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2017 ASSEMBLY JOINT RESOLUTION 35

April 24, 2017 - Introduced by Representatives Crowley, Vruwink, Brostoff, Anderson, Hintz, Sinicki, Goyke and Zepnick, cosponsored by Senator C. Larson. Referred to Committee on Constitution and Ethics.

1 **Relating to:** Wisconsin legislative resolution to restore free and fair elections in the 2 United States and to apply to Congress for a limited national convention for the 3 exclusive purpose of proposing an amendment to the U.S. Constitution that 4 would restore balance and integrity to our elections. 5 Whereas, it was the stated intention of the framers of the Constitution of the 6 United States of America that the Congress of the United States of America should 7 be "dependent on the people alone" (James Madison, Federalist 52); and 8 Whereas, that dependency has evolved from a dependency on the people alone 9 to a dependency on powerful special interests, through campaigns or through 10 third-party groups, that has created a fundamental imbalance in our representative 11 democracy; and 12 Whereas, Americans across the political spectrum agree that elections in the United States of America should be free from the disproportional influence of special 13

interests and should be fair enough that any eligible citizen can be elected into office;

Whereas, Article V of the U.S. Constitution requires the U.S. Congress to call a convention for proposing amendments upon application of two-thirds of the legislatures of the several states for the purpose of proposing amendments to the Constitution; and

Whereas, the Wisconsin legislature perceives the need for a convention in order to restore balance and integrity to our elections by proposing an amendment to the U.S. Constitution that would permanently protect elections in the United States of America by addressing issues raised by the decision of the U.S. Supreme Court in *Citizens United v. Federal Election Commission*, 130 S. Ct. 876 (2010), and in related cases and events, and desires that said convention should be so limited; and

Whereas, the State of Wisconsin desires that the delegates to said convention shall be composed equally of individuals currently elected to state and local office, or be selected by election, in each congressional district, except that all individuals elected or appointed to federal office, now or in the past, shall be prohibited from serving as delegates to the convention; and

Whereas, the State of Wisconsin intends that this be a continuing application considered together with applications calling for a convention passed in the 2013–14 Vermont legislature as R454, the 2013–14 California legislature as Resolution Chapter 77, the 98th Illinois general assembly as Senate Joint Resolution No. 42, the 2014–15 New Jersey legislature as SCR 132, the 2015–16 Rhode Island legislature as HR 7670 and SR 2589, and all other passed, pending, and future applications, the aforementioned concerns of Wisconsin notwithstanding, until such time as two-thirds of the several states have applied for a convention and said convention is convened by Congress; now, therefore, be it

Resolved by the assembly, the senate concurring, That the people of the State of Wisconsin, speaking through its legislature, and pursuant to Article V of the United States Constitution, hereby petition the United States Congress to call a convention for the exclusive purpose of proposing an amendment to the Constitution that would restore free and fair elections as described herein, as soon as two-thirds of the several states have applied for a convention; and, be it further

Resolved, That the Wisconsin delegation to a convention called pursuant to this resolution shall have no discretion beyond that granted by the Wisconsin legislature and that the legislature shall retain its authority to restrict or expand the power of its delegates within the limits expressed herein; and, be it further

Resolved, That the chief clerk of the Wisconsin Assembly shall transmit copies of this resolution to the president of the United States; the vice president of the United States in his capacity as presiding officer of the United States Senate and addressed to him at Suite S-212, U.S. Capitol Building, Washington, DC 20510; the Speaker of the United States House of Representatives; the minority leader of the United States House of Representatives; the president pro tempore of the United States Senate; each senator and representative from Wisconsin in the Congress of the United States with the respectful request that the full and complete text of this resolution be printed in the Congressional Record; the governor of each state; and the presiding officers of each legislative body of each of the several states, requesting the cooperation of the states in issuing an application compelling Congress to call a convention for proposing amendments pursuant to Article V of the United States Constitution.