

House Joint Memorial 4

Sponsored by Representative CLEM (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Urges Congress to call convention for purpose of proposing amendments to United States Constitution consistent with principles that corporations are not people and money is not speech.

JOINT MEMORIAL

To the Senate and the House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the Seventy-eighth Legislative Assembly of the State of Oregon, in legislative session assembled, respectfully represent as follows:

Whereas decisions by the United States Supreme Court have equated spending money in elections with speech and granted corporations the constitutional rights of the people; and

Whereas these decisions have permitted the wealthy to buy enormous influence in our government through uncontrolled political spending, which undermines the aspirations of Oregonians to a true democracy with a level playing field; and

Whereas corporations, including for-profit and nonprofit organizations, unions and other artificial legal entities, are created under state laws, and there is no mention of these entities in the United States Constitution; and

Whereas money is property, not speech, and its unregulated use for political purposes creates unequal access to political power and influence; and

Whereas moneys contributed or spent for political purposes should be subject to regulation; and

Whereas amendments to the United States Constitution may be proposed without a timeline for their adoption, although Congress may require that amendments to the United States Constitution be ratified within a reasonable time or within a time specified by Congress; now, therefore,

Be It Resolved by the Legislative Assembly of the State of Oregon:

(1) We, the members of the Seventy-eighth Legislative Assembly, pursuant to Article V of the United States Constitution, hereby petition Congress to call a convention for the purpose of proposing amendments to the United States Constitution consistent with the following principles:

(a) Corporations are not people. Artificial legal entities such as corporations, unions and for-profit and nonprofit organizations established under the laws of any state, the United States or any foreign state shall have no constitutional rights and shall be subject to regulation by the people through federal, state or local law. The principle described in this paragraph may not be construed to limit the rights of natural persons already delineated in the United States Constitution.

(b) Money is property and may not be construed as speech. To ensure a level playing field for all people regardless of their economic status, the people empower and direct federal, state and local governments to regulate, limit or prohibit the contribution and spending of moneys for political

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 purposes and to require full and prompt public disclosure of all such transactions.

2 (2) This memorial constitutes a continuing application to Congress to call a convention until
3 such time as two-thirds of the several states have applied for a convention pursuant to Article V
4 of the United States Constitution.

5 (3) A copy of this memorial shall be sent to the Senate Majority Leader, to the Secretary of the
6 Senate, to the Speaker of the House of Representatives, to the Clerk of the House of Represen-
7 tatives, to the Archivist of the United States and to each member of the Oregon Congressional
8 Delegation, and to the presiding officers of the legislative chambers in each state of the United
9 States requesting their cooperation in issuing a petition to Congress to call a convention for the
10 purpose of proposing amendments pursuant to Article V of the United States Constitution.

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