
SENATE JOINT MEMORIAL 8000

State of Washington

68th Legislature

2023 Regular Session

By Senators Kuderer and Shewmake

1 TO THE PRESIDENT OF THE UNITED STATES, AND TO THE PRESIDENT OF
2 THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND TO
3 THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES, IN
4 CONGRESS ASSEMBLED, THE MAJORITY LEADER OF THE UNITED STATES SENATE,
5 THE MINORITY LEADER OF THE UNITED STATES SENATE, AND TO THE MINORITY
6 LEADER OF THE UNITED STATES HOUSE OF REPRESENTATIVES:

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

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

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

20 WHEREAS, As a result, there has been a sudden and substantial
21 increase in large financial contributions, in donations made and used
22 anonymously, and in donations made to entities nominally separate
23 from the candidates and outside their control to affect the state and

1 federal elections and such contributions may reasonably be expected
2 to grow in number and size; and

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

9 WHEREAS, The State of Washington desires that the delegates to
10 undermentioned convention shall be comprised equally from individuals
11 currently elected to state and local office, or be selected by
12 election, in each Congressional district for the purpose of serving
13 as delegates, though all individuals elected or appointed to federal
14 office, now or in the past, be prohibited from serving as delegates
15 to the Convention, and intends to retain the ability to restrict or
16 expand the power of its delegates within the limits expressed above;
17 and

18 WHEREAS, The people of the State of Washington passed Initiative
19 Measure No. 735 in 2016 asking the United States Congress to propose
20 an amendment to address these problems and to date no collective
21 action has been taken by the United States Congress in this regard;

22 NOW, THEREFORE, Your Memorialists respectfully petition that the
23 Congress of the United States exercise the authority granted to it
24 under Article V of the Constitution to pass and send to the several
25 states for ratification an amendment to the Constitution to return to
26 Congress and the legislatures of the states the authority to regulate
27 the size and timing of contributions to election campaigns, whether
28 made to candidates or to ballot measures, and whether such
29 contributions are made directly to campaigns or to groups making
30 independent expenditures related to such campaigns, the authority to
31 distinguish between natural persons and other artificial entities
32 created by law, including by prohibiting such entities from spending
33 money to influence elections, and the authority to require timely
34 public disclosure of the source and amount of all such contributions.

35 BE IT FURTHER RESOLVED, That if Congress does not propose a
36 constitutional amendment satisfying the principles described herein
37 by November 5, 2026, then this memorial constitutes a petition by the
38 State of Washington, speaking through its legislature, and pursuant
39 to Article V of the United States Constitution, to the Congress to
40 call a limited convention for the exclusive purpose of proposing

1 amendments, as prescribed previously herein, to the Constitution of
2 the United States of America; and

3 BE IT FURTHER RESOLVED, That the State of Washington intends that
4 this be a continuing application considered together with
5 applications calling for a convention passed, pending, and future
6 applications until such time as two-thirds of the several states have
7 applied for a convention for a similar purpose and said convention is
8 convened by Congress; and

9 BE IT FURTHER RESOLVED, That this petition is specific as to its
10 purpose and shall not be combined with a petition from any other
11 state calling for an Article V convention for any other purpose nor
12 shall it be combined with a petition from any other state calling for
13 an Article V convention for all purposes; and

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

17 BE IT FURTHER RESOLVED, That the legislature of Washington State
18 urges the legislatures of each of the several states comprising the
19 United States of America issue similar petitions in order to build
20 the consensus necessary to amend the United States Constitution; and

21 BE IT FURTHER RESOLVED, That copies of this Memorial be
22 immediately transmitted to the President of the United States, the
23 Majority Leader of the United States Senate, the Minority Leader of
24 the United States Senate, the Minority Leader of the United States
25 House of Representatives, the President of the United States Senate,
26 the Speaker of the House of Representatives, and each member of
27 Congress from the State of Washington.

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