

SENATE JOINT RESOLUTION 7

G1

8lr1447
CF 8lr2426

By: **Senators Pinsky, Benson, Conway, Currie, Feldman, Ferguson, Guzzone, Kasemeyer, Kelley, King, Lee, Madaleno, Manno, McFadden, Middleton, Muse, Nathan–Pulliam, Oaks, Peters, Ramirez, Robinson, Rosapepe, Smith, Young, and Zucker**

Introduced and read first time: January 24, 2018

Assigned to: Education, Health, and Environmental Affairs

SENATE JOINT RESOLUTION

1 A Senate Joint Resolution concerning

2 **United States Constitution – Amendments Convention – Democracy Amendment**

3 FOR the purpose of applying to the U.S. Congress for an amendments convention called
4 under Article V of the U.S. Constitution, on the application of the legislatures of
5 two–thirds of the several states, to propose an amendment to the U.S. Constitution
6 that affirms every citizen’s individual right to vote, reserves constitutional rights to
7 natural persons, and authorizes regulation of contributions and expenditures
8 intended to influence elections; and generally relating to an application to Congress
9 for a convention to propose an amendment to the U.S. Constitution.

10 WHEREAS, The American people have built our representative democracy on the
11 principle that every citizen has the individual right to vote and the guarantee that every
12 vote cast is counted; and

13 WHEREAS, Elections should be free of the influence of excessive campaign spending
14 by outside interests and fair enough that any citizen is able to run for public office; and

15 WHEREAS, It was the stated intention of the framers of the U.S. Constitution that
16 the Congress of the United States of America should be “dependent on the people alone”
17 (James Madison, Federalist No. 52, in the Federalist Papers); and

18 WHEREAS, The U.S. Supreme Court has removed the wall of separation between
19 private wealth and democratic elections by removing prohibitions against unlimited
20 electoral expenditures in Citizens United v. Federal Election Commission, McCutcheon v.
21 Federal Election Commission, and related cases; and

22 WHEREAS, The U.S. Congress has failed to propose a constitutional amendment to
23 protect the individual right to vote and to restore confidence in the integrity of our elections
24 and government; and



1 WHEREAS, The people have the right to choose the leaders who write our laws, but
2 decisions of the U.S. Supreme Court and corresponding inaction by the U.S. Congress have
3 undermined the American principle of self-government, necessitating that Americans take
4 action to defend the republic and strengthen our democracy; and

5 WHEREAS, Article V of the U.S. Constitution states that “on the Application of the
6 Legislatures of two-thirds of the several States,” Congress “shall call a Convention for
7 proposing Amendments”; and

8 WHEREAS, The Bill of Rights and four of the last ten amendments to the U.S.
9 Constitution were added to the U.S. Constitution at least partly in response to pressure
10 from state legislatures calling for a convention of the states to propose an amendment; and

11 WHEREAS, Most prior constitutional amendments have been added to create a more
12 perfect union by making America more democratic, more inclusive, and more accountable
13 to the people; and

14 WHEREAS, The General Assembly of Maryland desires that the delegates from the
15 State to the convention be composed of citizens, in numbers equal to the number of
16 presidential electors in the State, half of whom are elected by the people voting at large and
17 half of whom are selected by the General Assembly from among State and local officials;
18 and

19 WHEREAS, The General Assembly of Maryland desires that the delegates from the
20 State be composed of an equal number of men and women and be reflective of the voter
21 registration in the State; and

22 WHEREAS, The General Assembly of Maryland desires that the delegates selected
23 by the General Assembly be selected after the other half of the delegates are elected by the
24 people and be selected in such a manner that results in the full delegation from the State
25 being composed of an equal number of men and women and being reflective of the voter
26 registration in the State; and

27 WHEREAS, The General Assembly of Maryland desires that all individuals elected
28 to federal offices shall be prohibited from serving as delegates to the convention; and

29 WHEREAS, The State of Maryland intends to retain the ability to restrict or expand
30 the power of its delegates within the limits expressed above; and

