

# *The* ASSEMBLY *of* STATE LEGISLATURES

Rules for an Article V

Convention for Proposing Amendment(s)

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## **PREAMBLE**

Pursuant to Article V of the United States Constitution, we the delegates of the several sovereign States, grateful to Almighty God, do assemble in this convention of the States, called by Congress, for the purpose of proposing amendments to the Constitution. We pledge to conduct the people's business in a fair, collegial, and impartial manner, to work in good faith, and to honor both the letter and spirit of the Constitution and these rules.

## **ARTICLE 1 Officers of the Convention and Rules**

### **1.1 List of Officers**

Temporary: A temporary presiding President shall be a delegate selected by the State delegation from the State randomly drawn from the first 34 States that passed a resolution calling for a Convention for proposing amendments under the authority of Article V of the United States Constitution.

Permanent: The officers of the Convention shall be a President, a Vice President, a Secretary, a Sergeant-at-Arms, and a Parliamentarian. The President and Vice-President shall be elected by "qualified simple majority" vote of the Convention by secret ballot and shall not be from the same political party. The Secretary, Sergeant-at-Arms, and the Parliamentarian shall be appointed by the President, in consultation with the Vice-President. No more than one officer shall be selected from the same State.

### **1.2 Election of President**

The election of President shall be conducted by the temporary presiding President.

### **1.3 Adoption of Rules**

#### **1.3.1 Rules Adoption**

Immediately following the election of President the delegates recognized with credentials shall determine the rules which will govern the proceedings of the Convention. Adoption shall be by "qualified simple majority." Each State is granted one vote.

#### **1.3.2 Rules Continuity**

The rules of the Convention remain in effect until amended or rescinded by the Convention. Upon the convening of a new Convention, the rules of the Convention in effect at the conclusion of the preceding Convention remain in force until superseded by Convention rules adopted in the new Convention.

#### **1.3.3 Amend or Suspend Rules**

A motion to suspend or amend the rules may be made at any time when no question is pending; provided the motion pertains to the question before the body. The motion must be seconded, is non-debatable, and sustained by a vote of a "qualified super majority". It yields to all the privileged motions, except a call for the orders of the day and to incidental motions arising out of itself. It cannot be amended or have any other subsidiary motion

applied to it, nor can a vote on it be reconsidered, nor can a motion to suspend the rules for the same purpose be renewed at the same meeting except by unanimous consent, though it may be renewed after an adjournment, even if the next meeting is held the same day. The provision of this section shall not apply to Section 5.6., which shall not be amended or suspended.

## **1.4 The President**

### **1.4.1 Calling the Convention to Order**

The President shall take the chair each day at the hour to which the Convention shall have previously adjourned. The President shall call the Convention to order, and, except in the absence of a quorum, as prescribed by these rules, shall proceed to business in the manner prescribed by these rules.

### **1.4.2 Duty to Preserve Decorum**

The President shall preserve order and decorum, and during debate, the President shall confine delegates to the question under discussion. The President shall have general control of the Convention chamber, unless otherwise ordered by the Convention, and in cases of disturbance or disorderly conduct on the floor or in the public areas outside the bar of the Convention, has the power to order the same cleared.

### **1.4.3 Points of Order**

All questions of order shall be decided by the President, subject to appeal of the Convention. On every appeal, the President shall have the right to assign the reason for the decision. In case of such appeal, no delegate shall speak more than once. All questions and points of order shall be noted by the Secretary with the decision thereon.

### **1.4.4 Committee Membership**

The President shall be an ex officio member of all committees of the Convention to which he or she shall not have been specifically appointed, for the purpose of a quorum and discussion, but shall have no vote unless a duly appointed member of such committee.

### **1.4.5 Appointments of Committees**

The President shall appoint all committees, unless otherwise ordered by the Convention.

### **1.4.6 Certification of Official Acts**

When necessary or required, all official acts of the Convention shall be certified by the President and Vice President and attested by the Secretary, with the date thereof.

### **1.4.7 General Supervision of Appointees**

In the performance of their duties, the Secretary, the Sergeant-at-Arms, the Parliamentarian and all employees shall be under the general supervision of the President.

### **1.4.8 Vacancy in Office**

In the event of a vacancy in the office of President by death, resignation or otherwise, the Convention, by a "qualified simple majority" vote, shall elect a new President.

