

# Bill as Introduced

**HCR 1 - AS INTRODUCED**

2011 SESSION

11-0309

05/03

**HOUSE CONCURRENT RESOLUTION     ***1*****

**A RESOLUTION**       urging the congressional delegation to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights.

**SPONSORS:**           Rep. Weed, Ches 3; Rep. Carr, Ches 4

**COMMITTEE:**         State-Federal Relations and Veterans Affairs

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**ANALYSIS**

This resolution urges the congressional delegation to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Eleven*

A RESOLUTION urging the congressional delegation to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights.

1       Whereas, government was established to provide a social contract between naturally born  
2 persons; and

3       Whereas, the founders of the U.S. Constitution and Republic clearly and emphatically intended  
4 freedom of speech to mean freedom to communicate with and by natural born persons either directly  
5 or through the free press; and

6       Whereas, the U.S. Supreme Court ruled on January 21, 2010 in *Citizens United v. Federal*  
7 *Election Commission* that corporations have the same first amendment rights as people, and that  
8 they can spend unlimited amounts of money on elections; and

9       Whereas, the Supreme Court is misguided in principle, and wrong on the law, because in a  
10 democracy, the people rule; now, therefore, be it

11       Resolved by the House of Representatives, the Senate concurring:

12       That the general court urges the New Hampshire congressional delegation to encourage and  
13 expedite a constitutional amendment based on the following principle:

14       The freedoms of speech and the press, and the right to assemble peaceably and to petition the  
15 Government for the redress of grievances, as protected by this Constitution, shall not encompass the  
16 speech, association, or other activities of any corporation or other artificial entity created for business  
17 purposes, except for a corporation or entity whose business is the publication or broadcasting of  
18 information, when such corporation or entity is engaged in that business. A corporation or other  
19 artificial entity created for business purposes includes a corporation or entity that, although not  
20 itself engaged in business pursuits, receives the majority of its funding from other corporations or  
21 artificial entities created for business purposes; and

22       That it is the intent of the general court to firmly establish that money is not speech, and that  
23 human beings, not corporations, are persons entitled to constitutional rights; and

24       That copies of this resolution, signed by the speaker of the house of representatives and the  
25 president of the senate, be forwarded by the house clerk to each member of the New Hampshire  
26 congressional delegation.

# Speakers





# Hearing Minutes

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HOUSE COMMITTEE ON STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

PUBLIC HEARING ON HCR 1

**BILL TITLE:** urging the congressional delegation to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights.

**DATE:** January 13, 2011

**LOB ROOM:** 203      **Time Public Hearing Called to Order:** 3:30 p.m.  
**Time Adjourned:** 4:40 p.m.

(please circle if present)

**Committee Members:** Reps. Baldasaro, Blankenbaker, L. Christiansen, T. Smith, Cunningham, Kingsbury, Garsen, Lundgren, McCarthy, Notter, Tamburello, Vita, Rokas, Domingo, Hofemann, Theberge and Spainhower.

**Bill Sponsors:** Rep. Weed, Ches 3; Rep. Carr, Ches 4

TESTIMONY

\* Use asterisk if written testimony and/or amendments are submitted.

**Rep. Weed** introduced bill. Big issue. Constitution amendment what assumed corp personhood not actually law. Role of citizen, human being. Distinction to address between artificial being and human beings. Founding fathers didn't intend to give rights to corporations. Control of corporate regulation intended to be left to states. (Never decision by Supreme Court giving rights to corporations.) Corps given rights of persons for legal persons. When did this misunderstanding begin. Ref 14<sup>th</sup> amendment absent naturalized persons. If case, send resolution to clarify rights of human beings or artificial beings aka corporations.

**Rep. Cunningham:** Re impact on clubs, PAC, etc. In response, artificial institution still involved but in a regulated way.

\***Rep. Carr**, co-sponsor. Referred to WT; paraphrased WT. Natural h.b. is capable of full extend free speech, artificial h.b. are not. Key point, corporation predictable can't have free speech while h.b. can make free will choices, , have understanding needed.

