H-2881.1

HOUSE JOINT MEMORIAL 4015

State of Washington 69th Legislature 2026 Regular Session

By Representative Marshall

Read first time 02/02/26. Referred to Committee on State Government & Tribal Relations.

TO THE HONORABLE DONALD J. TRUMP, PRESIDENT OF THE UNITED STATES, AND TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES, IN CONGRESS ASSEMBLED:

We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

WHEREAS, The founders of our Constitution empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and

WHEREAS, The federal government has created a crushing national debt through improper and imprudent spending; and

WHEREAS, The federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and

WHEREAS, The federal government has ceased to live under a proper interpretation of the Constitution of the United States; and

WHEREAS, It is the solemn duty of the states to protect the liberty of our people, particularly for the generations to come, by proposing amendments to the Constitution of the United States through a convention of the states under Article V of the Constitution, for the purpose of restraining these and related abuses of power;

NOW, THEREFORE, Your Memorialists, the legislature of the State of Washington, respectfully:

(1) Apply to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress; and

(2) Adopt this application expressly subject to the following reservations, understandings, and declarations:

(a) An application to the Congress of the United States to call an amendment convention of the states pursuant to Article V of the United States Constitution confers no power to Congress other than the power to call such a convention. The power of Congress to exercise this ministerial duty consists solely of the authority to name a reasonable time and place for the initial meeting of a convention.

(b) Congress shall perform its ministerial duty of calling an amendment convention of the states only upon the receipt of applications for an amendment convention for the substantially same purpose as this application from two-thirds of the legislatures of the several states.

(c) Congress does not have the power or authority to determine any rules for the governing of an amendment convention of the states called pursuant to Article V of the United States Constitution. Congress does not have the power to set the number of delegates to be sent by any state to such a convention, nor does it have the power to name delegates to such a convention. The power to name delegates remains exclusively within the authority of the legislatures of the several states.

(d) By definition, an amendment convention of the states means that states must vote on the basis of one state, one vote.

(e) An amendment convention of the states convened pursuant to this application must be limited to consideration of the topics specified herein and no other. This application is made with the express understanding that an amendment that in any way seeks to amend, modify, or repeal any provision of the Bill of Rights shall not be authorized for consideration at any stage. This application is

void ab initio if ever used at any stage to consider any change to any provision of the Bill of Rights.

(f) Pursuant to Article V of the United States Constitution, Congress may determine whether proposed amendments will be ratified by the legislatures of the several states or by special state ratification conventions. The legislature of the State of Washington recommends that Congress select ratification by the legislatures of the several states.

(g) The legislature of the State of Washington may provide further instructions to its delegates and may recall its delegates at any time for a breach of a duty or a violation of the instructions provided.

BE IT RESOLVED, That copies of this Memorial be immediately transmitted to the Honorable Donald J. Trump, President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, each member of Congress from the State of Washington, and to the presiding officers of each of the legislative houses in the several states, requesting their cooperation; and

BE IT FURTHER RESOLVED, That this Memorial constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject.

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