

SENATE AMENDMENT NO. _____

Offered by _____ of _____

S.J. 4/1/15

Amend SCS/Senate Concurrent Resolution Nos. 21, 19 & 23, Page 704, Line 3,

2 by inserting after all of said line the following:

3 "Be It Further Resolved that the General Assembly adopts
4 this application with the following understandings (as the term
5 "understandings" is used within the context of "reservations,
6 understandings, and declarations"):

7 (1) An application to Congress for an Article V convention
8 confers no power on Congress other than to perform a ministerial
9 function to "call" for a convention;

10 (2) This ministerial duty shall be performed by Congress
11 only when Article V applications for substantially the same
12 purpose are received from two-thirds of the legislatures of the
13 several states;

14 (3) The power of Congress to "call" a convention solely
15 consists of the authority to name a reasonable time and place for
16 the initial meeting of the convention;

17 (4) Congress possesses no power whatsoever to name
18 delegates to the convention, as this power remains exclusively
19 within the authority of the legislatures of the several states;

20 (5) Congress possesses no power to set the number of
21 delegates to be sent by any states;

1 (6) Congress possesses no power whatsoever to determine any
2 rules for such convention;

3 (7) By definition, a Convention of States means that states
4 vote on the basis of one state, one vote;

5 (8) A Convention of States convened pursuant to this
6 application is limited to consideration of topics specified
7 herein and no other;

8 (9) The General Assembly of Missouri may recall its
9 delegates at any time for breach of their duties or violations of
10 their instructions;

11 (10) Pursuant to the text of Article V, Congress may
12 determine whether proposed amendments shall be ratified by the
13 legislatures of the several states or by special state
14 ratification conventions. The General Assembly of Missouri
15 recommends that Congress specify its choice on ratification
16 methodology contemporaneously with the call for the convention;

17 (11) Congress possesses no power whatsoever with regard to
18 the Article V convention beyond the two powers acknowledged
19 herein;

20 (12) Missouri places express reliance on prior legal and
21 judicial determinations that Congress possesses no power under
22 Article I relative to the Article V process, and that Congress
23 must act only as expressly specified in Article V; and".