



Written by [Paul Dragu](#) on February 17, 2023

## **Birchers Help Kill Con-Con Bills in South Dakota; Montana Back in Play**

Another round of Con-Con resolutions recently bit the dust, this time in South Dakota.

South Dakota's HJR 5002 and HJR 5005 (resolutions to apply for an Article V Convention) were killed in committee on February 8, and despite efforts to "smoke" them out onto the floor, they stayed dead.

This development comes on the heels of Montana's Senate Joint Resolution 2 dying on the floor after a 25-25 split vote February 1.



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South Dakota is one of multiple Western states the Convention of States (COS) organization has been trying to move into the Article V Constitutional Convention (Con-Con) application column. COS is also trying to pass Con-Con bills in Wyoming and Idaho, and it's persisting in Montana despite the recent defeat.

COS's goal is to get 34 states to apply for a Con-Con, which would trigger Congress to call a Constitutional Convention. Nineteen states have applied for a COS Con-Con and twenty-six for a convention to propose a so-called balanced budget amendment.

The John Birch Society vehemently opposes a Con-Con for several good reasons, among them because there are no safeguards to keep the Convention from turning into a runaway convention, with the result likely being the dismantling of the Constitution, and because the Constitution already provides for the purported remedies of a Con-Con. The U.S. Constitution is not the problem — it's our lack of adherence to it.

The victory in South Dakota was hard fought and hard earned, regional coordinator Leah Southwell recently explained. A major contributor to this victory has been the increase of John Birch Society members in the state. Over the last couple of years, under Southwell's leadership, JBS membership quadrupled in South Dakota. One of the biggest contributors has been Southwell's hosting "The Constitution Is the Solution" courses. More South Dakota members have equaled more Con-Con opposition emails. Southwell said that this year legislators received more emails from constituents who opposed applying for a Con-Con than those who advocated for it.

Another factor in the South Dakota victory was legislator education. It helped that the bills came up in the same committee that killed Con-Con bills last year. These legislators already knew the dangers of a Con-Con.



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But there's little time to celebrate. In Montana, Con-Con proponents are trying to push through a "faithful delegate" bill (Senate Bill 211), as well as a term-limits one (Senate Joint Resolution 5), despite the death of Senate Joint Resolution 2 on February 1. Southwell said there is little constituent support, but the Con-Con effort is being pushed by Sen. Tom McGillvray, who represents Senate District 23.

On June 16, Montana's Commissioner of Political Practices found COS in violation of campaign practices for not including "Paid for by" attribution on advertising it provided for legislative candidates Wayne Rusk, Jason Ellsworth, and Ross Fitzgerald. COS, an organization headquartered in Washington, D.C., spent \$121,314.50 on media advertising for said candidates.

The JBS, however, relies solely on grassroots activism and principled persuasion to stop this threat. We urge Birchers and supporters in Montana (especially those in McGillvray's district), Idaho, and Wyoming to keep up the pressure. The Con-Con fight is a fight to preserve the Constitution.

*For more on the dangers of a Constitutional Convention, get a copy of TNA's "Article V Convention: Will It Work?" Special Report [here](#). Also, check out the JBS's "Stop a Constitutional Convention" [action page](#) for a variety of resources. And lastly, if you haven't joined the JBS in our epic undertaking to restore America, apply for membership [here](#) and get in the battle!*



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