**Rep. McCarthy Q:** bill in response to Supreme Court decision. Really question of are they artificial entities will all limits fixed or natural h.b. with imagination, insight. Can they initiate true free will choice. Argue that because of artificial nature corps tend to think in limited nature.

In response to question from Chairman: Intent to separate and reserve full constitutional rights for human beings.

\***Ken Blevins**. Bow, in opposition. Opportunity to send message to federal members with this legislation. Need to get back to corporate responsibility. Everyone involved should be responsible



for what the entity does. Corporate liabilities have been socialized while they are given rights to make money. Have to get back to personal responsibility why I oppose the bill. Constitution shouldn't be fooled with.

**Gayle Darrel, Barnstead.** In support to overturn corporate protections. Living people no protection against corporations in their communities. About corps not people not in language of constitution but allowing people to govern. Corps put our liabilities at risk. Investigate history of corporate assumed privilege. Time to govern ourselves as forefathers intended.

**David Crawford, Keene.** Supports bill. What a person is a simple thing. Democracy should be even not corporation vs. individual. This bill heads more in that direction.

**Former Rep. Perry, Strafford.** Read paragraph in support from coalition for open democracy strong support. Read from written testimony. Ref. 14<sup>th</sup> Amendment to clarify rights of all persons. Not meant to confer citizenship or personhood to corporation. Have lost representative democracy.

**Marcus Hanson, Alstead.** In support. Should use constitutional amendment. Difference in mortality, conscience, corporations do not have. Personal constrained by health concerns unlike corporations to restrict corporate rights regarding free speech.

**Chris Booth, Canterbury.** Support. Read proposed 28<sup>th</sup> Amendment.

**Jameson Small, Rollinsford.** Support. System now is flawed. Would begin to limit foreign interest in political campaigns. 80% American people want this law. Vote with ballots not with checks. Legislation will not work in Washington can only fix with changes to constitution not a political issue but issue to define voting power and freedom of speech.

**Rep. Vita** requested documentation for 80% statistic.

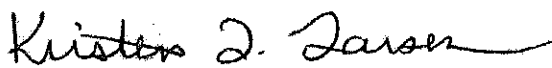
**Rep. McCarthy** why aren't unions exempt in here. Unions represent working class of people language in bill should excluding unions. This bill is the first step. Needs to be a bipartisan issue.

In response to Chairman: Clarification goal is to add transparency to many other pending legislation would be positive step.

**Matthew Anderson Rollinsford.** (no pink card). Disagree with suggestion that corporations with BDD is a personal entity. Corporation is not a person. Support this bill.

**Timothy Chryeorterm, Canterbury.** In support. Difference between corporation and human being. Corporations are not moral actors but rather act based on financial interest.

Respectfully submitted,



Rep. ~~Kristen~~ Larsen, *Kristen Larsen*  
Clerk

HOUSE COMMITTEE ON STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

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Bill Sponsors: Rep. Weed, Ches 3; Rep. Carr, Ches 4

TESTIMONY

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Rep Weed introduced bill. Big issue. Constitution amendment what assumed corp personhood not actually law. Role of citizen, human being. Distinction to address between artificial being and human beings. Founding fathers didn't intend to give rights to corporations. Control of corporate regulation intended to be left to states. ~~Never decision by~~ (Never decision by Supreme Court giving rights to corporations.) Corps given rights of persons for legal persons. When did this misunderstanding begin. 14th amendment about naturalized persons. If case, send resolution to clarify rights of human beings or artificial beings aka corporations.

Rep Cunningham: Re impact on clubs, PAC, etc. In response, artificial institution still involved but in a regulated way.

\* Rep Carr, co-sponsor

Referred to WT; paraphrased WT. Natural H.b. is capable of full extent free speech, artificial h.b. are not. Key point, corporation predictably can't have free speech while h.b.

Can make free will choices, have understanding needed.

Rep McCarthy Q: bill in response to Supreme court decision. Really question of are they artificial entities with all limits fixed or natural h.b. with imagination, insight. Can they initiate true free will choice. Argue that because of artificial nature Corps tend to think in limited nature.

