures of at
96 least two-thirds (2/3) the several states have made applications
97 on the same subject, or until the Mississippi Legislature acts to
98 withdraw this application. This application further supersedes
99 all previous applications by this Legislature on the same subject.

