

THE STATE OF MONTANA

Commissioner of Political
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Lobbying

Complaint Form (04/19)

Type or print in ink all information on this form except for verification signature

Person bringing complaint (Complainant):

Complete Name David Schneider
Complete Mailing Address c/o Convention of States Action
7670 Opportunity Rd., Suite #205, San Diego, CA 92111
Phone Numbers: Work (540) 441-7227 Home _____

Person or organization against whom complaint is brought (Respondent):

Complete Name The John Birch Society
Complete Mailing Address 770 N. Westhill Blvd.
Appleton, Wisconsin 54914
Phone Numbers: Work (920) 749-3780 Home _____

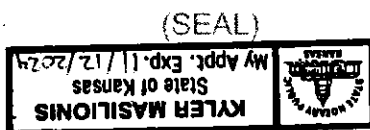
*Please complete the second page of this form and describe in
detail the facts of the alleged violation.*

Verification by oath or affirmation

State of ~~Montana~~ Kansas, County of Riley

I, David Schneider, being duly sworn, state that the information in this
Complaint is complete, true, and correct, to the best of my knowledge and belief.

[Signature]
Signature of Complainant



Subscribed and sworn to before me this 19 day of
March, 2021

[Signature]
Notary Public

My Commission Expires:

Statement of facts:

Describe in detail the alleged violation(s) and cite the statute or statutes you believe have been violated. Please attach copies of documentary evidence to support the facts alleged in your statement.

If the space provided below is insufficient, you may attach additional pages as necessary.

PLEASE SEE ATTACHED PAGES AND EXHIBITS

Complaints must be:

- signed
- notarized
- delivered in person or by mail.

ATTACHMENT TO:
Lobbying Complaint Form

Statement of facts:

I am a registered lobbyist in the State of Montana on behalf of Convention of States Action, a 501(c)(4) nonprofit organization. Our organization serves to coordinate state grassroots teams across the country who are petitioning their legislatures to call for a convention of states under Article V of the U.S. Constitution to propose amendments to limit the power and jurisdiction of the federal government. In helping to coordinate these efforts, our organization works diligently to comply with state lobbying laws, including Title 5, Chapter 7, of the Montana Code.

It has come to my attention that a corporation known as The John Birch Society ("JBS") is engaging in a coordinated lobbying program to oppose our efforts in Montana, but it has not registered or filed reports with the Commissioner of Political Practices pursuant to Montana Code sections 5-7-203 and 5-7-208. JBS is incorporated in the State of Massachusetts with its principal place of business in the State of Wisconsin. By and through its representatives, JBS has and continues to engage in unregistered and unreported lobbying activity in Montana.

Montana Code section 5-7-203 states that "[e]ach principal who employs a lobbyist shall within 1 week after the employment cause the name of the lobbyist to be entered upon the docket. It is also the duty of the lobbyist to enter the lobbyist's name upon the docket." Section 5-7-102(12)(a) defines a lobbyist to include "a person who engages in the practice of lobbying." Section 5-7-208(1) further requires that the principal file regular reports with the Commissioner. It is the responsibility of each person engaged in lobbying to keep records demonstrating compliance with these requirements, or a basis for any exemption claimed thereto, and to provide such records to the principal. (Admin Rules of Mont. § 44.12.103(1).)

JBS engages in lobbying by and through the actions of Mr. Robert Brown, Ms. Leah Southwell, and Mr. Caleb Collier. Mr. Brown serves as a Coordinator and Regional Field Director for JBS. (EXHIBIT 1.) Ms. Southwell serves as a Field Coordinator for JBS. (EXHIBIT 2.) Mr. Collier serves as an Executive Field Coordinator for JBS. (EXHIBIT 3.) I am informed and believe that each of these individuals is employed by JBS and is compensated as a "coordinator" for these lobbying activities. (EXHIBIT 4.) Mr. Brown and Ms. Southwell regularly travel throughout the country to lobby in other state legislatures and influence legislation on behalf of their corporation, including in such other states as North Dakota, South Dakota, South Carolina, and Wyoming. (EXHIBITS 5-8.) I have conducted a reasonably diligent search and am not aware of any registration or report filed by JBS, or any lobbyist on its behalf, in any of these states.

Most recently, Mr. Brown, Ms. Southwell, and Mr. Collier have engaged in lobbying in the Montana Senate Judiciary Committee on January 21, 2021. (EXHIBITS 3, 5.) They each presented in the committee and gave testimony attempting to defeat SJ2 [Resolution for Article V of US Constitution Convention of States], which is legislation I supported and advocated as a registered lobbyist on behalf of my principal. On its website, JBS specifically claims that "members of The John Birch Society and their allies helped convince Montana's senators to defeat

SJ 2." **(EXHIBIT 9.)** Based on my encounters with JBS in other states, I believe the corporation may be involved in significant other lobbying efforts in Montana.

