

**JOINT RESOLUTION CALLING FOR A CONVENTION OF
THE STATES FOR THE SOLE PURPOSE OF PROPOSING
A COUNTERMAND AMENDMENT TO
THE UNITED STATES CONSTITUTION**

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Merrill F. Nelson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill urges the states to request that Congress call a convention of the states for the purpose of proposing and voting on a constitutional amendment allowing states to countermand federal law in certain circumstances.

Highlighted Provisions:

This resolution:

▶ applies to Congress to call a convention of the states for the sole purpose of considering and adopting a Countermand Amendment to the Constitution of the United States;

▶ strongly urges the states, under authority in Article V of the United States Constitution, to each apply to the United States Congress for a convention of the states for the sole purpose of considering and adopting a Countermand Amendment to the United States Constitution; ~~H→~~ [and] ~~←H~~

▶ directs that Congress call a convention of the states, for the sole purpose of considering and adopting a Countermand Amendment, within 60 days after receiving the 34th state application for such convention ~~H→~~ [:] and

▶ declares that, as a condition of approving this joint resolution, the Legislature of the state of Utah reserves the right to approve the terms of the proposed Countermand Amendment, the selection of and instructions to its delegates to the convention, and the rules and procedures of the convention prior to the commencement of the convention. ~~←H~~

Special Clauses:



59 WHEREAS, the states have the sole authority to define and limit the agenda of a
60 convention of the states and may limit the agenda to adoption of a single proposed amendment
61 to the United States Constitution;

62 WHEREAS, under authority of Article V of the United States Constitution, the several
63 states should apply to Congress to call a convention of the states for the sole purpose of
64 proposing and adopting a Countermand Amendment to the United States Constitution;

65 WHEREAS, a Countermand Amendment to the United States Constitution would
66 authorize the states, upon a vote by ~~H~~→ [three-fifths of the] the prescribed number of ←~~H~~ state
66a legislatures ~~H~~→, ←~~H~~ to override and
67 invalidate a congressional statute, executive order, federal court decision, or administrative
68 agency rule, regulation, or other action deemed injurious to the states and the people;

69 WHEREAS, the states, by adopting a Countermand Amendment, properly exercise
70 their constitutional authority to check federal power, preserve state sovereignty, and protect the
71 rights of the states and the people; and

72 WHEREAS, delegates to a convention of the states called for the sole purpose of
73 considering and adopting a Countermand Amendment to the United States Constitution would
74 be prohibited from considering any other amendment or change to the Constitution:

75 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah,
76 under the authority of Article V of the United States Constitution, hereby applies to Congress
77 to call a convention of the states for the sole purpose of considering and adopting a
78 Countermand Amendment to the United States Constitution, with the delegates to such
79 convention prohibited from considering any other amendment or change to the Constitution.

80 BE IT FURTHER RESOLVED that the Legislature of the state of Utah strongly urges
81 the other state legislatures each to pass a similar resolution applying to Congress to call a
82 convention of the states for the sole purpose of considering and adopting a Countermand
83 Amendment to the United States Constitution.

84 BE IT FURTHER RESOLVED that the Legislature of the state of Utah directs that
85 Congress call a convention of the states, for the sole purpose of considering and adopting a
86 Countermand Amendment, within 60 days after receiving the 34th state application for such
87 convention.

87a ~~H~~→ **BE IT FURTHER RESOLVED that the Legislature of the state of Utah declares that,**
87b **as a condition of approving this joint resolution, the Legislature of the state of Utah reserves**
87c **the right to approve the terms of the proposed Countermand Amendment, the selection of and**
87d **instructions to its delegates to the convention, and the rules and procedures of the convention**
87e **prior to commencement of the convention.** ←~~H~~

88 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the leader of
89 each legislative house in each of the other states, the Majority Leader of the United States