

SENATE JOINT RESOLUTION 4

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

Introduced and read first time: February 1, 2017

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 be considered in keeping with the applications already submitted by Vermont,
33 California, New Jersey, Illinois, and Rhode Island; now, therefore, be it

34 RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That, as provided
35 in Article V of the U.S. Constitution, the General Assembly of Maryland respectfully applies
36 to the U.S. Congress for an amendments convention to be called, as soon as two-thirds of

1 the several states have applied for a convention, for the purpose of proposing an
2 amendment or amendments to the U.S. Constitution limited to one or more of the following:
3 affirming every citizen's individual right to vote; reserving constitutional rights to natural
4 persons; or authorizing the regulation of contributions and expenditures intended to
5 influence elections; and be it further

6 RESOLVED, That delegates to the convention from Maryland may not propose
7 amendments that do not have the primary goals of addressing the purpose for which the
8 amendments convention is called; and be it further

9 RESOLVED, That this application constitutes a continuing application in
10 accordance with Article V of the U.S. Constitution until at least two-thirds of the
11 legislatures of the several states have made application for an equivalently limited
12 amendments convention; and be it further

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

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

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

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

29 (4) the Honorable Julie E. Adams, Secretary of the United States Senate,
30 United States Capitol Building, Suite S-312, Washington, D.C. 20510; the Honorable
31 Elizabeth MacDonough, Parliamentarian of the United States Senate, United States
32 Capitol Building, Suite S-133, Washington, D.C. 20510; the Honorable Karen L. Haas,
33 Clerk of the United States House of Representatives, Suite H-154, United States Capitol
34 Building, Washington, D.C. 20515; and the Honorable Thomas J. Wickham, Jr.,
35 Parliamentarian of the United States House of Representatives, Room H-209, United
36 States Capitol Building, Washington, D.C. 20515, requesting that they publish this Joint
37 Resolution in the Congressional Record and list this application in the official tally of state
38 legislative applications for a convention of the states under Article V of the U.S.
39 Constitution; and be it further

SENATE JOINT RESOLUTION 4

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