



# 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

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S.P. 105

In Senate, January 24, 2019

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**JOINT RESOLUTION MAKING APPLICATION TO THE  
CONGRESS OF THE UNITED STATES TO CALL A  
CONVENTION UNDER ARTICLE V OF THE UNITED STATES  
CONSTITUTION TO PROPOSE AN AMENDMENT TO THE  
UNITED STATES CONSTITUTION TO RESTORE FREE AND  
FAIR ELECTIONS**

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Reference to the Joint Select Committee on Joint Rules suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator CHENETTE of York.  
Cosponsored by Representative ACKLEY of Monmouth and  
Representatives: BAILEY of Saco, BERRY of Bowdoinham, JOHANSEN of Monticello,  
KESSLER of South Portland, RYKERSON of Kittery, STANLEY of Medway.

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND NINETEEN  
—

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CONSTITUTION TO PROPOSE AN AMENDMENT TO THE  
UNITED STATES CONSTITUTION TO RESTORE FREE AND  
FAIR ELECTIONS**

**WHEREAS**, the framers of the United States Constitution intended that the Congress of the United States should be "dependent on the people alone"; and

**WHEREAS**, that dependency has evolved from a dependency on the people alone to a dependency on powerful special interests, through campaigns or 3rd-party groups, that has created a fundamental imbalance in our representative democracy; and

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

**WHEREAS**, the Constitution of Maine, Article I, Section 2 states that "All power is inherent in the people; all free governments are founded in their authority and instituted for their benefit" and that the people have an unalienable and indefeasible right to reform the government; and

**WHEREAS**, under the United States Constitution, Article V, the Congress of the United States, whenever 2/3 of both Houses consider it necessary, shall propose amendments to the United States Constitution, or, on the application of the legislatures of 2/3 of the several states, call a convention for proposing amendments that, in either case, will be valid to all intents and purposes as part of the United States Constitution when ratified by the legislatures of 3/4 of the several states, or by conventions in 3/4 thereof, as the one or the other mode of ratification may be proposed by the Congress; now, therefore, be it

**RESOLVED:** That the Legislature of Maine respectfully applies to the Congress of the United States to call a convention for the specific and exclusive purpose of proposing an amendment to the United States Constitution that will permanently protect free and fair elections by addressing concerns about the removal of restrictions on amounts of independent political spending through Citizens United v. Federal Election Commission, 558 U.S. 310 (2010) and related cases and events including those occurring long before or afterward or for a substantially similar purpose, and desires that the requested convention be limited to that purpose; and be it further

**RESOLVED:** That this State desires that the delegations to the requested convention be composed equally of individuals currently elected to state and local office or be selected by election in each congressional district for the purpose of serving as delegates and all individuals elected or appointed to federal office, now or in the past, be prohibited from serving as delegates

to the requested convention and that the State intends to retain the ability to restrict or expand the power of its delegates within the limits expressed in this paragraph; and be it further

**RESOLVED:** That this application by this body constitutes a continuing application in accordance with the United States Constitution, Article V together with similar applications calling for a convention passed in Vermont, California, Illinois, New Jersey and Rhode Island and all other passed, pending and future applications until at least 2/3 of the legislatures of the several states have made similar application pursuant to Article V and the convention is convened by the Congress of the United States; and be it further

**RESOLVED:** That this application is void, rescinded and of no effect in the event that such a convention is not limited to such a specific and exclusive purpose; and be it further

**RESOLVED:** That the people of the State speaking through its Legislature, and pursuant to Article V of the United States Constitution, hereby apply to the Congress of the United States to call a convention for the exclusive purpose of proposing an amendment to the United States Constitution that will restore free and fair elections as described herein, as soon as 2/3 of the several states have applied for a convention for a similar purpose; and be it further

**RESOLVED:** That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Secretary of the Senate and the presiding officers of the houses of the legislature of each of the several states in the nation, the President of the United States, the Speaker and the Clerk of the United States House of Representatives, the President and the Secretary of the United States Senate and each member of the Maine Congressional Delegation.