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2016

1 House Memorial

2 A memorial to the Congress of the United States,
3 urging Congress to propose to the states an amendment
4 to the Constitution of the United States to provide
5 that political contributions and expenditures by
6 corporations be regulated by federal, state, and local
7 governments and establish that corporations and other
8 artificial entities are not human beings entitled to
9 constitutional rights.

10
11 WHEREAS, government of, by, and for the people has long
12 been a cherished American value, and the people's fundamental
13 and inalienable right to self-govern and thereby secure rights
14 to life, liberty, property, and the pursuit of happiness is
15 guaranteed by the United States Constitution, and

16 WHEREAS, corporations are not mentioned in the United
17 States Constitution but are human-made legal fictions created
18 with the express permission of the people by our elected
19 representatives through the government, and

20 WHEREAS, the concept of corporate personhood was created
21 through ill-conceived judicial decisions to usurp basic human
22 and constitutional rights guaranteed only to human beings, and

23 WHEREAS, the United States Supreme Court's rulings in
24 *Citizens United v. Federal Election Commission*, 558 U.S. 310
25 (2010), and *McCutcheon v. Federal Election Commission*, 572 U.S.
26 ____ (2014), endow corporations with constitutional protections

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27 originally held by the people, including the same right to
 28 freedom of speech as natural persons, and assume that spending
 29 money in the political process is equal to speech, and

30 WHEREAS, these Supreme Court rulings remove legislative
 31 spending limits on certain contributions and have opened the
 32 floodgates to unlimited spending by wealthy individuals,
 33 corporations, and other entities to influence candidate
 34 selection, elections, and policy decisions, and to sway elected
 35 officials to vote against the interests of their human
 36 constituents, and

37 WHEREAS, corporations and other artificial entities exist
 38 simultaneously in many nations and use these judicially granted
 39 "corporate rights" to secure whatever is needed to seek greater
 40 profits, regardless of the harm caused to the environment,
 41 communities, or individuals, even to the point of legal action
 42 to overturn national, state, and local government laws,
 43 regulations, and ordinances in tribunals and courts, and

44 WHEREAS, the act of spending unlimited amounts of money in
 45 the political process being deemed equal to speech is contrary
 46 to the notion of "one person, one vote," and allows those with
 47 the most money to have an unfair advantage, and

48 WHEREAS, the political system should ensure that citizens
 49 have equal access to all phases of the processes that determine
 50 the outcome of elections and ballot initiatives, and

51 WHEREAS, the Florida Legislature believes that free and
 52 fair elections are essential to democracy and effective self-

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53 | governance and that unregulated and excessive expenditures by
 54 | corporations undermine the fairness of elections, NOW,
 55 | THEREFORE,

56 |
 57 | Be It Resolved by the Legislature of the State of Florida:
 58 |

59 | That the United States Congress is urged to propose to the
 60 | states an amendment to the Constitution of the United States
 61 | establishing that:

62 | (1) Corporations are not persons but artificial entities
 63 | established by the laws of a state, the United States, or a
 64 | foreign state, and are subject to regulation by the people
 65 | through federal, state, and local governments;

66 | (2) Corporations and other artificial entities have no
 67 | inalienable rights under the United States Constitution and that
 68 | corporations be subject to regulation by the people through
 69 | federal, state, or local government regulations;

70 | (3) Money is not speech for the purpose of electioneering
 71 | and, therefore, that contributions and expenditures be subject
 72 | to limits and regulations by federal, state, and local
 73 | governments to ensure fair and equal access to participation in
 74 | the democratic process; and

75 | (4) Such amendment is not intended to curtail the freedom
 76 | of the press.

77 | BE IT FURTHER RESOLVED that copies of this memorial be
 78 | dispatched to the President of the United States, to the

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79 | President of the United States Senate, to the Speaker of the
80 | United States House of Representatives, and to each member of
81 | the Florida delegation to the United States Congress.