

HJM 3 STAFF MEASURE SUMMARY

House Committee On Rules

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Meeting Dates: 5/23, 6/1

WHAT THE MEASURE DOES:

Informs Congress that all applications for an amendment convention under Article V of the United States Constitution that the Legislative Assembly has made before the effective date of Enrolled House Bill 3625 are withdrawn and are null and void. Sends copy of memorial to the Senate Majority Leader, Speaker of the House of Representatives, and to each member of the Oregon Congressional Delegation.

FISCAL: No fiscal impact

REVENUE: May have revenue impact, but no statement yet issued

ISSUES DISCUSSED:

- Vehicle to inform Congress that Legislative Assembly has rescinded previous applications

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Article V of the United States Constitution establishes methods for proposing and adopting amendments to the United States Constitution. One method involves Congress calling a convention for proposing amendments upon application of the legislatures of two-thirds of the states (i.e., 34 of 50 states). Amendments proposed by a convention become valid only when ratified by the legislatures of, or conventions in, three-fourths of the states (i.e., 38 of 50 states).

According to the National Conference of State Legislatures, interest in a U.S. constitutional convention is as old as the country and has ebbed and flowed over time. Direct election of senators was a topic in the early 1900s. In the 1940s and 1950s, many applications focused on federal taxing power. During the 1960s to 1990s, two issues came close to triggering conventions —apportionment and a balanced federal budget.

The Legislative Assembly has previously submitted applications to Congress calling for an amendment convention on various topics, however, no application, when combined with the applications of other states on the same topic, has been sufficient to meet the two-thirds threshold required by the United States Constitution. No application of the Legislative Assembly has resulted in Congress calling an amendment convention.

House Joint Memorial 3 informs Congress that all applications for an amendment convention under Article V of the United States Constitution that the Legislative Assembly has made before the effective date of Enrolled House Bill 3625 are withdrawn and are null and void.