

SENATE CONCURRENT RESOLUTION NO. 4006

Introduced by

Senators O. Larsen, Clemens, Vedaa

Representatives Damschen, McWilliams, Streyle

1 A concurrent resolution making a formal application to Congress to call a countermand
2 amendment convention for the sole purpose of proposing an amendment to the United States
3 Constitution to provide states a process to collectively countermand or repeal any federal law or
4 ruling.

5 **WHEREAS**, Article IV, Section 4, of the United States Constitution guarantees to every
6 state a Republican form of government that gives each state equal standing when calling for an
7 Article V amendment convention; and

8 **WHEREAS**, Article V of the United States Constitution reserves to the state legislatures the
9 right to apply for an amendment convention for the purpose of "proposing Amendments" to the
10 United States Constitution when Congress, the courts, or the executive branch refuse to
11 address an egregious wrong suffered by the people; and

12 **WHEREAS**, the state legislatures alone have the authority to limit the agenda and authority
13 of delegates and alternates they send to a convened Article V convention. This authority does
14 not reside in the United States Congress, nor in the federal or state courts, nor in the federal or
15 state executive branches. This authority resides solely in state legislatures; and

16 **WHEREAS**, the Sixty-fifth Legislative Assembly deems a countermand amendment to the
17 United States Constitution providing a process to repeal any law or ruling to be necessary for
18 the good of the American people; and

19 **WHEREAS**, Congress, under Article V of the United States Constitution, is required to call
20 for an amendment convention as directed and defined by the state legislatures of the several
21 states;

22 **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE**
23 **HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

24 That the Sixty-fifth Legislative Assembly urges the Congress of the United States to call a
25 single issue countermand amendment convention for the purpose of deciding whether the

1 preapproved proposed countermand amendment by the state legislatures should be sent back
2 to the several states for ratification; and

3 **BE IT FURTHER RESOLVED**, that this resolution constitutes a continuing application in
4 accordance with Article V of the United States Constitution until the legislatures of at least
5 two-thirds of the several states have made identical or substantially similar applications; and

6 **BE IT FURTHER RESOLVED**, that Congress call for the convening of the countermand
7 amendment convention within sixty days from the date it receives this same or similar
8 application from two-thirds of the several states; and

9 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution
10 to the President and Secretary of the Senate and the Speaker and Clerk of the House of
11 Representatives of the Congress and to each member of the North Dakota Congressional
12 Delegation, requesting their cooperation.