

3.C Questions and Answers Worth Reading

Here are some Questions and Answers that are worth reading before starting your resolution effort. If you are looking for answers to a specific issue, use ctrl-F and try some key words.

If you get frustrated trying to find something, call or email George 608-244-6436, georgepenn51@gmail.com.

A special note: As of June 20th, 2023, our state legislature intentionally made referendums by local municipalities illegal – so ignore any questions related to referendums. That is, until we win, in the courts, again the right to referendums.

As a result of losing referendums, this Q&A document has been simplified. We will keep the earlier version of this document, that included information related to passing referendums, in case we are able to restore the referendum tool to our democracy.

Q1: Is there a short elevator speech I can memorize?

A1: Here are a few examples you might consider. (If you have a different one, please let George Penn know so we can include it as another option. Make sure in is short.)

Question 1: What is United to Amend? Who are you?

(Short version)

United to Amend is a volunteer driven, non-partisan grass roots group that advocates for a constitutional amendment intended to restore representation to *We The People* – from the campaign funders. It says that only human beings have constitutional rights, and money is not equal to free speech.

(Longer version)

“United to Amend is building a movement to restore our republic from the big money – so our politicians will represent **Us** instead of their **Funders**. We’re a national non-partisan, volunteer driven movement. Our reformers care enough about our country to do something to fix our democracy. Are you aware that our politicians can’t get anything good done because they work for their Funders? After they answer (modify the next sentence slightly based on the answer.)”

Then you understand how important our work is. Can I give you my card (or some information) in case you run into someone who wants to do something about the corruption?”

Question 2: What do you folks do?

We are working with local communities to pass a resolution supporting the *We the People* amendment to restore our democracy from the big-money politics that stops our politicians from representing our interests.

Question 3: Why are you doing this?

We believe that big money is corrupting state and federal governments, who then are undermining our local governance. The corrupting influence of big money ensures that our politicians will not represent us and will continue to get nothing done – and there are a growing number of problems we need them to work on together.

Question 4: Are you against companies/corporations?

No, we think they should have all the *privileges* granted to them by the states they operate in which is the real legal tradition. We need corporations, unions, and other associations, but they are not a person and are not entitled to the rights granted to humans in our constitution.

Q2: Has our amendment bill proposed in the U.S. Congress?

A2: Our preferred amendment has been proposed in each of the 2013, 2015, 2017, 2019, 2021 and 2023 Congress sessions. It is called the *We The People* amendment. (A copy of the *We The People* bill is provided in the *City and Village Resolution Handbook*.)

Q3: Has our amendment bill proposed in the our state legislature?

A3: Bills to have our state to call for our amendment have been introduced in both the state Senate and Assembly each of the 2013, 2015, 2017 2019, 2021 and 2023 legislative sessions. (A Copy of the bill provided in the *City and Village Resolution Handbook*.)

Q4: Why does United to Amend seek to pass more resolutions since we have so many passed already?

A4: There are several reasons why we seek to continue passing local resolutions at all levels.

- a) *More Power:* Citizen votes show more power, to legislators proportional to the number of passed resolutions – several hundred local resolutions are more powerful than 72 county resolutions alone.
- b) *More Media:* Having many communities pass a resolution generates more statewide media than fewer. This generates more awareness which builds the movement and results in more champions contacting us. And obvious reported significant success generates inspiration and more movement. We are building a movement resolution by resolution.
- c) *Better Education of Representatives:* We get municipalities to send letters to all their fed and state representatives – letting all levels of representation know we want reform,
- d) *More Supporters:* These education efforts yield new supporters and grow the movement.
- e) *More Citizen Education:* We educate citizens when we can get media attention to passed resolutions – WIUTA’s primary objective is get citizens to endorse the amendment.
- f) *Better Coalition Building:* We are building a movement and working with many Wisconsin groups. Resolutions give us a platform for working with affinity groups, and;
- g) *More Cover for Scared Politicians:* Occasionally, where politicians are on the fence, a large number of resolutions gives them perceived political cover – because voters required the “passage” of the resolution.

Q5: Since our county has passed the resolution, aren’t we represented already?

A5: Our strategy is to continue building voter education and citizen power through growing visible proof of that the citizens want an amendment to get big money out of politics. So far, WIUTA champions have passed 172 resolutions. We will need increasing and many more municipalities to pass resolutions to show this power – with our great visual tools of the list and map.

We have had at least five potential champions who backed off from getting our resolution passed in their town because they were convinced that the County resolution is enough. We need to continue passing local resolutions in towns, villages and cities even where past champions chose to go to the county first. There are only 72 counties, there are about another

1770 towns, villages and cities in those counties. We have passed an amazing 172 resolutions so far, year after year, but still have no power.

