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Chapter 1 : Constitutional Amendment | www.nxgvision.com

Voters will be faced with 12 constitutional amendment proposals on the Nov. 6 ballot. Each needs at least 60 percent of votes to be enshrined in the Florida Constitution. Amendment 8 related to.

Amending process[edit] Amending the United States Constitution is a two-step process. Proposals to amend it must be properly Adopted and Ratified before becoming operative. A proposed amendment may be adopted and sent to the states for ratification by either: The United States Congress , whenever a two-thirds majority in both the Senate and the House of Representatives deem it necessary; OR A national convention, called by Congress for this purpose, on the application of the legislatures of two thirds presently 34 of the states. The latter procedure has never been used. Upon adoption by the Congress or a national convention, an amendment must then be ratified by three-fourths of the state legislatures or by special state ratifying conventions in three-fourths of the states. To become part of the Constitution, an adopted amendment must be ratified by either as determined by Congress: The legislatures of three-fourths presently 38 of the states, within the stipulated time periodâ€”if any; OR State ratifying conventions in three-fourths presently 38 of the states, within the stipulated time periodâ€”if any. Upon being properly ratified, an amendment becomes an operative addition to the Constitution. It was defeated in a vote. The last attempt in did not come to a vote. Blaine Amendment , proposed in , would have banned public funds from going to religious purposes, in order to prevent Catholics from taking advantage of such funds. This was spurred when black boxer Jack Johnson garnered much publicity when he married a white woman, Lucille Cameron. None were passed by Congress. Senator from Utah, Frank J. Cannon , and by the National Reform Association. Public support for the amendment was very robust through the s, a period when isolationism was the prevailing mood in the United States. Outgoing Presidents Harry Truman. According to the Congressional Research Service , over the ensuing half-century through 54 joint resolutions seeking to repeal the two-term presidential election limit were introduced; none were given serious consideration. Proposed by Robert Byrd of West Virginia in , , , , , , and The vote was 61 short of the required two-thirds majority. It was proposed during the 91st Congress â€” The Senate commenced openly debating the proposal [32] and the proposal was quickly filibustered. Other proposals were made in , , and , none of which were voted on by committee. Human Life Amendment , first proposed in , would overturn the Roe v. A total of proposals using varying texts have been proposed with almost all dying in committee. The only version that reached a formal floor vote, the Hatch-Eagleton Amendment, [34] [35] was rejected by 18 votes in the Senate on June 28, That was also the last time the House held a floor or committee vote. It was widely seen as an attempt to make California Governor Arnold Schwarzenegger born in Austria and naturalized in eligible for the presidency and is sometimes nicknamed "Arnold Amendment" or "Amend for Arnold". The last Congressional vote on the proposed amendment occurred in the House of Representatives on July 18, , when the motion failed to , falling short of the votes required for passage in that body. The Senate has only voted on cloture motions with regard to the proposed amendment, the last of which was on June 7, , when the motion failed 49 to 48, falling short of the 60 votes required to allow the Senate to proceed to consideration of the proposal and the 67 votes required to send the proposed amendment to the states for ratification.

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Chapter 2 : Here's a look at North Carolina's proposed constitutional amendments :: www.nxgvision.com

Proposed Constitutional Amendments to be voted on at the November 6, Election and by general law may allow the governing body of any county, city, town, or.