In addition to these communications with legislators, JBS is engaged in extensive lobbying efforts by instructing residents to contact their legislators and providing them with direct and immediate means of doing so. **(EXHIBIT 10.)** JBS sends out legislative alerts to contact lists and provides the recipients with "a way to easily email legislators" by submitting a contact form on its website. **(EXHIBIT 9.)** In addition, JBS produces and distributes substantial printed material and audio-visual resources to support its lobbying efforts. **(EXHIBIT 10.)**

Based on review of the Commission's website and public records, I do not believe that JBS or any individual on its behalf has registered or filed reports with the Commission. I support JBS's right to communicate with state legislators; however, such communications and expenditures must be made in compliance with applicable state laws. To permit violation and disregard of these laws would thwart the public policy in financial accountability and would place complying lobbyists and organizations, such as myself and my principal, at an unfair disadvantage. Accordingly, I respectfully request that the Commissioner investigate potential violations of Montana Code sections 5-7-203 and 5-7-208 and Administrative Rules of Montana section 44.12.103 by the John Birch Society and, if appropriate, take corrective action.

Exhibits

<u>No.</u>	<u>Description</u>	<u>Pg.</u>
Exhibit 1	Robert Brown's JBS Bio	1
Exhibit 2	Leah Southwell's JBS Bio	3
Exhibit 3	Montana Senate Judiciary Committee January 21, 2021 Meeting Minutes	5
Exhibit 4	The John Birch Society Website: Frequently Asked Questions	11
Exhibit 5	Video Recordings of JBS Lobbying in Montana and Other States	14
Exhibit 6	N. Dakota Sen. Gov. & Vet. Affairs Comm. Meeting Mins. (Jan. 28, 2021)	16
Exhibit 7	S. Dakota Sen. State Affairs Comm. Meeting Mins. (Feb. 1, 2021)	18
Exhibit 8	S. Dakota House State Affairs Comm. Meeting Mins. (Feb. 1, 2021)	21
Exhibit 9	The JBS Website: Oppose Montana BBA Con-Con Resolution HJ 13	25
Exhibit 10	The JBS Website: Stop A Constitutional Convention	28

EXHIBIT 1

ROBERT BROWN'S JBS BIO



Home Speakers About Us

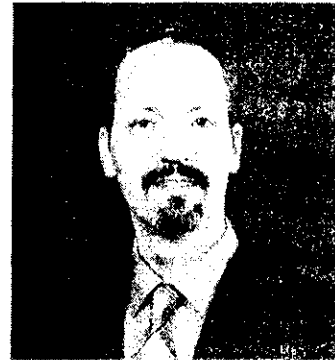
Robert Brown

Constitutional Expert

National Speaker

Topic: **The Constitution Is The Solution**

A fields across the country are engaged in a battle — one side aiming to influence their state legislatures to pass applications for a Constitutional Convention, the other side working feverishly to educate the people that no location is the better method. Constitutional Scholar Robert Brown lays out and dismantles the arguments for an Article V Convention, and offers historical perspective regarding the 1787 Constitutional Convention. He will also discuss the role of Congress and critique the rhetoric of Article V supporters. Learn about the dangers and disadvantages of a "Con-Con", and what solutions are currently working to rein in our out-of-control government.



Robert Brown served as a Coordinator and Regional Field Director for The John Birch Society, covering Montana, Wyoming, North Dakota and South Dakota.

However, he is best known for his lectures on the Constitution. He has produced six of his lectures as a DVD series known as, "The Constitution is the Solution", which is gaining popularity nation-wide.

After viewing just two of these lectures, a constitutional attorney from New Jersey remarked,

"I studied Constitutional law under one of the most outstanding Constitutional lawyers/law professors in America, and I have learned more from the two DVDs that I saw than I did from the professor."

He has testified against Constitutional Conventions at many state legislative hearings across the country. He can explain the founder's intent for the Constitution's Article V and how the Constitution should be used to rein in the federal government. Mr. Brown and his family reside near Billings, MT. A popular constitutional speaker, he has lectured for many organizations all across the United States.

JBS.org

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and — with God's help —
a better world.

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Appleton, WI 54914

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Your Zip Code	<input type="text"/>
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1-800-749-3780 [Join the Revolution](#)

EXHIBIT 2

LEAH SOUTHWELL'S JBS BIO



Home Speakers Action Projects

Leah Southwell - National Speaker

JBS Field Coordinator

National Speaker

Topic: **Anarchy: An Eyewitness Account**

Through a military coup in Chile in 1973, a Socialist/Communist president was removed and Marxism was successfully suppressed. Free market economics were introduced and Chile became the world's "Economic Miracle" and considered the best in Latin America. Then last October we suddenly erupted in violent protest, looting, burning and fighting with the police and even triggering a state of emergency, but got out the way to the streets of Santiago, and lasting months. We recently saw something similar happening here. What are the commonalities? Although the spark was different the underlying causes are the same. What is happening in the world today and why?



