
SENATE JOINT MEMORIAL 8002

State of Washington

67th Legislature

2021 Regular Session

By Senators Kuderer, Hunt, Conway, Das, Dhingra, Lovelett, Muzzall, Nguyen, Robinson, Stanford, and Wilson, C.

Read first time 01/14/21. Referred to Committee on State Government & Elections.

1 TO THE HONORABLE JOSEPH R. BIDEN, JR., PRESIDENT OF THE UNITED
2 STATES, AND TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE
3 HOUSE OF REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF
4 REPRESENTATIVES OF THE UNITED STATES, IN CONGRESS ASSEMBLED:

5 We, your Memorialists, the Senate and House of Representatives of
6 the State of Washington, in legislative session assembled,
7 respectfully represent and petition as follows:

8 WHEREAS, Congress and the several states have for many years
9 exercised the authority to regulate and restrict the size of
10 financial contributions to political candidates and ballot issues, to
11 bar the anonymous use of such funds, and to require that individual
12 candidates approve publicly the messages used on their behalf; and

13 WHEREAS, For decades the Supreme Court has eroded this authority
14 under the excuse of equating the spending of money to influence
15 elections to the protected right of free speech, and has extended
16 these protected rights to incorporated and legal entities as if they
17 were the equivalent of a natural person; and

18 WHEREAS, As a result, there has been a sudden and substantial
19 increase in large financial contributions, in donations made and used
20 anonymously, and in donations made to entities nominally separate
21 from the candidates and outside their control to affect the state and
22 federal elections in 2012, 2016, and 2020 and such contributions may
23 reasonably be expected to grow in number and size; and

1 WHEREAS, Expenditures that are extremely large, expenditures that
2 are made anonymously, and expenditures made by entities nominally
3 separate from and outside the control of individual candidates
4 threaten the integrity of the election process by diluting the voices
5 of other donors, distorting public discourse, and diminishing the
6 constitutionally protected right to vote; and

7 WHEREAS, The people of the state of Washington passed Initiative
8 Measure No. 735 in 2016 asking the United States Congress to propose
9 an amendment to address these problems and to date no collective
10 action has been taken by the United States Congress in this regard;

11 NOW, THEREFORE, Your Memorialists respectfully petition that the
12 Congress of the United States exercise the authority granted to it
13 under Article V of the Constitution to pass and send to the several
14 states for ratification an amendment to the Constitution to return to
15 Congress and the legislatures of the states the authority to regulate
16 the size and timing of contributions to election campaigns, whether
17 made to candidates or to ballot measures, and whether such
18 contributions are made directly to campaigns or to groups making
19 independent expenditures related to such campaigns, the authority to
20 distinguish between natural persons and other artificial entities
21 created by law, including by prohibiting such entities from spending
22 money to influence elections, and the authority to require timely
23 public disclosure of the source and amount of all such contributions.

24 BE IT FURTHER RESOLVED, That if Congress does not propose a
25 constitutional amendment satisfying the principles described herein
26 by November 5, 2024, then this memorial constitutes a petition by the
27 state of Washington, speaking through its legislature, and pursuant
28 to Article V of the United States Constitution, to the Congress to
29 call a limited convention for the exclusive purpose of proposing
30 amendments, as prescribed previously herein, to the Constitution of
31 the United States of America; and

32 BE IT FURTHER RESOLVED, That the State of Washington intends that
33 this be a continuing application considered together with
34 applications calling for a convention passed in the 2013-2014 Vermont
35 legislature as R454, the 2013-2014 California legislature as
36 Resolution Chapter 77, the 98th Illinois General Assembly as SJR 42,
37 the 2014-2015 New Jersey legislature as SCR 132, the 2015-2016 Rhode
38 Island legislature as HR 7670 and SR 2589, and all other passed,
39 pending, and future applications until such time as two-thirds of the

1 several states have applied for a convention for a similar purpose
2 and said convention is convened by Congress; and

3 BE IT FURTHER RESOLVED, That this petition is specific as to its
4 purpose and shall not be combined with a petition from any other
5 state calling for an Article V convention for any other purpose nor
6 shall it be combined with a petition from any other state calling for
7 an Article V convention for all purposes; and

8 BE IT FURTHER RESOLVED, That this application is void, rescinded,
9 and of no effect in the event that such a convention is not limited
10 to such a specific and exclusive purpose; and

11 BE IT FURTHER RESOLVED, That the legislature of Washington state
12 urges the legislatures of each of the several states comprising the
13 United States of America issue similar petitions in order to build
14 the consensus necessary to amend the United States Constitution; and

15 BE IT FURTHER RESOLVED, That copies of this Memorial be
16 immediately transmitted to the Honorable Joseph R. Biden, Jr.,
17 President of the United States, the President of the United States
18 Senate, the Speaker of the House of Representatives, the Majority
19 Leader of the United States Senate, the Minority Leader of the United
20 States Senate, the Minority Leader of the United States House of
21 Representatives, and each member of Congress from the State of
22 Washington.

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