

1 *Senate* JOINT RESOLUTION NO. *10*
 2 INTRODUCED BY *Regan Haggler* *Michael Flynn*
 3 *Murray* *Devin* *Low* STEPHENS *Warden* *E Smith*
 4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF *Albee*
 5 REPRESENTATIVES OF THE STATE OF MONTANA SUBMITTING AN *Nealy*
 6 APPLICATION REQUESTING CONGRESS TO CALL A CONVENTION FOR THE *Jerguson*
 7 PURPOSE OF PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE *Morming*
 8 UNITED STATES TO PROVIDE FOR THE DIRECT ELECTION OF THE *Thor*
 9 PRESIDENT OF THE UNITED STATES. *Tschenk*

10
 11 WHEREAS, the electoral college system of electing the
 12 president of the United States was established by the
 13 founding fathers as a compromise that was apparently as
 14 close to a direct popular election system as they thought
 15 possible and appropriate at the time; and

16 WHEREAS, the creators of the electoral college system
 17 never intended that the states would cast their electoral
 18 votes as a unit nullifying minority popular votes in the
 19 result; and

20 WHEREAS, the electoral college system has permitted the
 21 election of three presidents who have trailed their
 22 opponents in the national popular vote; and

23 WHEREAS, the Supreme Court of the United States has
 24 clearly shown that a system that allows dilution of voting
 25 power in such a way as to allow candidates with popular

1 majorities to be defeated abridges a fundamental political
 2 right guaranteed by the 14th Amendment to the Constitution
 3 of the United States; and

4 WHEREAS, the American Bar Association has characterized
 5 the existing electoral system as "archaic, undemocratic,
 6 complex, ambiguous, indirect, and dangerous"; and

7 WHEREAS, the United States House of Representatives has
 8 in past sessions approved a measure to propose an amendment
 9 to provide for the direct popular election of the president
 10 which has not been approved by the Senate; and

11 WHEREAS, Article V of the Constitution of the United
 12 States provides that Congress, on the application of the
 13 legislatures of two-thirds of the several states, shall call
 14 a convention for proposing amendments; and

15 WHEREAS, direct action by the states seems the only way
 16 to achieve the much needed change to elect our President
 17 directly by the people.

18
 19 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
 20 OF REPRESENTATIVES OF THE STATE OF MONTANA:

21 That application is made to Congress under Article V of
 22 the Constitution of the United States requesting the
 23 Congress to call a convention for the purpose of proposing
 24 an amendment to the Constitution to provide for the direct
 25 election of the President of the United States.

SJR10

1 BE IT FURTHER RESOLVED, that all the states are urged
2 to join Montana and submit applications to Congress for this
3 purpose.

4 BE IT FURTHER RESOLVED, that a four-member bipartisan
5 committee to be known as the Presidential Direct Election
6 Committee be formed to urge action by the legislatures of
7 the other states and by the Congress of the United States,
8 and that a member of the committee be appointed by each of
9 the majority and minority leaders in the Senate and House of
10 Representatives to serve without compensation.

11 BE IT FURTHER RESOLVED, that the Secretary of State is
12 instructed to send a copy of this resolution to the
13 President of the Senate and Speaker of the House of
14 Representatives of the United States, to each member of the
15 Montana Congressional Delegation, and to the Legislature of
16 each state.

-End-

Approved by Committee
on State Administration

SENATE JOINT RESOLUTION NO. 10

INTRODUCED BY REGAN, HAZELBAKER, MATHERS, FLYNN,
MURRAY, DEVINE, LOWE, STEPHENS, WARDEN, E. SMITH,
ABER, HEALY, JERGESON, MANNING, TOME, FASBENDER

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
REPRESENTATIVES OF THE STATE OF MONTANA SUBMITTING AN
APPLICATION REQUESTING CONGRESS TO CALL A CONVENTION FOR THE
PURPOSE OF PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE
UNITED STATES TO PROVIDE FOR THE DIRECT ELECTION OF THE
PRESIDENT OF THE UNITED STATES.

WHEREAS, the electoral college system of electing the
president of the United States was established by the
founding fathers as a compromise that was apparently as
close to a direct popular election system as they thought
possible and appropriate at the time; and

WHEREAS, the creators of the electoral college system
never intended that the states would cast their electoral
votes as a unit nullifying minority popular votes in the
result; and

WHEREAS, the electoral college system has permitted the
election of three presidents who have trailed their
opponents in the national popular vote; and

~~WHEREAS, the Supreme Court of the United States has~~

~~clearly shown that a system that allows dilution of voting
power in such a way as to allow candidates with popular
majorities to be defeated abridges a fundamental political
right guaranteed by the 14th Amendment to the Constitution
of the United States ELECTORAL COLLEGE SYSTEM IS IN
VIOLATION OF THE ONE MAN--ONE VOTE SYSTEM; and~~

WHEREAS, the American Bar Association has characterized
the existing electoral system as "archaic, undemocratic,
complex, ambiguous, indirect, and dangerous"; and

WHEREAS, the United States House of Representatives has
in past sessions approved a measure to propose an amendment
to provide for the direct popular election of the president
which has not been approved by the Senate; and

WHEREAS, Article V of the Constitution of the United
States provides that Congress, on the application of the
legislatures of two-thirds of the several states, shall call
a convention for proposing amendments; and

WHEREAS, direct action by the states seems the only way
to achieve the much needed change to elect our President
directly by the people.

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

That application is made to Congress under Article V of
the Constitution of the United States requesting the

SECOND READING

1 Congress to call a convention for the purpose of proposing
2 an amendment to the Constitution to provide for the direct
3 election of the President of the United States.

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5 to join Montana and submit applications to Congress for this
6 purpose.

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8 committee to be known as the Presidential Direct Election
9 Committee be formed to urge action by the legislatures of
10 the other states and by the Congress of the United States,
11 and that a member of the committee be appointed by each of
12 the majority and minority leaders in the Senate and House of
13 Representatives to serve without compensation.

14 BE IT FURTHER RESOLVED, that the Secretary of State is
15 instructed to send a copy of this resolution to the
16 President of the Senate and Speaker of the House of
17 Representatives of the United States, to each member of the
18 Montana Congressional Delegation, and to the Legislature of
19 each state.

-End-