Leah Southwell was an eyewitness to this event and the seven years leading up to this. As an American having lived in Holland for 10 years and now 7 years in Chile she has some interesting cultural observations as possible reasons and explanations. As a JBS staff member, she has a deep understanding of the enemy we are facing and the solutions.

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Thank you for your interest in JBS.org. We will email you a confirmation link to verify your email address. Please check your spam folder if you do not receive the email within 10 minutes.

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EXHIBIT 3

MONTANA SENATE JUDICIARY COMMITTEE

JANUARY 21, 2021 MEETING MINUTES

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on January 22, 2021 at 9:00 AM, in Room 303 Capitol

ROLL CALL

Members Present in the Committee Room:

Sen. Keith Regier, Chair (R)
Sen. Tom McGillivray, Vice Chair (R)
Sen. Bryce Bennett (D)
Sen. Bob Brown (R)
Sen. John Esp (R)
Sen. Chris Friedel (R)
Sen. Steve Hinebauch (R)
Sen. Theresa Manzella (R)

Members Present by Zoom Video Conference:

Sen. Diane Sands, Vice Chair (D)
Sen. Jen Gross (D)
Sen. Susan Webber (D)

Members Excused: None

Members Absent: None

Staff Present: Julianne Burkhardt, Legislative Branch
Taylor Tyson, Remote Meeting Coordinator
Jacelyn Sterling, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SJ 2, 1/18/2021

HEARING ON SJ 2

Opening Statement by Sponsor:

09:02:28 Sen. Tom McGillvray (R), SD 23, opened the hearing on SJ 2, Resolution for Article V of US Constitution convention of states.

EXHIBIT(jus15a01)

Proponents' Testimony:

09:06:14 Mark Meckler, Convention of States (COS)

09:11:41 Sen. David Howard, SD 29

09:14:30 Sen. Doug Kary, SD 22

09:15:45 Sen. Brad Molnar, SD 28

09:20:29 Clifford Sisko, Miles City

09:27:52 Tracy Schuster, citizen

09:31:22 Samuel Montayne, Sr.

EXHIBIT(jus15a02)

09:36:20 Christine Long Dougherty

09:37:47 Michael Dougherty

09:39:45 Olivia Burk, Butte

09:41:26 Terry Kramer, Clancy

EXHIBIT(jus15a03)

09:46:49 Jacob Enrich, Great Falls

09:47:55 Steve Schuster

09:52:09 Joe Hoseck, Great Falls

09:55:11 Stan Hanson, Kalispell

09:56:10 Jan Hamman, Clancy

09:57:26 Alicia Hamilton, Great Falls

10:02:34 Wilma Gosman, Great Falls

10:04:03 Scott Reichner, COS

10:06:09 Thomas Kallenbach, Belgrade

10:07:10 Vincent Zortman, Bigfork

EXHIBIT(jus15a04)

10:09:17 Mark Carlstrom, Billings

EXHIBIT(jus15a05)

Additional Testimony Received:

EXHIBIT(jus15a06)

Opponents' Testimony:

10:11:53 Leah Southwell, John Birch Society

10:18:50 Caleb Collier, executive director, John Birch Society

EXHIBIT(jus15a07)

10:23:53 Larry Woolston, Broadus

EXHIBIT(jus15a08)

10:27:07 Robert Brown, Lehi, UT
EXHIBIT(jus15a09)

10:37:02 Eldon Stahl
EXHIBIT(jus15a10)

10:41:20 Greg Hinkle, Thompson Falls
EXHIBIT(jus15a11)

Additional Testimony Received:
EXHIBIT(jus15a12)

Informational Testimony:

10:44:38 G.R. Mobley, Spokane, WA
EXHIBIT(jus15a13)

Additional Testimony Received:
EXHIBIT(jus15a14)

Questions from Committee Members and Responses:

10:47:14 Sen. Friedel
10:55:32 Mr. Meckler, COS
10:57:45 Sen. Friedel
10:57:55 Sen. Manzella
10:58:11 Mr. Brown, Lehi, UT
10:58:32 Sen. Friedel
10:58:53 Mr. Brown
11:01:50 Sen. Friedel
11:01:55 Sen. Manzella
11:08:20 Mr. Brown
11:12:25 Chair Regier
11:12:51 Mr. Meckler
11:13:12 Sen. Hinebauch
11:14:09 Sen. McGillvray
11:15:15 Sen. Hinebauch
11:15:35 Mr. Meckler
11:19:43 Sen. Esp
11:21:30 Sen. McGillvray
11:22:41 Sen. Brown
11:23:29 Mr. Brown
11:26:43 Sen. Brown
11:26:56 Ms. Schuster, citizen

Closing by Sponsor:

