



SENATE JOINT RESOLUTION S

September 7, 2016, Introduced by Senators BIEDA, ANANICH, KNEZEK, YOUNG, GREGORY, HOOD, WARREN and HOPGOOD and referred to the Committee on Government Operations.

A joint resolution to petition the Congress of the United States to call a convention to propose an amendment to the Constitution of the United States to restrict independent political spending.

1 Whereas, the 1st President of the United States, George
2 Washington, stated, "The basis of our political systems is the
3 right of the people to make and to alter their Constitutions of
4 Government."; and,

5 Whereas, it was the stated intention of the framers of the
6 Constitution of the United States of America that the Congress of
7 the United States of America should be "dependent on the people
8 alone." (James Madison, Federalist 52); and,

9 Whereas, that dependency has evolved from a dependency on the

1 people alone to a dependency on those who spend excessively in
2 elections, through campaigns or third-party groups; and,

3 Whereas, the United States Supreme Court ruling in Citizens
4 United v Federal Election Commission, 558 US 310 (2010), removed
5 restrictions on amounts of independent political spending; and,

6 Whereas, the removal of those restrictions has resulted in the
7 unjust influence of powerful economic forces, which have supplanted
8 the will of the people by undermining our ability to choose our
9 political leadership, write our own laws, and determine the fate of
10 our state; and,

11 Whereas, Article V of the United States Constitution requires
12 the United States Congress to call a convention for proposing
13 amendments upon application of two-thirds of the legislatures of
14 the several states for the purpose of proposing amendments to the
15 United States Constitution; and,

16 Whereas, the state of Michigan sees the need for a convention
17 to propose amendments in order to address concerns such as those
18 raised by the decision of the United States Supreme Court in
19 Citizens United v Federal Election Commission, 558 US 310 (2010),
20 and related cases and events including those occurring long before
21 or afterward or for a substantially similar purpose, and desires
22 that said convention should be so limited; and,

23 Whereas, the state of Michigan desires that the delegates to
24 said convention shall be composed equally of individuals currently
25 elected to state and local office, or be selected by election in
26 each congressional district for the purpose of serving as
27 delegates, though all individuals elected or appointed to federal

1 office, now or in the past, be prohibited from serving as delegates
2 to the convention, and intends to retain the ability to restrict or
3 expand the power of its delegates within the limits expressed
4 above; and,

5 Whereas, the state of Michigan intends that this be a
6 continuing application considered together with applications
7 calling for a convention passed in the 2013-2014 Vermont
8 legislature as R454, the 2013-2014 California legislature as
9 Resolution Chapter 77, the 98th Illinois General Assembly as Senate
10 Joint Resolution No. 42, the 2014-2015 New Jersey legislature as
11 SCR 132, and all other passed, pending, and future applications,
12 the aforementioned concerns of Michigan notwithstanding until such
13 time as two-thirds of the several states have applied for a
14 convention and said convention is convened by Congress.

15 Be it resolved, That the legislature of the state of Michigan,
16 pursuant to Article V of the United States Constitution, hereby
17 petitions the United States Congress to call a convention for the
18 purpose of proposing amendments to the Constitution of the United
19 States of America as soon as two-thirds of the several states have
20 applied for a convention; and

21 Be it further resolved, That copies of this resolution be
22 transmitted to the President and Vice President of the United
23 States, to the Speaker of the United States House of
24 Representatives, to the Minority Leader of the United States House
25 of Representatives, to the President Pro Tempore of the United
26 States Senate, to each senator and representative from Michigan in
27 the Congress of the United States, to the governor of each state,

1 and to the presiding officers of each legislative body of each of
2 the several states, requesting the cooperation of the several
3 states in issuing an application compelling congress to call a
4 convention for proposing amendments pursuant to Article V of the
5 United States Constitution.