State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4489

03/04/2024   Authored by Hudson, Dotseth, Schultz, Knudsen and Burkel
The bill was read for the first time and referred to the Committee on State and Local Government Finance and Policy

1.1   A bill for an act

1.2   relating to state government; establishing a process to select delegates to a
1.3   constitutional convention; proposing coding for new law in Minnesota Statutes,
1.4   chapter 1.

1.5   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6   Section 1. **[1.60] CONVENTION OF STATES FOR AMENDMENT OF UNITED**

1.7   **STATES CONSTITUTION.**

1.8   Subdivision 1. **Constitutional convention delegate appointment.** The state must send

1.9   five delegates to a convention called by Congress under Article V of the United States

1.10   Constitution to amend the United States Constitution. One delegate each must be appointed

1.11   by the senate majority leader, the senate minority leader, the speaker of the house of

1.12   representatives, and the minority leader of the house of representatives. The four appointing

1.13   authorities must appoint a fifth delegate by unanimous choice. If the appointing authorities

1.14   are unable to select a fifth delegate unanimously by the deadline for appointment, the state

1.15   will send four delegates to the convention.

1.16   Subd. 2. **Alternate delegates.** Each appointing authority may appoint one alternate

1.17   delegate to serve in the event that the delegate appointed by that appointing authority is

1.18   unable to perform delegate responsibilities. The four appointing authorities may unanimously

1.19   appoint one alternate to serve in the event the fifth delegate appointed unanimously by the

1.20   four appointing authorities is unable to perform delegate responsibilities.

1.21   Subd. 3. **Appointment deadline.** The delegates and alternates must be appointed within

1.22   60 days of the date that Congress calls a convention for proposing amendments or within

1.23   a time limit set by Congress, whichever is earlier.

2.1 Subd. 4. **Authorized vote.** A delegate at the convention may not vote to allow

2.2 consideration of or to consider or approve any unauthorized amendment. For purposes of

2.3 this section, an "unauthorized amendment" means:

2.4 (1) a proposed amendment that varies from the exact text of the amendment contained

2.5 in the application made by the legislature that limits the convention to approving or

2.6 disapproving that exact text or, if the legislature did not make the application, the exact text

2.7 of the amendment contained in the applications relied upon by the United States Congress

2.8 in calling the convention, if the application contains exact text for a proposed amendment;

2.9 or

2.10 (2) a proposed amendment that is outside the permitted subject matter of the application

2.11 made by the legislature or, if the legislature did not make the application, the permitted

2.12 subject matter of the applications relied upon by the United States Congress in calling the

2.13 convention and as the subject matter may be further defined by the legislature, or an official

2.14 designated by the legislature, in instructions adopted by the legislature by concurrent

2.15 resolution and provided to each delegate and alternate delegate.

2.16 Subd. 5. **Advice.** A delegate may request guidance from the legislature or an official

2.17 designated by the legislature as to whether a proposed amendment is within the permitted

2.18 subject matter of the convention.

2.19 Subd. 6. **Unauthorized vote.** A delegate casting or attempting to cast a vote at a

2.20 convention in violation of this section is ineligible to continue to serve as a delegate and

2.21 must be immediately removed from office and replaced by an alternate delegate as provided

2.22 under this section. A vote cast by a delegate at a convention that is in violation of this section

2.23 is void.