

House Joint Resolution 10 - Introduced

HOUSE JOINT RESOLUTION 10
BY JACOBY

(COMPANION TO SJR 6 BY KINNEY)

HOUSE JOINT RESOLUTION

1 A Joint Resolution requesting the calling of a constitutional
2 convention for the exclusive purpose of proposing an
3 amendment to the United States Constitution that will
4 restore balance and integrity to our elections.

5 WHEREAS, the framers of the Constitution of the United
6 States of America intended that the Congress of the United
7 States of America should be "dependent on the people alone", as
8 James Madison wrote in Federalist number 52; and

9 WHEREAS, that dependency has evolved from a dependency on
10 the people alone to a dependency on powerful special interests,
11 through campaigns or third-party groups, that has created a
12 fundamental imbalance in our representative democracy; and

13 WHEREAS, Americans across the political spectrum agree that
14 elections in the United States of America should be free from
15 the disproportional influence of special interests and fair
16 enough that any citizen can be elected into office; and

17 WHEREAS, the Constitution of the State of Iowa states: "All
18 political power is inherent in the people. Government is
19 instituted for the protection, security, and benefit of the
20 people, and they have the right, at all times, to alter or
21 reform the same, whenever the public good may require it."; and

22 WHEREAS, Article V of the Constitution of the United States
23 requires Congress to call a convention for proposing amendments
24 to the Constitution of the United States on the application of
25 two-thirds of the legislatures of the several states; and

26 WHEREAS, the general assembly perceives the need for a
27 constitutional convention to restore balance and integrity to
28 our elections by proposing an amendment to the Constitution of
29 the United States that will permanently protect free and fair

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30 elections in America by addressing, among other things, issues
31 raised by the decisions of the United States supreme court in
32 Citizens United v. Federal Election Commission, 558 U.S. 310
33 (2010), and related cases and events, and desires that said
34 convention should be so limited; and

35 WHEREAS, the state of Iowa desires that the delegates to said
36 convention shall be comprised equally of individuals currently
37 elected to state and local office, or be selected by election,
38 in each congressional district for the purpose of serving as
39 delegates, though all individuals elected or appointed to
40 federal office, now or in the past, be prohibited from serving
41 as delegates to the convention, and intends to retain the
42 ability to restrict or expand the power of its delegates within
43 the limits expressed herein; and

44 WHEREAS, the state of Iowa intends that this be a continuing
45 application considered together with applications calling for a
46 convention passed in the 2013-2014 Vermont legislature as R454,
47 the 2013-2014 California legislature as resolution chapter 77,
48 the 98th Illinois general assembly as senate joint resolution
49 42, the 2014-2015 New Jersey legislature as senate concurrent
50 resolution 132, the 2015-2016 Rhode Island legislature as house
51 resolution 7670 and senate resolution 2589, and all other
52 passed, pending, and future applications until such time as
53 two-thirds of the several states have applied for a convention
54 for a similar purpose and said convention is convened by
55 Congress; NOW THEREFORE,
56 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 That the general assembly, as the legislature of the state of
2 Iowa, pursuant to Article V of the Constitution of the United
3 States, hereby applies to the United States Congress to call a
4 convention for the exclusive purpose of proposing an amendment
5 to the Constitution of the United States that will restore free
6 and fair elections as described herein, as soon as two-thirds
7 of the several states have applied for a convention for a
8 similar purpose.

9 BE IT FURTHER RESOLVED, That the secretary of the Iowa senate
10 transmit copies of this resolution to the president of the
11 United States; the vice president of the United States in his
12 capacity as presiding officer of the United States senate,
13 the speaker of the United States house of representatives, the
14 minority leader of the United States house of representatives,
15 the president pro tempore of the United States senate, to
16 each senator and representative from Iowa in the Congress
17 of the United States with the respectful request that the
18 full and complete text of this resolution be printed in the
19 congressional record, and to the presiding officers of each
20 legislative body of each of the several states, requesting the
21 cooperation of the states in issuing an application compelling
22 Congress to call a convention for proposing amendments pursuant
23 to Article V of the Constitution of the United States.

24 BE IT FURTHER RESOLVED, That this application constitutes
25 a continuing application in accordance with article v of the
26 constitution of the United States until the legislatures of at
27 least two-thirds of the several states have made applications
28 on the same subject.

29

EXPLANATION

30 The inclusion of this explanation does not constitute agreement with
31 the explanation's substance by the members of the general assembly.

32 This joint resolution constitutes a petition requesting the
33 United States Congress to call a constitutional convention
34 for the exclusive purpose of proposing an amendment to the
35 Constitution of the United States responding to the United

1 States supreme court's decision in Citizens United v. Federal
2 Election Commission and relating to election fairness and
3 corporate political speech and submit it to the states for
4 ratification.

5 The joint resolution calls for the convention to be
6 comprised equally of individuals currently elected to state and
7 local office, or be selected by election, in each congressional
8 district for the purpose of serving as delegates. The joint
9 resolution prohibits all individuals who have ever been elected
10 or appointed to federal office from serving as delegates. The
11 joint resolution reserves to the state of Iowa the ability to
12 restrict or expand the power of its delegates.

13 The joint resolution also provides that it shall serve as
14 a continuing application to call a constitutional convention,
15 until at least two-thirds of the legislatures of the several
16 states have made application for a similar convention and the
17 convention is convened by Congress.

18 The joint resolution provides that it shall serve as a
19 continuing application to call a constitutional convention
20 until at least two-thirds of the legislatures of the several
21 states have made applications on the same subject.

22 The joint resolution also requires that the secretary of
23 the Iowa senate transmit copies of this resolution to the
24 president of the United States, the vice president of the
25 United States in his capacity as presiding officer of the
26 United States senate, the speaker of the United States house of
27 representatives, the minority leader of the United States house
28 of representatives, the president pro tempore of the United
29 States senate, to each senator and representative from Iowa in
30 the Congress of the United States with the request that the
31 complete text of the resolution be printed in the congressional
32 record, and to the presiding officers of each legislative body
33 of each of the several states, requesting the cooperation of
34 the states in issuing an application compelling Congress to
35 call a convention for proposing amendments pursuant to Article

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1 V of the Constitution of the United States.