

ASSEMBLY CONCURRENT RESOLUTION No. 149

STATE OF NEW JERSEY

216th LEGISLATURE

INTRODUCED MAY 15, 2014

Sponsored by:

Assemblyman DANIEL R. BENSON
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Assemblyman HERB CONAWAY, JR.
District 7 (Burlington)
Assemblyman TIMOTHY J. EUSTACE
District 38 (Bergen and Passaic)

Co-Sponsored by:

Assemblymen Singleton, Diegnan, Gusciora, Assemblywoman Watson Coleman,
Assemblymen McKeon, Wimberly, Caputo, Johnson, Assemblywoman Jasey,
Assemblyman Chivukula, Assemblywomen Jimenez, Quijano, Assemblyman
Coughlin, Assemblywomen Tucker, Sumter, Assemblymen Garcia and Giblin

SYNOPSIS

Applies to Congress for limited constitutional convention to limit corrupting influence of money in politics and overturn *Citizens United* decision and related cases.

CURRENT VERSION OF TEXT

As introduced.

A CONCURRENT RESOLUTION applying to the Congress of the United States for the calling of a convention for the limited purpose of addressing concerns raised by the decision of the United States Supreme Court in the case of *Citizens United v. Federal Elections Commission* and related cases.

WHEREAS, Elections should be free of the corrupting influence of excessive spending by outside interests and fair enough that any citizen can run for public office; and

WHEREAS, Numerous United States Supreme Court decisions have frustrated the will of the American people by eroding our ability to choose our political leadership, write our laws, and determine the fate of our country; and

WHEREAS, The New Jersey General Assembly and the New Jersey State Senate passed Assembly Resolution No. 86 and Senate Resolution No. 47, respectively, in the 2012-2013 legislative session; and

WHEREAS, Those resolutions expressed the Legislature's "strong opposition to [the] U.S. Supreme Court decision in *Citizens United v. Federal Elections Commission* [and called] upon [the] Congress of the United States to propose amending [the] U.S. Constitution" to overturn that decision; and

WHEREAS, Congress has failed to propose, pursuant to Article V of the United States Constitution, amendments thereto that would adequately address the concerns expressed in Assembly Resolution No. 86 and Senate Resolution No. 47; and

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

WHEREAS, The State of New Jersey believes that there is a great need for a convention to propose amendments to the Constitution to address the concerns

raised by citizens opposed to the decision of the Supreme Court in *Citizens United* and related cases, and believes that such a convention must be limited solely, specifically, and exclusively to addressing those concerns; and

WHEREAS, The State of New Jersey believes that the delegates to such a convention should be selected equally from individuals currently holding State or local office, or selected by election from each Congressional district for the purpose of serving as delegates, though past or present holders of federal elective office should be prohibited from serving as convention delegates, and the State should retain the ability to restrict or expand the power of its delegates within the limits noted above; and

WHEREAS, The State of New Jersey intends that this be a continuing application considered together with all other applications calling for a convention currently pending in other state legislatures, and all other passed, pending, and future applications with the aforementioned concerns until two-thirds of the several states have applied for a convention and it is convened by Congress; now, therefore,

BE IT RESOLVED by the General Assembly of the State of New Jersey (the Senate concurring):

1. The Legislature of the State of New Jersey makes application to the Congress of the United States for a convention to be called under Article V of the Constitution of the United States of America for the sole, specific and exclusive purpose of proposing amendments to the Constitution of the United States that would limit the corrupting influence of money in our political system including overturning the decision of the United States Supreme Court in the case of *Citizens United v. Federal Elections Commission* and related cases.

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly of the Secretary of the Senate to the President and Vice President of the United States, the Speaker of the

United States House of Representatives, the Minority Leader of the United States House of Representatives, the President Pro Tempore of the United States Senate, each Senator and Representative from New Jersey in the Congress of the United States, the Archivist of the United States and the respective clerks of the United States House of Representatives and the United States Senate requesting that they record this application in the published tally of state petitions for a convention of the states under Article V of the United States Constitution, the Governor of each state, and the presiding officer of each house of each state legislature in the United States.

STATEMENT

This concurrent resolution makes application to the Congress of the United States of America for a convention to be called under Article V of the Constitution of the United States for the sole, specific and exclusive purpose of proposing amendments to the Constitution of the United States that would limit the corrupting influence of money in our political system including by overturning the decision of the United States Supreme Court in the case of *Citizens United v. Federal Elections Commission* and related cases.

The resolution provides that copies of the resolution are to be transmitted by the Clerk of the General Assembly to the President and Vice President of the United States, the Speaker of the United States House of Representatives, the Minority Leader of the United States House of Representatives, the President Pro Tempore of the United States Senate, each Senator and Representative from New Jersey in the Congress of the United States, the Archivist of the United States and the respective clerks of the United States House of Representatives and the United States Senate requesting that they record this application in the published tally of state petitions for a convention of the states under Article V of the United States Constitution, the Governor of each state, and the presiding officer of each house of each state legislature in the United States.