

104TH CONGRESS
1ST SESSION

H. J. RES. 11

Proposing an amendment to the Constitution of the United States with respect to the proposal and the enactment of laws by popular vote of the people of the United States.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1995

Mr. SOLOMON introduced the following joint resolution; which was referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States with respect to the proposal and the enactment of laws by popular vote of the people of the United States.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled*
3 *(two-thirds of each House concurring therein), That the fol-*
4 *lowing article is proposed as an amendment to the Con-*
5 *stitution of the United States, which shall be valid to all*
6 *intents and purposes as part of the Constitution when*

1 ratified by the legislatures of three-fourths of the several
2 States within seven years after the date of its submission
3 for ratification:

4 “ARTICLE —

5 “SECTION 1. The people of the United States shall
6 have the power to propose and enact laws in accordance
7 with this article, except with respect to carrying out the
8 powers granted to Congress in the 11th and 15th clauses
9 of article I, section 8, of this Constitution. This article
10 does not grant the people of the United States the power
11 to propose amendments to this Constitution.

12 “SECTION 2. A law may be proposed by presenting
13 to the President a petition that sets forth the text of the
14 proposed law and contains signatures, collected within the
15 eighteen months prior to such presentation, of registered
16 voters equal in number to 3 percent of the ballots cast
17 in the last general election for President, and which in-
18 cludes the signatures of registered voters in each of one-
19 fourth of the States equal in number to 3 percent of the
20 ballots cast in the last general election for President in
21 each such State. Within ninety days after such presen-
22 tation, the President shall determine the validity of the
23 signatures contained in such petition through consultation
24 with the appropriate States. Upon a determination that
25 such petition contains the required number of valid signa-

1 tures, he shall certify such petition. He shall then direct
2 that the proposed law be placed on the ballot at the next
3 general election held for choosing Members of the House
4 of Representatives occurring at least one hundred and
5 twenty days after such certification. The Congress shall
6 provide by law reasonable procedures for the preparation
7 and transmittal of such petitions, and for the certification
8 of signatures on such petitions. For the purposes of this
9 section, the term 'State' shall include the District of Co-
10 lumbia.

11 "SECTION 3. A proposed law shall be enacted upon
12 receiving a majority of the number of electoral votes. For
13 purposes of this section, each State shall have a number
14 of electoral votes equal to the number of Senators and
15 Representatives to which such State is entitled in the Con-
16 gress. The District of Columbia shall have a number of
17 electoral votes equal to the number of Senators and Rep-
18 resentatives to which it would be entitled in the Congress
19 if it were a State, but in no event more than the number
20 of electoral votes of the least populous State. A proposed
21 law shall receive a proportion of the number of electoral
22 votes of each State equal to the proportion of the ballots
23 cast in such State with respect to such proposed law that
24 were cast for approval of such proposed law. In making

1 the computation, fractional numbers less than one-one-
2 thousandth shall be disregarded.

3 “SECTION 4. Any law enacted pursuant to this article
4 shall be a law the same as any other law of the United
5 States, except that any law to repeal or amend a law en-
6 acted pursuant to this article during the 2 years imme-
7 diately following its effective date must receive an affirma-
8 tive rollcall vote of two-thirds of the Members of each
9 House duly elected and sworn. No law, the enactment of
10 which is forbidden the Congress by this Constitution or
11 any amendment thereof, may be enacted by the people
12 under this article.

13 “SECTION 5. The Congress and the people shall have
14 the power to enforce this article by appropriate legisla-
15 tion.”.

