

Be it enacted by the People of the State of Maine as follows:

Sec. 1. Application. The voters of this State direct the Legislature of Maine to submit the following application to the Congress of the United States.

1. The Legislature of Maine hereby applies to the Congress of the United States, under the provisions of the United States Constitution, Article V, for the calling of a convention of the states limited to proposing an amendment to the United States Constitution that requires safeguarding access to the political process for all United States citizens regardless of income by establishing that:

A. Corporations are not people. The rights of corporations and artificial entities are subordinate to the rights of natural persons. Corporations and artificial entities are the creation of government for the purpose of promoting the life, health, and general welfare of the public and may be regulated, modified or abolished by government to accomplish that purpose; and

B. Money is not speech. The spending of money to influence elections is not speech under the First Amendment of the United States Constitution and may be reasonably regulated by federal, state, and local government in order to prevent the appearance or reality of corruption, and to promote a greater balance, participation and equality of citizens in the electoral process.

2. The Legislature of Maine recommends the following language for the amendment to the United States Constitution.

§1. Corporations are not people

Section 1. The rights of corporations and artificial entities are subordinate to the rights of natural persons. Corporations and artificial entities are the creation of government for the purpose of promoting the life, health, and general welfare of the public and may be regulated, modified or abolished by government to accomplish that purpose.

§2. Money is not speech

Section 2. The spending of money to influence elections is not speech under the Amendment I of the Constitution, and may be reasonably regulated by federal, state and local government in order to prevent the appearance or reality of corruption, and to promote a greater balance, participation and equality of citizens in the electoral process.

3. The Secretary of State shall transmit copies of this application to the President and Secretary of the United States Senate and to the Speaker and Clerk of the United States House of Representatives, the members of the Maine Congressional Delegation and the presiding officers of each of the legislative houses in the several states, requesting their cooperation.

4. For the purposes of calling a constitutional convention, this application must be adjudged as covering the same subject matter as any other applications addressing any of the following: safeguarding access to the political process for all natural persons who are citizens, abridging corporate constitutional rights, the use of money to influence politics, and overturning the 2010 Supreme Court case Citizens United v. Federal Election Commission, 558 U.S. 310 (2010), irrespective of the terms of those applications, and must be aggregated with them for the purpose of reaching the 2/3 of states necessary to require the calling of a convention.

5. This application constitutes a continuing application in accordance with the United States Constitution, Article V, until the legislatures of at least 2/3 of the several states have made applications on the same subject.

Sec. 2. Severability. If any part of this Act is rendered or declared invalid by a court of competent jurisdiction, that invalidation does not invalidate the remaining parts of this Act.

SUMMARY

This initiated bill directs the Legislature to submit an application to the Congress of the United States under the provisions of the United States Constitution, Article V for the calling of a convention of the states limited to proposing an amendment to the United States Constitution that requires safeguarding access to the political process for all United States citizens regardless of income by establishing that:

1. The rights of corporations and artificial entities are subordinate to the rights of natural persons. Corporations and artificial entities are the creation of government for the purpose of promoting the life, health, and general welfare of the public and may be regulated, modified or abolished by government to accomplish that purpose; and

2. The spending of money to influence elections is not speech under the First Amendment of the United States Constitution and may be reasonably regulated by federal, state and local government in order to prevent the appearance or reality of corruption, and to promote a greater balance, participation and equality of citizens in the electoral process.