

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1995**

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**SENATE JOINT RESOLUTION 213**  
**Second Edition Engrossed 5/11/95**

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Sponsors: Senators Conder and Cochrane.

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Referred to: Rules and Operations of the Senate.

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February 15, 1995

1 A JOINT RESOLUTION HONORING THE MEMORIES OF NORTH CAROLINA'S  
2 DELEGATION TO THE FEDERAL CONVENTION OF 1787, WHO ABLY  
3 PARTICIPATED IN THE FRAMING OF THE CONSTITUTION, AND  
4 SUPPORTING NORTH CAROLINA'S PARTICIPATION IN A CONFERENCE  
5 OF THE STATES.

6 Be it resolved by the Senate, the House of Representatives concurring:

7 Section 1. North Carolina was ably represented at the Federal Convention of  
8 1787 by William Richardson Davie of Halifax County, Alexander Martin of Guilford  
9 County, Richard Dobbs Spaight of Craven County, Hugh Williamson of Chowan  
10 County, and William Blount of Pitt County. Those persons, distinguished in North  
11 Carolina history, took time from their businesses, professions, and governmental work  
12 in North Carolina to spend a long spring and summer in Philadelphia, framing our  
13 constitution, with checks and balances which were designed to preserve our federal  
14 system. The General Assembly commemorates their memory. A delegation not to  
15 exceed seven voting persons from the State of North Carolina shall be appointed to  
16 represent the State of North Carolina at a Conference of the States for the purposes  
17 described in Section 2 of this resolution, to be convened as provided in Section 3 of this  
18 resolution. The delegation shall not exceed seven voting persons as follows: (a) the  
19 Governor or, if the Governor does not wish to be a member of the delegation then a  
20 constitutional officer selected by the Governor; and (b) a number of legislators not to  
21 exceed six; three from each house, of which at least one shall be from each major

1 political party, selected by the Speaker of the House of Representatives and the  
2 President Pro Tempore of the Senate. The Speaker of the House of Representatives and  
3 the President Pro Tempore of the Senate may designate two alternate legislator  
4 delegates, one from each party, who have voting privileges in the absence of the  
5 primary delegates.

6       Sec. 2. The delegates of The Conference of the States will propose, debate,  
7 and vote on elements of an Action Plan to restore checks and balances between states  
8 and the national government. Measures agreed upon will be formalized in an  
9 instrument called a States' Petition and returned to the delegation's state for  
10 consideration by the entire legislature.

11       Sec. 3. The Conference of States shall be convened under the § 501(c)3  
12 auspices of The Council of State Governments in cooperation with the National  
13 Governors' Association and the National Conference of State Legislatures no later than  
14 270 days after at least 26 legislatures adopt a resolution of participation.

15       Sec. 4. Prior to the official convening of The Conference of the States, the  
16 steering committee will draft:

- 17       (a) The governance structure and procedural rules for the Conference;
- 18       (b) The process for receiving rebalancing proposals; and
- 19       (c) The financial and administrative functions of the Conference,  
20 including The Council of State Governments as fiscal agent.

21       Sec. 5. The bylaws shall:

- 22       (a) Conform to the provisions of this resolution;
- 23       (b) Specify that each state delegation shall have one vote at the  
24 Conference; and
- 25       (c) Specify that the Conference agenda be limited to fundamental,  
26 structural, long-term reforms.

27       Sec. 6. Upon the official convening of The Conference of the States, the state  
28 delegations will vote upon and approve the Conference governing structure, operating  
29 rules, and bylaws.

30       Sec. 7. Adoption of this resolution does not constitute an application by the  
31 General Assembly of North Carolina for the calling of a federal constitutional  
32 convention within the meaning of Article V of the United States Constitution. This  
33 resolution does not authorize the Conference of the States to be a federal constitutional  
34 convention, and if the Conference of the States represents itself as a constitutional  
35 convention or acts as a constitutional convention, this resolution is void and the  
36 delegation appointed pursuant to this resolution is recalled.

37       Sec. 8. The Secretary of State shall transmit a certified copy of this resolution  
38 to the Governing Board of the Council of State Governments.

39       Sec. 9. This resolution is effective upon ratification.