<sup>in response to question from chairman</sup>  
~~Q: Intent~~ Intent to separate & reserve full constitutional rights for human beings.

~~in response to chairman's question,~~

\*Ken Blevins, Bow, in opposition

oppty to send message to federal members with this legislation. Need to get back to corporate responsibility, ~~stop it~~ Everyone involved should be responsible for what the entity does. Corporate liabilities have been socialized while they are given rights to make money. Have to get back to personal responsibility why I oppose bill. Constitution shouldn't be fooled with

Gayle Darrel, Barnstead,

in support to overturn corporate protections, living people no protection against corporations in their communities. About Corps not people not in language of Constitution but allowing people to govern. Corps put our liabilities at risk. Investigate history of corporate assumed privilege. Time to govern ourselves as forefathers intended.

David Crawford, Keene

Supports bill. What a person is a simple thing. Democracy should be even not Corporation vs individual. This bill heads more in that direction.

former Rep Perry Stratford

Read paragraph in support from coalition for open democracy Strong support. Read from written testimony Ref 14th Amendment to clarify rights of all persons. Not meant to confer citizenship or personhood to corporations. Have lost <sup>representative</sup> ~~corporation~~ democracy.

Markus Hanson, Alstead

In support, should use constitutional amendment. Difference in mortality, conscience, corporations do not have, personal constrained by health concerns unlike corporations, to restrict corporate rights regarding free speech.

Chris Booth, Canterbury  
Read proposed 28<sup>th</sup> Amendment -

Jameson Small Rollinsford

Support - ~~corporations~~ System now is flawed. Would begin to limit ~~corporate~~ interest in political campaigns. 80% American people want this law. Vote with ballots not with checks. Legislation will not work in Washington can only fix with changes to constitution. Not a political issue but issue to define voting power and freedom of speech.

Rep Vito requested documentation for 80% statistic. Rep McCarthy why aren't unions exempt in here. Unions represent working class of people language in bill should exclude unions. This bill is the first step. Needs to be a bipartisan issue.

Chairman - clarification goal is to add transparency to money ~~no political~~ other legislation would be positive step

Rep ~~Vito~~ - Soft money can no longer be used in campaign

Matthew Anderson Rollinsford (no pink card)  
Can a union be classified as an artificial entity

Chris Mills Nottingham (no pink card)  
disagreement suggestion that corporations with BOB is a personal entity, Corporation is not a person. Support this bill

Timothy Chrysothem, Canterbury  
In support.

difference between Corporation and human being. Corporations are not moral actors but rather act based on financial interest

# Testimony

COALITION  
FOR  
OPEN DEMOCRACY

January 13, 2011

The Honorable Alfred Baldasaro, Chairman  
State-Federal Relations and Veterans Affairs  
Legislative Office Building Room 203  
Concord, NH 03301

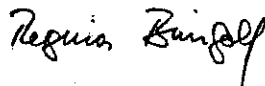
TESTIMONY : House Concurrent Resolution 1.

Honorable Baldasaro,

I respectfully submit testimony in favor of House Concurrent Resolution 1

The Coalition for Open Democracy strongly favors any measure or appeal that has as its purpose to counteract the effect of the Supreme Court's ruling in Citizens United v. Federal Election Commission on corporate contributions to election campaigns, and, in that spirit, supports the proposed House Concurrent Resolution 1.

Sincerely,



Regina Bringolf  
Co-Chair  
Coalition for Open Democracy

cc: Lynne Blankenbeke, V. Chairman  
Kirsten Larsen, Clerk  
Lars Christiansen  
Steven Cunningham  
Baldwin Domingo  
Roland Hofemann  
Robert Kingsbury  
David Lundgren  
Frank McCarthy

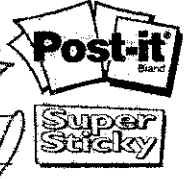
Jeanine Notter  
Theodoros Rokas  
Todd Smith  
Dale Spainhower  
Daniel Tamburello  
Robert Theberge  
Lucien Vita

Important  
**message**

For Dyanna → Fil Ballarino  
From Chuck Wood  
Time 3 pm Date 11/8/20  
Phone 352-8309

