

2014 -- S 2381

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

JOINT RESOLUTION

TO PETITION THE CONGRESS OF THE UNITED STATES TO CONVENE A
CONSTITUTIONAL CONVENTION

Introduced By: Senators Sosnowski, Nesselbush, Crowley, and Cool Rumsey

Date Introduced: February 12, 2014

Referred To: Senate Judiciary

(by request)

1 WHEREAS, The General Assembly seeks to empower the citizens of the state of Rhode
2 Island with the right to determine by a vote of the people the question whether corporations are
3 people and whether money shall be considered speech; and

4 WHEREAS, The U.S. Bill of Rights provides certain inalienable rights to natural
5 persons; and

6 WHEREAS, Corporations are not mentioned in the U.S. Constitution; and

7 WHEREAS, Corporations are legal entities that governments create, and the rights they
8 enjoy under the U.S. Constitution should be more narrowly defined than the rights that are
9 afforded to natural persons; and

10 WHEREAS, The growing influence of large independent political expenditures by
11 corporations and wealthy individuals is a great and growing concern to the people of the United
12 States and the state of Rhode Island; and

13 WHEREAS, In a democracy the assurance of a fair and uncorrupted election process is of
14 the utmost importance, and the Rhode Island General Assembly believes that it is a legitimate
15 and vital role of government to regulate independent political expenditures by corporations,
16 unions, and wealthy individuals; and

17 WHEREAS, In fulfillment of this important role the government of the United States and
18 a majority of states have regulated and restricted independent political expenditures by
19 corporations; and

1 WHEREAS, In 2010, the supreme court of the United States decided by a bare majority
2 in Citizens United v. Federal Elections Commission that the First Amendment of the Constitution
3 of the United States prohibits restrictions on the use of corporate and union treasury funds for
4 electioneering; and

5 WHEREAS, Citizens United was a dramatic reversal of established Supreme Court
6 precedent, and overturned decades of statutes enacted by Congress and numerous state
7 legislatures; and

8 WHEREAS, Citizens United has served as precedent for further legal decisions harming
9 our democratic system of government, including SpeechNow.org v. FEC, which allows wealthy
10 individuals to anonymously channel unlimited political expenditures through Super PACs; and

11 WHEREAS, In the wake of Citizens United there has been an exponential increase in
12 large independent political expenditures by corporations and wealthy individuals which threatens
13 the integrity of the election process, corrupts our candidates, dilutes the power of individual
14 voters and distorts the public discourse; now, therefore be it

15 RESOLVED, That the state of Rhode Island and Providence Plantations hereby petitions
16 congress, under Article V of the United States Constitution, to call a constitutional convention for
17 the purpose of examining the issues of corporate personhood, electoral campaign financing, and
18 the supreme court decision in Citizens United v. Federal Election Commission, and be it further

19 RESOLVED, That the General Assembly considers the requirements of Article V to have
20 been met when two-thirds of the state legislatures, including our own, shall have also petitioned
21 congress for such a convention for the same or similar purposes within ten years of the passage of
22 this resolution; and be it further resolved

23 RESOLVED, That a copy of this resolution shall be entered into the congressional record
24 and shall be distributed to the President of the United States of America, the Vice President of the
25 United States, the Majority and Minority Leaders of the United States Senate, the Speaker of the
26 United States House of Representatives, the Minority Leader of the United States House of
27 Representatives, and to each leader of the houses of the legislatures of the several states, in
28 encouragement that they enact the same.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
JOINT RESOLUTION
TO PETITION THE CONGRESS OF THE UNITED STATES TO CONVENE A
CONSTITUTIONAL CONVENTION

1 This joint resolution would petition the congress of the United States to call a
2 constitutional convention for the purpose of examining the issues of corporate personhood,
3 electoral campaign financing, and the supreme court of the United States' decision in Citizens
4 United v. Federal Election Commission.

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