

1 HJR286
2 196872-1
3 By Representatives Dismukes, Clouse, Whorton, Lee and Jackson
4 RFD: Rules
5 First Read: 28-MAY-19

2
3
4
5
6
7
8 URGING THE UNITED STATES CONGRESS TO CALL A LIMITED
9 NATIONAL CONVENTION TO PROPOSE AN AMENDMENT TO THE UNITED
10 STATES CONSTITUTION TO ENSURE BALANCE AND INTEGRITY IN OUR
11 ELECTIONS.

12
13 WHEREAS, James Madison, in Federalist 52, stated
14 that the framers of the United States Constitution intended
15 that the United States Congress should be dependent on the
16 people alone; and

17 WHEREAS, that dependency has evolved from a
18 dependency on the people alone to a dependency on powerful
19 special interests, through spending by third-party groups,
20 campaigns, or out-of-state donors, that has created a
21 fundamental imbalance in our representative democracy and
22 eroded the people's trust in government; and

23 WHEREAS, Americans across the political spectrum
24 agree that elections in the United States should be free from
25 the disproportional influence of special interests and should
26 be fair enough that any citizen can be elected into office;
27 and

1 WHEREAS, Article I, Section 2 of the Constitution of
2 Alabama of 1901, states that "all political power is inherent
3 in the people...and instituted for their benefit" and the
4 people have an inalienable right to reform their government
5 when deemed necessary; and

6 WHEREAS, Article V of the United States Constitution
7 requires Congress to call a convention for proposing
8 amendments to the United States Constitution on the
9 application of two-thirds of the legislatures of the several
10 states; and

11 WHEREAS, the Alabama Legislature perceives the need
12 for an amendments convention in order to ensure balance and
13 integrity in our elections by proposing an amendment to the
14 United States Constitution that will permanently protect fair
15 elections in America by addressing, inter alia, issues raised
16 by the decisions of the United States Supreme Court in
17 Citizens United v. Federal Election Commission (2010) 130
18 S.Ct. 876, and related cases, and desires that the convention
19 should be so limited; and

20 WHEREAS, a national convention would give us an
21 opportunity to come together, as a nation, to discuss
22 solutions on how to ensure the integrity of our elections, and
23 renew the American people's trust in government; and

24 WHEREAS, Article V of the United States Constitution
25 clearly states that any amendment, whether proposed by
26 Congress or a convention, must be ratified by 75 percent of
27 the states, presently 38 states, ensuring that only the most

1 reasonable proposals with widespread support become part of
2 our Constitution; and

3 WHEREAS, notwithstanding any Alabama or federal law
4 to the contrary, the State of Alabama desires the delegates
5 sent to a national convention be composed equally of
6 individuals currently elected to state and local office, or be
7 selected by election, in each congressional district in
8 Alabama, though all individuals elected or appointed to
9 federal office now, or in the past, be prohibited from serving
10 as Alabama delegates, and the State of Alabama intends to
11 retain the ability to enforce the responsibility and conduct
12 of its delegation within the limits herein expressed; and

13 WHEREAS, the State of Alabama intends that this be a
14 continuing application considered together with applications
15 calling for a convention passed in the 2013-2014 Vermont
16 Legislature as R454, the 2013-2014 California Legislature as
17 Resolution Chapter 77, the 98th Illinois General Assembly as
18 SJR 42, the 2014-2015 New Jersey Legislature as SCR 132, the
19 2015-2016 Rhode Island Legislature as HR 7670 and SR 2589, and
20 all other passed, pending, and future applications until such
21 time as two-thirds of the several states have applied for a
22 convention for a similar purpose and a convention is convened
23 by Congress; now therefore,

24 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
25 HOUSES THEREOF CONCURRING, That the people of the State of
26 Alabama, speaking through its Legislature, and pursuant to
27 Article V of the United States Constitution, hereby apply to

1 the United States Congress to call a convention for the
2 exclusive purpose of proposing an amendment to the United
3 States Constitution that will permanently protect fair
4 elections as described herein, as soon as two-thirds of the
5 several states have applied for a convention for a similar
6 purpose.

7 BE IT FURTHER RESOLVED, That the Clerk of the
8 Alabama House of Representatives transmit copies of this
9 resolution to the President of the United States, the Vice
10 President of the United States in his capacity as the
11 presiding officer of the United States Senate, the Speaker of
12 the United States House of Representatives, the Minority
13 Leader of the United States House of Representatives, the
14 President Pro Tempore of the United States Senate, to each
15 Senator and Representative from Alabama in the Congress of the
16 United States with the respectful request that the full and
17 complete text of this resolution be printed in the
18 Congressional Record, and to the presiding officers of each
19 legislative body of each of the several states, requesting the
20 cooperation of the states in issuing an application compelling
21 Congress to call a convention for proposing amendments
22 pursuant to Article V of the United States Constitution.