

# *The* ASSEMBLY of STATE LEGISLATURES

November 2015 Draft Meeting Agenda  
Utah State Capitol – Salt Lake City, Utah

## **Wednesday, November 11, 2015**

**Goal:** Open meeting and begin debate on drafted rules

11:30 – 1:00	Luncheon for First Time Attendees – Location TBD
12:00 – 1:00	Registration
1:00	Convene
1:00	Prayer and Pledge
1:05	Roll Call
1:15 – 1:30	Review of Meeting Agenda
1:30 – 1:45	Approve Previous Meeting Minutes and Treasurer’s Report
5:00	Adjourn for dinner

## **Thursday, November 12, 2015**

**Goal:** Continue and finalize debate on drafted rules

8:00 – 8:30	Arrival
8:30	Convene
8:30	Prayer and Pledge
10:15 – 10:30	Break
12:00 – 1:00	Lunch
3:00 – 3:15	Break
5:00	Adjourn for dinner

## **Friday, November 13, 2015**

**Goal:** Vote on a final draft of the rules or create an action item list of further work

8:00 – 8:30	Arrival
8:30	Convene
8:30	Prayer and Pledge
10:15 – 10:30	Break
12:00	Meeting Adjournment

# *The* ASSEMBLY *of* STATE LEGISLATURES

(Working Draft)

Rules for an Article V

Convention for Proposing Amendment(s)

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## **PREAMBLE**

We, the delegate members of this Convention, were selected from the several sovereign States and called by an act of Congress to propose language for an amendment to the United States Constitution. We pledge to conduct the people's business in a fair and impartial manner, to work in good faith, and to honor both the letter and spirit of these rules. May our meeting be described as James Madison reported in his journal dated Monday, May 28, 1787, "The Convention met agreeably to adjournment."

## **ARTICLE 1 Officers of the Convention and Rules**

### **1.1 List of Officers**

Temporary: A temporary presiding President shall be a delegate selected by the State delegation from the State randomly drawn from the first 34 States that passed a resolution calling for a Convention for proposing amendments under the authority of Article V of the United States Constitution.

Permanent: The officers of the Convention shall be two Co-Presidents, two Co-Vice Presidents, a Secretary, a Sergeant-at-Arms, and two Parliamentarians. The Co-Presidents and Co-Vice Presidents shall be elected by a qualified majority vote of the States. Neither Co-President shall be of the same political party; and neither Co-Vice President shall be of the same political party. The Secretary, Sergeant-at Arms, and the two Parliamentarians shall be appointed by the two Co-Presidents.

### **1.2 Election of Co-Presidents**

The election of each Co-President shall be conducted by the temporary presiding President.

### **1.3 Adoption of Rules**

#### **1.3.1 Rules Adoption**

Immediately following the election of Co-Presidents the delegates recognized with credentials shall determine the rules which will govern the proceedings of the Convention. Adoption shall be by "qualified supermajority" as defined in Rule 3.2 of these rules. Each State is granted one vote.

#### **1.3.2 Rules Continuity**

The rules of the Convention remain in effect until amended or rescinded by the Convention. Upon the convening of a new Convention, the rules of the Convention in effect at the conclusion of the preceding Convention remain in force until superseded by Convention rules adopted in the new Convention.

#### **1.3.3 Amend or Suspend Rules**

A motion to suspend or amend the rules may be made at any time when no question is pending; or provided the motion pertains to the question before the body. The motion must be seconded, is non-debatable, and sustained by a vote of a qualified supermajority as

defined in Article 3.2 of these rules. It yields to all the privileged motions, except a call for the orders of the day, to the motion to lay on the table, and to incidental motions arising out of itself. It is undebatable and cannot be amended or have any other subsidiary motion applied to it, nor can a vote on it be reconsidered, nor can a motion to suspend the rules for the same purpose be renewed at the same meeting except by unanimous consent, though it may be renewed after an adjournment, even if the next meeting is held the same day.

## **1.4 The Co-Presidents**

### **1.4.1 Calling the Convention to Order**

The Co-Presidents shall take the chair each day at the hour to which the Convention shall have previously adjourned. The Co-President shall call the Convention to order, and, except in the absence of a quorum, as prescribed by these rules, shall proceed to business in the manner prescribed by these rules.

