

Guide to Model Language for Commissioner Selection Resolution*

* This is a guide to the model language only. Once adapted by a state legislature the content could vary.

The Model Language is comprised of 13 sections.

Section 1: Specifies that the resolution applies to an Article V convention for proposing amendments.

Section 2: Definitions of Terms.

Section 3: Qualifications to be a Commissioner.

- Must be US Citizen & at least 25 years old.
- Must be a Resident of the State & registered to vote in the State.
- Must not be a federal lobbyist, a federal employee, or a federal contractor.
- Must not have held a federal office or received felony convictions in the last 10 years.
- See Model Language for details and exhaustive list.

Section 4: Commissioner Selection and Removal process.

- Appointed by the Legislature. (4A)
- There should always be an odd number of Commissioners. (4B)
- Commissioners can be recalled at any time for any reason by the legislature. (4C)
- Commissioners can be recalled/suspended by the Advisory Committee for exceeding the scope of their authority. (4D)
- See Model Language for details

Section 5: Components of the Commission that limit the Commissioners' authority.

- Commissioners must support traditional convention rules & that each state has one vote. (5A1)
- Commissioners must not vote to alter the text of: the original Constitution, the Bill of Rights, or Amendments 13, 14, 15, 19, 23, 24, and 26. (5A2)
- Commissioners will be limited to the subject matter of the 34 state applications that triggered the convention (5B1)
- Commissioners will be limited by any other instructions issued by the state legislature. (5B2)
- The state legislature can issue additional instructions to Commissioners at any time (5C)
- See Model Language for details.

Section 6: The Commissioner's Oath of office and filing instructions.

Section 7: What the Commissioner's credentials will be and how they will be issued.

Section 8: Filling Vacancies.

- Interim Commissioner(s) will be selected by the Advisory Committee.
- Permanent Replacement(s) appointed by the State Legislature.

Section 9: Compensation and Expenses of Commissioners.

- Commissioners receive the same pay as State Representatives. (9A)
- Commissioner can receive same compensation for expenses as State Representative. (9B)

Section 10: Specifies the gifts Commissioners can and can not accept.

Section 11: Rules for Commissioners regarding behavior & decision making.

Section 12: How the Advisory Committee is selected and functions.

Section 13: Procedure to be followed in the event that a Commissioner exceeds their authority.