

1 SENATE JOINT RESOLUTION 4

2 **52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015**

3 INTRODUCED BY

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10 A JOINT RESOLUTION

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

18  
19 WHEREAS, corporations are legal entities that governments  
20 create, and the rights that they enjoy under the United States  
21 constitution should be more narrowly defined than the rights  
22 afforded to natural persons; and

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

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underscored material = new  
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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.