

JAN 17 1906
AMENDMENT

HOUSE JOINT RESOLUTION 2001
BY HALVORSON of Clayton, ROYER,
WEIDMAN, and IVERSON

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

HOUSE JOINT RESOLUTION

1 A Joint Resolution to request the Congress of the United States
2 to propose an amendment to the United States Constitution that
3 will enable three-fourths of the states to amend the
4 Constitution subject to congressional veto.

5 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24

HSR 2001

1 WHEREAS, all 33 amendments proposed to the United States
2 Constitution since 1788 have been initiated by Congress; and

3 WHEREAS, more than 400 petitions from the several states
4 requesting a constitutional convention to propose amendments
5 have been filed with Congress but have never resulted in the
6 calling of a convention or adoption of an amendment; and

7 WHEREAS, there should be a proper balance of national and
8 state power in a federal system; the present mechanism for the
9 states to initiate a constitutional convention has proved to
10 be unworkable; and the envisioned and desirable equipoise
11 between national and state powers requires a means for the
12 several states to be able to propose amendments to the
13 Constitution; and

14 WHEREAS, an Intergovernmental Partnership Task Force has
15 proposed in its 1989 report to the Intergovernmental Affairs
16 Committee of the Council of State Governments, an amendment to
17 Article V of the United States Constitution to establish a
18 thoughtful balancing of national and state interests in the
19 constitutional amendment process; and

20 WHEREAS, the essence of the Task Force proposal is to
21 enable the legislatures of three-fourths of the states to
22 propose amendments to the Constitution subject to the veto of
23 the Congress by a two-thirds vote of both houses within two
24 years of the states' submission of the amendments; and

25 WHEREAS, this proposal embodies a prudent method for
26 constitutional amendments to be initiated by a substantial
27 majority of the several states and yet subject to veto by the
28 Congress; NOW THEREFORE, BE IT

29 RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA, That
30 the Iowa General Assembly request the Congress of the United
31 States to propose an amendment to Article V of the
32 Constitution of the United States which in essence provides
33 that:

34 Whenever three-fourths of the legislatures of the several
35 states deem it necessary, they shall propose amendments to

1 this Constitution. After two years from the date of receipt
2 by the Clerk of the House of Representatives of a certified
3 copy of the proposed amendments from the state which
4 represents three-fourths or more of the several states, the
5 proposed amendments shall be valid to all intents and purposes
6 as part of this Constitution, unless disapproved by two-thirds
7 of both houses of Congress within that two-year period. Each
8 state shall have the power to rescind its action to propose
9 the amendments only until the beginning of that two-year
10 period; and

11 BE IT FURTHER RESOLVED, That the Iowa General Assembly
12 request the legislatures of the several states to apply to
13 Congress for the proposal of this amendment to the
14 Constitution of the United States; and

15 BE IT FURTHER RESOLVED, That copies of this resolution be
16 sent to the President of the United States Senate and the
17 Speaker of the United States House of Representatives, to each
18 of the United States senators and representatives from Iowa,
19 and to the legislatures of each of the several states,
20 attesting to the adoption of this resolution.

21 EXPLANATION

22 This resolution requests the United States Congress to
23 propose an amendment to the United States Constitution whereby
24 three-fourths of the states can amend the Constitution subject
25 to a veto by two-thirds of both houses of Congress.

26
27
28
29
30
31
32
33
34
35