Supporters of the amendment say victims need teeth in the law to assert their rights. The version North Carolinians are being asked to vote on includes requiring victim notification of all court proceedings involving their alleged assailant, allowing victims to be present and to be heard at those proceedings and enabling them to present their views to anyone considering releasing the accused from custody. The amendment would also expand the crimes for which victims have rights. The mechanism for how victims could assert those rights would be left up to the General Assembly, which has not revealed its plans for implementation should the amendment pass. District attorneys have raised questions about what the amendment will mean for their offices and for court hearings with time requirements if a victim is unavailable. Sinclair said that since Sept. Wake County District Attorney Lorrin Freeman Wake County District Attorney Lorrin Freeman said prosecutors worked extensively with lawmakers on the wording of the amendment and ultimately their authority was kept intact. They are typically kept apprised of any major court hearings. Freeman said she hopes if the amendment passes, the state will adopt an automatic notification system to let victims know about hearings by text or email. The federal system has one that victims can sign up for. Right now, victims of certain crimes have a right to be heard at the sentencing stage. She said often times what a victim wants in those cases may not be in their best interest or in the interest of public safety. Freeman said the courts need to be fully funded by the legislature to really serve victims. She plans to vote for the amendment. Ashley Welch, the District Attorney for Cherokee, Clay, Graham, Macon, Swain, Haywood and Jackson counties, declined to comment Tuesday because she said she was at a work conference without a computer. An assistant to Ernie Lee, the District Attorney for Duplin, Jones, Onslow and Sampson counties, said he was out of the office until the end of the week, and an assistant district attorney in that office did not return a message for comment in his absence. An assistant to Ben David, the District Attorney for New Hanover and Pender counties, said he was in speaking engagements all of Tuesday but that she would leave him a message. She added that victim services and even a restitution fund for victims were already underfunded. She added that in her 18 years as a judge, she never heard a victim say they felt their rights were impinged. Several other states have already passed measures, including California, Ohio, Illinois and South Dakota. That ruling is already being appealed by a Republican Senator. But a defendant is read their rights when he or she is arrested. He also implored opponents to the amendment to talk to victims.

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Chapter 3 : Legislative Reference Library | Legislation | Analysis of proposed constitutional amendments

The implementing legislation for the amendment is Senate Bill , a companion bill to the proposed constitutional amendment that outlines specific details in the Official Code of Georgia Annotated regarding the rights of a crime victim to file a motion in a criminal case to assert certain rights.

You must enter the characters with black color that stand out from the other characters By Dave Hendrickson, WRAL enterprise editor When voters cast ballots between Oct. The General Assembly voted to put the amendments on the ballot. Why they did so is open for debate. Critics say some of the amendments are there simply to encourage a larger conservative turnout in this off-year election. The Republicans now hold super-majorities in both the House and the Senate, meaning they can override any veto issued by Gov. Democrats, energized by the election of President Donald Trump, would love to take control of either chamber and, at the least, hope to eliminate one of those super-majorities. Opponents say those rights are already established and protected by state law. Two amendments that shift power from the governor to the legislature have been the subject of heated and protracted court battles as well as a special General Assembly session that were not resolved until just before the deadline to get ballots to the printers. One of those amendments was substantially rewritten when judges said the first draft was misleading to voters. Five former governors, Democrats and Republicans, have banded together to oppose those two amendments, saying they shift the balance of power too far in favor of the legislature. Hunting and fishing Constitutional amendment protecting the right of the people to hunt, fish and harvest wildlife. The amendment also says that hunting and fishing will be "a preferred means" of managing game and wildlife. Read the full text. Crime victims Constitutional amendment to strengthen protections for victims of crime; to establish certain absolute basic rights for victims; and to ensure the enforcement of these rights. In short, this would give more victims of assaults or of felony property crimes the right to be notified of court proceedings and the right to be heard at those hearings. It would expand that right to cover juvenile defendants. The victims would be required to request those notifications. Constitutional amendment to establish an eight-member Bipartisan Board of Ethics and Elections Enforcement in the Constitution to administer ethics and elections law. This amendment would change the way the state elections board is appointed. The amendment grew out of a series of lawsuits between the governor and the General Assembly, going back to former Gov. Lawmakers have altered the makeup of the elections board several times in recent years because of the legal wrangling, and it now consists of nine members four Republicans, four Democrats and one unaffiliated member. Constitutional amendment to change the process for filling judicial vacancies that occur between judicial elections from a process in which the Governor has sole appointment power to a process in which the people of the State nominate individuals to fill vacancies by way of a commission comprised of appointees made by the judicial, executive, and legislative branches charged with making recommendations to the legislature as to which nominees are deemed qualified; then the legislature will recommend at least two nominees to the Governor via legislative action not subject to gubernatorial veto; and the Governor will appoint judges from among these nominees. Currently, the governor has wide leeway in those appointments. The amendment creates a commission that would accept judicial nominees from the public, evaluate them to ensure they meet state qualifications to serve on the bench and forward them to the legislature. The legislature would send two or more names to the governor, who would have to appoint one of them. The amendment could also affect the makeup of the state Supreme Court. According to the North Carolina Constitutional Publications Commission, the legislature has constitutional authority to add two seats to the high court. If this amendment passes, the commission says, the legislature could expand the Supreme Court and choose unelected justices for the two new seats. Those justices would serve up to four years before facing election. This amendment would lower the cap on state corporate and personal income tax from the current 10 percent to 7 percent. The current rates are well below that and are slated to fall further. This amendment does not cut taxes. Photo ID Constitutional

