

# HOUSE JOINT RESOLUTION 2

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By: Delegates Hixson, Anderson, Atterbeary, Aumann, Barve, Bromwell, Carr, Chang, Cluster, Cullison, Dumais, Ebersole, Fennell, Fraser-Hidalgo, Gaines, Gutierrez, Hammen, Haynes, Healey, Hettleman, Hill, C. Howard, Jackson, Jalisi, Kaiser, Kelly, Korman, Kramer, Lam, Lierman, Luedtke, McIntosh, A. Miller, Moon, Morales, Morhaim, Oaks, Patterson, Pendergrass, Platt, Proctor, Reznik, B. Robinson, S. Robinson, Rosenberg, Smith, Tarlau, Turner, Vallario, Waldstreicher, Walker, A. Washington, M. Washington, and K. Young

Introduced and read first time: February 5, 2015  
Assigned to: Rules and Executive Nominations

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: April 6, 2015

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RESOLUTION NO. \_\_\_\_\_

1 A House Joint Resolution concerning

2 **United States Constitution – ~~Amendments Convention~~ – Democracy Amendment**

3 FOR the purpose of ~~applying to~~ urging the U.S. Congress ~~for an amendments convention~~  
4 ~~called under Article V of the U.S. Constitution, on the application of the legislatures~~  
5 ~~of two-thirds of the several states,~~ to propose an amendment to the U.S. Constitution  
6 that affirms every citizen's freedom individual right to vote ~~and restores free and fair~~  
7 ~~elections in America,~~ reserves inalienable political rights to natural persons, and  
8 authorizes regulation of campaign contributions and electioneering expenditures;  
9 and generally relating to ~~an application to Congress for a convention to propose~~ an  
10 amendment to the U.S. Constitution.

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

14 WHEREAS, Elections should be free of the ~~corrupting~~ influence of ~~massive excessive~~  
15 campaign spending by outside interests and fair enough that any citizen is able to run for  
16 public office; and

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## EXPLANATION:

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken by amendment.



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1 WHEREAS, It was the stated intention of the framers of the U.S. Constitution that  
2 the Congress of the United States of America should be “dependent on the people alone”  
3 (James Madison, Federalist #52, in the Federalist Papers); and

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

8 ~~WHEREAS, The U.S. Congress has failed to propose a constitutional amendment to~~  
9 ~~protect the freedom to vote and to secure free and fair elections in order to restore~~  
10 ~~confidence in the integrity of our government; and~~

11 ~~WHEREAS, Decisions of the U.S. Supreme Court and corresponding inaction by the~~  
12 ~~U.S. Congress have turned our public elections into private auctions, necessitating that~~  
13 ~~Americans take action to defend the republic and strengthen our democracy; and~~

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

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

20 WHEREAS, Most prior constitutional amendments have been added to create a more  
21 perfect union by making America more democratic, more inclusive, and more accountable  
22 to the people; ~~and~~ now, therefore, be it

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

28 ~~WHEREAS, The General Assembly of Maryland desires that the delegates to the~~  
29 ~~convention be composed of citizens elected in the states, in numbers equal to the number~~  
30 ~~of presidential electors in the states, by the people voting at large in the states; and~~

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

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

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

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

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

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

16 RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That the General  
17 Assembly of Maryland sharply disagrees with the U.S. Supreme Court decision in Citizens  
18 United v. Federal Elections Commission and urges the U.S. Congress to propose and send  
19 to the states for ratification as soon as it is practicable a constitutional amendment to  
20 reverse the decision and restore fair elections and democratic sovereignty to the states and  
21 to the people of the United States; and be it further

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

24 (1) the Honorable Joseph R. Biden, Jr., Vice President of the United States,  
25 President of the United States Senate, Suite S-212, United States Capitol Building,  
26 Washington, D.C. 20510; the Honorable Orrin Hatch, President Pro Tempore of the United  
27 States Senate, 104 Hart Office Building, Washington, D.C. 20510; and the Honorable John  
28 Boehner, Speaker of the United States House of Representatives, 1011 Longworth House  
29 Office Building, Washington, D.C. 20515; and

30 (2) the Maryland Congressional Delegation: Senators Barbara A. Mikulski  
31 and Benjamin L. Cardin, Senate Office Building, Washington, D.C. 20510; and  
32 Representatives Andrew P. Harris, C. A. Dutch Ruppersberger III, John P. Sarbanes,  
33 Donna Edwards, Steny Hamilton Hoyer, John Delaney, Elijah E. Cummings, and  
34 Christopher Van Hollen, Jr., House Office Building, Washington, D.C. 20515; and

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

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

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

Approved:

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Speaker of the House of Delegates.

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President of the Senate.