11:32:05 Sen. McGillvray
EXHIBIT(jus15a15)

Committee Business:

11:44:33 Chair Regier
11:45:18 Julianne Burkhardt, Legislative Services Division

SENATE COMMITTEE ON JUDICIARY

January 22, 2021

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11:45:42 Chair Regier
11:46:15 Sen. Manzella
11:46:47 Chair Regier

ADJOURNMENT

Adjournment: 11:46 AM

Jacelyn Sterling, Secretary

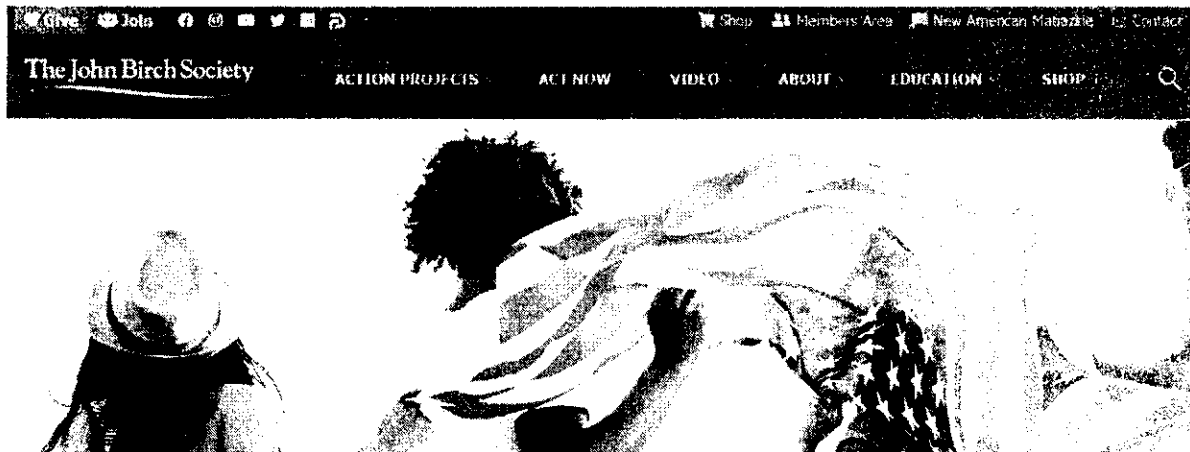
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Additional Documents:

EXHIBIT(jus15aad.pdf)

EXHIBIT 4

**THE JOHN BIRCH SOCIETY WEBSITE:
FREQUENTLY ASKED QUESTIONS**



Home Who We Are Frequently Asked Questions

Who We Are

Frequently Asked Questions

Membership Questions
Speaker Booking Questions

JBS Myths vs Facts

Who is John Birch?

Founder: Robert Welch

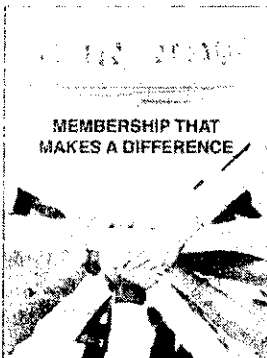
Significant Figures

Timeline and History

Leadership Team

National Council

Contact the JBS



Watch on YouTube

JBS Frequently Asked Questions

A little over two years after its founding in 1958, The John Birch Society was the innocent victim of one of the most massive smear attacks in American history. This smear attack originated in Moscow, USSR, and started with an article in the February 25, 1961 issue of People's World, the official newspaper of the Communist Party on the West Coast. This smear campaign was subsequently picked up by Time magazine and the rest of the mainstream media. Most of the present-day smears against The John Birch Society stem from the misinformation included in those 1961 attacks. That's why an FAQ page is so important for this website.

What is The John Birch Society

What is the purpose of The John Birch Society

Who was John Birch?

Is The John Birch Society a Christian organization?

How is The John Birch Society different from conservative political organizations?

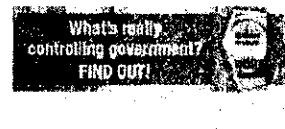
The John Birch Society is not a political organization. Rather, it is a non-partisan educational and action organization. The John Birch Society is organized at the grassroots level with paid coordinators and volunteer leaders who establish chapters in communities all across the country.





For over 60 years, since 1958, The John Birch Society has distributed an estimated total of well over 250 million pieces of literature ranging from warning about increased government spending, taxes, centrally planned inflation, the centralization of power in the government, and the gradual appeasement toward Communism; to other topics heralding the virtues of sound money, withdrawal from the United Nations, and a foreign policy of non-interventionism.


Does membership in The John Birch Society disqualify one from being accepted into the military?

What is the leadership structure of The John Birch Society?


Why should I join The John Birch Society?










