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**SUBSTITUTE SENATE JOINT MEMORIAL 8001**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Senate State Government, Tribal Relations & Elections (originally sponsored by Senators Hasegawa and Frockt)

READ FIRST TIME 02/22/19.

1 TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF  
2 REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF  
3 THE UNITED STATES, IN CONGRESS ASSEMBLED, AND TO THE MAJORITY LEADER  
4 OF THE SENATE AND MINORITY LEADERS OF THE SENATE AND HOUSE OF  
5 REPRESENTATIVES:

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

9 WHEREAS, Congress and the several states have for many years  
10 exercised the authority to regulate and restrict the size of  
11 financial contributions to political candidates and ballot issues, to  
12 bar the anonymous use of such funds, and to require that individual  
13 candidates approve publicly the messages used on their behalf; and

14 WHEREAS, There has been a sudden and substantial increase in  
15 large financial contributions, in donations made and used  
16 anonymously, and in donations made to entities nominally separate  
17 from the candidates and outside their control to affect the state and  
18 federal elections in 2012, and such contributions may reasonably be  
19 expected to grow in number and size; and

20 WHEREAS, Expenditures that are extremely large, expenditures that  
21 are made anonymously, and expenditures made by entities nominally  
22 separate from and outside the control of individual candidates  
23 threaten the integrity of the election process by diluting the voices

1 of other donors, distorting public discourse, and diminishing the  
2 constitutionally protected right to vote;

3 NOW, THEREFORE, Your Memorialists respectfully pray that the  
4 congress of the United States exercise the authority granted to it  
5 under Article V of the Constitution to pass and send to the several  
6 states for ratification an amendment to the Constitution that:

7 (1) Returns to Congress and the legislatures of the states:

8 (a) The authority to regulate the size and timing of  
9 contributions to election campaigns, whether made to candidates or to  
10 ballot measures, and whether such contributions are made directly to  
11 campaigns or to groups making independent expenditures related to  
12 such campaigns;

13 (b) The authority to distinguish between natural persons and  
14 other artificial entities created by law, including by prohibiting  
15 such entities from spending money to influence elections; and

16 (c) The authority to require timely public disclosure of the  
17 source and amount of all such contributions;

18 (2) States that the rights listed and acknowledged in the  
19 Constitution of the United States are the rights of individual human  
20 beings only;

21 (3) States that the judiciary shall not construe the spending of  
22 money to be free speech under the first amendment to the Constitution  
23 of the United States;

24 (4) Requires that all political contributions and expenditures be  
25 disclosed promptly and in a manner accessible to voters prior to  
26 elections; and

27 (5) States that the amendment does not limit the people's rights  
28 to freedom of speech, freedom of the press, free exercise of  
29 religion, or freedom of association.

30 BE IT RESOLVED, That copies of this Memorial be immediately  
31 transmitted to the Majority Leader of the Senate and Minority Leaders  
32 of the Senate and House of Representatives, the President of the  
33 United States Senate, the Speaker of the House of Representatives,  
34 and each member of Congress from the State of Washington.

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