
SENATE JOINT MEMORIAL 8011

State of Washington 64th Legislature 2015 Regular Session

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

Read first time 02/04/15. Referred to Committee on Government Operations & Security.

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

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

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

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

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

22 WHEREAS, The United States Constitution makes no mention of
23 corporations or other artificial legal entities. There are no

1 constitutional provisions extending rights or freedoms to such
2 entities; and

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

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

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

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

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

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

30 NOW, THEREFORE, Your Memorialists respectfully pray that:

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

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

36 (b) The judiciary may not construe the spending of money to
37 influence elections to be free speech under the First Amendment.
38 Federal, state, and local governments must be fully empowered to
39 regulate political contributions and expenditures to ensure that no
40 person or artificial legal entity gains undue influence over

1 government and the political process as a result of financial
2 resources;

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

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

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

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

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