

Outline for the discussion about the unlawful Amendment Process used in Pennsylvania

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- 1) The Amendment procedure (Section 1) used today is intentionally misleading and unconstitutional. Lawful amendments must be advertised once a week for 3 months (13 weeks) before a “general election” after passage by the General Assembly both the first and second times. All proposed amendments must be presented to the voters on a “general election”, NOT on any “primary” or “municipal” election. The Pennsylvania Constitution cannot be amended more often than every seven (7) years. Read: Article XI, Section 1 of the 1968 Pennsylvania Constitution.
- 2) Read parts of Section 47 of the 1776 Pennsylvania Constitution concerning amendments.
- 3) There was NO Amendment Article in the 1790 Pennsylvania Constitution. It was created anew as Article X in the 1838 Constitution.
- 4) Amendments to the 1838 Constitution were made in 1850, 1857, 1864 and 1872. Then a convention was called in 1873.
- 5) Article XVIII FUTURE AMENDMENTS” of the 1874 Pennsylvanian Constitution changed the words “next election” in the 1838 Pennsylvania Constitution to “next general election”.
- 6) A November 2, 1909 Amendment specifically defined “general elections” to be held in even-number years and “municipal elections” to be held in odd-number years.
- 7) In 1900 the Pennsylvania Supreme Court in *Commonwealth ex rel. v. Griest*, 196 Pa. 396, 404-406 (1900), clearly explained the “method of creating amendments to the constitution” and the specific steps required.
- 8) THE COMMISSION ON Constitutional Amendment and Revision REPORT OF THE COMMISSION TO THE GENERAL ASSEMBLY, DECEMBER 15, 1920, Pages 350 – 353 ARTICLE XIV AMENDMENT AND REVISION ... Note. Source: Article XVIII, section 1: (on page 351) states, in part:

“Changes in Substance: (1) The required advertisement, when the amendment has been passed by two successive general assemblies, may precede either a general or a municipal election. **Under the present constitution, it must precede a general election.** The change is made for the following reasons: ...” (The Report was not followed.)
- 9) The Secretary of State, Clyde L. King, refused to advertise the proposed 1923 Amendments. Attorney General, George W. Woodruff, sued. King appealed the adverse lower court decision to the Supreme Court. The Supreme Court, while citing *Commonwealth v. Griest*, 196 Pa. 396, 415 (1900), stated that Act No. 34 of April 3, 1923, P.L. 55 “solved the question at issue” by prescribing “that unless it should provide otherwise in respect to any particular proposed amendment (and here it did not), constitutional amendments should thereafter be submitted to the qualified electors for their approval “at either the municipal or general election” occurring at least three months after the date when the amendment in question “shall have been agreed to for the second time by [the legislature], as provided in article XVIII, section 1, of the Constitution.” This is the exact same Constitution change that was recommended in the December 15, 1920 “Report” and was ignored. The Pennsylvania Supreme Court Justices each clearly violated their “oath of office”.

10) The next attempt to expedite the amendment procedure happened in 1935 when the "GOVERNOR'S ADVISORY COMMITTEE ON CONSTITUTIONAL REVISION" presented its "SUGGESTIONS FOR CONSTITUTIONAL REVISION Report" (a brief five page report) on September 12, 1935. This Report stated in part the following:

"The present provision forbidding the amendment of the Constitution oftener than once in five years should be modified so as to apply only to the same or substantially the same amendment." The call for a Constitutional Convention in 1935 was "killed" by approximately 200,000 votes. However, the attorneys and judges simply continued using the "modified" method "so as to apply only to the same or substantially the same amendment". This method was formalized by the Pennsylvania Bar Association as the "Article-by-Article Method" during "Project Constitution" which was officially started by those in the Pennsylvania Bar Association in 1961. (Actually 1959)

11) It was not until May 17, 1966 that proposed Constitutional amendments were put on a Primary Election in Pennsylvania. A "Primary Election" is not even defined, much less authorized, by the Pennsylvania Constitution. These are intentionally restrictive, private corporate Republican and Democratic political party elections.

12) The stage was, therefore, set for placing the results of the 1967/68 Constitutional Convention on the April 23, 1968 Primary Ballot, just 18 days after the five proposed amendments had been published in the newspapers.

13) There are more than 80 proposed Amendments to the Pennsylvania Constitution for the 2021-2022 Session.

14) An amendment is used to avoid a Bill's veto by Governor Wolf when a 2/3 override vote is not possible in the Senate and House. The Democrats will surely use this unconstitutional procedure when a Republican Governor is in office.

15) The Secretary of State's official website states that the "Type of Elections" in Pennsylvania are "General", "Presidential", "Primary", and "Special". A note under "General Elections" states: "In odd-number years, like 2021, these November elections are also called municipal elections because there are no federal or state office on the ballot."

We must always demand that those in government understand and strictly follow their constitutional "oath of office"!

The Pennsylvania Supreme Court's Act 77 fraudulent 76 page Majority Opinion along with one fraudulent concurring and two true dissenting opinions were issued on August 2, 2022. (see: <https://www.pacourts.us/courts/supreme-court/court-opinions> - "McLinko, D. v. Dept. of State, et al. - Nos. 14, 15, 17, 18 and 19 MAP 2022" and the 3 following opinion entries)

Ballot PA, David Thornburg's organization, and others are pushing a change to the "Election Code" that would allow unaffiliated registered voters to claim at the "Primary Election Poll" a desire to vote as a Democrat or a Republican and then vote on that day. See Senate Bill 690 – Printer's No. 816 Session of 2021.