In the early 2010s about 50 of the 72 counties passed a resolution asking our state legislature to accept the increased Medicare money offered by the federal government. Basically, the state legislature gave them the finger. Do you think 572 resolutions show more power than just 72 county resolutions?

Q6a: Why do we need an *AMENDMENT* to (...Get money out of politics, restore our democracy, etc.)?

Q6b: Why should we get municipal resolutions passed since it won't directly change the "money in politics" situation?

A6: We need an amendment to our U.S. Constitution to reduce the massive influence that money has over our corrupt two-party political system because nothing else will be strong enough. Why not:

Pass State Laws: Montana already tried State Legislation but the Supreme Court overruled them. (*Tried that.*) And, state laws do not affect the rules for federal offices.

Pass Legislation: Some people think we can pass laws to limit the corrupting money in politics. There are three problems with this option. First, the politicians we have now are literally complicit in the problem, they have shown they will not try to solve it – and many outright oppose reforms. Second, even if they wrote laws to “address” the problem, they would write intentionally ineffective laws. Third, even if Congress could write an effective law, the Supreme Court has demonstrated that they will overrule it. In short this approach is: not possible, or not effective, or not defensible.

Wait for Friendly New Supreme Court: Some people think we can wait until there is a Supreme Court that is friendly to reform. There are two problems with this option. First, when do you think that will happen since both parties are satisfied with the system and THEY appoint the judges – several who are young? Second, even if one party decides to appoint reform-friendly judges, what happens when the other party regains power and changes the makeup again. This is: Not soon or likely, or not durable. Look at the political refusal of the McConnell senate to allow Obama to appoint a new judge (Merrit Garland) after Scalia died in 2016 – saying the next president should decide, hoping that president will be of their party, and appoint partisan judges.

Q7: What is the first outcome that United to Amend is working toward?

A7: United to Amend is first seeking to get our state legislators to “make the call,” to Congress, to pass the *We the People* amendment currently introduced in the Congress. A corollary goal, that is less visible, is to have a strong enough movement that we can ensure that the Congress passes a bill calling for the *We the People* amendment – or a bill that includes at least the elements of the *We the People* amendment. (The actual bill might add elements that make the amendment even stronger.)

Q8: What about a Constitutional Convention? Isn't a Constitutional Convention dangerous? (Similar questions.)

A8: Article 5 of the Constitution allows for citizens and their states to create an amendment without assistance from any branch of the federal government. If necessary, we would do this

by calling for a convention of the states to meet, create an amendment, and then send this amendment back to the State Legislatures for approval (recall from H.S = “ratify.”)

Some reformers are interested in this approach to getting an effective constitutional amendment. Others are fearful that this convention would be a free-for-all where the opposing party would use this opportunity to destroy our current democracy.

United to Amend is currently undistracted by this concern for a several reasons:

We Are Not Pushing for a Convention: United to Amend is working to get our federal legislators to pass the *We The People* amendment that has been introduced in Congress in each of the last four sessions of Congress. We expect to build the power to force them to do this straight up – without a convention.

It Has Never Happened: America has passed 17 amendments since the original ten (Bill of Rights), and for not one of these was a convention convened. And we believe it will not happen this time either – basically, the federal politicians do not want to lose control of power to state legislators.

The Suffrage movement, the civil rights movement and others did not let this fear stop them – and their amendments were ultimately passed by Congress – their determination and risk-taking paid off.

Most are Working to Avoid a Convention: There are groups currently working to ensure that when we have enough states to force discussion of an amendment it will be done without a constitutional convention.

A Super Majority of States is Needed to Pass an Amendment – Screening Out Insanity: Even if a runaway convention is possible and 2/3 of the states’ delegates proposed some apocalyptic changes, any proposed amendment would still need to be approved by 75% of our state legislatures. Robust discussions in the 50 states would not garner three-quarters of them accepting the craziness.

We Won’t be Distracted by Theories: We are busy building the movement to get 34 states to call for our amendment – and we are focused. When we get close to having the required 34 states, we will have legal scholars and lawyers to ensure the appropriate approach and outcome. This is one reason why it is imperative that we BUILD A MOVEMENT.

Q9: Why are unions included in the language of point 1. on the petition?

A9: Some persons will ask why unions are included in the wording of the amendment. And, though rare, some leaders in unions might take offence to this. While most unions are corporations, the word “unions” is included on the petition to make it clear that they should not have the constitutional rights meant for only humans any more than corporations should have them. We have found that if unions are not spelled out on the petition, some conservative voters will see the effort (right or wrong) as a liberal effort and not sign the petition – and some will vote NO on the ballot.

