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**SENATE JOINT MEMORIAL 8011**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senators Liias, Billig, Hargrove, Kohl-Welles, Frockt, Chase, McAuliffe, Darneille, Conway, Fraser, and Jayapal

TO THE HONORABLE BARACK OBAMA, PRESIDENT OF THE UNITED STATES, AND TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES, IN CONGRESS ASSEMBLED, AND TO THE HONORABLE JAY INSLEE:

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

WHEREAS, The people of Washington state support amending the United States Constitution to eliminate the undue influence of money on elections and government policy. The amendment would overturn United States supreme court decisions granting constitutional rights to corporations and other artificial legal entities and would provide for regulation and disclosure of political contributions and spending; and

WHEREAS, Free and fair elections as well as honest representation are essential to self-governance; and

WHEREAS, The American people have lost faith in the political process because their voices are not heard and their interests are not represented. Thus, an even smaller percentage of Americans are motivated to vote; and

WHEREAS, The United States Constitution makes no mention of corporations or other artificial legal entities. There are no constitutional provisions extending rights or freedoms to such entities; and

WHEREAS, Through a series of decisions equating a "corporation" with a "person," the United States supreme court granted to corporations constitutional rights and protections intended only for people. Unlike a person, corporations can exist in perpetuity and simultaneously in many nations at once; and

WHEREAS, Many large corporations, both foreign and domestic, invest in political campaigns to change or bypass regulatory law intended to protect the public. Therefore, corporate participation in the political process often conflicts with the public interest; and

WHEREAS, Money is property, not speech. Nowhere in the United States Constitution is money equated with free speech. Equating money with speech gives those with the most money the most speech; and

WHEREAS, Whenever special interest are able to spend unlimited amounts of money on political speech, the free speech of voters is drowned out and denied. Monopolizing public speech neither promotes nor protects free speech; and

WHEREAS, Anonymous funding and spending for political electioneering promotes dishonesty and corruption and prevents voters from assessing the motives of the speaker. People judge the truth of a message by their trust or faith in its source. The public must be able to hold any funder of political speech accountable when their message proves false or misleading. Full and prompt disclosure of funding sources is essential to effective governance; and

WHEREAS, Article V of the United States Constitution empowers the people and the states to use the constitutional amendment process to correct egregious decisions by the United States supreme court that subvert our representative government;

NOW, THEREFORE, Your Memorialists respectfully pray that:

(1) Current and future Washington state congressional delegations propose a joint resolution for an amendment to the United States Constitution clarifying that:

(a) The rights listed and acknowledged in the Constitution of the United States are the rights of individual human beings only;

(b) The judiciary may not construe the spending of money to influence elections to be free speech under the First Amendment. Federal, state, and local governments must be fully empowered to regulate political contributions and expenditures to ensure that no person or artificial legal entity gains undue influence over government and the political process as a result of financial resources;

(c) All political contributions and expenditures must be publicly disclosed promptly and in a manner accessible to voters prior to elections; and

(d) Nothing contained in the amendment maybe construed to limit the people's rights of freedom of speech, freedom of the press, free exercise of religion, or freedom of association; and

(2) In accordance with the United States Constitution, the Washington state congressional delegation and the United States Congress propose state ratification conventions that ensure that the people are heard and represented during the ratification process.

BE IT RESOLVED, That copies of this Memorial be immediately transmitted to the Honorable Barack Obama, President of the United States, the Honorable Jay Inslee, Governor of the State of Washington, each member of the United States Congress, and each member of the Washington state legislature.