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SENATE JOINT RESOLUTION NO. 63

Offered January 21, 1998

Memorializing the Congress to approve House Joint Resolution 84, which proposes an amendment to the Constitution of the United States to provide a procedure by which states may propose constitutional amendments.

Patrons—Martin, Chichester and Quayle; Delegates: Abbitt, Johnson, McClure, McDonnell, Morgan, Murphy, Putney, Tata and Weatherholtz

Referred to the Committee on Rules

WHEREAS, Article V of the United States Constitution provides two methods by which the Constitution may be amended: by presentation of an amendment by Congress to the states for ratification and by Constitutional Convention, convened at the request of the state legislatures; and

WHEREAS, to date, the Constitution has been amended only by means of the first method, with many experts suggesting that a Constitutional Convention contains the inherent danger of altering the Constitution more extensively than the proponents of the Convention might have intended; and

WHEREAS, by providing both methods of amending the Constitution, the Framers clearly intended to provide a mechanism by which the several states could initiate the Constitutional amendment process but did not anticipate the later reluctance to convene a Constitutional Convention; and

WHEREAS, House Joint Resolution 84, introduced in the 105th Congress by Virginia Congressman Tom Bliley and cosponsored by Virginia Congressman Virgil Goode, proposes a process by which the states could initiate the amending process without the perils of a Constitutional Convention; and

WHEREAS, under the proposal, "two thirds of the legislatures of the several states may propose an amendment to the Constitution by enacting identical legislation in each such legislature proposing the amendment"; and

WHEREAS, if two-thirds of the House and Senate did not vote to disapprove of the proposed amendment, it would be submitted to the states for ratification, and upon ratification by three-fourths of the state legislatures, the amendment would become part of the Constitution; and

WHEREAS, Congressman Bliley's Constitutional Amendment is a reasonable and prudent proposal to provide the states with a means of modifying the Constitution of the United States, thus providing the states an option that the Framers clearly intended; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the General Assembly hereby urge the Congress to approve House Joint Resolution 84, which proposes an amendment to the United States Constitution to provide a means by which the states can initiate the amendment process without the necessity of a Constitutional Convention; and, be it

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

INTRODUCED

S163