### **1.4.2 Duty to Preserve Decorum**

The Co-President presiding shall preserve order and decorum, and during debate, the Co-President presiding shall confine delegates to the question under discussion. The Co-President presiding shall have general control of the Convention chamber, unless otherwise ordered by the Convention, and in cases of disturbance or disorderly conduct on the floor or in the public areas outside the bar of the Convention, the Co-President presiding has the power to order the same cleared.

### **1.4.4 Points of Order**

With counsel of the Parliamentarian all questions of order shall be decided by the Co-Presidents, subject to appeal to the Convention. On every appeal, the Co-Presidents shall have the right, in their places, to assign the reason for the decision. In case of such appeal, no delegate shall speak more than once. All questions and points of order shall be noted by the Secretary with the decision thereon.

### **1.4.5 Committee Membership**

The Co-Presidents shall be ex officio members of all committees of the Convention to which they shall not have been specifically appointed, for the purpose of a quorum and discussion, but they shall have no vote unless they are duly appointed members of such committee.

### **1.4.6 Appointments of Committees**

The Co-Presidents shall appoint all committees, unless otherwise ordered by the Convention.

### **1.4.7 Certification of Official Acts**

When necessary or required, all official acts of the Convention shall be certified by the Co-Presidents and attested by the Secretary, with the date thereof.

### **1.4.8 General Supervision of Appointees**

In the performance of their duties, the Secretary, the Sergeant-at-Arms, the Parliamentarians, and all employees shall be under the general supervision of the Co-Presidents.

## **1.5 The Co-Vice Presidents**

### **1.5.1 Absence of Co-President or Inability to Preside**

In the event of the temporary absence or inability to preside as a Co-President, not to exceed two Convention days, the other Co-President shall discharge the duties of the office. In the event of the continued absence or inability of a Co-President for more than two consecutive Convention days, the Co-Vice President of the same political party shall assume the duties of the Co-President, and the Convention shall, by qualified supermajority vote of the States, elect a new Co-Vice President from the same political party as his or her predecessor in office.

### **1.5.2 Floor Leaders**

The two Co-Vice Presidents of the Convention shall alternately (or as they may agree) act as floor leaders of the Convention to assist the Co-Presidents in the routine procedure.

### **1.5.3 Vacancy in Office**

In the event of a vacancy in the office of either Co-Vice President by death, resignation or otherwise, the Convention, by a qualified supermajority vote of the states, elect a new Co-Vice President from the same political party as his or her predecessor in office.

## **1.6 The Secretary of the Convention**

### **1.6.1 Journal Record of Proceedings**

The Secretary shall keep a journal of the proceedings of the Convention and shall provide to each delegate a copy of the proceedings of the previous day.

### **1.6.2 Duties of the Secretary**

Subject to the control of the Co-Presidents, the Secretary shall be custodian of the records of the Convention. Under the direction of the Co-Presidents, the Secretary shall perform the customary duties of clerks or secretaries of deliberative assemblies, and such other duties as shall be ordered by the Convention or the Co-Presidents.

### **1.6.3 Numbering of Proposals**

The Secretary shall give to every proposal when introduced a number, and the numbers shall be in sequential order.

### **1.6.4 Preparation of Calendar**

The Secretary shall prepare and provide to each delegate each day a calendar of the business of the convention, as provided by these rules.

### **1.6.5 Preservation of Records**

As soon as possible after the final adjournment of the Convention, the Secretary shall file with the Archivist of the United States for keeping in the manner provided by law the records, books, documents, and other papers of the Convention.

## **1.7 The Sergeant-at-Arms**

Subject to the direction of the Co-Presidents, the Sergeant-at-Arms shall enforce the rules of the Convention. The Sergeant-at-Arms shall be charged with enforcing the rules as to admission of the Convention floor. The Sergeant-at-Arms does not have to be a delegate.

## **1.8 Parliamentarians**

### **1.8.1 Duties**

A Chief Parliamentarian and an Assistant Chief Parliamentarian shall be appointed by a two-thirds vote of the States and shall be responsible for assisting the Co-Presidents and any other presiding officers and the standing committees in the making of parliamentary rulings.

