

SJ0042

1 SENATE JOINT RESOLUTION

2 WHEREAS, The first President of the United States, George
3 Washington, stated in his Farewell Address: "The basis of our
4 political systems is the right of the people to make and to
5 alter their Constitutions of Government."; and

6 WHEREAS, It was the stated intention of the framers of the
7 Constitution of the United States of America that the Congress
8 of the United States of America should be "dependent on the
9 people alone" (James Madison, Federalist 52); and

10 WHEREAS, That dependency has evolved from a dependency on
11 the people alone to a dependency on those who spend excessively
12 in elections, through campaigns or third-party groups; and

13 WHEREAS, The United States Supreme Court ruling in Citizens
14 United v. Federal Election Commission, 558 U.S. 310 (2010),
15 removed restrictions on amounts of independent political
16 spending; and

17 WHEREAS, Article V of the United States Constitution
18 requires the United States Congress to call a convention for
19 proposing amendments upon application of two-thirds of the
20 legislatures of the several states for the purpose of proposing
21 amendments to the United States Constitution; and

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1 WHEREAS, The State of Illinois sees the need for a
2 convention to propose amendments in order to address concerns
3 such as those raised by the decision of the United States
4 Supreme Court in Citizens United v. Federal Election Commission
5 and related cases and events, including those occurring long
6 before or afterward, or for a substantially similar purpose,
7 and desires that the convention should be so limited; and

8 WHEREAS, The State of Illinois desires that the delegates
9 to the convention shall be comprised equally from individuals
10 currently elected to State and local office, or be selected by

11 election in each Congressional district for the purpose of
12 serving as delegates, though all individuals elected or
13 appointed to federal office, now or in the past, be prohibited
14 from serving as delegates to the Convention, and intends to
15 retain the ability to restrict or expand the power of its
16 delegates within the limits expressed above; and

17 WHEREAS, The State of Illinois intends that this be a
18 continuing application, considered together with applications
19 calling for a convention currently pending in the 188th
20 Massachusetts legislature as S.1727 and H.3190, the 2013-2014
21 Vermont legislature as J.R.S. 27, and the 2013-2014 California
22 legislature as AJR 1, and all other passed, pending, and future
23 applications, the aforementioned concerns of Illinois

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1 notwithstanding until such time as two-thirds of the several
2 states have applied for a Convention and that Convention is
3 convened by Congress; therefore, be it

4 RESOLVED, BY THE SENATE OF THE NINETY-EIGHTH GENERAL
5 ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES
6 CONCURRING HEREIN, that we, the legislature of the State of
7 Illinois, hereby make application to the Congress, under the
8 provisions of Article V of the Constitution of the United
9 States, for the calling of a convention for proposing
10 amendments; and be it further

11 RESOLVED, That this application shall be deemed an
12 application for a convention to address each and any of the
13 subjects listed in this resolution; for purposes of determining
14 whether two-thirds of the states have applied for a convention
15 addressing any subject, this application is to be aggregated
16 with the applications of any other state legislatures limited
17 to one or more of the subjects listed in this resolution; and
18 be it further

19 RESOLVED, That this resolution constitutes a continuing
20 application and remains in effect until rescission by any
21 sitting session of the legislature of this State; this
22 application does not constitute a recognition that any
23 particular activity or activities currently undertaken by the

1 federal government is or are authorized by the Constitution;
2 and be it further

3 RESOLVED, That suitable copies of this resolution be
4 delivered to the President and Secretary of the United States
5 Senate, the Speaker and Clerk of the House of Representatives
6 of the United States Congress, and the Archivist of the United
7 States; to the members of the United States Senate and House of
8 Representatives from this State; and to the presiding officers
9 of each of the legislative chambers in the several States,
10 requesting their cooperation.