31 WHEREAS, The State of Maryland intends that this application for an amendments
32 convention shall be considered in keeping with the applications already submitted on these
33 topics such as those passed by the 2013–2014 Vermont legislature as R454, the 2013–2014
34 California legislature as Resolution Chapter 77, the 98th Illinois General Assembly as SJR
35 42, the 2014–2015 New Jersey legislature as SCR 132, the 2015–2016 Rhode Island
36 legislature as HR 7670 and SR 2589, and all other passed, pending, and future applications
37 on any of the same topics; now, therefore, be it

1 RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That, as provided
2 in Article V of the U.S. Constitution, the General Assembly of Maryland respectfully applies
3 to the U.S. Congress for an amendments convention to be called, as soon as two-thirds of
4 the several states have applied for a convention, for the purpose of proposing an
5 amendment or amendments to the U.S. Constitution regarding any of these specific and
6 limited purposes:

7 (1) affirming every citizen's individual right to vote;

8 (2) reserving constitutional rights to natural persons; or

9 (3) authorizing the regulation of contributions and expenditures intended
10 to influence elections; and be it further

11 RESOLVED, That delegates to the convention from Maryland may not propose or
12 support amendments that do not have the primary goals of addressing only the specific and
13 limited purposes enumerated above; and be it further

14 RESOLVED, That this application constitutes a continuing application in
15 accordance with Article V of the U.S. Constitution and shall expire on January 20, 2030,
16 without any further action from the General Assembly of Maryland; and be it further

17 RESOLVED, That certified copies of this Joint Resolution be sent by the Secretary
18 of State to:

19 (1) the Honorable Michael R. Pence, Vice President of the United States,
20 President of the United States Senate, Suite S-212, United States Capitol Building,
21 Washington, D.C. 20510; the Honorable Orrin Hatch, President Pro Tempore of the United
22 States Senate, 104 Hart Office Building, Washington, D.C. 20510; and the Honorable Paul
23 D. Ryan, Speaker of the United States House of Representatives, 1233 Longworth House
24 Office Building, Washington, D.C. 20515; and

25 (2) the Maryland Congressional Delegation: Senators Benjamin L. Cardin
26 and Christopher Van Hollen, Jr., Senate Office Building, Washington, D.C. 20510; and
27 Representatives Andrew P. Harris, C. A. Dutch Ruppersberger III, John P. Sarbanes,
28 Anthony G. Brown, Steny Hamilton Hoyer, John Delaney, Elijah E. Cummings, and Jamie
29 Raskin, House Office Building, Washington, D.C. 20515; and

30 (3) the Honorable David S. Ferriero, Archivist of the United States,
31 National Archives and Records Administration, 709 Pennsylvania Avenue, N.W.,
32 Washington, D.C. 20408; and

33 (4) the Honorable Julie E. Adams, Secretary of the United States Senate,
34 United States Capitol Building, Suite S-312, Washington, D.C. 20510; the Honorable
35 Elizabeth MacDonough, Parliamentarian of the United States Senate, United States
36 Capitol Building, Suite S-133, Washington, D.C. 20510; the Honorable Karen L. Haas,

SENATE JOINT RESOLUTION 7

1 Clerk of the United States House of Representatives, Suite H-154, United States Capitol
2 Building, Washington, D.C. 20515; and the Honorable Thomas J. Wickham, Jr.,
3 Parliamentarian of the United States House of Representatives, Room H-209, United
4 States Capitol Building, Washington, D.C. 20515, requesting that they publish this Joint
5 Resolution in the Congressional Record and list this application in the official tally of state
6 legislative applications for a convention of the states under Article V of the U.S.
7 Constitution; and be it further

8 RESOLVED, That the Secretary of State is directed to send copies of this Joint
9 Resolution to the presiding officers of both Houses of the legislature of each of the several
10 states, with the request that it be circulated among leaders in the legislative branch of the
11 state governments; and with the further request that each of the states join in requesting
12 the U.S. Congress to call a convention for the purpose of initiating a proposal to amend the
13 U.S. Constitution as described in this Joint Resolution.