

A CONCURRENT RESOLUTION

1 Rescinding the request to the Congress of the United States
2 that it call a Constitutional Convention to propose an
3 amendment to the Constitution to guarantee the right to life
4 to the unborn fetus.

5 WHEREAS, Under Article V of the Constitution of the United
6 States, amendments to the Federal Constitution may be proposed
7 by the Congress whenever two-thirds of both Houses deem it
8 necessary, or on the application of the Legislatures of two-
9 thirds of the several states, the Congress shall call a
10 Constitutional Convention for the purpose of proposing
11 amendments; and

12 WHEREAS, By House Bill No. 71, adopted by the House of
13 Representatives on April 5, 1978, and adopted by the Senate on
14 April 11, 1978, the General Assembly of the Commonwealth of
15 Pennsylvania requested the Congress of the United States to
16 prepare and submit to the several states an amendment to the
17 Constitution of the United States to guarantee the right to life
18 of the unborn fetus; and

1 WHEREAS, Less than the required number of 34 states have,
2 through their Legislatures, made application to the Congress for
3 the calling of a Constitutional Convention to propose an
4 amendment to the Constitution; and

5 WHEREAS, There has been no such Constitutional Convention
6 since the Founding Fathers met to draft the Constitution in
7 1787, all amendments added since then having originated in
8 Congress and then having been ratified by the states; and

9 WHEREAS, One reason for the failure of the "state application
10 for a convention" option is the ambiguity of Article V of the
11 Constitution, in that it does not speak to how the "application"
12 process occurs, nor does it specify the processes to be followed
13 at the convention for proposing amendments, such as the method
14 for selection of delegates, the voting procedures and the number
15 of votes needed to propose a specific amendment, nor does
16 Article V indicate whether the convention must limit itself to
17 matters mentioned in the states' applications, or whether a
18 "runaway convention" could seek to remake the Constitution anew
19 after being called to consider only a single subject; therefore
20 be it

21 RESOLVED (the Senate concurring), That the General Assembly
22 of the Commonwealth of Pennsylvania rescind its application and
23 request to the Congress of the United States to call a
24 Constitutional Convention for the specific and exclusive purpose
25 of proposing an amendment to the Federal Constitution to
26 guarantee the right to life to the unborn fetus; and be it
27 further

28 RESOLVED, That the General Assembly of the Commonwealth of
29 Pennsylvania continue and renew its request to Congress to
30 prepare and submit to the several states such an amendment to

1 the Constitution of the United States in the same manner as all
2 existing amendments have originated; and be it further

3 RESOLVED, That copies of this resolution be sent to the
4 members of the Congress from Pennsylvania, the Clerk of the
5 United States House of Representatives, Washington, DC, and the
6 Secretary of the United States Senate, Washington, DC, with the
7 request that this action by the General Assembly of the
8 Commonwealth of Pennsylvania be promptly published in the
9 Congressional Record.