

ASSEMBLY JOINT RESOLUTION NO. 3—ASSEMBLYMEN ELLISON;
GOICOECHEA, HAMMOND, HICKEY, MCARTHUR AND
SHERWOOD

FEBRUARY 17, 2011

Referred to Committee on Legislative Operations and Elections

SUMMARY—Rescinds all applications made by the Nevada
Legislature to the Congress of the United States to
call a constitutional convention to propose
amendments to the United States Constitution.
(BDR R-886)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

ASSEMBLY JOINT RESOLUTION—Rescinding all applications
by the Nevada Legislature to call a convention pursuant to
the terms of Article V of the United States Constitution
for proposing one or more amendments to the United
States Constitution.

- 1 WHEREAS, The Nevada Legislature, acting with the best of
2 intentions, has, at various times and during various sessions,
3 previously made applications to the Congress of the United States of
4 America to call one or more conventions to propose either a single
5 amendment concerning a specific subject or to call a general
6 convention to propose an unspecified and unlimited number of
7 amendments to the United States Constitution, pursuant to the
8 provisions of Article V thereof; and
9 WHEREAS, Former Chief Justice of the United States Supreme
10 Court, Warren E. Burger, former Associate Justice of the United
11 States Supreme Court, Arthur J. Goldberg, and other leading
12 constitutional scholars agree that such a convention may propose
13 sweeping changes to the Constitution, any limitations or restrictions
14 purportedly imposed by the states in applying for such a convention
15 or conventions to the contrary notwithstanding, thereby creating an



* A J R 3 *

1 imminent peril to the well-established rights of the citizens and the
2 duties of various levels of government; and

3 WHEREAS, The United States Constitution has been amended
4 many times in the history of this nation and may be amended many
5 more times, without the need to resort to a constitutional
6 convention, has been interpreted for more than 200 years and has
7 been found to be a sound document which protects the lives and
8 liberties of the citizens; and

9 WHEREAS, There is no need for, and there is great danger in, a
10 new United States Constitution or in opening the United States
11 Constitution to sweeping changes, the adoption of which would only
12 create legal chaos in this nation and only begin the process of
13 another 2 centuries of litigation over its meaning and interpretation;
14 now, therefore, be it

15 RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF
16 NEVADA, JOINTLY, That the Nevada Legislature does hereby
17 repeal, rescind, cancel, nullify and supersede, to the same effect as if
18 they had never been passed, any and all extant applications by the
19 Nevada Legislature to the Congress of the United States of America
20 to call a convention to propose amendments to the United States
21 Constitution, pursuant to the terms of Article V thereof, regardless
22 of when or by which session or sessions of the Nevada Legislature
23 such applications were made and regardless of whether such
24 applications were for a limited convention to propose one or more
25 amendments regarding one or more specific subjects and purposes
26 or for a general convention to propose an unlimited number of
27 amendments upon an unlimited number of subjects; and be it further

28 RESOLVED, That the following resolutions be, and the same are
29 hereby specifically repealed, rescinded, cancelled, nullified and
30 superseded: Senate Concurrent Resolution No. 6 of the 20th Session
31 of the Legislature (File No. 14); Assembly Concurrent Resolution
32 No. 4 of the 21st Session of the Legislature (File No. 4); Senate
33 Concurrent Resolution No. 4 of the 22nd Session of the Legislature
34 (File No. 4); Assembly Concurrent Resolution No. 8 of the 23rd
35 Session of the Legislature (File No. 4); Assembly Joint and
36 Concurrent Resolution No. 11 of the 23rd Session of the Legislature
37 (File No. 8); Senate Joint Resolution No. 6 of the 32nd Session of
38 the Legislature (File No. 7); Senate Joint Resolution No. 7 of the
39 50th Session of the Legislature (File No. 45); Senate Joint
40 Resolution No. 2 of the 52nd Session of the Legislature (File No.
41 36); Senate Joint Resolution No. 7 of the 57th Session of the
42 Legislature (File No. 92); Assembly Joint Resolution No. 47 of the
43 58th Session of the Legislature (File No. 186); Senate Joint
44 Resolution No. 8 of the 60th Session of the Legislature (File



1 No. 39); and Senate Joint Resolution No. 27 of the 60th Session of
2 the Legislature (File No. 117); and be it further

3 RESOLVED, That the Nevada Legislature urges the legislature of
4 each and every state which has applied to Congress to call a
5 convention for either a general or a limited constitutional convention
6 to repeal and rescind such applications; and be it further

7 RESOLVED, That the Chief Clerk of the Assembly prepare and
8 transmit a copy of this resolution to the secretary of state of each
9 state in the Union, to the presiding officers of both houses of the
10 legislature of each state in the Union, to the President of the United
11 States Senate, to the United States Congress by sending copies to
12 the Speaker of the United States House of Representatives and to the
13 members of Congress of the United States representing this State
14 and the people of Nevada and to the Administrator of General
15 Services, Washington, D.C.; and be it further

16 RESOLVED, That this resolution becomes effective upon
17 passage.