### **1.8.2 Credentials and Experience**

The Chief parliamentarian and the Assistant Chief Parliamentarian shall be current or former members of the Mason's Manual Commission. The Chief Parliamentarian and the Assistant Chief Parliamentarian shall have previously served as the chief or head parliamentarian of a state legislative body. The Parliamentarian does not have to be a delegate.

## **ARTICLE 2 Delegates**

### **2.1 Presentation of Credentials or Commissions**

Each delegate shall present his or her credentials or commission to the Convention, to be deposited with the Secretary and printed in the Journal without further order. Each State Legislature is responsible for determining the delegate selection process and number of delegates to be sent to the Convention by the respective State.

### **2.2 Questions of Privilege**

The presentation of credentials or commissions of delegates to the Convention and other questions of privilege shall always be in order, except during the reading and correction of the Journal, while a question of order or a motion to adjourn is pending, or while the Convention is voting or ascertaining the presence of a quorum; and all questions and motions arising or made upon the presentation of such credentials shall be proceeded with until disposed.

### **2.3 Contest of Credentials or Commissions**

No protest or petition concerning the credentials or commissions of any delegate shall be received or considered unless filed within the first three (3) days the delegate in question is authorized to attend the Convention. All protests or petitions shall be referred to the Committee on Credentials of Delegates for consideration.

### **2.4 Absence of Members**

No delegate shall absent himself or herself from the sessions of the Convention unless he or she has leave, is ill, or his or her absence is otherwise unavoidable.

## **2.5 Floor Access and Speaking Privilege**

Each state delegation is limited to three delegates at any one time to have access to the floor and have speaking privileges.

## **2.6 Recall Action of Delegate**

### **2.6.1 Recall Authority**

The Convention shall recognize the recall authority of each State Legislature to recall the credentials of the delegates from that respective state, and to suspend such delegate's authority to attend the Convention. The recall instructions shall be provided to the Convention Secretary in writing in order to be recognized.

### **2.6.2 Suspension of Credentials**

The Convention may, by action of its member delegates, vote to suspend the credentials of any delegate. A motion for suspension shall be approved by a qualified supermajority as defined in Article 3.2 of these rules.

## **ARTICLE 3 Sessions of the Convention**

### **3.1 Time of Meeting and Procedure**

The Convention shall meet at 8:00 a.m. unless otherwise ordered by the Convention.

### **3.2 Quorum to Conduct Business**

A qualified supermajority of states shall be a quorum to do business, but a smaller number may adjourn from day to day and compel the attendance of absent delegates. A "qualified supermajority" shall be defined as at least two-thirds of the states, currently thirty four (34), which states must also represent not less than a majority of the number of electors to which all of the United States are entitled under article II, section I of the Constitution of the United States of America, currently two hundred seventy (270).

### **3.3 Reading of the Journal**

Immediately after the Co-President shall have taken the chair, and the members their seats, the journal of the preceding day shall be read by the Secretary unless dispensed with by the consent of the Convention.

### **3.4 Order of Business**

At meetings of the Convention, the order of business shall be as follows:

1. Call Convention to Order
2. Prayer by the Chaplain.
3. Pledge
4. Roll Call.
5. Reading of the Journal.

6. Presentation of petitions, memorials and remonstrances.
7. Reports of committees.
8. Introduction and first reading of proposals.
9. Reference of proposals.
10. Motions and resolutions.
11. Orders of the day.
12. Committee notices.

## **ARTICLE 4     Voting and Quorum Calls**

### **4.1 Call of the Convention**

A call of the Convention may be made for the purpose of obtaining a quorum; or for the purpose of securing the attendance of absent delegates, even though a quorum be present.

### **4.2 Voting**

In determining questions in the Convention, all votes shall be taken by States, and each State shall have one vote. Final action on the wording of any proposed amendment to be submitted to the states for ratification in the method prescribed by Congress shall be decided by a [**Alternate 1: qualified super-majority, as defined in Article 3.2 of these rules; Alternate 2: two thirds of attending states; Alternate 3: simple majority; Alternate 4: qualified majority**], and shall be taken by a roll call vote. Unless otherwise directed all procedural questions will be determined by a majority vote. The decision by States shall be entered in the journal. Votes may be taken by voice, call of the roll, or by use of an electronic voting system under the supervision of the Co-Presidents, or the Secretary of the Convention, at their direction. Any delegation can request a division of the Convention.

