HOUSE JOINT RESOLUTION 11


Introduced and read first time: February 9, 2018
Assigned to: Rules and Executive Nominations
Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 10, 2018

RESOLUTION NO. ______

1 A House Joint Resolution concerning

2 United States Constitution – Amendments Convention – Democracy Amendment

3 FOR the purpose of applying to the U.S. Congress for an amendments convention called

4 under Article V of the U.S. Constitution, on the application of the legislatures of

5 two-thirds of the several states, to propose an amendment to the U.S. Constitution

6 that affirms every citizen’s individual right to vote, reserves constitutional rights to

7 natural persons, and authorizes regulation of contributions and expenditures

8 intended to influence elections; and generally relating to an application to Congress

9 for a convention to propose an amendment to the U.S. Constitution.

10 WHEREAS, The American people have built our representative democracy on the

11 principle that every citizen has the individual right to vote and the guarantee that every

12 vote cast is counted; and

13

14 WHEREAS, Elections should be free of the influence of excessive campaign spending

by outside interests and fair enough that any citizen is able to run for public office; and

EXPLANATION:

Underlining indicates amendments to bill.
Strike-out indicates matter stricken by amendment.
WHEREAS, It was the stated intention of the framers of the U.S. Constitution that the Congress of the United States of America should be “dependent on the people alone” (James Madison, Federalist No. 52, in the Federalist Papers); and

WHEREAS, The U.S. Supreme Court has removed the wall of separation between private wealth and democratic elections by removing prohibitions against unlimited electoral expenditures in Citizens United v. Federal Election Commission, McCutcheon v. Federal Election Commission, and related cases; and

WHEREAS, The U.S. Congress has failed to propose a constitutional amendment to protect the individual right to vote and to restore confidence in the integrity of our elections and government; and

WHEREAS, The people have the right to choose the leaders who write our laws, but decisions of the U.S. Supreme Court and corresponding inaction by the U.S. Congress have undermined the American principle of self-government, necessitating that Americans take action to defend the republic and strengthen our democracy; and

WHEREAS, Article V of the U.S. Constitution states that “on the Application of the Legislatures of two-thirds of the several States,” Congress “shall call a Convention for proposing Amendments”; and

WHEREAS, The Bill of Rights and four of the last ten amendments to the U.S. Constitution were added to the U.S. Constitution at least partly in response to pressure from state legislatures calling for a convention of the states to propose an amendment; and

WHEREAS, Most prior constitutional amendments have been added to create a more perfect union by making America more democratic, more inclusive, and more accountable to the people; and

WHEREAS, The General Assembly of Maryland desires that the delegates from the State to the convention be composed of citizens, in numbers equal to the number of presidential electors in the State, half of whom are elected by the people voting at large and half of whom are selected by the General Assembly from among State and local officials; and

WHEREAS, The General Assembly of Maryland desires that the delegates from the State be composed of an equal number of men and women and be reflective of the voter registration in the State; and

WHEREAS, The General Assembly of Maryland desires that the delegates selected by the General Assembly be selected after the other half of the delegates are elected by the people and be selected in such a manner that results in the full delegation from the State being composed of an equal number of men and women and being reflective of the voter registration in the State; and
WHEREAS, The General Assembly of Maryland desires that all individuals elected
to federal offices shall be prohibited from serving as delegates to the convention; and

WHEREAS, The State of Maryland intends to retain the ability to restrict or expand
the power of its delegates within the limits expressed above; and

WHEREAS, The State of Maryland intends that this application for an amendments
convention shall be considered in keeping with the applications already submitted on these
topics this topic such as those passed by the 2013–2014 Vermont legislature as R454, the
2013–2014 California legislature as Resolution Chapter 77, the 98th Illinois General
Assembly as SJR 42, the 2014–2015 New Jersey legislature as SCR 132, the 2015–2016
Rhode Island legislature as HR 7670 and SR 2589, and all other passed, pending, and
future applications on any of the this same topics topic: now, therefore, be it

RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That, as provided
in Article V of the U.S. Constitution, the General Assembly of Maryland respectfully applies
to the U.S. Congress for an amendments convention to be called, as soon as two-thirds of
the several states have applied for a convention, for the purpose of proposing an
amendment or amendments to the U.S. Constitution regarding any of these the specific and
limited purposes:

(1) affirming every citizen’s individual right to vote;

(2) reserving constitutional rights to natural persons; or

(3) purpose of authorizing the regulation of contributions and expenditures
intended to influence elections; and be it further

RESOLVED, That delegates to the convention from Maryland may not propose or
support amendments that do not have the primary goals of addressing only the specific and
limited purposes purpose enumerated above; and be it further

RESOLVED, That this application constitutes a continuing application in
accordance with Article V of the U.S. Constitution and shall expire on January 20, 2026
without any further action from the General Assembly of Maryland; and be it further

RESOLVED, That certified copies of this Joint Resolution be sent by the Secretary
of State to:

(1) the Honorable Michael R. Pence, Vice President of the United States,
President of the United States Senate, Suite S–212, United States Capitol Building,
Washington, D.C. 20510; the Honorable Orrin Hatch, President Pro Tempore of the United
States Senate, 104 Hart Office Building, Washington, D.C. 20510; and the Honorable Paul
D. Ryan, Speaker of the United States House of Representatives, 1233 Longworth House
Office Building, Washington, D.C. 20515; and
(2) the Maryland Congressional Delegation: Senators Benjamin L. Cardin and Christopher Van Hollen, Jr., Senate Office Building, Washington, D.C. 20510; and Representatives Andrew P. Harris, C. A. Dutch Ruppersberger III, John P. Sarbanes, Anthony G. Brown, Steny Hamilton Hoyer, John Delaney, Elijah E. Cummings, and Jamie Raskin, House Office Building, Washington, D.C. 20515; and

(3) the Honorable David S. Ferriero, Archivist of the United States, National Archives and Records Administration, 709 Pennsylvania Avenue, N.W., Washington, D.C. 20408; and

(4) the Honorable Julie E. Adams, Secretary of the United States Senate, United States Capitol Building, Suite S–312, Washington, D.C. 20510; the Honorable Elizabeth MacDonough, Parliamentarian of the United States Senate, United States Capitol Building, Suite S–133, Washington, D.C. 20510; the Honorable Karen L. Haas, Clerk of the United States House of Representatives, Suite H–154, United States Capitol Building, Washington, D.C. 20515; and the Honorable Thomas J. Wickham, Jr., Parliamentarian of the United States House of Representatives, Room H–209, United States Capitol Building, Washington, D.C. 20515, requesting that they publish this Joint Resolution in the Congressional Record and list this application in the official tally of state legislative applications for a convention of the states under Article V of the U.S. Constitution; and be it further

RESOLVED, That the Secretary of State is directed to send copies of this Joint Resolution to the presiding officers of both Houses of the legislature of each of the several states, with the request that it be circulated among leaders in the legislative branch of the state governments; and with the further request that each of the states join in requesting the U.S. Congress to call a convention for the purpose of initiating a proposal to amend the U.S. Constitution as described in this Joint Resolution.

Approved:

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Speaker of the House of Delegates.  President of the Senate.