

## **House Concurrent Resolution No. 5029**

By Representatives Sutton, W. Carpenter, Clifford, Fairchild, Murphy, Owens,  
Resman, Sanders, Tarwater and Waggoner

2-15

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1 A CONCURRENT RESOLUTION making application to the Congress  
2 of the United States for a limited national convention for the exclusive  
3 purpose of proposing an amendment to the Constitution of the United  
4 States establishing term limits for members of Congress.

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6 WHEREAS, The framers of the Constitution of the United States of  
7 America intended that the U.S. House of Representatives and the U.S.  
8 Senate of the United States of America should be "dependent on the  
9 people alone" (James Madison, Federalist 52); and

10 WHEREAS, Throughout American history, this dependency has  
11 evolved from a dependency on the American people alone to a  
12 dependency on powerful special interests, through spending by third-  
13 party groups, campaigns or out-of-state donors, which have created a  
14 fundamental imbalance in our representative democracy and eroded the  
15 people's trust in government; and

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

20 WHEREAS, The Constitution of the State of Kansas states that "all  
21 political power is inherent in the people, and all free governments are  
22 founded on their authority, and are instituted for their equal protection  
23 and benefit" (Bill of Rights, Section 2); and

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

28 WHEREAS, The Kansas Legislature perceives the need for a  
29 convention in order to ensure balance and integrity in our elections by  
30 proposing an amendment to the Constitution of the United States that will  
31 establish term limits for members of Congress to prevent the  
32 accumulation of inordinate power in members with longevity who are  
33 able to amass high amounts of funds for reelection; and

34 WHEREAS, A national convention would give the American people  
35 an opportunity to come together as a nation, by discussing solutions on

1 how to ensure the integrity of our elections and renew the American  
2 people's trust in government; and

3 WHEREAS, Article V of the Constitution of the United States clearly  
4 states that any amendment, whether proposed by the Congress of the  
5 United States or by a convention, must be ratified by 75% of the states,  
6 presently 38 states, ensuring that only the most reasonable proposals with  
7 widespread support shall become part of the Constitution of the United  
8 States; and

9 WHEREAS, Notwithstanding any federal or Kansas law to the  
10 contrary, the State of Kansas desires its delegates to such a national  
11 convention to be composed equally of individuals currently elected to  
12 state and local offices or to be selected by election in each congressional  
13 district in Kansas, except that all individuals elected or appointed to  
14 federal office, now or in the past, shall be prohibited from serving as  
15 Kansas delegates. The State of Kansas intends to retain the ability to  
16 enforce the responsibility and conduct of its delegation within the limits  
17 herein expressed: Now, therefore,

18 *Be it resolved by the House of Representatives of the State of Kansas,*  
19 *the Senate concurring therein:* That the people of the State of Kansas,  
20 speaking through its legislature and pursuant to Article V of the  
21 Constitution of the United States, hereby apply to the Congress of the  
22 United States to call a convention for the exclusive purpose of proposing  
23 an amendment to the Constitution of the United States to set a limit on the  
24 number of terms that a person may be elected as a member of the U.S.  
25 House of Representatives and the U.S. Senate; and

26 *Be it further resolved:* That the Secretary of State shall send enrolled  
27 copies of this resolution to the President of the United States, the Vice  
28 President of the United States in the Vice President's capacity as presiding  
29 officer of the United States Senate, the Speaker of the United States  
30 House of Representatives, the Minority Leader of the United States  
31 House of Representatives, the President Pro Tempore of the United States  
32 Senate, each Senator and Representative from Kansas in the Congress of  
33 the United States, with the respectful request that the full and complete  
34 text of this resolution be printed in the *Congressional Record*, the  
35 presiding officers of each legislative body of each of the several states,  
36 requesting the cooperation of the states in issuing an application  
37 compelling the Congress of the United States to call a convention for  
38 proposing amendments pursuant to Article V of the Constitution of the  
39 United States.