

# HOUSE JOINT RESOLUTION 7

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Assigned to: Rules and Executive Nominations

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## HOUSE JOINT RESOLUTION

1 A House Joint Resolution concerning

2 **United States Constitutional Convention – Democracy Amendment**

3 FOR the purpose of applying to the U.S. Congress for an amendments convention  
4 called under Article V of the U.S. Constitution, on the application of the  
5 legislatures of two–thirds of the several states, to propose an amendment to the  
6 U.S. Constitution that affirms every citizen’s freedom to vote and restores free  
7 and fair elections in America; and generally relating to an application to  
8 Congress for a convention to propose an amendment to the U.S. Constitution.

9 WHEREAS, The American people have built our representative democracy on  
10 the principle of free and fair elections where every citizen has the freedom to vote and  
11 the guarantee that every vote cast is counted; and

12 WHEREAS, The American people have, for more than a century, sought to free  
13 our elections and political institutions from the corrupting influence of massive  
14 campaign spending by outside interests and to ensure elections are fair enough that  
15 any citizen is able to run for public office; and

16 WHEREAS, The U.S. Supreme Court has trampled the democratic political  
17 process and demolished the wall of separation between private wealth and democratic  
18 elections by removing prohibitions against unlimited electoral expenditures in  
19 *Citizens United v. Federal Election Commission*, by denying the existence of an  
20 individual constitutional right to vote in *Bush v. Gore*, and by severely undermining  
21 the Voting Rights Act of 1965 in *Shelby County v. Holder*; and

22 WHEREAS, A paralyzed U.S. Congress has failed to pass both the “DISCLOSE  
23 Act” to illuminate the secret sources of “dark money” pouring into elections and  
24 legislation renewing the preclearance process of the Voting Rights Act of 1965 in



1 response to the U.S. Supreme Court’s assault on this essential achievement of the  
2 Civil Rights Movement; and

3 WHEREAS, A paralyzed U.S. Congress has failed to propose a constitutional  
4 amendment to protect the freedom to vote and to secure free and fair elections in order  
5 to restore confidence in the integrity of our government; and

6 WHEREAS, The people have the right to choose the leaders who write our laws,  
7 but decisions of the nation’s highest court and corresponding inaction by Congress  
8 have turned our public elections into private auctions in which the highest bidders rig  
9 the game, necessitating that Americans take action to defend the republic and  
10 strengthen our democracy; and

11 WHEREAS, President Barack Obama stated that, “Over the longer term, I  
12 think we need to seriously consider mobilizing a constitutional amendment process to  
13 overturn Citizens United”; and

14 WHEREAS, President Dwight D. Eisenhower stated that, “Through their state  
15 legislatures and without regard to the federal government, the people can demand a  
16 convention to propose amendments that can and will reverse any trends they see as  
17 fatal to true representative government”; and

18 WHEREAS, Article V of the U.S. Constitution provides authority for a  
19 convention to be called by the U.S. Congress for the purpose of proposing amendments  
20 to the U.S. Constitution on application of two-thirds of the legislatures of the several  
21 states; and

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

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

29 WHEREAS, The General Assembly of Maryland favors the proposal and  
30 ratification of a “Democracy Amendment” to the U.S. Constitution to affirm every  
31 citizen’s individual right to vote, reject the doctrine that artificial entities have  
32 inalienable political rights, regulate campaign contributions and electioneering  
33 expenditures, and restore free and fair elections in America, and desires the  
34 convention to be limited to that purpose; and

35 WHEREAS, The General Assembly of Maryland desires that the delegates to  
36 the convention be composed of citizens elected in the states, in numbers equal to the  
37 number of presidential electors in the states, by the people voting at large in the  
38 states; and

1 WHEREAS, The General Assembly of Maryland desires that the delegates from  
2 a state be composed of an equal number of men and women, except for states that  
3 have an odd number of presidential electors in which case the delegates of one gender  
4 may outnumber the delegates of the other gender by one; and

5 WHEREAS, The General Assembly of Maryland desires that all individuals  
6 elected to federal offices shall be prohibited from serving as delegates to the  
7 convention; and

8 WHEREAS, The State of Maryland intends to retain the ability to restrict or  
9 expand the power of its delegates within the limits expressed above; now, therefore, be  
10 it

11 RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That, as  
12 provided in Article V of the U.S. Constitution, the General Assembly of Maryland  
13 respectfully applies to the U.S. Congress for an amendments convention to be called,  
14 as soon as two-thirds of the several states have applied for a convention, for the  
15 purpose of proposing an amendment to the U.S. Constitution to affirm every citizen's  
16 freedom to vote and restore free and fair elections in America; and be it further

17 RESOLVED, That delegates to the convention from Maryland may not propose  
18 amendments that do not have the primary goals of addressing the goals listed in this  
19 Joint Resolution; and be it further

20 RESOLVED, That this application constitutes a continuing application in  
21 accordance with Article V of the U.S. Constitution until at least two-thirds of the  
22 legislatures of the several states have made application for an equivalently limited  
23 amendments convention; and be it further

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

25 (1) the President Pro Tempore of the United States Senate and the  
26 Speaker of the United States House of Representatives;

27 (2) all members of the Maryland Congressional Delegation;

28 (3) the Archivist of the United States; and

29 (4) the Clerks of both the United States Senate and the United States  
30 House of Representatives, requesting that they record this application in the  
31 published tally of state applications for a convention of the states under Article V of  
32 the U.S. Constitution; and be it further

33 RESOLVED, That the Secretary of State is directed to send copies of this Joint  
34 Resolution to the presiding officers of both Houses of the legislature of each of the  
35 several states, with the request that it be circulated among leaders in the legislative

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1 branch of the state governments; and with the further request that each of the states  
2 join in requesting the U.S. Congress to call a constitutional convention for the purpose  
3 of initiating a proposal to amend the U.S. Constitution as described in this Joint  
4 Resolution.