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amendment to require voters to provide photo identification before voting in person. This amendment would generally require voters to present photo identification at the polls prior to voting. The amendment does not specify what forms of ID would be accepted; that would be left to the legislature to determine, likely during another legislative session planned for late November.

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Chapter 4 : Breakdown of proposed constitutional amendments on LA ballot

General laws, amendments to the codes, and proposed constitutional amendments: passed at the thirty-first session of the Legislature of the State of California,

Constitution, whether a modification, deletion, or addition, is accomplished. Article V of the U. Constitution establishes the means for amending that document according to a two-step procedure: Amendments may be proposed in two ways: In the long history of the U. Constitution, over 5, amendments have been introduced in Congress. Only 33 of these have been formally proposed by Congress, and none has ever been proposed by a special convention. No matter which method is used for the proposal of a constitutional amendment, Congress retains the power to decide what method will be used for ratification: Congress may also place other restrictions, such as a limited time frame, on ratification. Of the 33 amendments proposed by Congress, 27 were ratified. Of the amendments ratified, only one—the twenty-first amendment, which repealed a prohibition on alcohol—was ratified by the state convention method. The rest have been ratified by three-fourths of the state legislatures. The process for amending the Constitution is deliberately difficult. Even when an amendment is proposed by Congress, it has taken, on average, two-and-a-half years for it to be ratified. That difficulty creates stability, with its accompanying advantages and disadvantages. The disadvantages inhere in the reality that the Constitution must also adapt and be relevant to a changing society. Given the difficulty of amendment, much of the burden of adapting the Constitution to a changing world has fallen on the shoulders of the Supreme Court and its powers of judicial review, which have been described as an informal method of changing the Constitution. However, constitutional amendments may in turn modify or overturn judicial opinion, as was the case with the Eleventh, Thirteenth, Fourteenth, Sixteenth, Nineteenth, Twenty-fourth, and Twenty-sixth Amendments. Commentators have also pointed out that the amendment process is not a very democratic one. As the constitutional scholar Edward S. Constitution in , constitutional amendments had already been instituted as part of several early state constitutions. The pioneering framers of these state constitutions recognized the need to incorporate an element of flexibility into constitutional law, and they provided for constitutional amendment through the legislature or through special conventions. However, the first national constitution of the United States, the Articles of Confederation, did not have such flexibility. Amendment of that document required a unanimous vote of Congress, nearly impossible to achieve. The Framers of the U. Constitution sought to avoid the inflexibility of the Articles of Confederation. This group of amendments is called the Bill of Rights. The Bill of Rights fulfilled a promise that the backers of the Constitution, known as the Federalists, had made during the ratification procedure of the Constitution. It guarantees specific liberties relating to 1 rights of conscience, including the freedoms of speech, press, religion, and peaceable assembly first amendment ; 2 rights of the accused, including freedom from "unreasonable searches and seizures" fourth amendment , freedom from compulsory self-incrimination fifth amendment , the "right to a speedy and public trial, by an impartial jury" and with legal counsel sixth amendment , and freedom from "excessive bail" and "cruel and unusual punishments" eighth amendment ; and 3 rights of property, including freedom from seizure of property without "due process of law" Fifth Amendment. Subsequent amendments have dealt with many different issues, including the extent of federal judicial jurisdiction eleventh amendment [] , the method of electing the president twelfth amendment [] , the abolition of slavery thirteenth amendment [] , legalization of the income tax sixteenth amendment [] , granting women the right to vote nineteenth amendment [] , presidential succession twenty-fifth amendment [] , and the voting age twenty-sixth amendment []. The fourteenth amendment , which holds that no state shall "deprive any person of life, liberty, or property, without due process of law; nor deny to any person the equal protection of the laws," has arguably been the most important and far-reaching of all the amendments, particularly with regard to its Due Process and Equal Protection Clauses. Through the Fourteenth Amendment , most of the provisions of the Bill of Rights were eventually applied to the states. In , the equal rights

