

By: Senator(s) Frazier

To: Rules

SENATE CONCURRENT RESOLUTION NO. 547

1 A CONCURRENT RESOLUTION PETITIONING THE UNITED STATES
2 CONGRESS TO CONVENE A LIMITED CONVENTION FOR THE EXCLUSIVE PURPOSE
3 OF PROPOSING A FREE AND FAIR ELECTIONS AMENDMENT TO THE UNITED
4 STATES CONSTITUTION.

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 said, "The basis of our political systems is the right
10 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
14 should be "dependent on the people alone" (James Madison,
15 *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 directly and via third-party groups; and



19 WHEREAS, the United States Supreme Court rulings in *Citizens*
20 *United v. Federal Election Commission* (2010) removed restrictions
21 on independent political spending; and

22 WHEREAS, the removal of those restrictions has resulted in a
23 corruption of our political process and the undue influence of
24 powerful economic forces which have supplanted the will of the
25 people by undermining our ability to choose our political
26 leadership, write our own laws, and determine the fate of our
27 state and the nation as a whole; 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 express 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, the Constitution of the State of Mississippi affirms
42 that governments are for the benefit of the people (Section 5) and



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

45 WHEREAS, Article V of the United States Constitution requires
46 the United States Congress to convene a Convention for proposing
47 amendments upon application of two-thirds of the Legislatures of
48 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 said Convention be
54 so limited:

55 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF
56 MISSISSIPPI, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN, That
57 pursuant to Article V of the United States Constitution, we do
58 hereby petition the United States Congress to convene a limited
59 Convention to propose amendments to the federal Constitution for
60 the exclusive purpose of protecting Free and Fair Elections in the
61 United States by removing the corrupting influence of excessive
62 spending in our electoral process, by addressing inter alia
63 concerns raised by *Citizens United v. FEC* and related decisions,
64 as soon as two-thirds of the states have approved similar
65 applications for a Convention.

66 BE IT FURTHER RESOLVED, That the State of Mississippi desires
67 that the delegates to said Convention shall be comprised equally



68 of individuals currently elected to state and local office, or be
69 selected by election, in each Congressional District for the
70 purpose of serving as delegates, though all individuals elected or
71 appointed to federal office, now or in the past, be prohibited
72 from serving as delegates to the Convention, and intends to retain
73 the ability to restrict or expand the power of its delegates
74 within the limits expressed above.

75 BE IT FURTHER RESOLVED, That the State of Mississippi intends
76 that this be a continuing application considered together with
77 applications calling for a Convention passed in the 2013-2014
78 Vermont Legislature as Senate Joint Resolution No. 27 (160
79 *Congressional Record* S4331, POM-284), the 2013-2014 California
80 Legislature's Assembly Joint Resolution No. 1 (160 *Congressional*
81 *Record* S5507, POM-320), the 2013-2014 Illinois Legislature's
82 Senate Joint Resolution No. 42, the 2014-2015 New Jersey State
83 Legislature's Senate Concurrent Resolution No. 132, and all other
84 past, pending, and future applications for a Convention of similar
85 purpose until at least two-thirds of the several states have
86 applied for and Congress has convened a Convention.

87 BE IT FURTHER RESOLVED, That certified copies of this
88 Resolution be transmitted to the President of the United States,
89 the Vice President of the United States in his capacity as
90 Presiding Officer of the United States Senate and addressed to him
91 at Suite No. S-212, United States Capitol Building, Washington,
92 D.C., the Speaker of the United States House of Representatives,



93 the Minority Leader of the United States House of Representatives,
94 the Majority Leader of the United States Senate, all members of
95 Mississippi's congressional delegation with the respectful request
96 that the full and complete text of this joint resolution be
97 entered into the Congressional Record as an official memorial to
98 Congress from the Legislature of the State of Mississippi, and to
99 the presiding officers of the Legislatures of each of the
100 remaining states that have not yet applied to Congress for such a
101 Convention on this subject with the respectful request that they
102 consider the adoption of similar legislation.