### **4.3 Call of the Roll**

In determining questions or upon a call of the Convention, the following mode shall be observed: The Secretary shall call the names of the States alphabetically, and the absentees noted, after which the names of the absent states shall again be called.

### **4.4 Vote Tellers**

Each State delegation shall name one person to be the teller for the delegation. When votes are taken by call of the roll, the designated teller of that delegation shall report the vote for that state voicing the ayes and nays. The teller shall then submit their delegation vote to the Secretary. After the delegation from each State shall have ascertained the vote of their State, the State's teller shall report the result to the Convention. In case the votes of the State delegation are equally divided, the State's teller shall report the State to be "divided."

## **ARTICLE 5     Resolutions and Proposals**

### **5.1 Action on Resolutions**

Resolutions shall be referred to the proper committee for consideration immediately on introduction, except those resolutions which relate to the disposition of business immediately before the Convention or adjournments or recesses, and except those that, in the opinion of the Co-Presidents, should be considered at the time of their introduction.

## **5.2 Time for Consideration**

Resolutions reported by a committee shall lay over one (1) day for consideration, after which they may be called up under the appropriate order of business.

## **5.3 Expenditures**

All resolutions authorizing or contemplating the expenditure of money shall be referred to the standing committee on Administration and Accounts, for its report thereon before final action by the Convention.

## **5.4 Introduction of Proposals**

All proposals for an amendment of the present Constitution of the United States of America shall be introduced by one or more state delegations, or by a committee of the Convention either by a proposal or committee substitute for a proposal or a report.

## **5.5 Form of Proposals**

Each Constitutional amendment proposal shall be printed, endorsed with the signatures of all States or delegates introducing it, or by the Co-Chairs of the committee introducing it or reporting it. The caption of all proposals shall be:

“Proposal No. \_\_\_\_\_ in the 20\_\_ Amendment Convention of the United States of America.” Introduced by \_\_\_\_\_ (a listing of the State(s), delegate(s), or committee.”

Following the caption there shall be a short title concisely stating the general nature of its subject matter, followed by the words: “BE IT RESOLVED THAT THE FOLLOWING SHALL BECOME PART OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA:”

## **5.6 Subject of Proposals**

The subject of each proposal must be germane to the subject, or subjects, of the authorizing Call or Calls.

## **5.7 Limitation on Introduction of Proposals**

After the fifth (5<sup>th</sup>) day of the Convention no Constitutional amendment proposal shall be introduced, except on the report or recommendation of a standing or select committee, or by unanimous consent. No delegation is required to submit a proposal, but if they so choose, no delegation may submit more than one proposal.

## **5.8 Reading on Two Different Days**

Every proposal shall be read by title on two (2) different Convention days.

## **5.9 Regular Order for Proposals**

The regular order to be taken by proposals shall be as follows:

1. Introduction, first reading, and printing of copies of each proposal.
2. Second Reading and reference to a committee by the Co-Presidents.
3. Report of committee of the proposal with amendments or a committee substitute, printing of copies, and placing on general orders.
4. Consideration by Convention and action on amendments offered by delegations.
5. Reference to the Committee on Style.
6. Report of the Committee on Style, and printing of copies.
7. Action on report of Style.
8. Reference to the Committee on Style for arrangement of sections, and for form of engrossment.
9. Report of Committee on Style for arrangement of sections, and printing of copies.
10. Order for engrossment and printing. The engrossed copy of the proposal shall be printed in a form designate by the Convention Body.
11. Third reading and final passage without amendment.

### **5.10 Third Reading and Final Passage**

To affect the passage of a proposal on final reading thereof, the vote shall be taken by State, and the names of the States voting for and against, or divided, shall be recorded and entered in the Journal. No proposal shall be declared passed unless a **[Alternate 1: qualified super-majority, as defined in Article 3.2 of these rules; Alternate 2: two thirds of attending states; Alternate 3: simple majority; Alternate 4: qualified majority]** of the States shall have voted in favor of the passage of the same. No State shall be allowed to cast or change its vote after the Convention's action on said question is announced by the Co-President presiding.

## **ARTICLE 6     Decorum and Debate**

### **6.1 Recognition of Delegates and Right to the Floor**

Every delegate rising to speak shall address the Co-President presiding, and no delegate shall proceed until he or she shall have been recognized by the Co-President presiding as entitled to the floor. Two delegates rising at the same time, the Co-President presiding shall name the member who shall be first heard, the other seeking recognition having preference next to speak.

