

1 HOUSE JOINT RESOLUTION NO. 5

2 INTRODUCED BY J. O'NEIL

3
4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
5 MONTANA URGING THE AMENDMENT OF THE CONSTITUTION OF THE UNITED STATES TO PREVENT
6 THE PRESIDENT OF THE UNITED STATES FROM ENTERING INTO TREATIES INFRINGING ON THE
7 CITIZENS' RIGHTS UNDER THE CONSTITUTION OF THE UNITED STATES.

8
9 WHEREAS, Article II, section 2, clause 2, of The Constitution of the United States may be interpreted
10 to grant the President of the United States the power, subject to the consent of two-thirds of the Senate, to make
11 treaties infringing on the citizens' rights guaranteed by The Constitution of the United States.

12
13 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
14 STATE OF MONTANA:

15 (1) That the Montana Legislature finds that the current process of making treaties may permit a treaty
16 to be made that infringes on the citizens' rights guaranteed by The Constitution of the United States.

17 (2) That Congress, in accordance with Article V of The Constitution of the United States, immediately
18 transmit to the several states for ratification an amendment to Article II, section 2, clause 2, of The Constitution
19 of the United States stating:

20 "He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties subject to
21 this Constitution, provided two thirds of the Senators present concur; and he shall nominate, and by and with the
22 Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of
23 the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise
24 provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such
25 inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of
26 Departments."

27 (3) That the Secretary of State send a copy of this resolution to the President of the United States, the
28 Speaker of the United States House of Representatives, the Majority Leader of the United States Senate, and
29 to each member of the Montana Congressional Delegation.

30 - END -