## **1.5 The Vice President**

### **1.5.1 Absence of President or Inability to Preside**

In the event of the temporary absence or inability to preside as a President, not to exceed two Convention days, the Vice-President shall assume the duties of the President, and the Convention shall, by “qualified simple majority” vote to elect a new Vice President.

### **1.5.2 Vacancy in Office**

In the event of a vacancy in the office of Vice President by death, resignation or otherwise, the Convention, by a “qualified simple majority” vote shall elect a new Vice President.

## **1.6 The Secretary of the Convention**

### **1.6.1 Journal Record of Proceedings**

The Secretary shall keep a journal of the proceedings of the Convention and shall provide to each delegate a copy of the proceedings of the previous day.

### **1.6.2 Duties of the Secretary**

Subject to the control of the President, the Secretary shall be custodian of the records of the Convention. Under the direction of the President, the Secretary shall perform the customary duties of clerks or secretaries of deliberative assemblies, and such other duties as shall be ordered by the Convention or the President.

### **1.6.3 Numbering of Proposals**

The Secretary shall give to every proposal when introduced a number, and the numbers shall be in sequential order.

### **1.6.4 Preparation of Calendar**

The Secretary shall prepare and provide to each delegate each day a calendar of the business of the convention, as provided by these Rules.

### **1.6.5 Preservation of Records**

As soon as possible after the final adjournment of the Convention, the Secretary shall file with the Archivist of the United States for keeping in the manner provided by law the records, books, documents, and other papers of the Convention.

## **1.7 The Sergeant-at-Arms**

Subject to the direction of the President, the Sergeant-at-Arms shall enforce the rules of the Convention. The Sergeant-at-Arms shall be charged with enforcing the rules as to admission of the Convention floor. The Sergeant-at-Arms shall not be required to be a delegate.

## **1.8 Parliamentarian**

### **1.8.1 Duties**

A Parliamentarian shall be appointed by the President and shall be responsible for assisting the President and any other presiding officers and the standing committees in the making of parliamentary rulings.

### **1.8.2 Credentials and Experience**

The parliamentarian shall be a current or former member of the Mason's Manual Commission. The Parliamentarian shall have previously served as the chief or head parliamentarian of a state legislative body. The Parliamentarian shall not be required to be a delegate.

## **ARTICLE 2 Delegates**

### **2.1 Presentation of Credentials or Commissions**

Each delegate shall present a certified copy of a document announcing his or her credentials or commission to the Secretary who shall promptly inform the Chairperson of the Committee on Credentials and enter the delegate's name in the Journal. The Chairperson of the Committee on Credentials shall confirm each delegate's credentials or commission. Unless challenged as provided under Section 2.3, the delegate shall be deemed qualified to serve as a delegate in the Convention. Each State Legislature is responsible for determining the delegate selection process and number of delegates to be sent to the Convention by the respective State.

### **2.2 Questions of Privilege**

The presentation of credentials or commissions of delegates to the Convention and other questions of privilege shall always be in order, except during the reading and correction of the Journal, while a question of order or a motion to adjourn is pending, or while the Convention is voting or ascertaining the presence of a quorum; and all questions and motions arising or made upon the presentation of such credentials shall be proceeded with until disposed.

### **2.3 Contest of Credentials or Commissions**

No protest or petition concerning the credentials or commissions of any delegate shall be received or considered unless filed with the Secretary within five (5) convention days of the delegate's name being made public through the publication of the Journal. All protests or petitions shall be referred to the Committee on Credentials and Privileges for consideration. The President or Vice President may at any time petition the Committee on Credentials and Privileges to reconsider the credentials or commission of any delegate.

### **2.4 Absence of Members**

No delegate shall absent himself or herself from the sessions of the Convention unless he or she has leave, is ill, or his or her absence is otherwise unavoidable.

## **2.5 Floor Access and Speaking Privilege**

Each state delegation is limited to 10 delegates at any one time to have access to the floor and have speaking privileges.