### **6.2 Disrupting Debate**

While a delegate shall be speaking, none shall pass between the delegate and the Co-President presiding, or entertain private discourse with another delegate on the floor.

### **6.3 Motion to Adjourn or Recess**

When a motion to adjourn, or for recess, shall have carried, no delegate shall leave his or her place until adjournment or recess shall be declared by the Co-President presiding.

## 6.4 Limits on Debate

No delegate shall speak more often than once upon the same question, without special leave of the Convention, and not a second time, until every other state delegation shall have an opportunity to speak on the question. No delegate shall speak for more than four minutes upon the same question, and no State delegation shall speak for more than twelve minutes total upon the same question.

## 6.5 Calling Another Delegate to Order

Any delegate, as well as the Co-President presiding, may call to order any other delegate, subject to appeal to the Convention, and the delegate called to order may be allowed to explain his or her conduct or expressions supposed to be objectionable. If there is no appeal, the decision of the Co-President presiding shall prevail. If the decision of the Co-President presiding favors the delegate(s) called to order, he or she shall be at liberty to proceed.

## 6.6 Closing Debate

So that no member shall abuse his or her privileges, the previous question may be used to close debate on any debatable question. The previous question shall be in the form: "Shall the main question now be put?" It shall only be admitted on written demand of 13 States, and sustained by a vote of a **[Alternate 1: qualified super-majority, as defined in Article 3.2 of these rules; Alternate 2: two thirds of attending states; Alternate 3: simple majority; Alternate 4: qualified majority]** of the states as defined in Section 3.2.

# ARTICLE 7 Committee of the Whole

## 7.1 Standing Order of the Day

Upon a motion supported by 26 States, the Convention may resolve itself into a Committee of the Whole for consideration of proposals. It shall be a standing order of the day for the Convention to resolve itself into a Committee of the Whole.

## 7.2 Chairman

When the Convention shall resolve itself into a Committee of the Whole, the Co-Presidents shall name a chair to preside in the committee.

## 7.3 Limitations on Debate and Time

Before a proposal shall be considered by the Committee of the Whole, any delegation shall be privileged to move a limitation upon the time of debate and consideration by the committee, and upon a majority vote of the states, the Convention may fix in advance of consideration, a time for the committee to rise and report.

## 7.4 Method of Acting on Proposals

Upon a proposal being committed to the Committee of the Whole, it shall be read by the Secretary and then read and debated by clauses or sections, as determined by the committee.

After the report, the bill shall be subject to be debated and amended by clauses or sections on the floor of the Convention before a vote on the question to perfect and print it is taken.

### **7.5 Rules in Committee of the Whole**

The rules of the Convention shall be observed in the Committee of the Whole as far as may be applicable.

### **7.6 Quorum in Committee of the Whole**

A majority of the States shall be a quorum for the Committee of the Whole to do business, and if the committee finds itself without a quorum, the chair shall cause the roll of the Convention to be called and thereupon the committee shall rise, a Co-President resume the chair and the chair report the cause of the rising of the Convention and the names of the absentee States to the Convention shall be entered in the Journal.

### **7.7 Motion to Rise**

A motion for the rising of the Committee of the Whole shall always be in order unless a member of the committee is speaking or a vote is being taken, and shall be decided without debate.

### **7.8 Powers of the Committee of the Whole**

The Committee of the Whole shall have the same powers as the Convention to enforce the attendance of members; and the Secretary and Sergeant-at-Arms of the Convention shall be the Secretary and Sergeant-at-Arms of the committee of the Whole.

## **ARTICLE 8 Committees of the Convention**

### **8.1 Number and Appointment of Committees**

The standing committees of the Convention shall be seven in number. The Co-Presidents shall appoint all committees, unless otherwise ordered by the Convention. Each standing committee shall be chaired jointly by two Co-Chairs, neither of whom shall be of the same political party.

