

## TEMPLATE FOR USE BY STATE LEGISLATURES.

### ARTICLE V 'APPLICATION' DIRECTING CONGRESS TO CALL FOR THE COUNTERMAND AMENDMENT CONVENTION.

It is important for all State Legislatures making Applications to Congress for the Countermand Amendment Convention use this template in order to avoid ambiguity in Congress. This Application is separate from the Countermand Amendment Delegate Resolution which is a binding contract between delegates sent to the Convention and State Legislatures and which avoids possible violations of Article I, 10.

If Congress delays Calling the Convention for any reason, then the State Legislatures having met their Article V Constitutional requirements with this Application will be empowered to convene the Countermand Amendment Convention independent of Congress. State Legislatures, as elected and accountable representatives of sovereign citizens 'We the People', do not need permission from Congress to amend the Constitution for the purpose of stopping encroachment on States Rights by the Federal government. Congress is the facilitator under Article V to provide the States with a manageable process from Application to Ratification. It is not the controller of the amendment process.

Every line through 11. in this template is important. However, there are three items that all 'Applications' must include: 1) the title must be '**Countermand Amendment Convention**'; 2) the reference to **Article IV, 4** in line 2.; and 3) the directions to Congress **to Call the Convention within 60 days** of receipt of 'Applications' from 2/3's of State Legislatures (lines 10).

---

**JOINT RESOLUTION NO. \_\_\_\_\_**

**IN THE LEGISLATURE OF THE STATE OF \_\_\_\_\_**

**SESSION \_\_\_\_\_**

Short Title: **Countermand Amendment Convention**

Procedures. (Public)

Sponsors: Representative \_\_\_\_\_.

Referred:

## **A 'RESOLUTION'**

1. **MAKING 'APPLICATION' DIRECTING THE UNITED STATES CONGRESS TO CALL AN ARTICLE 5 AMENDMENT CONVENTION OF THE SEVERAL STATES FOR THE PROPOSE OF PROPOSING THE STATE LEGISLATURES' PRE-APPROVED SINGLE ISSUE COUNTERMAND AMENDMENT TO THE UNITED STATES CONSTITUTION.**

2. **WHEREAS**, Article IV, Section 4 of the Constitution of the United States guarantees to every state a Republican form of government that gives each state equal standing when calling for an Article V Amendment Convention; and

3. **WHEREAS**, Article V of the Constitution of the United States reserves to the State Legislatures the right to apply for an Amendment Convention for the purpose of 'proposing Amendments' to the United States Constitution when Congress, the courts, or the executive branch refuse to address an egregious wrong suffered by the people; and

4. **WHEREAS**, the State Legislatures alone have the authority to limit the agenda and authority of delegates and alternates they send to a convened Article V Convention. This authority does not reside in the United States Congress, nor in the federal or state courts, nor in the Federal or State executive branches. This authority resides solely in State Legislatures; and

5. **WHEREAS**, Congress, under Article V of the United States Constitution, is required to Call for an Amendment Convention as directed and defined by the State Legislatures of the several states;

6. **NOW, THEREFORE,**

7. The General Assembly of \_\_\_\_\_ enacts:

8. **SECTION 1. Application for Calling of the Countermand Amendment Convention.**

— The \_\_\_\_\_ General Assembly hereby applies to Congress, under the provisions of Article V of the United States Constitution, to call a single-issue Countermand Amendment Convention for the purpose of deciding whether the pre-approved proposed Countermand Amendment by the State Legislatures should be sent back to the several States for ratification.

9. **SECTION 2. Duration of Application.** – The Application set forth in **Section 1** of this act constitutes a continuing Application in accordance with Article V of the United States Constitution until the Legislatures of at least two-thirds of the several states have made identical or substantially similar Applications; and be it

10. **SECTION 3. Instructions to Congress.** – Congress is directed to call for the convening of the Countermand Amendment Convention within 60 days from the date it receives this same or similar Application from two thirds of the several States; and be it

11. **SECTION 4. Distribution of Copies of Act.** – The Secretary of State shall transmit copies of this act to (i) the President and Secretary of the United States Senate; (ii) the Speaker and Clerk of the United States House of Representatives; (iii) each member of the \_\_\_\_\_ delegation to the United States Senate and United States House of Representatives; and (iv) the presiding officers of each of the legislative houses in the several states, requesting their cooperation with the purposes of this act.