## **2.6 Recall Action of Delegate**

### **2.6.1 Recall Authority**

The Convention shall recognize the recall authority of each State Legislature to recall the credentials of the delegates from that respective state, and to suspend such delegate's authority attend the Convention. The recall instructions shall be provided to the Convention Secretary in writing in order to be recognized and shall identify the persons, committee, commission or office having recall authority. Upon reception of a recall order originating from a proper recall authority, the Chair of the Committee on Credentials and Privileges shall confirm the recall order, and notify the delegate of the recall order who may within three (3) days of such notice request and receive a hearing before the Committee on Credentials and Privileges regarding the recall order of the delegate which may be rebutted but shall otherwise be presumed valid. If no challenge is filed, the name of the recalled delegate shall be entered into the Journal. Upon receipt of a recall order, the delegate in question shall have his or her convention credentials suspended and floor access revoked unless the delegate's authority is restored.

### **2.6.2 Suspension of Credentials**

The Convention may, by action of its member delegates, vote to suspend the credentials of any delegate. A motion for suspension shall be approved by a three-fourths majority of the state delegations seated pursuant to Article 2.1.

## **ARTICLE 3 Sessions of the Convention**

### **3.1 Time of Meeting and Procedure**

The Convention shall meet at 8:00 a.m. unless otherwise ordered by the Convention.

### **3.2 Reading of the Journal**

Immediately after the President shall have taken the roll call vote, the Journal of the preceding day shall be read by the Secretary, unless dispensed with by the consent of the Convention, and published to the public.

### **3.3 Order of Business**

At meetings of the Convention, the order of business shall be as follows:

1. Call Convention to Order.
2. Prayer.
3. Pledge.
4. Roll Call.
5. Reading of the Journal.
6. Presentation of petitions, memorials and remonstrances.
7. Reports of committees.

8. Introduction and first reading of proposals.
9. Reference of proposals.
10. Motions and resolutions.
11. Orders of the day.
12. Committee notices.

## **ARTICLE 4     Voting and Quorum Calls**

### **4.1 Voting**

#### **4.1.1 Voting by State**

In determining all questions in the Convention, all votes shall be taken by State, and each State shall have one vote. Votes may be taken by voice, call of the roll, or by use of an electronic voting system under the supervision of the President at his or her direction. The decision shall be entered in the journal. Any delegation can request a division of the Convention and any delegation has the authority to request a roll call vote.

#### **4.1.2 Qualified Super Majority**

In matters requiring a “qualified super majority”, this shall be defined as two-thirds of the eligible membership, which at this time is 34 States. Qualified is defined as those States that have met the requirements of Article 2.1.

#### **4.1.3 Qualified Simple Majority**

In matters requiring a “qualified simple majority”, this shall be defined as greater than one-half of the eligible membership, which at this time is 26 States. Qualified is defined as those States that have meet the requirements of Article 2.1.

#### **4.1.4 Simple Majority**

Unless otherwise directed, all other votes and procedural questions shall be decided by the affirmative vote of a “simple majority”, defined as greater than one-half of the voting members present.

### **4.2 Call of the Roll**

In determining questions or upon a call of the Convention, the following mode shall be observed: The Secretary shall call the names of the States alphabetically, and the absentees noted, after which the names of the absent States shall again be called.

### **4.3 Vote Tellers**

Each State delegation shall name one person to be the teller for the delegation. The designated teller of that delegation shall report the vote for that state. The delegation of each State shall be the sole judge of determining the vote of the State. In case the vote of the State delegation cannot be resolved for submission, the teller shall declare the vote as an “abstention”.

#### **4.4 Third Reading and Final Passage**

Final action on any proposed amendment shall be decided by an affirmative vote of at least 36 States. No State shall be allowed to cast or change its vote after the Convention's action on said question is announced by the President.

#### **4.5 Call of the Convention and Quorum**

A call of the Convention may be made for the purpose of obtaining a quorum or for the purpose of securing the attendance of absent delegates, even though a quorum be present. A "qualified simple majority", as defined in Article 4.1.3, shall be a quorum to conduct business, but a smaller number may adjourn from day to day and compel the attendance of absent delegates.

#### **4.6 Quorum in Committee of the Whole**

A "qualified simple majority", as defined in Article 4.1.3, shall be a quorum for the Committee of the Whole to do business, and if the committee finds itself without a quorum, the chair shall cause the roll of the Convention to be called and thereupon the committee shall rise, the President resume the chair and the chair report the cause of the rising of the Convention and the names of the absentee States to the Convention shall be entered in the Journal.

