

Chairman Garrett, Vice chairs Hicks and Hoyle, and members of the committee:

Thank you for this opportunity to testify.

My name is Steve Bintliff, a resident of Tigard, a member of Beaverton Citizens for Fairness, and an original member of the Occupy Portland Solutions Committee.

I'm writing in opposition to HJM5.

Although I think this resolution was drafted with the best intentions – recognizing the need to reverse the damage done by the 2010 Citizen's United v. FEC ruling of the Supreme Court and the need to return to strict regulation of campaign expenditures - this resolution misses the fact that Citizens United is just the latest example of how 'corporate personhood' has been used in the court system to allow corporations to evade regulation, hide activities, stifle competition and manipulate markets.

In addition to claiming 1st Amendment protections that allow them to influence elections through political “contributions”, Corporations also claim this right to advertise dangerous products over the objections of communities that want to impose limits. They also claim these rights in order to avoid labeling genetically modified foods, or disclose health and safety information.

They have claimed 4th Amendment Search and Seizure Protection to avoid subpoenas for investigations into unlawful trade and price fixing, and to prevent communities and regulatory agencies from investigating pollution, health and safety violations and business practices detrimental to the community.

They have claimed 5th Amendment protections to require that governments compensate them for future profits when regulations are established to protect communities.

They have invoked the Due Process and Equal Protection clause of the 14th Amendment, originally enacted to free slaves from oppression, to allow them to build chain stores, erect cell phone towers and take other actions against the will of communities that seek to impose limits. They have also used the clause to oppose tax policies favoring local businesses over multinational corporations, and to fight efforts to prevent corporate mergers and revoke corporate charters through citizen-led initiatives.

And so although HJM5 is correct in trying to remedy the misguided application of the First Amendment to corporations, The First Amendment is not the only Constitutional protection bestowed on them by the Courts. Until we amend the Constitution to state that only human beings have Constitutional rights, we cannot have a society that answers to and works on behalf of We the People.

Please vote against HJM5, or amend it to clearly state that only People, not Corporations, have Constitutional Rights.

Respectfully,

Stephen J. Bintliff