

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, Schmoe, Seiwert, A. Smith, Tarwater, Thomas, Thompson, Turk, Wasinger and L. Williams

1-23

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

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

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

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

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

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

29 WHEREAS, The Kansas Legislature perceives the need for a
30 convention in order to ensure balance and integrity in our elections by
31 proposing an amendment to the Constitution of the United States that will
32 establish term limits for members of Congress to prevent the

1 accumulation of inordinate power in members with longevity who are
2 able to amass high amounts of funds for reelection; and

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

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

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

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

34 *Be it further resolved:* That the Secretary of State shall send enrolled
35 copies of this resolution to the President of the United States, the Vice
36 President of the United States in the Vice President's capacity as presiding
37 officer of the United States Senate, the Speaker of the United States
38 House of Representatives, the Minority Leader of the United States
39 House of Representatives, the President Pro Tempore of the United States
40 Senate, each Senator and Representative from Kansas in the Congress of
41 the United States, with the respectful request that the full and complete

1 text of this resolution be printed in the Congressional Record, the
2 presiding officers of each legislative body of each of the several states,
3 requesting the cooperation of the states in issuing an application
4 compelling the Congress of the United States to call a convention for
5 proposing amendments pursuant to Article V of the Constitution of the
6 United States.