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amendment ERA was formally proposed by Congress. The ERA, which would have forbidden discrimination on the basis of sex, failed to gain ratification within the seven-year deadline proposed by Congress, even after a month extension through June 30, *The Bill of Rights: New Haven, Conn.: Constitution for the Year* Chase and Craig R. *Presidential Disability and the Twenty-fifth Amendment. Politics and the American Future. The Spirit and the Letter: The Struggle for Rights in America. Constitutional Amendments, to the Present.*

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Chapter 5 : Proposed amendments to be labeled simply 'Constitutional Amendment' on ballot :: www.nxgvi.com

The proposed amendment would authorize the General Assembly to allow localities to provide a partial tax exemption for real property that is subject to recurrent flooding, if improvements have been made on the property to address flooding.

In some jurisdictions, such as Ireland, Estonia , and Australia, constitutional amendments originate as bills and become laws in the form of acts of parliament. This may be the case notwithstanding the fact that a special procedure is required to bring an amendment into force. Thus, for example, in Ireland and Australia although amendments are drafted in the form of Acts of Parliament they cannot become law until they have been approved in a referendum. By contrast, in the United States a proposed amendment originates as a special joint resolution of Congress that does not require the President to sign and that the President can not veto. The manner in which constitutional amendments are finally recorded takes two main forms. In most jurisdictions, amendments to a constitution take the form of revisions to the previous text. The second, less common method, is for amendments to be appended to the end of the main text in the form of special articles of amendment, leaving the body of the original text intact. Although the wording of the original text is not altered, the doctrine of implied repeal applies. In other words, in the event of conflict, an article of amendment will usually take precedence over the provisions of the original text, or of an earlier amendment. Nonetheless, there may still be ambiguity whether an amendment is intended to supersede or to supplement an existing article in the text. An article of amendment may, however, explicitly express itself as having the effect of repealing a specific existing article. Under the German Weimar Constitution , the prevailing legal theory was that any law reaching the necessary supermajorities in both chambers of parliament was free to deviate from the terms of the constitution, without itself becoming part of the constitution. Methods of constitutional amendment[edit] The examples and perspective in this article deal primarily with Western culture and do not represent a worldwide view of the subject. You may improve this article , discuss the issue on the talk page , or create a new article , as appropriate. July European Union[edit] The Treaties of the European Union are a set of international treaties between member states that describe the constitutional basis of the European Union. Since , Article 48 of the Treaty on European Union has laid down two procedures for the revision of the treaties. All EU countries have to ratify the treaty amendments for them to enter into force. The new treaty provisions only enter into force following their ratification by all EU countries according to their own constitutional procedures. Albania[edit] The Constitution of Albania states its terms for being amending under Article within "Part An initiative for amending the Constitution may be taken by not less than one-fifth of the members of the Assembly. No amendment to the Constitution may take place when extraordinary measures are in effect. A proposed amendment is approved by not less than two-thirds of all members of the Assembly. The Assembly may decide, by two-thirds of all its members, that the proposed constitutional amendments be voted on in a referendum. The proposed constitutional amendment becomes effective after ratification by referendum, which takes place not later than 60 days after its approval by the Assembly. An approved constitutional amendment is submitted to referendum when one-fifth of the members of the Assembly request it. The President of the Republic cannot return for re-consideration a constitutional amendment approved by the Assembly. An amendment approved by referendum is promulgated by the President of the Republic and becomes effective on the date provided for in it. An amendment of the Constitution cannot be made unless a year has passed since the rejection by the Assembly of a proposed amendment on the same issue or three years have passed from its rejection by referendum. Article is the only article under this part of the Albanian constitution. Austria[edit] The Constitution of Austria is unusually liberal in terms of constitutional amendments. Any piece of parliamentary legislation can be designated as "constitutional law", i. An amendment may take the form of a change of the Bundes-Verfassungsgesetz, the centerpiece of the constitution, a change to another constitutional act, a new constitutional act, or of a section

