
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 539 Session of
2013

INTRODUCED BY COHEN, HARKINS, KIRKLAND, KORTZ, MAHONEY, MUNDY,
O'BRIEN, PARKER, ROEBUCK, SCHLOSSBERG AND THOMAS,
NOVEMBER 6, 2013

REFERRED TO COMMITTEE ON STATE GOVERNMENT, NOVEMBER 6, 2013

A RESOLUTION

1 Petitioning the Congress of the United States, pursuant to
2 Article V of the Constitution of the United States, to call
3 for a Convention of the States to restore free and fair
4 elections in the United States.

5 WHEREAS, George Washington, the first President of the United
6 States, stated that the "basis of our political systems is the
7 right of the people to make and to alter their Constitutions of
8 Government"; and

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

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

16 WHEREAS, The United States Supreme Court ruling in *Citizens*
17 *United v. Federal Election Commission*, 130 S.Ct.876 (2010),
18 removed restrictions on amounts of independent political

1 spending; and

2 WHEREAS, This removal of restrictions has resulted in the
3 unjust influence of powerful economic forces supplanting the
4 will of the people by undermining our ability to choose our
5 political leadership, write our own laws and determine the fate
6 of our Commonwealth; and

7 WHEREAS, Article V of the Constitution of the United States
8 requires the Congress of the United States to call a Convention
9 of the States for proposing amendments upon application of two-
10 thirds of the legislatures of the states for the purpose of
11 proposing amendments to the Constitution of the United States;
12 and

13 WHEREAS, The Commonwealth of Pennsylvania sees the need for a
14 convention to propose amendments in order to address concerns
15 such as those raised by the decision of the *United States*
16 *Supreme Court in Citizens United v. Federal Election Commission*
17 and related cases and events, including those occurring long
18 before or after or for a substantially similar purpose, and
19 desires that said convention should be so limited; and

20 WHEREAS, The Commonwealth of Pennsylvania desires that the
21 delegates to the Convention of the States be comprised equally
22 from individuals currently elected to state and local office, or
23 be selected by election in each Congressional district for the
24 purpose of serving as delegates, though all individuals elected
25 or appointed to Federal office, now or in the past, shall be
26 prohibited from serving as delegates to the convention, and
27 intends to retain the ability to restrict or expand the power of
28 its delegates within the limits expressed above; and

29 WHEREAS, The Commonwealth of Pennsylvania intends this
30 resolution to be a continuing application considered together

1 with applications calling for a Convention of the States
2 currently pending in the 188th Massachusetts legislature as
3 S.1727 and H.3190, the 2013-2014 Vermont legislature as SJR 27
4 and the 2013-2014 California legislature as AJR 1, and all other
5 passed, pending and future applications, the aforementioned
6 concerns notwithstanding until such time as two-thirds of the
7 states have applied for a Convention of the States and the
8 convention is convened by Congress; therefore be it

9 RESOLVED, That the House of Representatives of the
10 Commonwealth of Pennsylvania hereby petition Congress, pursuant
11 to Article V of the Constitution of the United States, to call a
12 Convention of the States for the purpose of proposing amendments
13 to the Constitution of the United States as soon as two-thirds
14 of the states have applied for a convention; and be it further

15 RESOLVED, That the Chief Clerk of the House of
16 Representatives of the Commonwealth of Pennsylvania transmit
17 copies of this resolution to the President and Vice President of
18 the United States, the President Pro Tempore of the United
19 States Senate, the Minority Leader of the United States Senate,
20 the Speaker of the United States House of Representatives, the
21 Minority Leader of the United States House of Representatives,
22 the members of Congress from Pennsylvania, the Governor of each
23 state and to the presiding officers of each legislative body of
24 each of the states, requesting the cooperation of the states in
25 issuing an application compelling Congress to call a Convention
26 of the States for proposing amendments pursuant to Article V of
27 the Constitution of the United States.