### **8.2 Standing Committees of the Convention and Duties**

#### **8.2.1 Committee on Administration and Accounts**

The Committee on Administration and Accounts shall consider matters relating to Convention expenditures; set up such safeguards and procedures as may be necessary to protect the Convention and its members in all expenditures which may be made; to provide methods by which all expenditures can be checked and audited; and recommend to the Convention the methods to be used for that purpose. The committee shall further have supervision of the general employees of the Convention and be authorized to prescribe, in addition to those already provided, rules and regulations for their control. The committee shall prepare and submit to the Convention from time to time appropriation resolutions for the appropriation of funds from the State Assessment Account to the Operations Account, as noted in section 9.4.1, for the operation of the Convention. In submitting said

resolutions, the committee shall accompany the proposal with estimates of the Convention requirements, represented in the proposed appropriations. Subject to the approval of the Convention, the committee shall be authorized to contract for, and purchase such supplies and services as the Convention may require and provide for the proper distribution of the same. It shall be further the duty of the committee to report to the Convention, from time to time, as it may deem desirable, giving the Convention information about the expenditures of the Convention and methods established to protect the same.

#### **8.2.2 Committee on Convention Research**

The committee on Convention Research shall assemble, at some place convenient to the delegates, a Cyber Café with online access which may assist the delegates or various committees by way of information and research upon problems under consideration by the committees. Some place convenient to the delegates shall be set aside as a reference room or library under the direction and control of the committee, supervised by competent employees. From time to time, the committee may recommend the purchase or acquisition of such material as may be needed by the Convention.

#### **8.2.3 Committee on Credentials and Privileges**

The Committee on Credentials and Privileges shall examine the commissions, credentials and instructions of all delegates to the Convention and report a list of all the delegates who are entitled to serve as members of the Convention. The committee shall further consider matters relating to the floor privileges of members of the convention.

#### **8.2.4 Committee on Information, Submission and Address to the States and Congress**

The Committee on Information, Submission and Address to the States and Congress shall present information to the public in a timely manner concerning the proceedings of the Convention. The committee shall also consider and make recommendations to the Convention and Congress as to the method of submission of the proposal(s) of the Convention to the various States after the adjournment of the Convention. The committee shall further prepare and present to the Convention, for its approval an address to the States and Congress outlining the results of the Convention's work.

#### **8.2.5 Committee on Printing and Publications**

The Committee on Printing and Publications shall consider all matters having to do with Convention printing, reporting of the proceedings, and the publications which may be incidental to those proceedings. The committee shall be charged with the responsibility of determining the amount of printing to be done, the nature and character of publications to be made, and, in general, recommend any and all measures which it may deem useful for the economical and proper management of the printing, reporting, and publications of the Convention.

#### **8.2.6 Committee on Rules and Procedures**

The Committee on Rules and Procedures shall consider all matters relating to the rules for the Convention.

#### **8.2.7 Committee on Style**

The Committee on Style shall examine and correct the proposals which are referred to it, for the purpose of avoiding inaccuracies, repetitions and inconsistencies. It shall also carefully

examine the order in which the proposals shall be directed by the Convention to be engrossed for third reading, all proposals so engrossed, and see that the same are correctly engrossed, and shall immediately report the same in like order to the convention before they are read the third time. The committee shall not have authority to change the sense or purpose of any proposal referred to it, and if any thirteen (13) State delegations shall object in a timely manner to any report of said committee on the ground that said report has changed the sense or purpose of any such proposal the proposal shall be referred to a select committee consisting of fifteen (15) delegates, which shall include not less than seven (7) of the thirteen (13) State delegations objecting to the report.

### **8.3 Composition of Committees**

The membership of all standing committees and of all other committees, unless otherwise provided by these rules or by the resolution creating them, shall be composed of ten members. No major political party shall be represented on the committee by more than six members, nor shall more than one member be from any one State.

### **8.4 Administration and Accounts**

The Committee on Administration and Accounts shall be composed of four members; the Co-Presidents and the Co-Vice Presidents.

### **8.5 Reference to Committees**

When motions are made to refer any proposal or matter, and different committees are proposed, the question of reference shall be in the following order: a Standing Committee, a Select Committee, the Committee of the Whole.

### **8.6 Time of Sitting**

No committee shall sit during the sessions of the Convention without leave of the Convention.

### **8.7 Committee Quorum**

A majority of the members of a committee constitutes a quorum. No committee shall take final action on a proposal unless a quorum is present.