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of constitutional law in a non-constitutional act. Furthermore, international treaties can be enacted as constitutional law, as happened in the case of the European Convention of Human Rights. Over the decades, frequent amendments and, in some cases, the intention to immunize pieces of legislation from judicial review, have led to much "constitutional garbage" consisting of hundreds of constitutional provisions spread all over the legal system. This has led to calls for reform. If a constitutional amendment limits the powers of the states, a two-thirds majority in the Federal Council of Austria is required as well. Depending on the matter on hand, two-thirds of the Federal Councilors present attendance of one-half of all Councilors is required, or two-thirds of all Federal Councilors must approve. If the amendment would change articles 34 or 35, the majority of councilors of at least four of the nine states is an additional requirement. Belgium[edit] The Constitution of Belgium can be amended by the federal legislative power, which consists of the King in practice, the Federal Government and the Federal Parliament. In order to amend the Constitution, the federal legislative power must declare the reasons to revise the Constitution in accordance with Article This is done by means of two so-called Declarations of Revision of the Constitution, one adopted by the Chamber of Representatives and the Senate, and one signed by the King and the Federal Government. Following this declaration, the Federal Parliament is automatically dissolved and a new federal election must take place. This makes it impossible to amend the Constitution unless an election has intervened. Following the election, the new Federal Parliament can amend those articles that have been declared revisable. Neither Chamber can consider amendments to the Constitution unless at least two-thirds of its members are present and the Constitution can only be amended if at least two-thirds of the votes cast are in favour of the amendment. Brazil[edit] The Constitution of Brazil states various terms on how it can be amended. The Legislative Process, Subsection 2: Amendments to the Constitution. Constitutional amendments may be proposed by: The Constitution cannot be amended during federal intervention, state of defense or stage of siege. A proposed amendment shall be debated and voted on in each Chamber of the National Congress, in two rounds, and shall be considered approved if it obtains three-fifths of the votes of the respective members in both rounds. A Constitutional amendment shall be promulgated by the Executive Committees of the Chamber of Deputies and Federal Senate, taking the next sequential number. No proposed constitutional amendment shall be considered that is aimed at abolishing the following: The subject of a defeated or prejudiced proposed Constitutional amendment may not be made the subject of another proposed amendment in the same legislative session. Article 60 is the only article prescribed under Subsection 2 of Section 8 in the Brazilian constitution. Bulgaria[edit] Under the current Constitution of Bulgaria, there are two procedures for amendment, depending on the part of the constitution to be amended: This shall be done in three successive readings. Special amendment procedure Articles " When such amendment is needed, the Constitution envisages an election for Great National Assembly, which consists of deputies, with elected by proportional vote and elected by the first-past-the-post method. Then the amendments to the Constitution are passed by two-thirds majority in three successive readings. This procedure is viewed by some critics as too slow and ineffective. The Structure of the State. Czech Republic[edit] Passage of a constitutional act in the Czech Republic can only be accomplished through the agreement of three-fifths of all Deputies and Senators present at the time the proposed act is laid before each house of Parliament. After an amendment has been approved by parliament, a general election must be held; the new parliament must then approve the amendment again before it is finally submitted to a referendum. There is also a requirement that at least forty percent of eligible voters must vote at the referendum in order for an amendment to be validly passed. Estonia[edit] The Constitution of Estonia can only be modified by three-fifths majority in two successive complements of Parliament, and a referendum for certain chapters. Chapters 39 of the constitution of Ethiopia cannot be amended. Constitutional amendments under the French Fifth Republic Amendments to the Constitution of France must first be passed by both houses with identical terms, and then need approval either by a simple majority in a referendum or by a three-fifths majority of the two houses of the French parliament jointly convened in Congress. The Federal Republic of Germany uses a basic law as its constitution. This Basic Law may be amended only by a law expressly amending or