URGENT!  
Message ~~11/8/20~~

Dyanna ✓ I sent this  
to you via e-mail  
but if it didn't come thru,  
could you give cc  
to the committee?  
Chuck Wood



To: State and Federal Relation/Veterans Affairs-

c/o Rep. Al Baldasaro

Jan. 17, 2010

Why would I sponsor a bill to encourage our national legislators to support an amendment that removes corporations from the constitutional rights of personhood? This, as many complex issues, is poorly understood by many Americans, including many of our legislators here in New Hampshire. Anyone who studies the issue, will find that since 1868, in the *Santa Clara County v. Southern Pacific Railroad* decision, the legal community including most Supreme Court justices have assumed that corporations received the rights of persons in that decision. It was a mistake; there has never been a decision by the US Supreme Court, and the only reference to corporate personhood was written by the court clerk in a head note, which has neither legal status nor precedence. But it happened at a time when lobbyists from the dominant corporations of the time when "robber barons" lobbied pervasively to achieve that assumed belief. It may be similar to the phenomenon found when occupying troops "establish facts on the ground", from which to negotiate in the future. It was never the intent of the founding fathers to grant corporate personhood. Study the reasons behind the Boston tea party -- and one sees that it was a protest against the corporate monopoly granted by King George III to the East India Company. The founders established a government to prevent the kinds of concentration of power practiced by the Crown prior to our independence.

Today, under the misguided assumptions of the legal establishment, corporations may lie, receive due process rights, and may pour huge sums of money anonymously into political campaigns because of the equation of dollars and free speech. There will be no change to American politics until and unless the American people and their representatives recognize the concentration of power of artificial persons, which leaves democracy subject to corporate domination. Freedom of speech, due process rights, and other constitutional rights were designed and reserved for real human beings, not the artificial creations of groups of individuals whose sole purpose was to make money through corporate charters closely regulated by the states. This worked well for the first century of our republic.

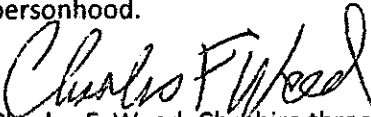
Corporations are more than just organized groups of people participating in democracy; their purpose is increasing profits and convincing people to buy their products and services. Thomas Hartmann's, Unequal Protection, second edition, provides well researched examples; a few-of many- important examples follow . In 1997, Ernst and Young, Nike's auditors, "documented how workers in a Vietnamese subsidiary were exposed to cancer-causing solvents like acetone and toluene in ways that would've been flatly illegal in the United States". Another Nike funded study, "found evidence of physical and verbal abuse and sexual harassment at nine of its factories in Indonesia. " In a lawsuit filed by a lawyer upset with Nike's misleading claims about their workers health and safety standards and the apparent cover up of their auditors' report, Nike argued, "even if petitioners statements could be characterized as 'commercial speech', the



legal regime by the California Supreme Court violates the First Amendment". (Hartman's interpretation here -- "we are a company which is the same as a person and so we have a First Amendment right to say whatever we want, just like anybody else." p. 167). Even with probable cause, "the EPA can't inspect a chemical factory without the permission corporation that owns it" (p. 224). And most significantly, for American democracy today, in January 2010, the Supreme Court , "ruled that it is unconstitutional for Congress to pass or the president to sign into law any restrictions on the right of corporations to pour money into political campaigns as long as the money is not given directly to politicians, their campaigns, or their parties" (p. 174). Besides nullifying most of McCain-Feingold campaign finance reform law, this decision led to the more than \$ 5 million in outside, largely anonymous spending that helped to defeat Sen. Feingold, an outspoken advocate of community rights over corporate rights.