#### **4.7 Quorum for all other Committees**

A "simple majority", as defined in Article 4.1.4, constitutes a quorum. No committee shall take final action on a proposal unless a quorum is present.

### **ARTICLE 5 Resolutions and Proposals**

#### **5.1 Action on Resolutions**

Resolutions shall be referred to the proper committee for consideration immediately upon introduction, except those resolutions which relate to the disposition of business immediately before the Convention or adjournments or recesses, and except those that, in the opinion of the President, should be considered at the time of their introduction.

#### **5.2 Time for Consideration**

Resolutions reported by a committee shall lay over one (1) day for consideration, after which they may be called up under the appropriate order of business.

#### **5.3 Expenditures**

All resolutions authorizing or contemplating the expenditure of money shall be referred to the standing committee on Administration and Accounts, for its report thereon before final action by the Convention.

#### **5.4 Introduction of Proposals**

All proposals for an amendment of the present Constitution of the United States of America shall be introduced by one or more state delegations, or by a committee of the Convention either by a proposal or committee substitute for a proposal or a report.

The President may, with unanimous consent, refer Proposals that are of a substantially similar nature to the appropriate committee as a “Consolidated” Proposal. A Consolidated Proposal shall be assigned a new number, shall contain the bundle of Proposals, shall be considered and debated by the assigned committee as a single proposal and the introducers of the individual Proposals shall be listed as introducers on the new Proposal. The original individual Proposals shall be tabled indefinitely.

## **5.5 Form of Proposals**

Each Constitutional amendment proposal shall be printed, endorsed with the signatures of all State delegates introducing it, or by the Chair of the committee introducing it or reporting it. The caption of all proposals shall be:

“Proposal No. \_\_\_\_\_ in the (year)\_\_\_ Amendment Convention of the United States of America.” Introduced by \_\_\_\_\_ (a listing of the State(s), delegate(s), or committee).”

Following the caption there shall be a short title concisely stating the general nature of its subject matter, followed by the words: “BE IT RESOLVED THAT THE FOLLOWING PROPOSED AMENDMENT BE SUBMITTED TO THE SEVERAL STATES FOR RATIFICATION AS AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES OF AMERICA.”

## **5.6 Subject of Proposals**

### **5.6.1 Introduction of Proposals**

The Convention derives its authority by way of the resolutions to call for a convention pursuant to Article V of the Constitution of the United States passed by at least two-thirds of the Legislatures of the several States. Each State with delegates in attendance may introduce any proposed amendment to the Constitution both consistent with the subject(s) contained in its State’s application and subject to this rule. The Convention is limited to proposing only an amendment or amendments to the Constitution of the United States whose subject(s) were specifically included in the resolutions of at least two-thirds of the several States. This Convention has no authority to consider any other subject or entertain any motion to consider any other subjects. Any motion not within the scope authorized by each and every one of the resolutions passed by at least two-thirds of the Legislatures of the several States shall be ruled out of order. Such a ruling shall only be appealed as to whether the motion is germane to the subject of the call.

### **5.7 Limitation on Introduction of Proposals**

After the fifth (5<sup>th</sup>) day of the Convention, no Constitutional amendment proposal shall be introduced, except on the report or recommendation of a standing or select committee, or by unanimous consent. No delegation is required to submit a proposal.

### **5.8 Reading on Two Different Days**

Every proposal shall be read in its entirety on two (2) different Convention days.

## **5.9 Regular Order for Proposals**

The regular order to be taken by proposals shall be as follows:

1. Introduction, first reading, reference to a committee by the President, and printing of copies of each proposal.
2. Report of committee of the proposal with amendments or a committee substitute, printing of copies, and placing on general orders.
3. Consideration by Convention and action on amendments offered by delegations.
4. Second Reading.
5. Reference to the Committee on Style.
6. Report of the Committee on Style, and printing of copies.
7. Action on report of Style.
8. Reference to the Committee on Style for arrangement of sections, and for form of engrossment.
9. Report of Committee on Style for arrangement of sections, and printing of copies.
10. Order for engrossment and printing. The engrossed copy of the proposal shall be printed in a form designated by the Convention Body.
11. Third reading and final passage without amendment.

