

Senate Concurrent Resolution No. 1611

By Senator Kerschen

2-10

1 A CONCURRENT RESOLUTION applying to Congress for a limited
2 amendments convention to restore free and fair elections by
3 overturning the decision of the United States Supreme Court in
4 Citizens United v. Federal Election Commission.
5

6 WHEREAS, The first President of the United States, George
7 Washington, stated, "The basis of our political systems is the right of the
8 people to make and to alter their Constitutions of Government."; and

9 WHEREAS, It was the intention of the framers of the Constitution of
10 the United States of America, as stated by James Madison in the
11 Federalist Papers, that the Congress of the United States of America
12 should be "dependent on the people alone"; and

13 WHEREAS, That dependency has evolved from a dependency on the
14 people alone to a dependency on those who spend excessively in
15 elections, through campaigns or third-party groups; and

16 WHEREAS, The United States Supreme Court ruling in Citizens
17 United v. Federal Election Commission, 558 U.S. 310 (2010), removed
18 restrictions on amounts of independent political spending; and

19 WHEREAS, The removal of those restrictions has resulted in the
20 unjust influence of powerful economic forces, which have supplanted the
21 will of the people by undermining the people's ability to choose their
22 political leadership, write their own laws and determine the fate of their
23 state; and

24 WHEREAS, Article V of the United States Constitution requires the
25 United States Congress to call a convention for proposing amendments
26 upon application of two-thirds of the legislatures of the several states for
27 the purpose of proposing amendments to the United States Constitution;
28 and

29 WHEREAS, The State of Kansas sees the need for a convention to
30 propose amendments to address concerns such as those raised by the
31 decisions of the United States Supreme Court in Citizens United v.
32 Federal Election Commission and related cases, and desires that said
33 convention should be so limited; and

34 WHEREAS, The State of Kansas desires that the delegates to said
35 convention shall be comprised equally from individuals currently elected
36 to state and local office, or be selected by election in each Congressional

1 district for the purpose of serving as delegates, though all individuals
2 elected or appointed to federal office, now or in the past, be prohibited
3 from serving as delegates to the convention, and intends to retain the
4 ability to restrict or expand the power of its delegates within the limits
5 expressed above; and

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

15 Now, therefore,

16 *Be it resolved by the Legislature of the State of Kansas, two-thirds of*
17 *the members elected to the Senate and two-thirds of the members elected*
18 *to the House of Representatives concurring therein:* That the people of
19 the State of Kansas, speaking through its legislature, and pursuant to
20 Article V of the United States Constitution, hereby petition the United
21 States Congress to call a convention for the purpose of proposing
22 Amendments to the Constitution of the United States of America, as soon
23 as two-thirds of the several states have applied for a convention; and

24 *Be it further resolved:* That the Secretary of State shall send an
25 enrolled copy of this resolution to the President of the United States, the
26 Vice President of the United States in his capacity as presiding officer of
27 the United States Senate, the Speaker of the United States House of
28 Representatives, the Minority Leader of the United States House of
29 Representatives and the President Pro Tempore of the United States
30 Senate; to each Senator and Representative from Kansas serving in the
31 Congress of the United States, with the respectful request that the full and
32 complete text of this resolution be printed in the Congressional Record;
33 and to the presiding officers of each legislative body of each of the
34 several states, requesting the cooperation of these states in issuing an
35 application compelling Congress to call a convention for proposing
36 amendments pursuant to Article V of the U.S. Constitution.