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SENATE JOINT RESOLUTION 12

52ND LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2016

INTRODUCED BY

Gerald Ortiz y Pino

A JOINT RESOLUTION

REQUESTING THE CONGRESS OF THE UNITED STATES TO CALL A
CONSTITUTIONAL CONVENTION, UPON THE APPLICATION OF TWO-THIRDS
OF THE STATES, FOR THE SOLE PURPOSE OF PROPOSING AN AMENDMENT
TO THE UNITED STATES CONSTITUTION THAT WOULD LIMIT CORPORATE
PERSONHOOD FOR THE PURPOSES OF CAMPAIGN FINANCE AND POLITICAL
SPEECH AND WOULD FURTHER DECLARE THAT MONEY DOES NOT CONSTITUTE
SPEECH AND MAY BE LEGISLATIVELY LIMITED.

WHEREAS, corporations are legal entities that governments
create, and the rights that they enjoy under the United States
constitution should be more narrowly defined than the rights
afforded to natural persons; and

WHEREAS, corporations do not vote in elections and should
not be categorized as persons for purposes related to elections
for public office and ballot measures; and

underscoring material = new
~~[bracketed material] = delete~~

1 WHEREAS, the United States supreme court, in *Citizens*
2 *United v. Federal Election Commission* (2010) 130 S.Ct. 876,
3 held that the government may not, under the first amendment to
4 the United States constitution, suppress political speech on
5 the basis of the speaker's corporate identity; and

6 WHEREAS, Article 5 of the United States constitution
7 requires the congress of the United States to call a
8 constitutional convention upon application of two-thirds of the
9 legislatures of the several states for the purpose of proposing
10 amendments to the United States constitution;

11 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
12 STATE OF NEW MEXICO that it respectfully petition the congress
13 of the United States to call a constitutional convention
14 pursuant to Article 5 of the United States constitution for the
15 sole purpose of proposing an amendment to the United States
16 constitution that would limit corporate personhood for purposes
17 of campaign finance and political speech and would further
18 declare that money does not constitute speech and may be
19 legislatively limited; and

20 BE IT FURTHER RESOLVED that this constitute a continuing
21 application to call a constitutional convention pursuant to
22 Article 5 of the United States constitution until at least
23 two-thirds of the legislatures of the several states have made
24 application for an equivalently limited constitutional
25 convention; and

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underscoring material = new
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1 BE IT FURTHER RESOLVED that this application be for a
2 limited constitutional convention and does not grant congress
3 the authority to call a constitutional convention for any
4 purpose other than for the sole purpose set forth in this
5 resolution; and

6 BE IT FURTHER RESOLVED that copies of this resolution be
7 transmitted, within thirty days of its passage, to the speaker
8 of the United States house of representatives, the clerk of the
9 United States house of representatives, the president of the
10 United States senate, the secretary of the United States senate
11 and the New Mexico congressional delegation.