

# SENATE JOINT RESOLUTION 1

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By: **Senators Pinsky, Carter, Elfreth, Feldman, Ferguson, Guzzone, Hayes, Kelley, King, Klausmeier, Kramer, Lam, Lee, McCray, Nathan–Pulliam, Peters, Rosapepe, Smith, Young, and Zucker**

Introduced and read first time: January 25, 2019

Assigned to: Education, Health, and Environmental Affairs

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## 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 authorizes regulation of contributions and expenditures intended to influence  
7 elections; and generally relating to an application to Congress for a convention to  
8 propose an amendment to the U.S. Constitution.

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

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

15 WHEREAS, Article V of the U.S. Constitution states that “on the Application of the  
16 Legislatures of two–thirds of the several States,” Congress “shall call a Convention for  
17 proposing Amendments”; and

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

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

24 WHEREAS, The General Assembly of Maryland desires that the delegates from the



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1 State to the convention be composed of citizens, in numbers equal to the number of  
2 presidential electors in the State selected by the General Assembly; and

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

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

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

10 WHEREAS, The State of Maryland intends that this application for an amendments  
11 convention shall be considered in keeping with the applications already submitted on this  
12 topic such as those passed by the 2013–2014 Vermont legislature as R454, the 2013–2014  
13 California legislature as Resolution Chapter 77, the 98th Illinois General Assembly as SJR  
14 42, the 2014–2015 New Jersey legislature as SCR 132, the 2015–2016 Rhode Island  
15 legislature as HR 7670 and SR 2589, and all other passed, pending, and future applications  
16 on this same topic; now, therefore, be it

17 RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That, as provided  
18 in Article V of the U.S. Constitution, the General Assembly of Maryland respectfully applies  
19 to the U.S. Congress for an amendments convention to be called, as soon as two–thirds of  
20 the several states have applied for a convention, for the purpose of proposing an  
21 amendment or amendments to the U.S. Constitution regarding the specific and limited  
22 purpose of authorizing the regulation of contributions and expenditures intended to  
23 influence elections; and be it further

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

27 RESOLVED, That this application constitutes a continuing application in  
28 accordance with Article V of the U.S. Constitution and shall expire on January 20, 2027,  
29 without any further action from the General Assembly of Maryland; and be it further

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

32 (1) the Honorable Michael R. Pence, Vice President of the United States,  
33 President of the United States Senate, Suite S–212, United States Capitol Building,  
34 Washington, D.C. 20510; the Honorable Charles Grassley, President Pro Tempore of the  
35 United States Senate, 135 Hart Office Building, Washington, D.C. 20510; and the  
36 Honorable Nancy Pelosi, Speaker of the United States House of Representatives, 1236  
37 Longworth House Office Building, Washington, D.C. 20515; and

1           (2)    the Maryland Congressional Delegation: Senators Benjamin L. Cardin  
2 and Christopher Van Hollen, Jr., Senate Office Building, Washington, D.C. 20510; and  
3 Representatives Andrew P. Harris, C. A. Dutch Ruppersberger III, John P. Sarbanes,  
4 Anthony G. Brown, Steny Hamilton Hoyer, David J. Trone, Elijah E. Cummings, and Jamie  
5 Raskin, House Office Building, Washington, D.C. 20515; and

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

9           (4)    the Honorable Julie E. Adams, Secretary of the United States Senate,  
10 United States Capitol Building, Suite S-312, Washington, D.C. 20510; the Honorable  
11 Elizabeth MacDonough, Parliamentarian of the United States Senate, United States  
12 Capitol Building, Suite S-133, Washington, D.C. 20510; the Honorable Karen L. Haas,  
13 Clerk of the United States House of Representatives, Suite H-154, United States Capitol  
14 Building, Washington, D.C. 20515; and the Honorable Thomas J. Wickham, Jr.,  
15 Parliamentarian of the United States House of Representatives, Room H-209, United  
16 States Capitol Building, Washington, D.C. 20515, requesting that they publish this Joint  
17 Resolution in the Congressional Record and list this application in the official tally of state  
18 legislative applications for a convention of the states under Article V of the U.S.  
19 Constitution; and be it further

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