The founders intended equality between natural born humans not equality between natural and artificial beings. Justice Rehnquist pointed out in 1978, "This court decided at an early date, with neither argument nor discussion, that a business corporation is a "person" entitled to equal protection of the 14th amendment... It became accepted that corporate property was protected under the due process clause of the 14th amendment. It is wrong."(p.27) The New Hampshire legislators need to pay close attention to Justice John Paul Stevens' dissent in *Citizens United*: "the fact that corporations are different from human beings might seem to need no elaboration, except that the majority opinion almost completely elides(confuses) it... unlike natural persons, corporations have "limited liability" for their owners and managers, "perpetual life", separation of ownership and control, "and favorable treatment of the accumulation of assets... that enhance their ability to attract capital and to deploy their resources in ways that maximize the return on their shareholders investments... it is an interesting question "who" is even speaking what a business corporation places an advertisement that endorses or attacks a particular candidate. Presumably it is not the customers or the employees, who typically have no say in such matters"(p. 179)

Please bring back democracy to the people; we need a constitutional ban to corporate personhood.

  
Charles F. Weed, Cheshire three

Keene, New Hampshire

State Federal Relations and Veterans Affairs Committee  
January 13th, 2011  
Testimony

**HCR-1 A RESOLUTION urging the congressional delegation to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights.**

Corporations are artificial entities and as such are constrained by their charter, and no matter how brief or open to interpretation or re-interpretation that charter, corporations remain partial entities with predictable responses. Corporations are therefore without free will and are therefore pre-destined. A corporation will always respond in the same way to the same circumstances no matter how the individuals that make up the body of the corporation change. If the charter allows for learning and for change it is in predictable directions. Therefore corporations can not actually exercise freedom in their communications and will always exercise predictable communication. They are no more than machines, albeit complex machines. John Marshall, the nation's chief justice, wrote that a corporation is "an artificial being, invisible, intangible," and "Being the mere creature of law, it possess only those properties which the charter of its creation confers upon it..."

Human beings no matter how complex their learned behaviors, training or knowledge will always have the option of free choice. Therefore natural born human beings can actually exercise the freedom to communicate with one another (whether or not they actually do so is irrelevant). It is the capacity to make a free choice that qualifies human beings to personhood. The framers of the Constitution clearly intended that human beings be given full Constitutional rights in the process of government. Human beings can above all make a surprising choice, a fresh insight and a true innovation. The boundaries of their actions are not prescribed by a charter. It is the reason that the true entrepreneurial spirit flourishes best in small businesses. There can be no democracy among machines. We must insist that the living, natural born, individual is the sole source of governance in the United States Constitution.

Please vote OTP on HCR-1 and affirm the New Hampshire spirit of the independent, living human being.

Sincerely,  
Daniel P. Carr  
Representative Cheshire 4

## Section 1.

Although created by people, corporations and organizations are not persons, and have no rights other than those permissions specifically granted to them. Specifically, they may not vote, nor may they contribute to any political campaign.

## Section 2.

Presidents are selected by a majority of the popular vote, and if this majority is not more than 50%, a run-off election will be held to determine the outcome. Primaries are organized in order of population, with two exceptions. Iowa and New Hampshire come first, and the three most populous states are rotated in order, with one coming about a third of the way, one two thirds, and one last, each election. Any debate in any federal election shall include all candidates on the printed ballot for that election. No state in the United States may be added to, or included in the Union, which is not within driving distance of the Capitol. No person may live in the Federal District, other than the President and the Vice President, or to protest for grievances caused by the United States.

Thursday, January 13, 2011. HCR-1, Rm. 204, LOB.

Introduction: Bob Perry, Strafford.

I speak in strong support of this house concurrent resolution.

Many books have been written about the notion that corporations are persons under the law . I have read but one, Thom Hartmann's *Unequal Protection: The Rise of Corporate Dominance, and the Theft of Human Rights*. Hartmann challenges the theory that corporate personhood arose from the ruling in *Santa Clara County, California v The Southern Pacific Railroad*, 118 United States Reports, 394. The headnote in that case, authored by the court reporter, not a justice, says "The defendant Corporations are persons within the intent of the clause in section 1 of the Fourteenth Amendment to the Constitution of the United States, which forbids a State to deny to any person within its jurisdiction the equal protection of the laws." The reporter's notation is flawed, in major ways, including:

- 1) absence of the source of the court reporter's conclusion;
- 2) but more importantly, it is black letter law that headnotes are not to be considered part of a court's ruling.

