

HOUSE JOINT RESOLUTION NO. 25

INTRODUCED BY T. WOODS

3
4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF
5 MONTANA URGING THE RESTORATION OF FREE AND FAIR ELECTIONS IN AMERICA; AND PROVIDING
6 FOR THE APPLICATION FOR AN ARTICLE V AMENDMENT CONVENTION TO BE CALLED FOR THE
7 PURPOSE OF PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

9 WHEREAS, the framers of the Constitution of the United States of America intended that the Congress
10 of the United States of America should be "dependent on the people alone" (James Madison, Federalist 52); and

11 WHEREAS, that dependency has evolved from a dependency on the people alone to a dependency on
12 powerful special interests through campaigns or third-party groups that has created a fundamental imbalance in
13 our representative democracy; and

14 WHEREAS, Americans across the political spectrum agree that elections in the United States of America
15 should be free from the disproportional influence of special interests and fair enough that any citizen can be
16 elected into office; and

17 WHEREAS, Article I, section 1, of the Constitution of the State of Montana states that "[a]ll government
18 of right originates with the people, is founded upon their will only" and Article I, section 2, provides that the people
19 may "alter . . . the constitution and form of government whenever they deem it necessary"; and

20 WHEREAS, Article V of the United States Constitution requires Congress to call a convention for
21 proposing amendments to the United States Constitution "on the application of the legislatures of two thirds of
22 the several states"; and

WHEREAS, the Montana Legislature perceives the need for an amendment convention in order to restore balance and integrity to our elections by proposing an amendment to the federal Constitution that will permanently protect free and fair elections in America by addressing, among other things, issues raised by the decisions of the United States Supreme Court in *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010), and related cases and events, and desires that the amendment convention should be limited to these issues; and

WHEREAS, the Montana Legislature desires that the delegates to the amendment convention should be comprised equally of individuals currently elected to state and local office or selected by election in each congressional district in Montana for the purpose of serving as delegates, but that any individual who is or has

1 ever been elected or appointed to federal office be prohibited from serving as a delegate to the convention; and

2 WHEREAS, the Montana Legislature intends to retain the ability to restrict or expand the power of its
3 delegates within the limits expressed in this resolution; and

4 WHEREAS, the Montana Legislature intends that this joint resolution be a continuing application
5 considered together with applications calling for a convention passed by the Vermont General Assembly (J.R.S.
6 No. 27, 2014), the California Legislature (A.J.R. No. 1, 2014), the Illinois General Assembly (S.J.R. No. 42, 2014),
7 the New Jersey Legislature (S.C.R. No. 132, 2015), the Rhode Island General Assembly (H.R. No. 7670, 2016,
8 and S.R. 2589, 2016) and all other passed, pending, and future applications until such time as two-thirds of the
9 several states have applied for a convention for a similar purpose and the amendment convention is convened
10 by Congress.

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

14 That the people of the State of Montana speaking through its legislature and pursuant to Article V of the
15 United States Constitution hereby petition the United States Congress to call a convention for the exclusive
16 purpose of proposing an amendment to the Constitution of the United States of America that will restore free and
17 fair elections as described herein, as soon as two-thirds of the several states have applied for a convention for
18 a similar purpose.

19 BE IT FURTHER RESOLVED, that the Secretary of State is directed to transmit copies of this joint
20 resolution to:

21 (1) the President of the United States;

22 (2) the Vice President of the United States in the Vice President's capacity as presiding officer of the
23 United States Senate;

24 (3) the Speaker of the United States House of Representatives;

25 (4) the Minority Leader of the United States House of Representatives;

26 (5) the President Pro Tempore of the United States Senate;

27 (6) each member of the Montana delegation to the United States Senate and the United States House
28 of Representatives with the respectful request that the full and complete text of this resolution be printed in the
29 Congressional Record; and

30 (7) the presiding officers of each legislative body of each of the several states requesting the cooperation

- 1 of the states in issuing an application compelling Congress to call a convention for proposing an amendment
- 2 pursuant to Article V of the United States Constitution.

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