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EXHIBIT 5

**VIDEO RECORDINGS OF JBS LOBBYING
IN MONTANA AND OTHER STATE LEGISLATURES**

The John Birch Society Lobbying in State Legislative Committees Across the Country

Robert Brown (Regional Field Director)

- Montana Senate Judiciary Committee (January 22, 2021)
<https://youtu.be/2VAYjppAOe0?t=5070> at 1:24:30
- North Dakota Senate Government and Veterans Affairs Committee (January 28, 2021)
<https://youtu.be/o-Ho6lJBping?t=187> at 3:07
- South Dakota House State Affairs Committee (February 1, 2021)
https://youtu.be/A_fYsvLa5LE?t=1530 at 25:30
- South Carolina House committee (February 13, 2020)
<https://youtu.be/tNiCXgYqfiw?t=8760> at 2:26:00

Leah Southwell (Field Director)

- Montana Senate Judiciary Committee (January 22, 2021)
<https://youtu.be/2VAYjppAOe0?t=4245> 1:10:45
- South Dakota House State Affairs Committee (February 1, 2021)
https://youtu.be/A_fYsvLa5LE?t=2250 at 37:30
- Wyoming Senate Minerals, Business & Economic Development Committee Meeting (March 3, 2021)
<https://youtu.be/vLY045DZ8rU?t=775> at 12:55

Caleb Collier (Executive Field Director)

- Montana Senate Judiciary Committee (January 22, 2021)
<https://youtu.be/2VAYjppAOe0?t=4655> at 1:17:45

EXHIBIT 6

**NORTH DAKOTA SENATE GOVERNMENT AND VETERAN AFFAIRS
COMMITTEE MEETING MINUTES (JANUARY 28, 2021)**

EXHIBIT 7

SOUTH DAKOTA SENATE STATE AFFAIRS COMMITTEE MEETING MINUTES

(FEBRUARY 1, 2021)

Committee: Senate State Affairs

Monday, February 01, 2021 10:00 AM

Roll Call

Present: Sen. Schoenbeck, Sen. Duhamel, Sen. Crabtree, Sen. Bolin, Sen. Schoenfish,
Sen. Rohl, Sen. Heinert, Sen. Diedrich, and Sen. Cammack

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Cammack

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, JANUARY 27TH

Moved by: Heinert
Second by: Duhamel
Action: Prevailed by voice vote

NOTE: Senator Cammack stated SJR501 would be heard Monday, February 8, 2021;
however, any testimony from parties present today would be heard.

**SB 112 : establish requirements for filling the vacancies of certain
constitutional offices.**

Presented by: Senator Arthur Rusch (Handout(s) 1)
Opponents: Tony Venhuizen, Governor's Office

MOTION: DO PASS SB 112

Moved by: Schoenbeck
Second by: Heinert
Action: Prevailed by roll call vote (9-0-0-0)

Voting Yes: Schoenbeck, Duhamel, Crabtree, Bolin, Schoenfish, Rohl, Heinert, Diedrich,
and Cammack

THE CHAIR DEFERRED SB 77 UNTIL WEDNESDAY, FEBRUARY 03RD 2021

**SJR 501 : Rescinding a House Joint Resolution calling for a constitutional
convention for the sole purpose of changing the Constitution of the United States.**

Proponents: Leah Southwell, self
Opponents: Mark Meckler, Convention of States Action, Austin, Texas
Harvey Fitzgerald, self, Buffalo Gap
Mike Weiler, self, Rapid City
John James, self, Rapid City
Deanna Becket, self, Summerset
Patrick Baumann, self, Custer, South Dakota
Robin Wilkins, self, Belle Fourche, South Dakota
Eric Beals, self, Belle Fourche, South Dakota
Gerald Kallis, self Custer, South Dakota
Chris Becket, Self, Summerset
Dawn Laskowski, self, Belle Fourche, South Dakota

Derek Besler, self, Whitewood, South Dakota
Stacy Nettriga, self, Mitchell, South Dakota
Kathy Wendt, self, Warner, South Dakota
Pamela Bay Briolr, self, Sioux Falls, South Dakota
Nina Seppanon, self, Vienna, South Dakota
Paul Bulman, self, Sioux Falls, South Dakota
Shirlee Meier, self, Sioux Falls
Bill Laskowski, Self, Belle Fourche

MOTION: ADJOURN

Moved by: Schoenbeck
Second by: Crabtree
Action: Prevailed by voice vote

Lorna Shell, Committee Secretary

_____/s/ GARY L. CAMMACK
Gary L. Cammack, Chair

EXHIBIT 8

SOUTH DAKOTA HOUSE STATE AFFAIRS COMMITTEE MEETING MINUTES

(FEBRUARY 1, 2021)

Committee: House State Affairs

Monday, February 01, 2021 7:45 AM

Roll Call

Present: Rep. Anderson, Rep. Beal, Rep. Chaffee, Rep. Goodwin, Rep. Gosch, Rep. Hansen, Rep. Kevin Jensen, Rep. Chris Johnson, Rep. Lesmeister, Rep. Kent Peterson, Rep. Reimer, Rep. Jamie Smith, and Rep. Wiese

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Kent Peterson

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, JANUARY 27TH

Moved by: Gosch
Second by: Beal
Action: Prevailed by voice vote

HJR 5001 : To apply for a convention of states under Article V of the Constitution of the United States to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office for federal officials and members of Congress.