Otherwise, the case is a simple, dry, tax-abatement case involving the railroad's claim that it should not have to pay taxes on a fence that ran along the railroad right of way. The court does not opine as to whether the Fourteenth Amendment was intended to give corporations equal rights with persons.

Section I of the Fourteenth Amendment to the U.S. Constitution, effective July 28, 1868, was intended to clarify the rights of all persons, including blacks. It says:

Citizenship defined; privileges of citizens - All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United

States;

nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." [Emphasis mine].

The plain reading of this section of the Fourteenth Amendment does not allow one to conclude that it was meant to confer citizenship or personhood to corporations, yet the powerful railroad industry lobbied for nearly three decades to equate corporations with persons under the Fourteenth Amendment.

Suffice it to say that at some point between application of English Common Law and this 1886 case, corporations attained the status of humans, and it has become a major threat to our representative democracy.

The potential power and influence of corporations was a serious concern to Jefferson, Lincoln, scholars of the day, and other future presidents.

The U.S. Supreme Court's ruling of almost one year ago in Citizens United has opened the floodgates to unlimited corporate spending, both foreign and domestic, in U.S. elections. The title Citizens United is misleading. *Citizens United* is a non-profit corporation whose mission for many years has been to advance the rights of corporations, not persons, not citizens.

The agenda of the powerful U.S. Chamber of Commerce is so skewed toward megacorporations, that local chambers of commerce are distancing themselves from the U.S. Chamber. "The U.S. Chamber of Commerce gets no money from us, period. They represent big business and have totally opposed views to ours. We represent small business." Doug Bates, President of the Greater Portsmouth Chamber of Commerce.

It is my opinion we have lost our representative democracy, overpowered by the massive resources of corporate America. My opinion is shared by others, including Citigroup. In October, 2005, Citigroup sent a memo to its wealthiest investors, in which it concludes that the United States is divided into two blocs: "The plutonomy, and the rest." It goes on to share its thoughts about how best the elite preserve its "gravy train."

I believe the interests of persons would be best served by the following amendment to the U.S. Constitution: Under all circumstances, the rights of corporations shall be inferior to the rights of persons.

I conclude with these quotes:

"I think capitalism is a lot more important than democracy. I'm not even a big believer in democracy. I always say that democracy is - can be two wolves and a sheep deciding what they have for dinner. Now, look, I'm in favor of people having the right to vote and things like that. You know, there are a lot of countries that have the right to vote that aren't - are still poor. Democracy doesn't always lead to a good economy or even a good

political system. With capitalism, you are free to do what you want, make whatever you want of yourself. It doesn't mean you're going to succeed. Remember, the U.S. Constitution does not guarantee happiness."

Stephen Moore, Columnist and Editorial Board Member, Wall Street Journal.

In a single paragraph, Mr. Moore dismisses the Constitution of the United States as irrelevant.

A quote of my own making:

"The U.S. Supreme Court ruling in Citizens United is a gift to corporations that will keep on giving; while for the middle class, it shall taketh away."

And finally, this warning from one of the founding fathers:

"I hope we shall crush in its birth the aristocracy of our monied corporations which dare already to challenge our government to a trial by strength, and by defiance to the laws of our country." Thomas Jefferson. 1816.

Proposed amendment to HCR1 Introduced by Libertarian Ken Blevens  
[kblevens@comcast.net](mailto:kblevens@comcast.net) 2 Valley Road Bow NH. 03304

My additions in Red  
Words removed in (*Red*)  
Sal,

I guess what it comes down to is when you join a group does the group than have the same rights as if you acted alone what do you think?

Proposed amendment to HCR1 What is your reaction

## **HCR 1 – AS INTRODUCED 2011 SESSION**

11-0309

05/03

### **HOUSE CONCURRENT RESOLUTION 1**

A RESOLUTION urging the congressional delegation to begin the process of creating legislation placing equally, liability, jointly and severally on all share holders and officers of corporations or other artificial entities.

SPONSORS: Rep. Weed, Ches 3; Rep. Carr, Ches 4

COMMITTEE: State-Federal Relations and Veterans Affairs

### **ANALYSIS**

This resolution urges the congressional delegation to begin the process of creating legislation placing equally, liability, jointly and severally on all share holders and officers of corporations or other artificial entities.

