

To: House Committee on Rules

From: Joel Rosenblit, Marion-Polk Move to Amend

Re: HJM6

Date: March 27, 2013

My name is Joel Rosenblit and I am a retired Union Labor attorney. I urge the House Rules Committee to pass HJM6. This Joint Memorial would put the Oregon legislature on record supporting an amendment to the U.S. Constitution that would establish that money is not speech under the First Amendment and that corporations and other entities chartered under state law do not have Constitutional rights that were intended for flesh and blood people.

Under the notorious Supreme Court decisions *Citizen's United* and *Buckley v. Valeo*, the Supreme Court has equated money with speech and nullified the right of legislatures to limit and regulate expenditures in campaigns. This has led to a flood of campaign spending from corporations, unions and rich individuals seeking to influence our elections through negative advertising. Such money could be better spent on productive investments and representing union members rather than trying to gain undue influence in our political system and or even attempting to buy elections. The American people are disgusted by the amount of money in politics and the way campaigns are conducted.

When the Bill of Rights was passed it was not intended to give Constitutional rights to corporations. The First Amendment gave people the right to speak out, whatever their views. This right has been corrupted by a long line of Supreme Court decisions, starting with *Santa Clara County v. Southern Pacific Railroad* in 1886, that have given corporations many of the rights intended for people in the Bill of Rights and the 14<sup>th</sup> Amendment. These cases led to the *Citizen's United* decision that is having such a pernicious effect on our elections. In order to restore the power of legislatures to establish rules for campaign financing, it is necessary to pass a Constitutional Amendment to establish that corporations, other business organizations and unions are not people with the rights intended for people and there is no right to spend unlimited amounts of money in elections because money is not speech.

The Supreme Court has misinterpreted the Constitution and the best way to correct that jurisprudence is through a Constitutional amendment that would restore a common sense interpretation of the Bill of Rights and the 14<sup>th</sup> Amendment. The Oregon legislature can add its voice to other states, local governments and a growing number of citizens, united (pun intended) in calling for a Constitutional amendment that would prevent equating money with speech and corporations with people. Our democracy is threatened by the interpretations of the Constitution by the Supreme Court. Legislative action can reverse the Court and allow our democracy to flourish again, with the people and small donors in control of our electoral process and the concept of corporate personhood buried as an artifact of history.