

**PROPOSED AMENDMENTS TO
HOUSE JOINT MEMORIAL 6**

1 Delete lines 6 through 22 of the printed joint memorial and insert:

2 “Whereas free speech is a right held by natural persons, recognized and
3 protected by the First Amendment to the United States Constitution; and

4 “Whereas corporations, limited liability companies and partnerships, as-
5 sociations and other legal entities established under and granted privileges
6 by local, state and federal laws make important contributions to our society
7 but are not to be equated with natural persons; and

8 “Whereas the rights and privileges of legal entities are established and
9 protected through existing statutes and judicial case law; and

10 “Whereas the decision to regulate corporate financial campaign contri-
11 butions and expenditures is one that, historically, Congress and the states
12 have been constitutionally allowed to address; and

13 “Whereas in 2010 the United States Supreme Court issued its decision in
14 *Citizens United v. Federal Election Commission* (558 U.S. 310 (2010)), ruling
15 that Congress and the states lack the constitutional right to ban independent
16 corporate expenditures to political campaigns for public office; and

17 “Whereas in the *Citizens* decision the United States Supreme Court relied
18 on its previously issued opinion in *Buckley v. Valeo* (424 U.S. 1 (1976)),
19 equating the spending of money for electing candidates to public office with
20 speech; and

21 “Whereas the *Citizens* decision has allowed for the creation of super pol-
22 itical action committees in election campaigns for public office that have

1 made unregulated campaign expenditures in unprecedented amounts; and

2 “Whereas the Seventy-seventh Legislative Assembly of the State of
3 Oregon has grave concerns regarding the implications of the United States
4 Supreme Court’s decision in its five-to-four ruling in *Citizens*; and

5 “Whereas the opinion of the four dissenting justices noted that corpo-
6 rations have certain privileges not enjoyed by natural persons, such as lim-
7 ited liability, perpetual life and favorable treatment of their accumulation
8 and distribution of assets, which enables them to financially overwhelm in-
9 dividual natural persons in the political process; and

10 “Whereas Congress, state legislatures and local legislative bodies should
11 have the authority to regulate political contributions and expenditures; and

12 “Whereas based on the American values of fair play, leveling the playing
13 field and ensuring that all citizens, regardless of wealth, have an opportunity
14 for their political views to be heard, there is a valid rationale for regulating
15 political spending; and

16 “Whereas it is imperative that Congress and the state legislatures be al-
17 lowed to exercise their authority to make their own decisions about the
18 regulation of political expenditures by individuals and legal entities; and

19 “Whereas this policy requires that the United States Constitution be
20 amended to authorize congressional or state regulation of political contri-
21 butions and expenditures; now, therefore,”.

22 Delete lines 24 through 30 and insert:

23 “That we, the Seventy-seventh Legislative Assembly of the State of
24 Oregon, respectfully urge the Congress of the United States of America to
25 propose and send to the states for ratification an amendment to the United
26 States Constitution consistent with the findings of this memorial, clarifying
27 the distinction between the rights of natural persons and the rights of cor-
28 porations and other legal entities; and be it further

29 “Resolved, That the proposed amendment to the United States Constitu-
30 tion should clarify that Congress and state legislatures may regulate all

1 moneys raised and spent for political purposes; and be it further
2 “Resolved, That a copy of this memorial shall be sent to the President
3 of the United States, to the Senate Majority Leader, to the Speaker of the
4 House of Representatives and to each member of the Oregon Congressional
5 Delegation.”.

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