## **ARTICLE 6     Decorum and Debate**

### **6.1 Recognition of Delegates and Right to the Floor**

Every delegate rising to speak shall address the President, and no delegate shall proceed until he or she shall have been recognized by the President as entitled to the floor. Two delegates rising at the same time, the President shall name the member who shall be first heard, the other seeking recognition having preference next to speak.

### **6.2 Disrupting Debate**

While a delegate shall be speaking, none shall pass between the delegate and President, or entertain disruptive private discourse with another delegate on the floor with the exception of silent electronic communication.

### **6.3 Motion to Adjourn or Recess**

When a motion to adjourn, or for recess, shall have carried, no delegate shall leave his or her place until adjournment or recess shall be declared by the President.

### **6.4 Limits on Debate**

#### **6.4.1 Right of Delegate to Debate**

No delegate shall speak more often than once upon the same question, without special leave of the Convention, and not a second time, until every other state delegation shall have an opportunity to speak on the question. No delegate shall speak for more than twelve minutes upon the same question, and no State delegation shall speak for more than forty-eight minutes total upon the same question. No delegate shall impeach or impugn motives of any

other's argument or vote. No delegate shall be permitted to indulge in personalities, use language personally offensive, or charge deliberate misrepresentation of another delegate.

#### **6.4.2 Closing Debate**

So that no member shall abuse his or her privileges, the previous question may be used to close debate on any debatable question. The previous question shall be in the form: "Shall the main question now be put?" It shall only be admitted on written demand of 13 States, and sustained by a vote of a "qualified simple majority", as defined in Article 4.1.3.

#### **6.5 Calling another Delegate to Order**

Any delegate, as well as the President, may call to order any other delegate, subject to appeal to the Convention, and the delegate called to order may be allowed to explain his or her conduct or expressions supposed to be objectionable. If there is no appeal, the decision of the President shall prevail. If the decision of the President favors the delegate called to order, he or she shall be at liberty to proceed.

### **ARTICLE 7 Committee of the Whole**

#### **7.1 Standing Order of the Day**

Upon a motion supported by a "qualified simple majority", the Convention may resolve itself into a Committee of the Whole for consideration of proposals. It shall be a standing order of the day for the Convention to resolve itself into a Committee of the Whole.

#### **7.2 Chairman**

When the Convention shall resolve itself into a Committee of the Whole, the President shall name a Chair to preside in the committee.

#### **7.3 Method of Acting on Proposals**

Upon a proposal being committed to the Committee of the Whole, it shall be read by the Secretary and then read and debated by clauses or sections, as determined by the committee. After the report, the bill shall be subject to be debated and amended by clauses or sections on the floor of the Convention before a vote on the question to perfect and print is taken.

#### **7.4 Rules in Committee of the Whole**

The rules of the Convention shall be observed in the Committee of the Whole as far as may be applicable.

#### **7.5 Motion to Rise**

A motion for the rising of the Committee of the Whole shall always be in order unless a member of the committee is speaking or a vote is being taken, and shall be decided without debate.

#### **7.6 Powers of the Committee of the Whole**

The Committee of the Whole shall have the same powers as the Convention to enforce the attendance of members; and the Secretary and Sergeant-at-Arms of the Convention shall be the Secretary and Sergeant-at-Arms of the Committee of the Whole.

## **ARTICLE 8      Committees of the Convention**

### **8.1 Number and Appointment of Committees**

The standing committees of the Convention shall be seven in number. The President shall appoint all committees, unless otherwise ordered by the Convention. Each standing committee shall be chaired by a Chair, appointed by the President pursuant to Article 1.4.5.

### **8.2 Standing Committees of the Convention and Duties**

#### **8.2.1 Committee on Administration and Accounts**

The Committee on Administration and Accounts shall consider matters relating to Convention expenditures; set up such safeguards and procedures as may be necessary to protect the Convention and its members in all expenditures which may be made; to provide methods by which all expenditures can be checked and audited; and recommend to the Convention the methods to be used for that purpose. The committee shall further have supervision of the general staff of the Convention and be authorized to prescribe, in addition to those already provided, rules and regulations in regard to their activities and duties. The committee shall prepare and submit to the Convention from time to time appropriation resolutions for the appropriation of funds from the State Assessment Account to the Operations Account, as noted in section 9.4.1, for the operation of the Convention.

