

1 House Memorial

2 A memorial to the Congress of the United States,
3 urging Congress to call a convention under Article V
4 of the Constitution of the United States for the
5 exclusive purpose of proposing an amendment to the
6 Constitution of the United States to permanently
7 restore free and fair elections in the United States.
8

9 WHEREAS, the framers of the Constitution of the United
10 States intended that the United States Congress should be
11 "dependent on the people alone," (James Madison, *Federalist No.*
12 *52*), and

13 WHEREAS, that dependency has evolved from a dependency on
14 the people alone to a dependency on powerful special interests,
15 through campaigns or third-party groups, that has created a
16 fundamental imbalance in our representative democracy, and

17 WHEREAS, Americans across the political spectrum agree that
18 elections in the United States should be free from the
19 disproportional influence of special interests and fair enough
20 that any citizen can be elected into office, and

21 WHEREAS, Article I, Section 1 of the State Constitution
22 states that "all political power is inherent in the people," and

23 WHEREAS, Article V of the Constitution of the United States
24 requires Congress to call a convention for proposing amendments

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25 | to the Constitution of the United States on the application of
26 | two-thirds of the legislatures of the several states, and

27 | WHEREAS, multiple Florida counties and municipalities have
28 | expressed by citizen referendum or through their elected
29 | officials the need to free our elections from the
30 | disproportional influence of special interests, including, but
31 | not limited to, Escambia, Gadsden, and Alachua Counties and the
32 | Cities of Key West, Sarasota, Tampa, and Miami, and

33 | WHEREAS, the Florida Legislature perceives the need for an
34 | Article V convention in order to restore balance and integrity
35 | to our elections by proposing an amendment to the Constitution
36 | of the United States that will permanently restore free and fair
37 | elections in the United States by addressing, among other
38 | things, issues raised by the decisions of the United States
39 | Supreme Court in *Citizens United v. Federal Election Commission*,
40 | 558 U.S. 310 (2010), and related cases and events, and desires
41 | that said convention should be so limited, and

42 | WHEREAS, the State of Florida desires that the delegates to
43 | such convention shall be comprised equally of individuals
44 | currently elected to state and local office, or be selected by
45 | election, in each congressional district for the purpose of
46 | serving as delegates, though all individuals elected or
47 | appointed to federal office, past or present, shall be
48 | prohibited from serving as delegates to the convention, and

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49 | intends to retain the ability to restrict or expand the power of
 50 | its delegates within the limits expressed herein, and

51 | WHEREAS, the State of Florida intends that this be a
 52 | continuing application considered together with applications
 53 | calling for a convention passed in the 2013-2014 Vermont
 54 | legislature as R454, the 2013-2014 California legislature as
 55 | Resolution Chapter 77, the 98th Illinois General Assembly as SJR
 56 | 42, the 2014-2015 New Jersey legislature as SCR 132, the 2015-
 57 | 2016 Rhode Island legislature as HR 7670 and SR 2589, and all
 58 | other passed, pending, and future applications until such time
 59 | as two-thirds of the several states have applied for a
 60 | convention for a similar purpose and such convention is convened
 61 | by Congress, NOW, THEREFORE,

62 |
 63 | Be It Resolved by the Legislature of the State of Florida:

64 |
 65 | (1) That the Legislature of the State of Florida does
 66 | hereby make application to Congress, pursuant to Article V of
 67 | the Constitution of the United States, to call an Article V
 68 | Convention for the exclusive purpose of proposing an amendment
 69 | to the Constitution of the United States that will restore free
 70 | and fair elections by addressing the issues raised by the
 71 | decisions of the United States Supreme Court in *Citizens United*
 72 | *v. Federal Election Commission*, 558 U.S. 310 (2010), and related
 73 | cases and events.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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74 (2) That this application constitutes a continuing
75 application in accordance with Article V of the Constitution of
76 the United States until the legislatures of at least two-thirds
77 of the several states have made application on the subject of
78 free and fair elections as specified in this application.

79 (3) That this application be aggregated with the
80 applications from other states on the same subject for the
81 purpose of attaining the two-thirds majority needed to require
82 Congress to call a limited Article V convention as specified in
83 this application, but not be aggregated with any other
84 applications on any other subject.

85 BE IT FURTHER RESOLVED that copies of this memorial be
86 dispatched to the President of the United States, to the
87 President of the United States Senate, to the Speaker of the
88 United States House of Representatives, and to each member of
89 the Florida delegation to the United States Congress.