### **STATE OF NEW HAMPSHIRE**

*In the Year of Our Lord Two Thousand Eleven*

A RESOLUTION urging the congressional delegation to begin the process of creating legislation placing equally, liability, jointly and severally on all share holders and officers of corporations or other artificial entities;

Whereas, government was established to provide a social contract between naturally born persons; and

Whereas, the founders of the U.S. Constitution and Republic clearly and emphatically intended freedom of speech to mean

freedom to communicate with and by natural born persons either directly or through the free press; and

Whereas, the U.S. Supreme Court ruled on January 21, 2010 in Citizens United v. Federal Election Commission that corporations have the same first amendment rights as people, Corporations or other artificial entities must thereby inherit the same liabilities by having all share holders and officers held jointly and severally accountable. and that they can spend unlimited amounts of money on elections; and

Whereas, the Supreme Court is misguided in principle, and wrong on the law, because in a democracy, the people rule; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring: That the general court urges the New Hampshire congressional delegation to encourage and expedite legislation based on the following principle:

The freedoms of speech and the press, and the right to assemble peaceably and to petition the Government for the redress of grievances, as protected by this Constitution, shall (not) encompass the speech, association, or other activities of any corporation or other artificial entity created for business purposes, except for a corporation or entity whose business is the publication or broadcasting of information, when such corporation or entity is engaged only in that business. A corporation or other artificial entity created for business purposes includes a corporation or entity that, although not itself engaged in business pursuits, receives the majority of its funding from other corporations or artificial entities created for business purposes; and

That it is the intent of the general court to firmly establish that money is (not) speech, and that human beings, and corporations, are entitled to constitutional rights and liabilities; and

That copies of this resolution, signed by the speaker of the house of representatives and the president of the senate, be forwarded by the house clerk to each member of the New Hampshire congressional delegation.



# Voting Sheets

HOUSE COMMITTEE ON STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

EXECUTIVE SESSION on HCR 1

**BILL TITLE:** urging the congressional delegation to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights.

**DATE:** January 20, 2011

**LOB ROOM:** 203

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Notter

Seconded by Rep. Vita

Vote: (Please attach record of roll call vote.) 8-5

**Motions:** OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

**CONSENT CALENDAR VOTE:**

(Vote to place on Consent Calendar must be unanimous.)

**Statement of Intent:** Refer to Committee Report

Respectfully submitted,

Rep. <sup>Kristen</sup>~~Kristen~~ L. Larsen, Clerk

*Kristen L. Larsen*

HOUSE COMMITTEE ON STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

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OLS Document #:

Motions:

OTP/A  ITL Interim Study (Please circle one.)

Moved by Rep. ~~Kenneth~~ Nottor

Seconded by Rep. Cunningham Vita

Vote: (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE:

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Kristen L. Larsen, Clerk

STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

Bill #: HCR 1 Title: requesting the congressional delegation to begin process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights.

PH Date:       /      /       Exec Session Date: 1 / 20 / 11

Motion: ITL Amendment #:       

| MEMBER                        | YEAS | NAYS |
|-------------------------------|------|------|
| Baldasaro, Alfred P, Chairman | X    |      |
| Christiansen, Lars T          |      |      |
| Smith, Todd P                 | X    |      |
| Cunningham, Steven L          | X    |      |
| Kingsbury, Robert P           |      |      |
| Larsen, Kirsten L             | X    |      |
| Lundgren, David C             | X    |      |
| McCarthy, Frank H             |      | X    |
| Notter, Jeanine M             | X    |      |
| Tamburello, Daniel J          | X    |      |
| Vita, Lucien A                |      | X    |
| Rokas, Theodoros V            |      | X    |
| Domingo, Baldwin M            |      |      |
| Hofemann, Roland P            |      |      |
| Theberge, Robert L            |      | X    |
| Spainhower, Dale S            |      | X    |
| <u>Blankenbaker</u>           | X    |      |

