

By Senator Clemens

27-01319A-15

20151460\_\_

Senate Concurrent Resolution

A concurrent resolution applying to Congress to call a convention for the purpose of proposing amendments to the Constitution of the United States.

WHEREAS, the first President of the United States, George Washington, said that "the basis of our political system is the right of the people to make and to alter their Constitutions of Government," and

WHEREAS, it was the stated intention of the framers of the Constitution of the United States that the Congress of the United States should be "dependent on the people alone," (James Madison, *The Federalist* No. 52), and

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

WHEREAS, the United States Supreme Court ruling in *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010), removed restrictions on the amounts of independent political spending, and

WHEREAS, the removal of these restrictions has resulted in the unjust influence of powerful economic forces, which has supplanted the will of the people by undermining the people's ability to choose their political leadership, write their own laws, and determine the fate of this state, and

WHEREAS, Article V of the Constitution of the United States requires Congress to call a convention to propose amendments upon the application of two-thirds of the legislatures of the several states for the purpose of proposing amendments to the

27-01319A-15

20151460\_\_

30 Constitution, and

31 WHEREAS, the State of Florida sees the need for a  
32 convention to propose amendments in order to address concerns  
33 such as those raised by the decision in *Citizens United v.*  
34 *Federal Election Commission* and related cases and events,  
35 including those occurring long before or afterward, or for a  
36 substantially similar purpose, and desires that said convention  
37 should be so limited, and

38 WHEREAS, the State of Florida desires that the delegates to  
39 said convention be comprised equally of individuals currently  
40 elected to state and local office, or be selected by election in  
41 each congressional district, for the purpose of serving as  
42 delegates, though all individuals elected or appointed to  
43 federal office, now or in the past, be prohibited from serving  
44 as delegates to the convention, and intends to retain the  
45 ability to restrict or expand the power of its delegates within  
46 the limits expressed above, and

47 WHEREAS, the State of Florida intends that this be a  
48 continuing application considered together with applications  
49 calling for a convention passed in the 2013-2014 Vermont General  
50 Assembly as Act No. R-454, the 2013-2014 California State  
51 Legislature as Resolution Chapter 77, the 2013-2014 Illinois  
52 General Assembly as Senate Joint Resolution No. 42, and all  
53 other passed, pending, and future applications, the  
54 aforementioned concerns of Florida notwithstanding until such  
55 time as two-thirds of the states have applied for a convention  
56 and said convention is convened by Congress, NOW, THEREFORE,

57  
58 Be It Resolved by the Senate of the State of Florida, the House

27-01319A-15

20151460\_\_

59 of Representatives Concurring:  
60

61 That the Legislature of the State of Florida, with all due  
62 respect, does hereby make application to the Congress of the  
63 United States pursuant to Article V of the Constitution of the  
64 United States to call a convention for the sole purpose of  
65 proposing amendments to the Constitution of the United States  
66 which would limit corporate personhood for purposes of campaign  
67 finance and political speech and further declare that money does  
68 not constitute speech and may be legislatively limited.

69 BE IT FURTHER RESOLVED that this concurrent resolution  
70 constitutes a continuing application to call a constitutional  
71 convention pursuant to Article V of the Constitution of the  
72 United States until such time that two-thirds of the  
73 legislatures of the several states apply to the United States  
74 Congress to call a constitutional convention for the sole  
75 purpose of proposing amendments to the Constitution of the  
76 United States which would limit corporate personhood for  
77 purposes of campaign finance and political speech and further  
78 declare that money does not constitute speech and may be  
79 legislatively limited.

80 BE IT FURTHER RESOLVED that this concurrent resolution is  
81 revoked and withdrawn, nullified, and superseded to the same  
82 effect as if it has never been passed, retroactive to the date  
83 of passage, if it is used for the purpose of calling a  
84 convention or used in support of conducting a convention to  
85 amend the Constitution of the United States for any purpose  
86 other than for the sole purpose set forth in this concurrent  
87 resolution.

27-01319A-15

20151460\_\_

88 BE IT FURTHER RESOLVED that copies of this concurrent  
89 resolution be dispatched to the President of the United States,  
90 the President and President Pro Tempore of the United States  
91 Senate, the Speaker and the Minority Leader of the United States  
92 House of Representatives, each member of the Florida delegation  
93 to the United States Congress, and the presiding officers of  
94 each house of the several state legislatures.