In submitting said resolutions, the committee shall accompany the proposal with estimates of the Convention requirements, represented in the proposed appropriations. Subject to the approval of the Convention, the committee shall be authorized to contract for, and purchase such supplies and services as the Convention may require and provide for the proper distribution of the same. It shall be further the duty of the committee to report to the Convention, from time to time, as it may deem desirable, giving the Convention information about the expenditures of the Convention and methods established to protect the same.

#### **8.2.2 Committee on Convention Research**

The committee on Convention Research shall assemble, at a conducive location for the purpose of information gathering and research in order to address problems under consideration. This location should have internet access, as well as a private meeting space to preserve confidentiality. From time to time, the committee may recommend the purchase or acquisition of such materials as may be needed by the Convention.

#### **8.2.3 Committee on Credentials and Privileges**

The Committee on Credentials and Privileges shall examine the commissions, credentials, and instructions of all delegates to the Convention and report a list of all the delegates who are entitled to serve as members of the Convention. The committee shall further consider matters relating to the floor privileges of members of the Convention.

#### **8.2.4 Committee on Information, Submission, and Address to the States and Congress**

The Committee on Information, Submission, and Address to the States and Congress shall present information to the public in a timely manner concerning the proceedings of the Convention. The committee shall also consider and make recommendations to the Convention and Congress as to the method of submission of the proposal(s) of the Convention to the various States after the adjournment of the Convention. The committee shall further prepare and present to the Convention, for its approval, an address to the States and Congress outlining the results of the Convention's work.

#### **8.2.5 Committee on Printing and Publications**

The Committee on Printing and Publications shall consider all matters having to do with Convention printing, reporting of the proceedings, and the publications which may be incidental to those proceedings. The committee shall be charged with the responsibility of determining the amount of printing to be done, the nature and character of publications to be made, and, in general, recommend any and all measures which it may deem useful for the economical and proper management of the printing, reporting, and publications of the Convention.

#### **8.2.6 Committee on Rules and Procedures**

The Committee on Rules and Procedures shall consider all matters relating to the rules for the Convention.

#### **8.2.7 Committee on Style**

The Committee on Style shall examine and correct the proposals which are referred to it, for the purpose of avoiding inaccuracies, repetitions and inconsistencies. It shall also carefully examine the order in which the proposals shall be directed by the Convention to be engrossed for third reading, examine all proposals so engrossed, and see that the same are correctly engrossed, and shall immediately report the same in like order to the Convention before they are read the third time. The committee shall not have authority to change the sense or purpose of any proposal referred to it, and if any thirteen (13) State delegations shall object in a timely manner to any report of said committee on the ground that said report has changed the sense or purpose of any such proposal, the proposal shall be referred to a select committee consisting of fifteen (15) delegates, which shall include not less than seven (7) of the thirteen (13) State delegations objecting to the report.

### **8.3 Composition of Committees**

The membership of all standing committees and of all other committees, unless otherwise provided by these rules or by the resolution creating them, shall be composed of ten members. No major political party shall be represented on the committee by more than six members, nor shall more than one member be from any one State.

### **8.4 Administration and Accounts**

The Committee on Administration and Accounts shall be composed of two members; the President and the Vice President.

## **8.5 Reference to Committees**

When motions are made to refer any proposal or matter, and different committees are proposed, the question of reference shall be in the following order: a Standing Committee, a Select Committee, the Committee of the Whole.

## **8.6 Time of Sitting**

No committee shall sit during the sessions of the Convention without leave of the Convention.

## **8.7 Committee Quorum**

A majority of the members of a committee constitutes a quorum. No committee shall take final action on a proposal unless a quorum is present.

## **8.8 Committee Hearings**

When any proposal is about to be considered by a committee, the introducers of such proposal shall be notified of the time and place where such proposal shall be considered by such committee. Each committee shall keep a record of the members present when a proposal is finally considered; and this record and the record of the votes cast shall be filed by the Committee Chair with its report.

## **8.9 Committee Reports**

No proposal shall be reported from a committee unless such action is approved by affirmative vote by a "simple majority". The committee report must be signed by the Chair. In the event any committee is evenly divided on any matter pending before it, the Chair shall refer such matter back to the Convention without recommendation.

