

SENATE No. 898

The Commonwealth of Massachusetts

PRESENTED BY:

Michael F. Rush, (BY REQUEST)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying resolution:

Resolutions for the State of Massachusetts to Rescind all previous calls for an Article V Constitutional Convention.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Hal Shurtleff

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SENATE No. 898

By Mr. Rush (by request), a petition (accompanied by resolution, Senate, No. 898) of Hal Shurtleff for legislation for the State of Massachusetts to Rescind all previous calls for an Article V Constitutional Convention. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

Resolutions for the State of Massachusetts to Rescind all previous calls for an Article V Constitutional Convention.

1 Whereas, the Legislative Assembly, acting with the best of intentions has, at various
2 times, applied to the Congress of the United States to call a convention to propose amendments
3 to the United States Constitution, pursuant to the provisions Of Article V of the United States
4 Constitution; and

5 Whereas, former Justice of the United States Supreme Court, Warren Burger, former
6 Associate Justice of the United States Supreme Court Arthur J. Goldberg have stated that
7 limitations and restrictions purportedly imposed by the states in applying for such a convention
8 or conventions to the contrary notwithstanding, thereby creating an imminent peril to the well-
9 established rights of citizens and the duties of various levels of government; and

10 Whereas, the Constitution of the United States has been amended many times in the
11 history of this nation and may be amended many more times, without the need to resort to a
12 constitutional convention, and has been interpreted for more than 200 years and has been found
13 to be a sound document that protects the lives and liberties of the citizens; and

14 Whereas, there is a great danger in a new constitution or in opening the Constitution to
15 sweeping changes, the adoption of which would only create legal chaos in this nation and only
16 begin the process of litigation over its meaning and interpretation; Now, therefore, be it

17 Resolved that the House of Representatives of Massachusetts, The Senate of
18 Massachusetts concurring therein:

19 That the legislative Assembly rescinds the following applications made by the legislative
20 Assembly to the United States Congress to call a convention pursuant to Article V of the U.S.
21 Constitution:

22 1931 Repeal of the 18th Amendment CR 075, pg 00045

23 1931 Repeal of the 18th Amendment CR 075 pg 00664

24 1941 Repeal of the 16th Amendment CR 087 pg 03812

25 1952 Limited Federal Tax CR 098 pg 0464

26 1964 Reading of the Bible in Public Schools CR 110, pg 07371

27 1964 Reading of the Bible in Public Schools CR 110 Pg 07616

28 1964 Pensions for Citizens CR 110, pg 09875

29 1964 Pensions for Citizens CR 110, pg. 10013

30 1971 Revenue Sharing CR 117, pg 05020

31 1971 Financial Aid to Private Schools CR 117, 30887

32 1971 Financial Aid to Private Schools CR 117, pg, 30905

33 1976 Attendance at Public Schools CR 122 pg. 09735

34 1977 Right to Life CR 123 pg. 22022

35 Be it further resolved that the Legislative Assembly urges the legislative bodies of each
36 state that has applied to Congress to call a convention to rescind; and

37 Be it further resolved, That the Secretary of State forward copies of this resolution to the
38 presiding officer of each legislative body in each state, to the President of the United

39 States Senate, to the Speaker of the House of Representatives, to the members of the
40 Massachusetts Congressional Delegation, and to the administrator of General Services,
41 Washington, D.C.