
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 253 Session of
2013

INTRODUCED BY FOLMER AND WARD, DECEMBER 18, 2013

REFERRED TO STATE GOVERNMENT, DECEMBER 18, 2013

A CONCURRENT RESOLUTION

1 Calling for amendments to the Constitution of the United States
2 in accordance with Article V to establish 12-year term limits
3 for Justices of the United States Supreme Court and to allow
4 a supermajority in Congress or a supermajority among the
5 states to override United States Supreme Court decisions.

6 WHEREAS, The Federal judiciary has drifted from the intent of
7 the Constitution of the United States as set forth in its own
8 decision, *Marbury v. Madison*; and

9 WHEREAS, That case, decided in 1803, established the
10 precedent for judicial power and the role of the United States
11 Supreme Court in striking down acts of Congress which conflict
12 with the Constitution of the United States; and

13 WHEREAS, The United States Supreme Court has instead used its
14 power to interpret and expand the Constitution, which has
15 weakened the foundation of our constitutional republic,
16 disrupting order and the original social compact among the
17 Federal Government and the states; and

18 WHEREAS, By using its power in this way the United States
19 Supreme Court is in effect making law, and such power needs to
20 be restrained under the checks and balances provided by the

1 Constitution of the United States; and

2 WHEREAS, Examples of lawmaking by the United States Supreme
3 Court throughout our history include: *Dred Scott v. Sandford*
4 (endorsing slavery), *Plessy v. Ferguson* (affirming segregation)
5 and *Korematsu v. United States* (upholding the interment of
6 Americans); therefore be it

7 RESOLVED, (the House of Representatives concurring), That the
8 General Assembly of the Commonwealth of Pennsylvania, in
9 accordance with Article V of the Constitution of the United
10 States, call for an amendment of the Constitution of the United
11 States limiting the Justices of the United States Supreme Court
12 to a single 12-year term of office with no possibility of
13 serving another term or renomination; and be it further

14 RESOLVED, That the General Assembly of the Commonwealth of
15 Pennsylvania call for an amendment to the Constitution of the
16 United States allowing a supermajority in Congress or a
17 supermajority among the states to override United States Supreme
18 Court decisions; and be it further

19 RESOLVED, That copies of this resolution be transmitted to
20 the President of the United States, to the presiding officers of
21 each house of Congress, to the other 49 state legislatures and
22 to each member of Congress from Pennsylvania.