

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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HOUSE JOINT RESOLUTION DRHJR11241-LB-369 (05/11)

Sponsors: Representative Jordan.

Referred to:

1 A JOINT RESOLUTION TO REPEAL PAST JOINT RESOLUTIONS OF THE NORTH
2 CAROLINA GENERAL ASSEMBLY CALLING FOR A FEDERAL
3 CONSTITUTIONAL CONVENTION BECAUSE OF CONCERNS THAT SUCH A
4 CONSTITUTIONAL CONVENTION COULD NOT BE LIMITED.

5 Whereas, Article V of the Constitution of the United States provides that upon the
6 application of the legislatures of two-thirds of the several states, Congress shall call a
7 constitutional convention; and

8 Whereas, past General Assemblies have passed joint resolutions calling for federal
9 constitutional conventions; and

10 Whereas, there are much less cumbersome methods of making needed changes to
11 the Constitution of the United States than an Article V Constitutional Convention, as has been
12 demonstrated 27 times in the past; and

13 Whereas, there is great concern that a federal constitutional convention would not
14 be limited in the matters that it could consider, and such a convention could cause a great threat
15 to the liberties of the citizenry and to our form of government; Now, therefore,

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

17 **SECTION 1.** The following joint resolutions are repealed:

- 18 (1) Resolution of the Regular Session of 1866-67, entitled "RESOLUTIONS
19 PROPOSING THE CALL OF A NATIONAL CONVENTION", ratified
20 March 2, 1867, calling a convention "to propose such amendments to the
21 Constitution as shall seem fitted to promote the general welfare, the peace,
22 harmony and prosperity of the Union of the United States."
23 (2) Resolution of the Regular Session of 1907, ratified March 11, 1907, entitled
24 "A JOINT RESOLUTION RELATIVE TO AMENDING THE
25 CONSTITUTION OF THE UNITED STATES TO PROVIDE FOR THE
26 ELECTION OF THE UNITED STATES SENATORS BY THE DIRECT
27 VOTE OF THE PEOPLE OF THE RESPECTIVE STATES", calling a
28 convention for such purpose.
29 (3) Resolution 37 of the Regular Session of 1949, ratified April 20, 1949,
30 entitled "A RESOLUTION MEMORIALIZING THE CONGRESS OF THE
31 UNITED STATES CONCERNING CERTAIN PROPOSED
32 CONSTITUTIONAL AMENDMENTS AUTHORIZING THE UNITED
33 STATES TO NEGOTIATE WITH OTHER NATIONS RELATING TO A
34 WORLD FEDERAL GOVERNMENT WITH LIMITED POWERS
35 ADEQUATE TO ASSURE PEACE", proposing a constitutional convention
36 for such purpose or to propose amendments to ratify a world constitution
37 presented by the United Nations.



1 (4) Resolution 60 of the Regular Session of 1965, ratified May 12, 1965,
2 entitled "A JOINT RESOLUTION MEMORIALIZING CONGRESS TO
3 CALL A CONVENTION FOR THE PURPOSE OF PROPOSING AN
4 AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES
5 RELATING TO THE APPORTIONMENT OF STATE LEGISLATURES",
6 proposing an amendment allowing states to use factors other than population
7 in apportioning one house of a bicameral legislature if approved by the
8 voters.

9 (5) Resolution 5 of the Regular Session of 1979, ratified January 29, 1979,
10 entitled "A JOINT RESOLUTION APPLYING TO THE CONGRESS OF
11 THE UNITED STATES TO CALL A CONVENTION TO PROPOSE AN
12 AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES
13 TO REQUIRE A BALANCED FEDERAL BUDGET", calling a convention
14 for such purpose.

15 (6) Any other joint resolution not enumerated above which applies to the
16 Congress of the United States to call a constitutional convention.

17 **SECTION 2.** The Secretary of State shall send a certified copy of this resolution to
18 the Secretary of the United States Senate and the Clerk of the United States House of
19 Representatives.

20 **SECTION 3.** This resolution is effective upon ratification.