
Wisconsin Legislative Council

AMENDMENT MEMO



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**2021 Senate Joint
Resolution 8**

**Senate
Amendment 1**

2021 SENATE JOINT RESOLUTION 8

Article V of the U.S. Constitution provides two methods for initiating the process of amending the U.S. Constitution. One of those methods, commonly referred to as an “Article V Convention,” is a convention called by Congress on the application of two-thirds of the state legislatures.¹

If enrolled, 2021 Assembly Joint Resolution 9 would constitute the Legislature’s application to Congress for a convention of states to amend the U.S. Constitution. As outlined in the resolution, the convention’s scope would be for the purpose of proposing amendments that would: (1) impose fiscal constraint; (2) limit the power and jurisdiction of the federal government; and (3) limit terms of office for members of Congress and other federal officials.

The joint resolution directs the Secretary of State to transmit copies of the application to relevant congressional officers and other state legislatures.

The joint resolution also specifies that the joint resolution constitutes a continuing application until the legislatures of at least two-thirds of the states have made applications on the same subject.

SENATE AMENDMENT 1

Senate Amendment 1 specifies that, for purposes of the joint resolution, the phrase “limit the power and jurisdiction” means to restrict and constrain the power and jurisdiction of the federal government. The amendment also specifies that the joint resolution does not authorize a convention for proposing any amendments that expand federal power or jurisdiction, or that legitimize any current use of federal power that is unauthorized by the original U.S. Constitution.

HISTORY

Senator Bernier introduced Senate Amendment 1 on March 10, 2021. On April 8, 2021, the Senate Committee on Government Operations, Legal Review, and Consumer Protection voted to recommend adoption of the amendment, and passage of the joint resolution, as amended, on subsequent votes of Ayes, 3; Noes, 2.

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¹ However, Article V requires three-fourths of the states to ratify any amendments proposed by such a convention.