

By: Klick

H.J.R. No. 77

A JOINT RESOLUTION

1 rescinding the 1899 application of the 26th Texas Legislature to
2 the United States Congress to call an unrestricted national
3 convention under Article V of the United States Constitution for
4 proposing undisclosed amendments to that Constitution.

5 WHEREAS, In adopting Senate Concurrent Resolution No. 4, the
6 26th Texas Legislature, in the year 1899, applied to the United
7 States Congress to call a convention, under the terms of Article V
8 of the United States Constitution, ". . . for proposing amendments
9 to said Constitution . . ." that would be subject to potential
10 ratification; and

11 WHEREAS, That particular application--unlike subsequent and
12 more detailed applications from Texas lawmakers--did not prescribe
13 any boundaries on the subject matter of amendments to be discussed
14 or ultimately offered for ratification by such a nationwide
15 convention; and

16 WHEREAS, While indeed no Article V amendatory convention has
17 yet taken place thus far in American history, nevertheless, there
18 is a very real possibility that one, or more than one, could be
19 triggered at some point in the future--the precise results of which
20 cannot be predicted or contrived in advance; and

21 WHEREAS, At the present time, the Texas Legislature has
22 absolutely no desire or intention whatsoever for Congress to call
23 an Article V amendatory convention of a general, vague, and
24 unlimited nature; and

1 WHEREAS, Senate Concurrent Resolution No. 4 remains just as
2 alive and valid today as it was when it was approved by Texas
3 legislators 118 years ago; now, therefore, be it

4 RESOLVED, That the 85th Legislature of the State of Texas,
5 Regular Session, 2017, hereby officially rescinds, repeals,
6 revokes, and nullifies Senate Concurrent Resolution No. 4, Acts of
7 the 26th Legislature, Regular Session, 1899, calling for an
8 open-ended, unclear, and indeterminate Article V amendatory
9 convention to propose for ratification unspecified federal
10 constitutional amendments, which application was duly received by
11 Congress, and reprinted word for word in the *Congressional Record*
12 of December 11, 1899, at page 219, and which application was
13 referred to the Committee on the Judiciary in the United States
14 House of Representatives the very next day (*Congressional Record* at
15 page 280); and, be it further

16 RESOLVED, That, in a manner which would furnish confirmation
17 of delivery and tracking while en route, the Texas secretary of
18 state shall transmit properly certified copies of this joint
19 resolution of rescission--together with copies of Senate
20 Concurrent Resolution No. 4--pursuant to the Standing Rules of the
21 United States Senate (namely, Rule VII, paragraphs 4, 5, and 6), to
22 the vice president of the United States (in his capacity as
23 presiding officer of the United States Senate and addressed to him
24 at the office which he maintains inside the United States Capitol
25 Building); to the secretary and parliamentarian of the United
26 States Senate; and to both United States senators representing
27 Texas; accompanied by a cover letter to each addressee drawing

1 attention to the fact that it is the 85th Texas Legislature's
2 courteous, yet firm, request that the full and complete verbatim
3 text of this joint resolution--as well as the full and complete
4 verbatim text of Senate Concurrent Resolution No. 4--be duly
5 published in the United States Senate's portion of the
6 *Congressional Record* as an official memorial to the United States
7 Senate, and that this joint resolution--with Senate Concurrent
8 Resolution No. 4 appended thereto--be referred to whichever
9 committee or committees of the United States Senate that would have
10 appropriate jurisdiction in this matter; and, be it further

11 RESOLVED, That, in a manner which would furnish confirmation
12 of delivery and tracking while en route, the Texas secretary of
13 state shall likewise transmit properly certified copies of this
14 joint resolution of rescission--together with copies of Senate
15 Concurrent Resolution No. 4--pursuant to the Rules of the United
16 States House of Representatives (namely, Rule XII, clauses 3 and
17 7), to the speaker, clerk, and parliamentarian of the United States
18 House of Representatives; and to all members of the United States
19 House of Representatives who represent districts in Texas; likewise
20 accompanied by a cover letter to each addressee drawing attention
21 to the fact that it is the 85th Texas Legislature's courteous, yet
22 firm, request that the substance of this joint resolution--as well
23 as that of Senate Concurrent Resolution No. 4--be accurately
24 summarized in the United States House of Representatives' portion
25 of the *Congressional Record* as an official memorial to the United
26 States House of Representatives, and that this joint
27 resolution--with Senate Concurrent Resolution No. 4 appended

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1 thereto--be referred to whichever committee or committees of the
2 United States House of Representatives that would have appropriate
3 jurisdiction in this matter.