We have had persons say they cannot sign the petition because it includes unions. And we have had a person who was considering helping the local group until she saw that unions are included – then did not help. Our response in both cases is to thank them for speaking with us but we believe it is important to building a movement that we include **all entities** that are not human.

We are building a non-partisan movement and have to be sensitive to the interpretations of all citizens. Also, we have gotten feedback from a couple of town board members in communities that they thought it was important that unions are explicitly identified.

Alternatively, we are occasionally asked if we include unions with the corporations in our amendment – by conservative citizens who have not read our petition or materials. For some this is how they judge the movement validity. It is a nice feeling when you can point to the word on the petition and say, “**you bet!** only human beings should have constitutional rights. All others should be granted privileges to protect their interests.” Conservatives who are shown this will likely sign – we have passed their test.

Q10. Should nearby communities work together?

A10: OMG, yes. There are multiple benefits from communities working together:

- People know people in other communities they can talk to – to get the word out and find volunteers,
- Each community has people with different skills and interests that they contribute to the other communities during the referendum work,
- Communities can share ideas and suggestions about what to do,
- The pitch is more impressive when you say other local communities are involved,
- Some people in nearby communities read each other’s papers and there is more awareness building, and
- When one community is falling behind in its petition signatures, the people from the other community can pitch in.

Q11: Comparing the wording on the resolution to the wording of the bills introduced in the Wisconsin legislature, they are different – why?

A11: The first goal of UTA in Wisconsin is to get our State Legislature to call for the passing of the *We The People* amendment bill that has been introduced in both houses of Congress. There is no mechanism in the Wisconsin Constitution that allows the citizens to force the legislature to make the call for the U.S. constitutional amendment. Thus WIUTA is growing a movement to persuade our legislature to call for the *We The People* amendment. We are doing this by first getting many local municipalities to pass resolution asking the state to do this.

The language on the resolution is honed to be succinct, clear and indicative of the language of the *We The People* amendment.

In concert, we have worked, and continue to work, with friendly legislators in the WI state legislature to introduce bills in calling for passage of the U.S. constitutional amendment. This

has resulted in the two State bills included in the UTA Handbook – one introduced in each of the state assembly and the state senate during each of the legislative sessions starting 2013, 2015, 2017, 2019, 2021 and 20233. The language of these bills depends on what we can negotiate with the legislators at the beginning of each session – and it changes slightly for each session. Most of the difference relates to the nature of the lawyer constructed state bills – it is legalese, and the resolutions are citizen friendly

In short, we have developed our resolution language to be easy to understand by voting citizens. For each legislative session, the language we are able to negotiate complements the citizen friendly resolution language.

Q12: A board member asks: Why should we (local board/council) get involved in national issues we have no control over?

A12: (Short version): Maintaining a functioning Republic is not a national issue – it is a citizen responsibility. Municipal involvement is not only appropriate, but necessary. When the upper levels of power no longer listen to the American people, the citizens need to build power locally to demand representation. *We The People* includes our local representatives to support the effort to create change – citizen voting on referenda and municipal bodies passing resolutions in support of an amendment magnifies the voice for change. We are not telling them what they HAVE TO do, we are telling them what the people want them to do – through referendum and resolution instruments of democracy.

(Long version): Maintaining a functioning Republic is not a national issue – it is a citizen responsibility. Municipal involvement is not only appropriate, but necessary. When the upper levels of power no longer listen to the American people, the citizens need to build power to demand representation. We The People include the local representatives to support their effort to create change – citizen voting on referenda and municipal bodies passing resolutions in support of an amendment magnifies the voice for change. We are not telling them what they HAVE TO do, we are telling them what the people want them to do – through referendum and resolution instruments of democracy.

The Framers created two paths for a constitutional amendment in Article V of the constitution. Either top down OR bottom up. For “top-down,” the congress creates an amendment for reform and gets the states to “ratify” or approve it. How many of you believe this is currently probable? By “bottom-up” the citizens get their states to call for amendment. The **States** create the amendment, then the **States** ratify it – w/o the need to involve the corrupted federal political system.

So, *We The People* have started a national movement to get our States to make this call for the amendment. We are doing this by asking our local municipal leaders to give us a needed voice to our legislators. We are asking YOU to give the citizens of (your town) that voice by passing our resolution for this call. Our individual voices have been muffled – we are asking for a community voice.

More Q&A will be added as identified.