

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE JOINT RESOLUTION 132

Sponsors: Representatives Jordan, Schaffer, Glazier, and Elmore (Primary Sponsors).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Judiciary I.

March 4, 2015

1 A JOINT RESOLUTION (I) RESCINDING ALL EXTANT APPLICATIONS BY THE
2 GENERAL ASSEMBLY HERETOFORE MADE DURING ANY SESSION THEREOF
3 TO THE CONGRESS OF THE UNITED STATES OF AMERICA TO CALL A
4 CONVENTION PURSUANT TO THE TERMS OF ARTICLE V OF THE UNITED
5 STATES CONSTITUTION FOR PROPOSING ONE OR MORE AMENDMENTS TO
6 THAT CONSTITUTION, (II) URGING THE LEGISLATURES OF OTHER STATES TO
7 DO THE SAME, AND (III) DIRECTING THAT COPIES OF THIS RESOLUTION BE
8 SENT TO SPECIFIED PERSONS.

9 Whereas, the General Assembly, acting with the best of intentions, has, at various
10 times and during various sessions, previously made applications to the Congress of the United
11 States to call one or more conventions to propose either a single amendment concerning a
12 specific subject or to call a general convention to propose an unspecified and unlimited number
13 of amendments to the Constitution of the United States, pursuant to the provisions of Article V
14 of the Constitution of the United States thereof; and

15 Whereas, former Associate Justice of the United States Supreme Court Arthur J.
16 Goldberg and other leading constitutional scholars agree that such a convention may propose
17 sweeping changes to the Constitution, notwithstanding any limitations or restrictions to the
18 contrary purportedly imposed by the states in applying for such a convention or conventions,
19 thereby creating an imminent peril to the well-established rights of the citizens and the duties of
20 various levels of government; and

21 Whereas, the Constitution of the United States has been amended many times in the
22 history of this nation and may be amended many more times without the need to resort to a
23 constitutional convention and has been interpreted for more than two hundred years and has
24 been found to be a sound document which protects the lives and liberties of the citizens; and

25 Whereas, there is no need for, rather there is great danger in, a new constitution or
26 in opening the Constitution to sweeping changes, the adoption of which would only create legal
27 chaos in this nation and only begin the process of another two centuries of litigation over its
28 meaning and interpretation; Now, therefore,

29 Be it resolved by the House of Representatives, the Senate concurring:

30 **SECTION 1.** The General Assembly rescinds all extant applications by the
31 General Assembly to the Congress of the United States to call a convention to propose
32 amendments to the Constitution of the United States, pursuant to the terms of Article V of the
33 Constitution of the United States thereof, regardless of when or by which session of the General
34 Assembly the applications were made and regardless of whether the applications were for a
35 limited convention to propose one or more amendments regarding one or more specific subjects



1 and purposes or for a general convention to propose an unlimited number of amendments upon
2 an unlimited number of subjects.

3 **SECTION 2.** The General Assembly urges the legislatures of every state that has
4 applied to Congress to call a convention for either a general or a limited constitutional
5 convention to repeal and withdraw the applications.

6 **SECTION 3.** The Secretary of State shall send a certified copy of this resolution to
7 the secretary of state of each state, to the presiding officers of both houses of the legislatures of
8 each state, to the Secretary of the United States Senate, to the Clerk of the United States House
9 of Representatives, to the members of Congress of the United States representing this State, and
10 to the Administrator of the U.S. General Services Administration, Washington, D.C.

11 **SECTION 4.** This resolution is effective upon ratification.