Presented by: Representative Fred Deutsch
Proponents: Mark Meckler, Convention of States Action, Austin, Texas
Shirlee Meier, self, Sioux Falls
Harvey Fitzgerald, self, Buffalo Gap
Mike Weiler, self, Rapid City
Opponents: Robert Brown, self, Lehi, Utah
Leah Southwell, self
Scott Grandville, self, Pierre
Linda Schauer, Concerned Women for America, Alexandria
Senator David Johnson

MOTION: DO PASS HJR 5001

Moved by: Kevin Jensen
Second by: Hansen
Action: Failed by roll call vote (6-7-0-0)

Voting Yes: Anderson, Beal, Hansen, Kevin Jensen, Kent Peterson, and Wiese

Voting No: Chaffee, Goodwin, Gosch, Chris Johnson, Lesmeister, Reimer, and Jamie Smith

MOTION: DEFER HJR 5001 TO THE 41ST LEGISLATIVE DAY

Moved by: Gosch
Second by: Chris Johnson
Action: Prevailed by roll call vote (8-5-0-0)

Voting Yes: Anderson, Chaffee, Goodwin, Gosch, Chris Johnson, Lesmeister, Reimer, and Jamie Smith

Voting No: Beal, Hansen, Kevin Jensen, Kent Peterson, and Wiese

HJR 5002 : Proposing and submitting to the voters at the next general election an amendment to the Constitution of the State of South Dakota regarding appointments to fill legislative vacancies.

Presented by: Representative Drew Dennert
Opponents: Tony Venhuizen, Governor's Office

MOTION: DO PASS HJR 5002

Moved by: Gosch
Second by: Beal
Action: Prevailed by roll call vote (8-5-0-0)

Voting Yes: Beal, Chaffee, Goodwin, Gosch, Kevin Jensen, Lesmeister, Jamie Smith, and Wiese

Voting No: Anderson, Hansen, Chris Johnson, Kent Peterson, and Reimer

SB 37 : update certain citations to federal regulations regarding pipeline safety inspections.

Presented by: Chris Nelson, Chairman, South Dakota Public Utilities Commission

MOTION: DO PASS SB 37

Moved by: Gosch
Second by: Beal
Action: Prevailed by roll call vote (13-0-0-0)

Voting Yes: Anderson, Beal, Chaffee, Goodwin, Gosch, Hansen, Kevin Jensen, Chris Johnson, Lesmeister, Kent Peterson, Reimer, Jamie Smith, and Wiese

HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 37 AS UNCONTESTED AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.

SB 38 : correct technical errors in and make stylistic revisions to certain provisions regarding public utilities.

Presented by: Chris Nelson, Chairman, South Dakota Public Utilities Commission

MOTION: DO PASS SB 38

Moved by: Gosch
Second by: Beal
Action: Prevailed by roll call vote (13-0-0-0)

Voting Yes: Anderson, Beal, Chaffee, Goodwin, Gosch, Hansen, Kevin Jensen, Chris Johnson, Lesmeister, Kent Peterson, Reimer, Jamie Smith, and Wiese

**HAVING PASSED UNANIMOUSLY, THE CHAIR CERTIFIED SB 38 AS UNCONTESTED
AND AS SUCH BE PLACED ON THE CONSENT CALENDAR.**

MOTION: ADJOURN

Moved by: Gosch
Second by: Hansen
Action: Prevailed by voice vote

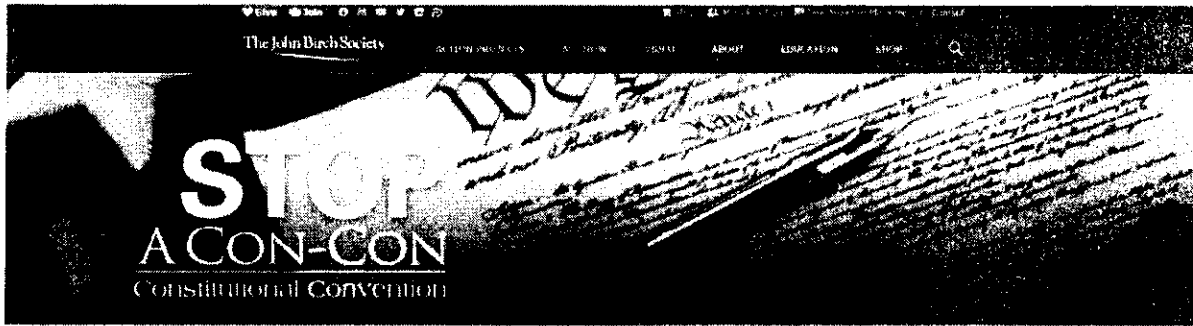
Pam Kean, Committee Secretary

_____/s/ KENT PETERSON
Kent Peterson, Chair

EXHIBIT 9

THE JOHN BIRCH SOCIETY WEBSITE:

