
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 374 Session of
2015

INTRODUCED BY COHEN, V. BROWN, DEAN, FREEMAN, GIBBONS, MAHONEY,
McNEILL, C. PARKER AND SCHWEYER, JUNE 5, 2015

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 5, 2015

A CONCURRENT RESOLUTION

1 Petitioning the Congress of the United States to call a
2 constitutional convention for the sole purpose of proposing
3 an amendment to the Constitution of the United States to
4 authorize the several states to regulate election campaign
5 contributions and expenditures.

6 WHEREAS, Our first President, George Washington, declared in
7 his 1796 farewell address: "The basis of our political systems
8 is the right of the people to make and to alter their
9 constitutions of government," and it was the clear intention of
10 the framers of the Constitution of the United States that
11 Congress should be "dependent on the people alone", as stated by
12 James Madison in the Federalist No. 52; and

13 WHEREAS, The Constitution of the United States guarantees the
14 right of the people to govern themselves; and

15 WHEREAS, The Bill of Rights, contained in the first ten
16 amendments to the Constitution of the United States, protects
17 the inalienable rights of the people; and

18 WHEREAS, The Declaration of Independence states that "to
19 secure these [unalienable] rights, Governments are instituted

1 among Men, deriving their just powers from the consent of the
2 governed,"; and

3 WHEREAS, The Tenth Amendment provides: "The powers not
4 delegated to the United States by the Constitution, nor
5 prohibited by it to the States, are reserved to the States
6 respectively, or to the people" which, until 2010, had
7 consistently been interpreted to allow the several states to
8 establish their own laws governing the financing of elections;
9 and

10 WHEREAS, The United States Supreme Court on January 21, 2010,
11 in *Citizens United v. Federal Election Commission* and on April
12 2, 2014, in *McCutcheon v. Federal Election Commission* removed
13 restrictions on amounts of independent and aggregate political
14 spending, thus denying the respective states the ability to
15 establish their own laws governing the financing of elections;
16 and

17 WHEREAS, Elections for public office should be free of the
18 corrupting influence of excessive spending by outside interests
19 and fair to ensure that every citizen who so chooses can run for
20 public office; and

21 WHEREAS, Free and fair elections ensure a robust debate and a
22 healthy marketplace of ideas in the halls of our governments;
23 and

24 WHEREAS, The Constitution of the United States should be
25 amended to further guarantee free and fair elections and the
26 preservation of the inalienable right to self-government for
27 future generations of Americans; and

28 WHEREAS, Article V of the Constitution of the United States
29 grants the states coequal power to Congress for the proposing of
30 Federal constitutional amendments; and

1 WHEREAS, Article V was added to the Constitution of the
2 United States at the urging of our founding fathers so that the
3 several states could protect themselves and their citizens from
4 encroachments of the Federal Government or in the event that the
5 Federal Government would someday became unresponsive to the will
6 of the American people; and

7 WHEREAS, President Dwight Eisenhower believed that the people
8 can demand a convention to propose amendments that can and will
9 reverse any trends they see as fatal to true representative
10 government, through their state legislatures; and

11 WHEREAS, President Ronald Reagan also supported the proposal
12 of amendments via a convention of the states; and

13 WHEREAS, In President Abraham Lincoln's first inaugural
14 address he spoke of amending the Constitution, stating, "the
15 convention mode seems preferable, in that it allows amendments
16 to originate with the people themselves"; and

17 WHEREAS, Article V requires Congress to call a constitutional
18 convention upon the application of two-thirds of the
19 legislatures of the several states; therefore be it

20 RESOLVED (the Senate concurring), That the General Assembly
21 of the Commonwealth of Pennsylvania petition the Congress of the
22 United States, pursuant to Article V of the Constitution of the
23 United States, to call a constitutional convention for the sole
24 purpose of proposing an amendment to the Constitution of the
25 United States to authorize the several states to regulate
26 election campaign contributions and expenditures; and be it
27 further

28 RESOLVED, That Pennsylvania constitutional convention
29 delegates be comprised equally of individuals from each
30 congressional district in Pennsylvania who are currently elected

1 to State and local office or who are elected to the delegation,
2 with all individuals ever elected or appointed to Federal office
3 prohibited from serving as delegates to the convention; and be
4 it further

5 RESOLVED, That the General Assembly of the Commonwealth of
6 Pennsylvania retain the ability to restrict or expand the
7 authority of its Pennsylvania delegates within the limits
8 expressed in this concurrent resolution; and be it further

9 RESOLVED, That this concurrent resolution constitute a
10 continuing application considered together with similar
11 applications calling for a convention on this subject, such as
12 those approved in 2014 by Vermont's legislature (J.R.S. 27) and
13 by California's legislature (AJR 1) and as introduced in 2014 by
14 the North Carolina House of Representatives (H.R. 1258) and as
15 considered in 2015 in the Montana House of Representatives (HJ
16 3), until such time as two-thirds of the legislatures of the
17 several states have, pursuant to Article V, officially applied
18 for the convention and the convention is called by Congress; and
19 be it further

20 RESOLVED, That the Secretary of the Senate and Clerk of the
21 House of Representatives of the United States enter this
22 application into a full and complete public tally of state
23 applications for a constitutional convention authorized by
24 Article V of the Constitution of the United States; and be it
25 further

26 RESOLVED, That a copy of this resolution be transmitted to
27 the President of the United States, to the President of the
28 Senate and Speaker of the House of Representatives of the United
29 States, to each member of Congress from Pennsylvania and to each
30 house of each state legislature in the United States.