

Senate Joint Memorial 3

Sponsored by Senators BOQUIST, EDWARDS; Senators BATES, BEYER, MONNES ANDERSON, MONROE, SHIELDS, STEINER HAYWARD, Representatives BARNHART, BUCKLEY, CLEM, FAGAN, GORSEK, KENY-GUYER, LIVELY, NOSSE, REARDON, SMITH WARNER, VEGA PEDERSON (at the request of Wolf-PAC) (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Urges Congress to call amendment convention for purpose of proposing free and fair elections amendment to United States Constitution.

JOINT MEMORIAL

To the Senate and the House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the Seventy-eighth Legislative Assembly of the State of Oregon, in legislative session assembled, respectfully represent as follows:

Whereas American elections should be free of the corrupting influence of excessive spending by outside interests and fair enough that any citizen can run for public office; and

Whereas the first President of the United States, George Washington, stated, "The basis of our political systems is the right of the people to make and to alter their constitutions of government"; and

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

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

Whereas the United States Supreme Court ruling in *Citizens United v. Federal Election Commission* (558 U.S. 310 (2010)) removed restrictions on amounts of independent political spending, and further decisions of the nation's high court both before and afterward have eroded the foundations of representative democracy in America; and

Whereas the removal of those restrictions has resulted in the unjust influence of powerful economic forces that have supplanted the will of the people by undermining our ability to choose political leadership, write our own laws and determine the fate of our state; and

Whereas Article V of the United States Constitution empowers the people and states of the United States of America to use the constitutional amendment process to correct those egregiously wrong decisions of the United States Supreme Court that undermine the heart of our democracy and republican form of government; and

Whereas Article V of the United States Constitution requires Congress to call a convention for proposing amendments to the Constitution upon "the Application of the Legislatures of two thirds of the several States"; and

Whereas the State of Oregon sees the need for a convention to propose amendments in order to address concerns such as those raised by the decision of the United States Supreme Court in

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 *Citizens United* and related cases and events long before and afterward addressing a substantially
2 similar purpose, and desires that said convention should be limited to these concerns; and

3 Whereas the State of Oregon desires that the delegates to the convention be composed equally
4 of individuals currently elected to state and local office, or be selected by election in each con-
5 gressional district for the purpose of serving as delegates; and

6 Whereas the State of Oregon desires that individuals elected or appointed to federal office, now
7 or in the past, be prohibited from serving as delegates to the convention, and intends to retain the
8 ability to restrict or expand the power of its own delegates within the limits expressed herein; and

9 Whereas the State of Oregon intends that this be a continuing application considered together
10 with applications calling for a convention adopted or currently pending in other states, including the
11 State of Vermont, the State of Illinois and the State of California, and future applications until such
12 time as two-thirds of the several states have applied for a convention and said convention is con-
13 vened by Congress; now, therefore,

14 **Be It Resolved by the Legislative Assembly of the State of Oregon:**

15 (1) We, the members of the Seventy-eighth Legislative Assembly, pursuant to Article V of the
16 United States Constitution, hereby petition Congress to call a convention for the purpose of pro-
17 posing amendments to the United States Constitution relating to free and fair elections as soon as
18 two-thirds of the several states have applied for a convention.

19 (2) A copy of this memorial shall be sent to the Senate Majority Leader, to the Secretary of the
20 Senate, to the Speaker of the House of Representatives, to the Clerk of the House of Represen-
21 tatives, to the Archivist of the United States, to each member of the Oregon Congressional Delega-
22 tion and to the presiding officers of the legislative chambers in each state of the United States
23 requesting their cooperation in issuing a petition to Congress to call a convention for the purpose
24 of proposing amendments pursuant to Article V of the United States Constitution.

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