OPPOSE MONTANA BBA CON-CON RESOLUTION HJ 13



Home Alerts Support for the BBA and the Con-Con Resolution 13

Alert Summary

Montana lawmakers are seeking to pass HJ 13, a resolution applying to Congress to call a constitutional convention to propose a federal Balanced Budget Amendment (BBA) to the U.S. Constitution.

Montana lawmakers are seeking to pass HJ 13, a resolution applying to Congress to call a constitutional convention (Con-Con) to propose a federal Balanced Budget Amendment (BBA) to the U.S. Constitution.

House Joint Resolution No. 13 (HJ 13), currently the only Con-Con resolution introduced for the 2021 legislative session, urges Congress to call a convention to propose a Balanced Budget Amendment (BBA). Specifically it calls for an amendment requiring "in the absence of a national emergency the total of all federal outlays made by the Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year, together with any related and appropriate fiscal restraints."

URGENT: The House Judiciary Committee held a hearing for HJ 13 on Wednesday, 2/24, but did not take any action. If it does not take action by Friday, the resolution will die. **Urge the committee members to oppose HJ 13.**

This development comes after members of The John Birch Society and their allies helped convince Montana's senators to defeat SJ 2. This resolution followed the wording of Mark Meckler's Convention of States Project, or COS Project, application, urging Congress to call a convention to propose amendments "that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress."

Despite both resolutions' language seeking a "limited" convention, any convention, no matter how well intentioned, could lead to a runaway convention that would reverse many of the Constitution's limitations on government power and interference. In other words, a Con-Con could accomplish the very things that many of its advocates claim to be fighting against. Already, the wording of these resolutions is vague and could be twisted to expand the federal government.

The late Supreme Court Justice Antonin Scalia understood the danger of a constitutional convention. While he voiced support for one at a 1979 event, the justice had reversed his opinion by 2014 due to the uncertainty of what could come out of it. In 2015, Scalia reiterated his opposition to an Article V convention. In addition to Scalia, George Washington and some of the other founding fathers opposed holding a second constitutional convention.

In particular, James Madison noted in a 1788 letter how extremists and special-interest advocates would hijack a potential second constitutional convention and cause great damage to the nation in the process:

"If a General Convention were to take place for the avowed and sole purpose of revising the Constitution, ... it would consequently give greater agitation to the public mind; an election into it would be courted by the most violent partisans [sic] on both sides; it wd. probably consist of the most heterogeneous characters; would be the very focus of that flame which has already too much heated men of all parties; would no doubt contain individuals of insidious views, who under the mask of seeking alterations popular in some parts but inadmissible in other parts of the Union might have a dangerous opportunity of sapping the very foundations of the fabric."

Contact Your State Legislators

Oppose Montana Con-Con Resolution HJ 13

Your state legislators introduced HJ 13. Our task is to contact them and oppose it.

First Name

Last Name

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The current trends observed in multiple American inner cities in mid-2010, along with the neo-conservative and ultra-liberal Marxist agenda of the Democratic Party, help illustrate what the left's reaction would be if a Con-Con is successfully called.

However, a constitutional convention is unnecessary to protect individual liberty and limit the size and scope of government. The massive expansion of government and growing infringements on our liberties is not because of "problems" or "flaws" with the Constitution, but rather due to misinterpretation, wrongful application, or lack of enforcement altogether. If applied faithfully and accurately, in accordance with its original meaning, at least 80% of the federal government's programs would likely be found unconstitutional.

Rather than passing Article V convention applications, which risk a runaway convention threatening our individual freedoms, the legislature should consider nullifying and nullify unconstitutional laws.

Furthermore, state lawmakers should also consider rescinding any and all previously passed Article V convention applications to Congress, regardless of the desired amendment(s). Passing rescission resolutions will help prevent aggregating past Article V convention applications with those from other states to force Congress to call a convention.

Above all, urge your state representative and senator to reject the H113, any other pro-Article V convention resolutions, and to instead consider nullification as a safe and constitutional means to limit unconstitutional federal overreach and actions, without risking damage or other undesirable alterations to the U.S. Constitution.

Although we provide a way to easily email legislators (blue box), we know from long experience that it takes a lot more interaction with your legislators to get your point across than that provided by email alone.

