

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

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SENATE BILL DRS25037-LU-63A\* (02/28)

Short Title: "We the People" Act/Referendum. (Public)

Sponsors: Senators Van Duyn, McKissick, and Foushee (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

1 AN ACT TO SUBMIT TO THE VOTERS OF NORTH CAROLINA A REFERENDUM  
2 URGING CONGRESS TO PASS AN AMENDMENT TO THE CONSTITUTION OF  
3 THE UNITED STATES DECLARING THAT CONSTITUTIONAL RIGHTS BELONG  
4 ONLY TO INDIVIDUALS AND NOT TO CORPORATIONS OR OTHER ARTIFICIAL  
5 ENTITIES AND THAT CONSTITUTIONALLY PROTECTED FREE SPEECH  
6 EXCLUDES THE UNLIMITED SPENDING OF MONEY ON POLITICAL CAMPAIGN  
7 CONTRIBUTIONS.  
8

9       Whereas, Section 2 of Article I of the Constitution of North Carolina asserts that  
10 "[a]ll political power is vested in and derived from the people; all government of right  
11 originates from the people, is founded upon their will only, and is instituted solely for the good  
12 of the whole"; and

13       Whereas, free and fair elections, as well as honest representation, are essential to  
14 self-determination and self-governance as described in the Declaration of Independence and  
15 established in the Constitution of the United States; and

16       Whereas, the American people have lost faith in the political process because their  
17 voices are not heard nor their interests represented, and thus, an ever smaller percentage of  
18 Americans is motivated to vote; and

19       Whereas, the Constitution of the United States makes no mention of corporations or  
20 other artificial entities and there are no provisions extending rights to such entities; however,  
21 through a series of decisions equating a "corporation" with a "person," the United States  
22 Supreme Court has extended to corporations the constitutional rights and protections intended  
23 for people only; and

24       Whereas, unlike human beings, corporations can exist in perpetuity and in many  
25 countries at the same time, and, as a result, many large corporations, both foreign and domestic,  
26 invest in campaigns to invalidate or bypass regulatory law intended to protect the public, and,  
27 as such, corporate participation in the political process often conflicts with the public interest;  
28 and

29       Whereas, money is property and not speech and nowhere in the Constitution of the  
30 United States is money equated with speech; and

31       Whereas, because advertising is limited and costly, equating the spending of money  
32 with free speech gives those with the most money the most speech; and

33       Whereas, whenever special interests, including very wealthy individuals, are able to  
34 spend unlimited amounts of money on political speech, candidates and officeholders can be  
35 corrupted and intimidated and the free speech of most citizens is drowned out and denied; and