### **8.8 Committee Hearings**

When any proposal is about to be considered by a committee, the introducers of such proposal shall be notified of the time and place where such proposal shall be considered by such committee. Each committee shall keep a record of the members present when a proposal is finally considered; and this record and the record of the votes cast shall be filed by the committee with its report.

### **8.9 Committee Reports**

No proposal shall be reported from a committee unless such action is approved by affirmative vote by a majority of those members present. The committee report must be signed by both Co-Chairs. In the event any committee is evenly divided on any matter pending before it, the Co-Chairs shall refer such matter back to the Convention without recommendation.

## **8.10 Discharge of Proposal**

In the event any committee considering proposals shall fail or refuse to report to the Convention on the same within the period of time fixed by these rules, any member delegate may file a request in open convention for a report upon the specified proposal to the floor of the convention, and in the event the committee shall fail to make a report within three convention days thereafter, the proposal shall be placed on the calendar for consideration.

## **8.11 Rules of the Convention**

The rules of the Convention shall be observed in all committees as far as may be applicable, and each committee shall keep a record of its proceedings.

# **ARTICLE 9 Miscellaneous**

## **9.1 Guide on Parliamentary Practice**

The rules of parliamentary practice laid down in Mason's Manual of Legislative Procedure, 2010 edition shall govern in all cases in which they are not inconsistent with the rules and orders of the Convention.

## **9.2 Communication with Congress and the States**

When it is appropriate the Secretary of the Convention shall provide communication with the United States Congress and the States.

## **9.3 Openness of the Convention Sessions**

All general sessions and Committee meetings of the Convention are open to the public except when a motion to go into closed session is approved by a majority of states.

## **9.4 Funding of the Convention**

**9.4.1** A state assessment account shall be established. An initial assessment of equal shares shall be required of each State.

**9.4.2** An Operations Account shall be established to utilize for reimbursement of all expenses of the Convention, and shall be funded from time to time, as deemed necessary.

**9.4.3** All accounts are to be managed by the Committee on Administration and Accounts, as specified in Article 8.2.1.

**9.4.4** Expenses related to the transportation, housing, and meals of delegates is the responsibility of the sending State.

## **9.5 Close of the Convention**

The Convention shall adjourn Sine Die upon either:

**9.5.1** Communication of a proposed amendment to Congress and the States per Article 9.2

**9.5.2** Passage of a motion to adjourn Sine Die by two-thirds of the attending State delegations

## **9.6 Article V Applications**

### **9.6.1 Application Lifespan**

An Application shall be considered active until such time as either an amendment is ratified under authority of Article V of the US Constitution that is the result of a Convention called by Congress on the respective Application, or the Application is rescinded by the respective state legislature.

### **9.6.2 Counting of Applications**

**9.6.2.1** The counting of active Applications is the responsibility of the State Legislatures.

**9.6.2.2** An Application shall be counted towards the two-thirds of the States requirement under Article V of the U.S. Constitution that triggers a Call by Congress if it is of the same subject matter as other Resolutions. As each State is sovereign and independent, the verbiage of an Application does not need to be similar nor can an Application be disqualified from being counted with those of similar subject matter because the verbiage is different.

**9.6.2.3** An Application may specify a single, or multiple, subject matters. The Application can also be considered an Open Application if it calls for a Convention for Proposing Amendments and does not name any subject matter.

**9.6.2.4** When counting Applications towards the required two-thirds number specified in Article V of the US Constitution, an Open Application shall qualify towards the count of Applications for either Open Applications that have been filed among the States and toward the count of Applications for specific subject matters, as it is the intent of a State in filing an Open Application to convene a Convention under any and all subject matters.

### **9.6.3 Call of a Convention**

Upon reaching the required two-thirds of the States having filed Applications on the same subject matter, as defined above as a combination of specific subject Applications and Open Applications, the State Legislatures having filed these Applications shall deliver to Congress a document of notification for a Call. This document shall include all information necessary for Congress to make the call in a timely and informed manner, consistent with the intentions of the founders per Federalist 85 which states that nothing be left to the discretion of Congress. This includes:

1. The subject matter authorized in the Applications
2. A list of the States that have filed the qualifying Applications with a copy of each of the respective Applications attached
3. The proposed date and location of convening
4. Any other information the Convention deems necessary
5. Refer to the addendum on state responsibility on Resolutions.