

By: Representative Clark

To: Constitution;
Apportionment and Elections

HOUSE CONCURRENT RESOLUTION NO. 8

1 A CONCURRENT RESOLUTION APPLYING FOR A CONVENTION OF THE
2 STATES UNDER ARTICLE V OF THE CONSTITUTION OF THE UNITED STATES
3 FOR THE PURPOSE OF PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE
4 UNITED STATES RELATING TO FREE AND FAIR ELECTIONS.

5 WHEREAS, elections in the United States of America should be
6 free from corruption and fair enough that any citizen can be
7 elected into office; and

8 WHEREAS, the first President of the United States, George
9 Washington, stated, "The basis of our political systems is the
10 right of the people to make and to alter their constitutions of
11 government" (Farewell Address, 1796); and

12 WHEREAS, it was the stated intention of the framers of the
13 Constitution of the United States of America that the Congress of
14 the United States of America should be "dependent on the people
15 alone" (James Madison, Federalist 52); and

16 WHEREAS, that dependency has evolved from a dependency on the
17 people alone to a dependency on those who spend excessively in
18 elections, through campaigns or third-party groups; and



19 WHEREAS, the United States Supreme Court ruling in *Citizens*
20 *United v. Federal Election Commission*, 558 U.S. 310 (2010),
21 removed restrictions on amounts of independent political spending;
22 and

23 WHEREAS, the removal of those restrictions has resulted in
24 the undue influence of powerful economic forces, which have
25 supplanted the will of the people by undermining our ability to
26 choose our political leadership, write our own laws and determine
27 the fate of our state; and

28 WHEREAS, the Tenth Amendment to the United States
29 Constitution states, "The powers not delegated to the United
30 States by the Constitution, nor prohibited by it to the States,
31 are reserved to the States respectively, or to the people," which,
32 until 2010, had consistently been interpreted as allowing the
33 states to establish their own laws governing the financing of
34 elections; and

35 WHEREAS, the American people, when asked, overwhelmingly
36 expressed their desire to remove the corrupting influence of money
37 from our political process; and

38 WHEREAS, the United States Congress has been unresponsive to
39 this expressed will of the American citizenry in addressing the
40 problem of corrupting money in politics; and

41 WHEREAS, Section 5 of the Constitution of the State of
42 Mississippi affirms that governments are for the benefit of the



43 people and Section 6 affirms that the people have the right to
44 effect reform when it is not; and

45 WHEREAS, Article V of the United States Constitution requires
46 the United States Congress to call a convention for proposing
47 amendments to the United States Constitution upon application of
48 two-thirds (2/3) of the legislatures of the several states; and

49 WHEREAS, the State of Mississippi sees the need for a
50 convention to propose amendments in order to respond to the will
51 of the people and address the corrupting influence of money in our
52 political process including, inter alia, relevant decisions by the
53 United States Supreme Court, and desires that such convention be
54 so limited:

55 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
56 REPRESENTATIVES OF THE STATE OF MISSISSIPPI, THE SENATE CONCURRING
57 THEREIN, That we do hereby, in accordance with Article V of the
58 Constitution of the United States, apply to the United States
59 Congress to call a limited convention to propose amendments to the
60 Constitution of the United States for the exclusive purpose of
61 protecting free and fair elections in the United States by
62 removing the corrupting influence of excessive spending in our
63 electoral process, by addressing, inter alia, concerns raised by
64 *Citizens United v. FEC* and related decisions, as soon as
65 two-thirds (2/3) of the several states have approved similar
66 applications for a convention.



67 BE IT FURTHER RESOLVED, That the delegates to said convention
68 shall be comprised equally of individuals currently elected to
69 state and local office, or be selected by election, in each
70 Congressional district for the purpose of serving as delegates,
71 though all individuals elected or appointed to federal office, now
72 or in the past, be prohibited from serving as delegates to the
73 convention, and that the State of Mississippi retains the ability
74 to restrict or expand the power of its delegates within the limits
75 expressed above.

76 BE IT FURTHER RESOLVED, That this application constitutes a
77 continuing application to be considered together with applications
78 calling for a convention passed in the 2013-2014 Vermont
79 Legislature as R454, the 2013-2014 California Legislature as
80 Resolution Chapter 77, the 98th Illinois General Assembly as
81 Senate Joint Resolution No. 42, the 2014-2015 New Jersey
82 Legislature as Senate Concurrent Resolution 132, and all other
83 passed, pending and future applications until such time as
84 two-thirds (2/3) of the several states have applied for a
85 convention and such convention is called by Congress.

86 BE IT FURTHER RESOLVED, That copies of this resolution be
87 furnished to the Speaker and the Clerk of the United States House of
88 Representatives, the President and Secretary of the United States
89 Senate, to the members of the Mississippi congressional delegation,
90 and to the presiding officers of each of the legislative houses in
91 the several states, requesting their cooperation.