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supplementing its text. In the case of an international treaty regarding a peace settlement, the preparation of a peace settlement, or the phasing out of an occupation regime, or designed to promote the defense of the Federal Republic, it shall be sufficient, for the purpose of making clear that the provisions of this Basic Law do not preclude the conclusion and entry into force of the treaty, to add language to the Basic Law that merely makes this clarification. Any such law shall be carried by two thirds of the Members of the Bundestag and two thirds of the votes of the Bundesrat. The third paragraph was made by its framers to protect the country against any authoritarian or totalitarian regime such as that of Nazi Germany in the future. This is an example of the eternity clause in constitutional designing. Revision of the Constitution" of "Part Four: Special, Final, and Transitional Provisions. Amendments to the Constitution of Ireland The Constitution of Ireland , can only be modified by referendum , following proposal approved by the lower and upper houses of the Oireachtas , amongst citizens entitled to vote for the President. The amendment succeeds by simple majority, and no quorum is required. Constitutional laws of Italy Article of the Constitution provides for the special procedure through which the Parliament can adopt constitutional laws including laws to amend the Constitution of Italy. However, after having been approved for the first time, they need to be voted for by both houses a second time, which can happen no sooner than three months after the first. In this second reading, no new amendments to the bill may be proposed: The constitutional law needs to be approved by at least a majority of MPs in each house absolute majority in its second reading. Depending on the results of this second vote, the constitutional law may then follow two different paths. If the bill is approved by a qualified majority of two-thirds of members in each house, it can be immediately promulgated by the President of the Republic and become law. If the bill is approved by a majority of members in each house, but not enough to reach the qualified majority of two-thirds, it does not immediately become law. Instead, it must be first be published in the Official Gazette the official journal where all Italian laws are published. Within three months after its publication, a constitutional referendum may be requested by either , voters, five regional councils, or one-fifth of the members of a house of parliament. If no constitutional referendum has been requested after the three months have elapsed, the bill can be promulgated and becomes law. If a constitutional referendum is requested, in order to become law the bill must be approved by a majority of votes cast by the whole electorate. No quorum is required, meaning that the referendum turnout has no effect on its validity unlike in other forms of referendums in Italy. Only three constitutional referendums have ever been held in Italy: Amendments" within the document. It says the following: Amendments to this Constitution shall be initiated by the Diet, through a concurring vote of two-thirds or more of all the members of each House and shall thereupon be submitted to the people for ratification, which shall require the affirmative vote of a majority of all votes cast thereon, at a special referendum or at such election as the Diet shall specify. Amendments when so ratified shall immediately be promulgated by the Emperor in the name of the people, as an integral part of this Constitution. Japan has used this Constitution since Saturday, 3 May It was adopted and implemented as the most quintessential doctrine of Japanese governance following the Second World War. As a result, in order to ensure that Japan would not be a source of future aggression, a special portion was written into the document in the form of "Article 9: Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes.

Chapter 6 : List of proposed amendments to the United States Constitution - Wikipedia

The amendment text does not provide specific requirements, but would rather direct the legislature to write laws implementing the amendment. "The Voter ID amendment is a classic case of an empty vessel that will be filled by legislation," McCorkle said.

Chapter 7 : Georgia Amendment 4, Marsy's Law Crime Victim Rights Amendment () - Ballotpedia

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Amendments to the Constitution of the United States of America. Articles in addition to, and amendment of, the Constitution of the United States of America, proposed by Congress, and ratified by the several states, pursuant to the Fifth Article of the original Constitution fn1.

Chapter 8 : Election Constitutional Amendments “ and a POLL! | Bearing Drift

UPDATED LANGUAGE: Constitutional amendment to establish an eight-member Bipartisan Board of Ethics and Elections Enforcement in the Constitution to administer ethics and elections law.

Chapter 9 : Constitutional amendment - Wikipedia

The Constitutional Amendments Publication Commission, a three-member panel that consists of two Democrats and one Republican, is tasked by law to write the short captions to appear on the ballot.