



SPONSOR: Sen. Townsend & Rep. B. Short
Sens. Henry Peterson Poore Sokola ; Reps. Baumbach
Dukes Q. Johnson Keeley Lynn Matthews Mitchell
Osienski Paradee
; Rep. K. Williams, Kowalko

DELAWARE STATE SENATE
148th GENERAL ASSEMBLY

SENATE CONCURRENT RESOLUTION NO. 6

CALLING FOR AN ARTICLE V CONVENTION TO AMEND THE UNITED STATES CONSTITUTION.

1 WHEREAS, George Washington, the first President of the United States, stated "The basis of our political systems
2 is the right of the people to make and to alter their Constitutions of Government" (Farewell Address, 1796); and

3 WHEREAS, it was the stated intention of the framers of the Constitution of the United States of America that the
4 Congress of the United States of America should be "dependent on the people alone." (James Madison, Federalist 52); and

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

7 WHEREAS, the United States Supreme Court ruling in Citizens United v. Federal Election Commission, 558 U.S.
8 310 (2010) removed restrictions on amounts of independent political spending; and

9 WHEREAS, the removal of those restrictions has resulted in the unjust influence of powerful economic forces,
10 which have supplanted the will of the people by undermining our ability to choose our political leadership, write our own
11 laws, and determine the fate of our State; and

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

15 WHEREAS, the State of Delaware sees the need for a convention to propose an amendment in order to address
16 concerns such as those raised by the decision of the United States Supreme Court in Citizens United v. Federal Election
17 Commission, 558 U.S. 310 (2010) and related cases and events, including those occurring before or after, or for a
18 substantially similar purpose, and desires that said convention should be so limited; and

19 WHEREAS, the State of Delaware desires that the delegates to said convention shall be comprised equally from
20 individuals currently elected to state and local office, or be selected by election, in each Congressional district for the
21 purpose of serving as delegates, though all individuals elected or appointed to federal office, now or in the past, be

22 prohibited from serving as delegates to the convention, and intends to retain the ability to restrict or expand the power of its
23 delegates within the limits expressed above; and

24 WHEREAS the State of Delaware intends that this application shall constitute a continuing application, considered
25 together with applications on this subject such as those passed by the State of Vermont (2013-2014 Vermont R454, Joint
26 Resolution Senate No. 27, 160 Congressional Record S4331, POM-284), the State of California (2014 California
27 Resolution Chapter 77, Assembly Joint Resolution No. 1, 160 Congressional Record S5507, POM-320), the State of Illinois
28 (2014 Illinois Senate Joint Resolution No. 42), and proposed by the State of Montana (2015 Montana HJ-3), and all other
29 passed, pending, and future applications of similar intent, until such time as the legislatures of two-thirds of the several
30 states have applied for such a convention and that convention has actually been called by the United States Congress;

31 NOW, THEREFORE:

32 BE IT RESOLVED that the Senate of the 148th General Assembly of the State of Delaware, the House of
33 Representatives concurring herein, pursuant to Article V of the United States Constitution, hereby applies to Congress to
34 call an amendments convention for the exclusive purpose of proposing an amendment to the United States Constitution to
35 address concerns resulting from the United States Supreme Court's aforementioned rulings in the Citizens United decision,
36 and related cases and events.

37 BE IT FURTHER RESOLVED that copies of this concurrent resolution be presented to the President of the
38 United States; the Vice-President of the United States in his capacity as President of the Senate of the United States and
39 addressed to him at the legislative office that he maintains inside the U.S. Capitol; to each member of the Congress from
40 Delaware; to the Governor of each state; to the presiding officers of each legislative body of each of the several states,
41 requesting the cooperation of the several states in issuing similar applications compelling Congress to call a convention;
42 and to the Archivist of the United States, the Secretary of the Senate of the United States, and the Clerk of the United States
43 House of Representatives, requesting that they record this application in the published tally of state petitions for a
44 convention of the states under Article V of the United States Constitution.

SYNOPSIS

This resolution places Delaware alongside several sister states--including Vermont, California, and Illinois--in calling for an Article V convention, following the United States Supreme Court's decision in Citizens United v. Federal Election Commission, 558 U.S. 310 (2010) and related cases and events. The purpose of said convention is to propose an amendment to the United States Constitution so as to reverse recent judicial decisions that have permitted money to play an unduly influential role in the context of political campaigns. The convention will enable an amendment to be crafted and discussed on the basis of data and experiences that have arisen in the wake of these decisions.

Author: Senator Townsend