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SENATE JOINT RESOLUTION NO. 280

Offered January 12, 2011

Prefiled December 15, 2010

Making application to the Congress of the United States to call an amendment convention pursuant to Article V of the United States Constitution for the purpose of proposing a constitutional amendment that permits the repeal of any federal law or regulation by vote of two-thirds of the state legislatures.

Patrons—McDougle, Quayle and Vogel; Delegate: Landes

Referred to Committee on Privileges and Elections

WHEREAS, there must be an effective balance of power between state governments and the national government to preserve the federal system of government for the United States; and

WHEREAS, Article V of the Constitution of the United States provides two methods to amend the Constitution: first by act of the Congress and second by action of the states; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Commonwealth of Virginia hereby applies to the Congress of the United States to call an amendment convention pursuant to Article V of the United States Constitution for the purpose of proposing a constitutional amendment that permits the repeal of any federal law or regulation by vote of two-thirds of the state legislatures. The Virginia Delegation to such convention, when called, shall propose the following amendment:

"Any provision of law or regulation of the United States may be repealed by the several states, and such repeal shall be effective when the legislatures of two-thirds of the several states approve resolutions for this purpose that particularly describe the same provision or provisions of law or regulation to be repealed."; and, be it

RESOLVED FURTHER, That this resolution is revoked and withdrawn, nullified, and superseded to the same effect as if it had never been passed, and retroactive to the date of passage, if it is used for the purpose of calling a convention or used in support of conducting a convention to amend the Constitution of the United States for any purpose other than consideration of the amendment proposed in this resolution; and, be it

RESOLVED FURTHER, That the Commonwealth of Virginia reserves its right to add future amendments as the legislature deems warranted to this application; and, be it

RESOLVED FURTHER, That delegates to such convention, when called, be selected according to procedures established by the legislatures of the several states; and, be it

RESOLVED FINALLY, That the Clerk of the Senate transmit copies of this resolution to the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Virginia Congressional Delegation so that they may be apprised of the sense of the General Assembly of Virginia in this matter.

INTRODUCED

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