
ASSEMBLY JOINT RESOLUTION NO. 5—ASSEMBLYMAN YEAGER
(BY REQUEST)

MARCH 20, 2019

Referred to Committee on Legislative Operations and Elections

SUMMARY—Submits an application to Congress to call an Article V convention of the states limited to proposing certain amendments to the United States Constitution. (BDR R-699)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

ASSEMBLY JOINT RESOLUTION—Submitting an application to Congress to call an Article V convention of the states limited to proposing amendments to the United States Constitution to restore free and fair elections.

1 WHEREAS, The intention of the framers of the United States
2 Constitution, as explained in *The Federalist Papers*, No. 52, was
3 that Congress should be “dependent on the people alone”; and

4 WHEREAS, Section 2 of Article 1 of the Nevada Constitution
5 recognizes that “[a]ll political power is inherent in the people[.]
6 Government is instituted for the protection, security and benefit of
7 the people; and they have the right to alter or reform the same
8 whenever the public good may require it”; and

9 WHEREAS, The people of Nevada want elections that are free
10 from the disproportional influence of special interests and fair
11 enough that any citizen may be elected to office; and

12 WHEREAS, Elected officials have become dependent on
13 powerful and wealthy special-interest groups that spend excessively
14 in elections through campaigns and third-party groups that do not
15 serve the interests of the people of the United States of America and
16 threaten the basis of our representative democracy; and

17 WHEREAS, The United States Supreme Court ruling in *Citizens*
18 *United v. Federal Election Commission*, 558 U.S. 310 (2010), held



1 that the First Amendment to the United States Constitution prohibits
2 Congress and the states from limiting or restricting independent
3 political expenditures; and

4 WHEREAS, Article V of the United States Constitution requires
5 the Congress of the United States to convene a convention upon the
6 application of at least two-thirds of the states for the purpose of
7 proposing amendments to the Constitution; and

8 WHEREAS, The Nevada Legislature recognizes the need for such
9 a convention in order to propose an amendment to the United States
10 Constitution to eliminate the corrupting influence of money in our
11 elections; now therefore, be it

12 RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF
13 NEVADA, JOINTLY, That the members of the 80th Session of the
14 Nevada Legislature hereby request the Congress of the United States
15 to call an Article V convention for the limited purpose of proposing
16 an amendment to the United States Constitution to restore free and
17 fair elections; and be it further

18 RESOLVED, That the delegates to the convention should be
19 comprised equally from individuals currently elected to State or
20 local office, or be selected by election from each Congressional
21 district, but all individuals elected or appointed to federal office,
22 now or in the past, should be prohibited from serving as delegates to
23 the convention; and be it further

24 RESOLVED, That this resolution constitutes a continuing
25 application in accordance with Article V of the United States
26 Constitution until such time that the legislatures of at least two-
27 thirds of the states have made applications for a similar convention
28 under Article V or the Nevada Legislature acts to withdraw this
29 application; and be it further

30 RESOLVED, That the Chief Clerk of the Assembly prepare and
31 transmit a copy of this resolution to the President of the United
32 States, the Vice President of the United States as the presiding
33 officer of the United States Senate, the Speaker of the House of
34 Representatives, each member of the Nevada Congressional
35 Delegation and the presiding officers of each of the legislative
36 chambers in the several states requesting their cooperation in calling
37 an Article V convention; and be it further

38 RESOLVED, That this resolution becomes effective upon
39 passage.