## **8.10 Discharge of Proposal**

In the event any committee considering proposals shall fail or refuse to report to the Convention on the same within the period of time fixed by these rules, any member delegate may file a request in open convention for a report upon the specified proposal to the floor of the Convention, and in the event the committee shall fail to make a report within three convention days thereafter, the proposal shall be placed on the calendar for consideration.

## **8.11 Rules of the Convention**

The rules of the Convention shall be observed in all committees as far as may be applicable, and each committee shall keep a record of its proceedings.

# **ARTICLE 9 Miscellaneous**

## **9.1 Guide on Parliamentary Practice**

The rules of parliamentary practice laid down in the latest edition of Mason's Manual of Legislative Procedure shall govern in all cases in which they are not inconsistent with the rules and orders of the Convention.

## **9.2 Communication with Congress and the States**

When it is appropriate the Secretary of the Convention shall provide communication with the United States Congress and the States.

## **9.3 Openness of the Convention Sessions**

All general sessions and Committee meetings of the Convention shall be open to the public.

## **9.4 Funding of the Convention**

**9.4.1** A State assessment account shall be established and managed by the Committee on Administration and Accounts. An initial assessment of equal shares shall be required of each State for whom delegates are seated pursuant to Article 2.1. Subsequent assessments of equal shares may be requested when deemed necessary by the Committee on Administration and Accounts and approved by the Convention by a simple majority vote.

**9.4.2** An Operations Account shall be established to utilize for reimbursement of all expenses of the Convention, and shall be funded from time to time, as deemed necessary.

**9.4.3** All accounts are to be managed by the Committee on Administration and Accounts, as specified in Article 8.2.1.

**9.4.4** Expenses related to the transportation, housing, and meals of delegates are the responsibility of the sending State.

**9.4.5** Any accrued assets of the Convention shall be distributed to a qualified 501(c) (3) non-profit organization after any remaining debts are resolved.

## **9.5 Close of the Convention**

### **9.5.1 Adjournment**

The Convention shall adjourn Sine Die upon either: Communication of a proposed amendment to Congress and the States per Article 9.2. or passage of a motion to adjourn Sine Die by two-thirds of the attending State delegations.

## **9.6 Article V Applications**

### **9.6.1 Application Lifespan**

An individual State's Application shall be considered active until such time as either an amendment is ratified under authority of Article V of the United States Constitution that is the result of a Convention called by Congress on the respective Application, or the Application is rescinded by the respective State Legislature prior to the call of the Convention by Congress.

## **9.6.2 Counting of Applications**

**9.6.2.1** The counting of active Applications is the responsibility of the State Legislatures.

**9.6.2.2** An Application shall be counted towards the two-thirds of the States requirement under Article V of the United States Constitution that triggers a Call by Congress if it is of the same subject matter as other Resolutions. As each State is sovereign and independent, the verbiage of an Application does not need to be similar nor can an Application be disqualified from being counted with those of similar subject matter because the verbiage is different, unless the Application is so limited.

**9.6.2.3** An Application may specify a single, or multiple, subject matters. The Application can also be considered an Open Application if it calls for a Convention for Proposing Amendments and does not name any subject matter for an amendment.

**9.6.2.4** When counting Applications towards the required two-thirds number specified in Article V of the United States Constitution, an Open Application shall qualify towards the count of Applications for both Open Applications that have been filed among the States and toward the count of Applications for specific subject matters, as it is the intent of a State in filing an Open Application to convene a Convention under any and all subject matters.

## **9.6.3 Call of a Convention**

Upon reaching the required two-thirds of the States having filed Applications on the same subject matter, as defined above as a combination of specific subject Applications and Open Applications, the State Legislatures having filed these Applications shall deliver to Congress a document of notification for a Call. This document shall include all information necessary for Congress to make the call in a timely and informed manner, consistent with the intentions of the founders per Federalist 85 which states that nothing be left to the discretion of Congress. This includes:

1. The subject matter, if any, authorized in the Applications
2. A list of the States that have filed the qualifying Applications with a copy of each of the respective Applications attached
3. The proposed date and location of convening
4. Any other information the Convention deems necessary