



Senate

General Assembly

File No. 389

February Session, 2016

Substitute Senate Joint Resolution No. 33

Senate, March 31, 2016

The Committee on Government Administration and Elections reported through SEN. CASSANO, S. of the 4th Dist., Chairperson of the Committee on the part of the Senate, that the substitute joint resolution ought to be adopted.

RESOLUTION PETITIONING THE UNITED STATES CONGRESS TO CONVENE AN ARTICLE V CONSTITUTIONAL CONVENTION TO OVERTURN THE UNITED STATES SUPREME COURT'S DECISION IN CITIZENS UNITED V. FEDERAL ELECTION COMMISSION.

Resolved by this Assembly:

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

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

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

12 WHEREAS, the United States Supreme Court ruling in *Citizens*

13 United v. Federal Election Commission, 558 U.S. 310 (2010) removed
14 restrictions on amounts of independent political spending; and

15 WHEREAS, the removal of these restrictions has resulted in the
16 unjust influence of powerful economic forces, which have supplanted
17 the will of the people by undermining the people's ability to choose
18 political leadership, write laws and determine the fate of the
19 government; and

20 WHEREAS, Article V of the United States Constitution requires the
21 United States Congress to call a convention, on Application of the
22 Legislatures of two-thirds of the several states, for the purpose of
23 proposing amendments to the United States Constitution; and

24 WHEREAS, the State of Connecticut sees the need for a convention
25 to propose amendments in order to address concerns such as those
26 raised by the decision of the United States Supreme Court in Citizens
27 United v. Federal Election Commission and related cases and events,
28 including those occurring long before or afterward or for a
29 substantially similar purpose, and desires that said convention should
30 be so limited; and

31 WHEREAS, the State of Connecticut desires that the delegates to
32 said convention shall be comprised equally of individuals currently
33 elected to state and local office, or be selected by election, in each
34 Congressional district for the purpose of serving as delegates, though
35 all individuals elected or appointed to federal office, now or in the
36 past, be prohibited from serving as delegates to the convention and
37 intends to retain the ability to restrict or expand the power of its
38 delegates within the limits expressed above; and

39 WHEREAS, the State of Connecticut intends that this be a
40 continuing application considered together with applications calling
41 for a convention passed in the 2013-2014 Vermont legislature as R454,
42 the 2013-2014 California legislature as Resolution Chapter 77, the 2013-
43 2014 Illinois legislature as Senate Joint Resolution No. 42 and all other
44 similar passed, pending and future applications, the aforementioned

45 concerns of Connecticut notwithstanding until such time as two-thirds
46 of the several states have applied for a convention and said convention
47 is convened by the United States Congress.

48 NOW, THEREFORE, BE IT RESOLVED, that the people of the State
49 of Connecticut speaking through its legislature, and pursuant to
50 Article V of the United States Constitution, hereby petitions the United
51 States Congress to call a convention for the purpose of proposing
52 amendments to the United States Constitution as soon as two-thirds of
53 the several states have applied for a convention; and

54 BE IT FURTHER RESOLVED, that the clerks of the House of
55 Representatives and the Senate transmit copies of this resolution to the
56 President of the United States; the Vice President of the United States
57 in his capacity as presiding officer of the United States Senate and
58 addressed to him at the office he maintains in the United States Capitol
59 Building; the Speaker of the United States House of Representatives,
60 the Minority Leader of the United States House of Representatives, the
61 President Pro Tempore of the United States Senate, each Senator and
62 Representative from Connecticut in the United States Congress with
63 the respectful request that the full and complete text of this resolution
64 be printed in the Congressional Record; and the Governor of each state
65 and the presiding officers of each legislative body of each of the several
66 states, requesting the cooperation of the states in issuing an application
67 compelling the United States Congress to call a convention for
68 proposing amendments pursuant to Article V of the United States
69 Constitution.

Statement of Legislative Commissioners:

Throughout the resolution, "Constitution of the United States of America" was changed to "United States Constitution" and "Congress of the United States" was changed to "United States Congress" for consistency, and technical changes were made.

GAE *Joint Favorable Subst. -LCO*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

| Agency Affected | Fund-Effect | FY 17 \$ | FY 18 \$ |
|-------------------|-------------|-----------------|----------|
| Legislative Mgmt. | GF - Cost | Less than \$100 | none |

Note: GF=General Fund

Municipal Impact: None

Explanation

There would be minimal postage costs in FY 17 for the Office of Legislative Management (OLM) to mail copies of this resolution to the President, the Vice President, various positions in the United States House of Representatives and the United States Senate, each Governor as well as the presiding officers of each legislative body affected by the resolution, and each member of the Connecticut congressional delegation.

The Out Years

As this is a one-time expenditure, there would be no future costs.



OLR Bill Analysis

sSJ 33

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SUMMARY:

The Office of Legislative Research does not analyze Resolutions.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 8 Nay 7 (03/11/2016)