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SENATE JOINT MEMORIAL 8027

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State of Washington                      61st Legislature                      2010 Regular Session

By Senators Jacobsen, Oemig, and Franklin

Read first time 02/04/10.      Referred to Committee on Government Operations & Elections.

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

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

8            WHEREAS, The First Amendment to the United States Constitution was  
9 designed to protect the free speech rights of people, not corporations;  
10 and

11            WHEREAS, For the past three decades, a divided United States  
12 Supreme Court has misinterpreted the First Amendment favoring the  
13 corporations' agenda over the people's voice; and

14            WHEREAS, The United States Supreme Court's ruling in *Citizens*  
15 *United v. FEC* overturned longstanding precedent prohibiting  
16 corporations from freely spending their general treasury funds for  
17 purposes of electioneering communications or direct contributions to  
18 candidates for public office; and

19            WHEREAS, The United States Supreme Court's ruling in *Citizens*

1 *United v. FEC* will now permit unprecedented spending of corporate money  
2 in our political process unrivaled by any campaign expenditure totals  
3 in United States history; and

4 WHEREAS, An individual can use his or her money to speak on his or  
5 her singular behalf, the money corporations use to speak belongs to its  
6 shareholders, who presumably come from disparate political ideologies;  
7 and

8 WHEREAS, It took over one million individual donors to raise about  
9 seven hundred fifty million dollars for Barack Obama's presidential  
10 campaign in 2008; and

11 WHEREAS, Seven hundred fifty million dollars is approximately five  
12 percent of ExxonMobil's third quarter profits in 2008; and

13 WHEREAS, Seven hundred fifty million dollars is approximately five  
14 percent of Bank of America's profits in 2007; and

15 WHEREAS, Seven hundred fifty million dollars is approximately 18  
16 percent of Bank of America's profits in 2008; and

17 WHEREAS, Seven hundred fifty million dollars is approximately 37.5  
18 percent of Goldman Sachs's first quarter profits in 2009; and

19 WHEREAS, Seven hundred fifty million dollars is approximately 18  
20 percent of JPMorgan Chase's third quarter profits in 2009; and

21 WHEREAS, Seven hundred fifty million dollars is approximately 25  
22 percent of Ford's profits in 2009; and

23 WHEREAS, Seven hundred fifty million dollars is approximately five  
24 percent of Philip Morris's profits in 2008; and

25 WHEREAS, Individual shareholders will now be inextricably absorbed  
26 into the corporation's powerful political action, regardless of their  
27 individual political beliefs and affiliations; and

28 WHEREAS, The United States Supreme Court's ruling in *Citizens*  
29 *United v. FEC* threatens to dilute an individual's power as a voting  
30 citizen and compromise the democratic process; and

31 WHEREAS, The United States Supreme Court's ruling in *Citizens*  
32 *United v. FEC* presents a serious and direct threat to our democracy;

33 WHEREAS, The people of the United States have previously used the  
34 constitutional amendment process to correct those egregiously wrong  
35 decisions of the United States Supreme Court that go to the heart of  
36 our democracy and self-government;

37 NOW, THEREFORE, Your Memorialists respectfully pray that Congress,  
38 in accordance with Article V of the Constitution of the United States,

1 immediately transmit to the several states for ratification an  
2 amendment to the Fourteenth Amendment of the United States Constitution  
3 so that corporations will not be considered as persons for the purposes  
4 of electioneering communications or direct contributions to candidates  
5 for public office.

6 BE IT RESOLVED, That copies of this Memorial be immediately  
7 transmitted to the Honorable Barack Obama, President of the United  
8 States, the President of the United States Senate, the Speaker of the  
9 House of Representatives, and each member of Congress from the State of  
10 Washington.

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