

IN THE HOUSE OF REPRESENTATIVES

HOUSE CONCURRENT RESOLUTION NO. 23

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND APPLYING TO THE UNITED STATES CONGRESS TO CALL A CONVENTION OF THE STATES UNDER ARTICLE V OF THE CONSTITUTION OF THE UNITED STATES FOR THE PURPOSE OF PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO LIMIT THE TERMS OF OFFICE FOR MEMBERS OF CONGRESS.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Article V of the Constitution of the United States provides the states with the authority, upon application of the legislatures of two-thirds of the several states, to require the United States Congress to call a convention for the purpose of proposing amendments to the Constitution of the United States to be ratified by the legislatures of three-fourths of the several states; and

WHEREAS, this power provides the states with the leverage to force Congress to act when it does not want to; and

WHEREAS, the Idaho Legislature, a body of citizen legislators, desires to restore rotation in office for members serving in Congress; and

WHEREAS, the State of Idaho and 22 other states have passed statutes or state constitutional amendments placing term limits on members of Congress, but such laws were ruled as unconstitutional by the Supreme Court of the United States; and

WHEREAS, the Idaho Legislature hereby joins with other states in instructing Congress to draft a term limits amendment and send it to the states for ratification; failing this, the states will act on their own.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature hereby formally applies to Congress, under the provisions of Article V of the Constitution of the United States, to call a convention of the states limited to proposing an amendment to the Constitution of the United States to set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and to set a limit on the number of terms that a person may be elected as a member of the United States Senate.

BE IT FURTHER RESOLVED that the Secretary of State is hereby directed to transmit copies of this application to the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, and the members of the United States Senate and House of Representatives from this state. The Secretary of State is further directed to transmit copies to the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

BE IT FURTHER RESOLVED that this application shall be considered as covering the same subject matter as the applications from other states to Congress to call a convention to set a limit on the number of terms that a person

1 may be elected to the United States House of Representatives and the United
2 States Senate, and this application shall be aggregated with the same for the
3 purpose of attaining the two-thirds of states necessary to require Congress
4 to call a limited convention on this subject but shall not be aggregated with
5 any other applications on any other subject.

6 BE IT FURTHER RESOLVED that this application constitutes a continuing
7 application in accordance with Article V of the Constitution of the United
8 States until the legislatures of at least two-thirds of the several states
9 have made applications on the same subject. This application supersedes all
10 previous applications by this Legislature on the same subject.