

Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. M18-0733.01 Bob Lackner x4350

SJM18-005

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SENATE JOINT MEMORIAL 18-005

101     **MEMORIALIZING THE UNITED STATES CONGRESS TO CALL A**  
102             **CONSTITUTIONAL CONVENTION FOR THE EXCLUSIVE PURPOSE OF**  
103             **PROPOSING AN AMENDMENT TO THE UNITED STATES**  
104             **CONSTITUTION TO REVERSE RECENT UNITED STATES SUPREME**  
105             **COURT DECISIONS IN THE AREA OF CAMPAIGN AND POLITICAL**  
106             **FINANCE THEREBY RESTORING BALANCE AND INTEGRITY TO OUR**  
107             **ELECTIONS.**

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1             WHEREAS, The framers of the United States Constitution  
2             intended that the United States Congress should be "dependent on the  
3             people alone" (James Madison, Federalist 52); and

4             WHEREAS, That dependency has evolved from a dependency on  
5             the people alone to a dependency on powerful special interests, through

*Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

1 campaigns or third-party groups, that has created a fundamental  
2 imbalance in our representative democracy; and

3 WHEREAS, Americans across the political spectrum agree that  
4 elections in the United States of America should be free from the  
5 disproportionate influence of special interests and fair enough that any  
6 citizen can be elected into office; and

7 WHEREAS, The people of the state of Colorado have spoken  
8 loudly and clearly in recent decades in support of strong measures to  
9 protect elections that are fair and free from the disproportionate influence  
10 of wealthy individuals, corporations, and special interests by approving,  
11 in 2002, an initiated measure to article XXVIII of the state constitution  
12 that added a comprehensive program of campaign finance reform to the  
13 state constitution and further, in 2012, passed Amendment 65 that  
14 instructed the state's Congressional delegation to propose and support,  
15 and the general assembly to ratify, an amendment to the United States  
16 Constitution that allows Congress and the states to limit campaign  
17 contributions and spending to ensure that all citizens, regardless of  
18 wealth, can express their views to one another and their government on  
19 a level playing field; and

20 WHEREAS, The Colorado Constitution states, "All political  
21 power is vested in and derived from the people; all government, of right,  
22 originates from the people, is founded upon their will only, and is  
23 instituted solely for the good of the whole", and the people have the right  
24 to alter their constitutions of government whenever they deem it  
25 necessary (Article II, Sections 1 and 2); and

26 WHEREAS, Article V of the United States Constitution requires  
27 Congress to call a convention for proposing amendments to the federal  
28 Constitution on the application of two-thirds of the legislatures of the  
29 several states; and

30 WHEREAS, The general assembly perceives the need for an  
31 amendments convention in order to restore balance and integrity to our  
32 elections by proposing an amendment to the federal Constitution that will  
33 permanently protect free and fair elections in America by addressing,  
34 *inter alia*, issues raised by the decisions of the United States Supreme  
35 Court in *Citizens United v. Federal Election Commission*, 130 S.Ct. 876  
36 (2010), and related cases and events, and desires that said convention  
37 should be so limited; and

1           WHEREAS, The state of Colorado desires that the delegates to  
2 said convention must be comprised equally of individuals currently  
3 elected to state and local office, or be selected by election in each  
4 congressional district for the purpose of serving as delegates, though all  
5 individuals elected or appointed to federal office, now or in the past, be  
6 prohibited from serving as delegates to the convention, and intends to  
7 retain the ability to restrict or expand the power of its delegates within the  
8 limits expressed herein; and

9           WHEREAS, The state of Colorado intends that this be a  
10 continuing application considered together with applications calling for  
11 a convention passed in the 2013-2014 Vermont legislature as R454, the  
12 2013-2014 California legislature as Resolution Chapter 77, the 98th  
13 Illinois General Assembly as SJR 42, the 2014-2015 New Jersey  
14 legislature as SCR 132, the 2015-2016 Rhode Island legislature as HR  
15 7670 and SR 2589, and all other passed, pending, and future applications  
16 until such time as two-thirds of the several states have applied for a  
17 convention for a similar purpose and said convention is convened by  
18 Congress; now, therefore,

19           *Be It Resolved by the Senate of the Seventy-first General Assembly*  
20 *of the State of Colorado, the House of Representatives concurring herein:*

21           That the people of the state of Colorado, speaking through this  
22 general assembly, and pursuant to Article V of the United States  
23 Constitution, hereby apply to the United States Congress to call a  
24 convention for the exclusive purpose of proposing an amendment to the  
25 United States Constitution that will restore free and fair elections as  
26 described herein, as soon as two-thirds of the several states have applied  
27 for a convention for a similar purpose.

28           *Be It Further Resolved,* That copies of this Joint Memorial be sent  
29 to the President of the United States; the Vice President of the United  
30 States in his capacity as presiding officer of the United States Senate; the  
31 President Pro Tempore of the United States Senate; the Speaker of the  
32 United States House of Representatives; the Minority Leader of the  
33 United States House of Representatives; each member of the state's  
34 Congressional delegation with the respectful request that the full and  
35 complete text of this resolution be printed in the Congressional Record;  
36 and the presiding officers of each legislative body of each of the several

1 states, requesting the cooperation of the states in issuing an application  
2 compelling Congress to call a convention for proposing amendments  
3 pursuant to Article V of the United States Constitution.