TOTAL VOTE: 8 5  
 Printed: 1/4/2011

# Committee Report

**REGULAR CALENDAR**

**January 20, 2011**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

The Committee on STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS to which was referred HCR1,

**AN ACT** urging the congressional delegation to begin the process for a constitutional amendment

establishing that human beings, not corporations, are entitled to constitutional rights. Having considered the same, report the same with the following Resolution:

**RESOLVED**, That it is **INEXPEDIENT TO LEGISLATE**.

**Rep. Jeanine M Notter**

**FOR THE COMMITTEE**

## COMMITTEE REPORT

|                   |   |
|-------------------|---|
| Committee:        | <b>STATE-FEDERAL RELATIONS AND<br/>VETERANS AFFAIRS</b>   |
| Bill Number:      | <b>HCR1</b>   |
| Title:            | <b>urging the congressional delegation to begin<br/>the process for a constitutional amendment<br/>establishing that human beings, not<br/>corporations, are entitled to constitutional<br/>rights.</b> |
| Date:             | <b>January 20, 2011</b>   |
| Consent Calendar: | <b>NO</b>   |
| Recommendation:   | <b>INEXPEDIENT TO LEGISLATE</b>   |

### STATEMENT OF INTENT

This bill would urge congress to begin the process of amending the U.S. constitution to establish that human beings and not corporations are entitled to constitutional rights. This has to do primarily with the funding of elections. The HCR should be killed.

Vote 8-5.

Rep. Jeanine M Notter  
FOR THE COMMITTEE

Original: House Clerk  
Cc: Committee Bill File

## REGULAR CALENDAR

### STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

**HCR1**, urging the congressional delegation to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights.

#### **INEXPEDIENT TO LEGISLATE.**

Rep. Jeanine M Notter for STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS. This bill would urge congress to begin the process of amending the U.S. constitution to establish that human beings and not corporations are entitled to constitutional rights. This has to do primarily with the funding of elections. The HCR should be killed. **Vote 8-5.**

Original: House Clerk  
Cc: Committee Bill File



Blurb

Regular Calendar

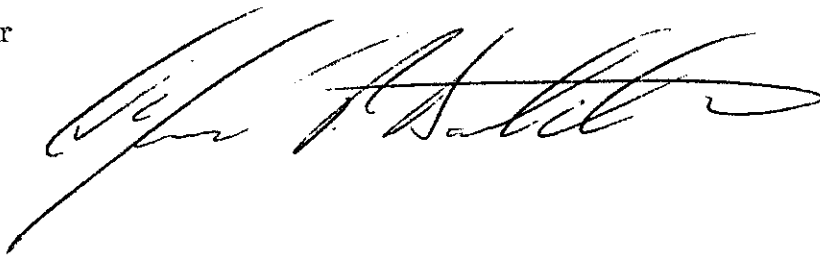
8-5

HCR1 urging the congressional delegation to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights.

1/20/11

This bill would urge congress to begin the process of amending the U.S. constitution to establish that human beings and not corporations are entitled to constitutional rights. This has to do primarily with the funding of elections. The HCR should be killed.

Rep. Notter

A handwritten signature in black ink, appearing to read "Rep. Notter", with a large, sweeping flourish at the end.

# COMMITTEE REPORT

COMMITTEE: State-Federal Relations & Veterans Affairs

BILL NUMBER: HCR 1

TITLE: Urging the congressional delegation to begin the process for a constitutional amendment establishing that human beings, not corporations are entitled to constitutional rights.

DATE: 1-20-11 CONSENT CALENDAR: YES  NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2<sup>nd</sup> year of biennium)


Amendment No.  
\_\_\_\_\_

## STATEMENT OF INTENT:

This bill would urge congress to begin the process of amending the US Constitution to establish that human beings and not corporations are entitled to constitutional rights. This has to do, primarily with the funding of elections. The HCR should be killed.

COMMITTEE VOTE: 8-5

- Copy to Committee Bill File
- Use Another Report for Minority Report

RESPECTFULLY SUBMITTED,  
  
Rep. Seanine Notter  
For the Committee  
Seanine Notter