

House Concurrent Resolution No. 5005

By Representatives Sutton, Barth, Bergkamp, Bryce, B. Carpenter, W. Carpenter, Croft, Eplee, Essex, Fairchild, Garber, Goetz, Hill, Hoffman, Howe, Howell, Kessler, Lewis, Minnix, Moser, Murphy, Neelly, Owens, Penn, Pickert, Roth, Sanders, Schmoie, Seiwert, A. Smith, Tarwater, Thomas, Thompson, Turk, Wasinger and L. Williams

1-23

1 A CONCURRENT RESOLUTION making application to the Congress
2 of the United States for a limited national convention for the exclusive
3 purpose of proposing an amendment to the Constitution of the United
4 States establishing term limits for members of Congress.
5

6 WHEREAS, The framers of the Constitution of the United States of
7 America intended that the U.S. House of Representatives and the U.S.
8 Senate of the United States of America should be "dependent on the
9 people alone" (James Madison, Federalist 52); and

10 WHEREAS, Throughout American history, this dependency has
11 evolved from a dependency on the American people alone to a
12 dependency on powerful special interests, through spending by third-
13 party groups, campaigns or out-of-state donors, which have created a
14 fundamental imbalance in our representative democracy and eroded the
15 people's trust in government; and

16 WHEREAS, Americans across the political spectrum agree that
17 elections in the United States of America should be free from the
18 disproportional influence of special interests and fair enough that any
19 citizen can be elected into office; and

20 WHEREAS, The Constitution of the State of Kansas states that "all
21 political power is inherent in the people, and all free governments are
22 founded on their authority, and are instituted for their equal protection
23 and benefit" (Bill of Rights, Section 2); and

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

28 WHEREAS, The Kansas Legislature perceives the need for a
29 convention in order to ensure balance and integrity in our elections by
30 proposing an amendment to the Constitution of the United States that will
31 establish term limits for members of Congress to prevent the
32 accumulation of inordinate power in members with longevity who are
33 able to amass high amounts of funds for reelection; and

1 WHEREAS, A national convention would give the American people
2 an opportunity to come together as a nation, by discussing solutions on
3 how to ensure the integrity of our elections and renew the American
4 people's trust in government; and

5 WHEREAS, Article V of the Constitution of the United States clearly
6 states that any amendment, whether proposed by the Congress of the
7 United States or by a convention, must be ratified by 75% of the states,
8 presently 38 states, ensuring that only the most reasonable proposals with
9 widespread support shall become part of the Constitution of the United
10 States; and

11 WHEREAS, Notwithstanding any federal or Kansas law to the
12 contrary, the State of Kansas desires its delegates to such a national
13 convention to be composed equally of individuals currently elected to
14 state and local offices or to be selected by election in each congressional
15 district in Kansas, except that all individuals elected or appointed to
16 federal office, now or in the past, shall be prohibited from serving as
17 Kansas delegates. The State of Kansas intends to retain the ability to
18 enforce the responsibility and conduct of its delegation within the limits
19 herein expressed: Now, therefore,

20 *Be it resolved by the House of Representatives of the State of Kansas,*
21 *the Senate concurring therein:* That the people of the State of Kansas,
22 speaking through its legislature and pursuant to Article V of the
23 Constitution of the United States, hereby apply to the Congress of the
24 United States to call a convention for the exclusive purpose of proposing
25 an amendment to the Constitution of the United States to set a limit on the
26 number of terms that a person may be elected as a member of the U.S.
27 House of Representatives and the U.S. Senate; and

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