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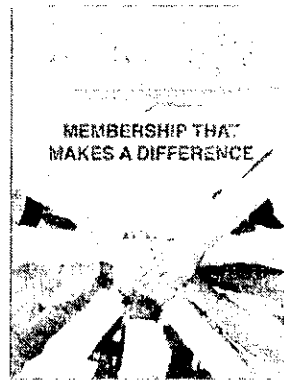
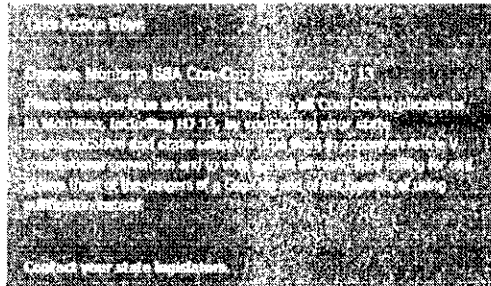
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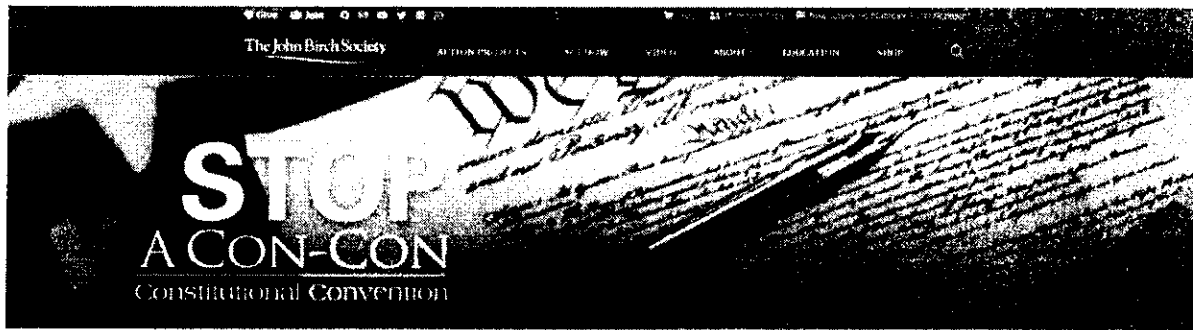
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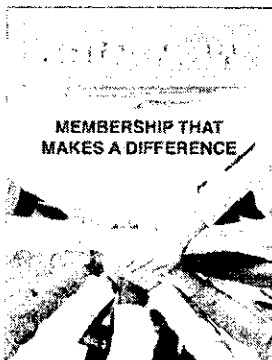
EXHIBIT 10

**THE JOHN BIRCH SOCIETY WEBSITE:
STOP A CONSTITUTIONAL CONVENTION**



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- [Stop a Constitutional Convention](#)
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Constitutional Tools at the Ready

Only six more states are needed to trigger the calling of a risky Article V constitutional convention! Are you willing to let all your Constitutional rights disappear? We sure aren't! We value the right to free speech, freedom of religion, freedom of the press, and all others secured by the U.S. Constitution and are ready to fight for its survival.

It's a huge undertaking, but we are confident we have all the tools needed to preserve our current Constitution for many years to come. Download free action tools and further your constitutional knowledge with our articles, booklets, and many other materials created for us to succeed together.

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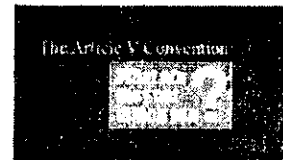
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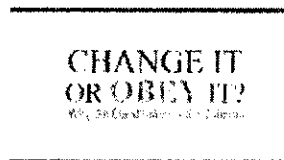
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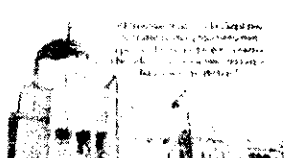


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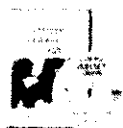
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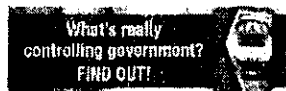
Take Action

Con-Con Legislative Alerts

-  Oppose North Carolina Article V Con-Con Resolution
-  Oppose West Virginia Article V Con-Con Resolution
-  Oppose Oregon West PAC Con-Con Resolutions
-  Oppose New Jersey Con-Con Resolutions
-  Support North Carolina Con-Con Resolution Display on HJR 146
-  Oppose Rhode Island Article V Con-Con Resolution SJR 2
-  Oppose Wyoming Article V Con-Con Resolution
-  Oppose Pennsylvania Article V Con-Con Resolution HJR 27
-  Oppose Maine Article V Con-Con Resolutions
-  Oppose Illinois Con-Con Resolution HJR 10
-  Oppose Minnesota Con-Con Resolution HJR 13
-  Oppose Wisconsin Article V Con-Con Resolutions
-  Oppose Kansas Con-Con Resolution HJR 5000
-  Oppose South Dakota Con-Con Resolution
-  Oppose Vermont Con-Con Resolution SJR 3
-  Oppose Maryland "Democracy Amendment" Con-Con Resolution

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