

WASHINGTON INITIATIVES FOR AN AMENDMENT TO THE U.S. CONSTITUTION

This article documents the efforts of local organizations working together to make Washington the seventeenth state to call for an amendment to the U.S. Constitution that would limit and control money in politics.

WAmend Formed

A coalition of grassroots organizations formed the group called WAmend to spearhead a drive to place Initiative 1329 on the statewide ballot in November 2014. Initiative 1329 called for an amendment to the US Constitution to limit and control the money in politics. Unpaid volunteers started collecting signatures on January 29, 2014. Initiative 1329 reads as follows:

“This measure would state that recent rulings by the US Supreme Court that address limits on government power to regulate political contributions necessitate amendment of the federal Constitution. The measure would urge Washington’s Congressional delegation to propose amendments to clarify that constitutional rights, including rights to free speech, apply only to natural persons and not to corporations, and to authorize federal and state governments to limit, and require disclosure of, political contributions and expenditures.”¹

For Initiative 1329 to get on the ballot, 250,000 valid signatures from registered WA State voters needed to be submitted to the Secretary of State by July 4, 2014. With no major funding, fewer than 2000 unpaid volunteers collected almost 175,000 signatures. Though the effort fell short, there was strong support for the issue east of the mountains and in rural areas of the state.

A complete list of organizations and elected officials who supported I-1329 may be found at the BALLOTPEdia website.²

2015 Attempt – Initiative 735

After much discussion, debate, and feedback from volunteers and supporters, the WAmend steering committee decided to begin a new initiative campaign in 2015 utilizing the knowledge learned from past experience. They decided to seek an “initiative to the legislature,³” which allows almost nine months for signature gathering, rather than an “initiative to the people,⁴” which allows only about five months for signature gathering. (For more clarification between the two initiative processes, see description on page 4 of this document.) They also organized in areas in which they were weak and hired a full-time

¹ “Initiative Measure No. 1329”, *Secretary of State Website*, http://sos.wa.gov/assets/elections/initiatives/FinalText_544.pdf viewed 12/27/15

² “Washington Rights for Natural Persons and Regulation of Political Financing Measure, Initiative 1329 (2014)”, *Ballotpedia*, http://ballotpedia.org/Washington_Rights_for_Natural_Persons_and_Regulation_of_Political_Financing_Measure_Initiative_1329_%282014%29, viewed 12/27/15

³ “Direct Democracy - The Initiative and Referendum Process in Washington”, *League of Women Voters of Washington*, <http://www.lwwa.org/pdfs/studies/init-ref-study.pdf>, viewed 12/17/15

⁴ Ibid.

campaign team. The signature-gathering effort for I-735⁵ began in April 2015 and continued through December 2015. It was again undertaken by unpaid volunteers.

I-735 proposes the “Government of, by and for the People Act”, declaring that the people of Washington State support amending the Constitution of the United States.⁶ It states,

“This act declares that the people of Washington State support amending The Constitution of the United States to eliminate the undue influence of concentrated money and political power on elections and governmental policy. The amendment would overturn decisions by the Supreme Court of the United States extending constitutional rights to corporations and other artificial legal entities as well as those decisions equating the spending of money with free speech. It also provides for the regulation and disclosure of political contributions and spending.”⁷

The initiative proposes that our current and future federal Congressional delegation support a joint resolution for an amendment to the US Constitution clarifying that:

1. *“The rights listed and acknowledged in The Constitution of the United States are the rights of individual human beings only.*
2. *The judiciary shall not construe the spending of money to be free speech under the First Amendment of The Constitution of the United States. Federal, state, and local governments shall be fully empowered to regulate political contributions and expenditures to ensure that no person or artificial legal entity gains undue influence over government and the political process.*
3. *All political contributions and expenditures shall be disclosed promptly and in a manner accessible to voters prior to elections.*
4. *This act does not limit the people’s rights of freedom of speech, freedom of the press, free exercise of religion, or freedom of association”.⁸*

See Appendix A for lists of organizations, elected officials, candidates, and Washington state local endorsers of I-735.

Differences Between an “Initiative To The People” and an “Initiative To The Legislature”

***Initiatives to the people** must be presented to the Secretary of State not more than ten months prior to the next general election, and the signed petitions must be filed with the Secretary of State’s office at least four months before the date of the election. To qualify for the ballot, the number of valid signatures must equal a minimum of 8 percent of the votes cast for Governor in the last election. Approval by a simple majority of voters is required for passage, unless it concerns gambling or lottery measures, which require 60*

⁵ “Washington Measure No. 735 – Files March 25, 2015”, *Washington Secretary of State*, http://sos.wa.gov/assets/elections/initiatives/FinalText_773.pdf, viewed 12/27/15

⁶ “I-735”, *WAmend Web Site*, <http://www.wamend.org/initiativelanguage>, viewed 12/27/15

⁷ *Ibid.*

⁸ *Ibid.*

*percent approval.*⁹

Initiatives to the legislature must be presented within ten months of the next regular session of the legislature, and the signed petitions must be turned in to the Secretary of State at least ten days before that session. If the signatures equal 8 percent of the votes cast for Governor in the last election, the legislature must take one of the following actions.

- *Adopt the initiative as proposed, in which case it becomes law without a vote of the people.*
- *Reject or refuse to act on it, in which case the initiative must be placed on the ballot at the next general election.*
- *Approve an amended version, in which case both the new version and the original initiative must be placed on the next general election ballot.*¹⁰

Based on the gubernatorial vote in the 2012 state general election, the signature requirements in effect through the year 2016 for Initiatives to the People and Initiatives to the Legislature require 246,372 valid signatures.¹¹

Information about ballot initiatives is included in the state voters' pamphlet, along with arguments from the sponsoring and opponents committees. Once approved by the voters, initiatives cannot be changed by the legislature in the first two years, except by a two-thirds majority in both houses.¹²

⁹ "Direct Democracy - The Initiative and Referendum Process in Washington", *League of Women Voters of Washington*, <http://www.lwvwa.org/pdfs/studies/init-ref-study.pdf>, viewed 12/17/15

¹⁰ Ibid.

¹¹ "Filing Initiatives and Referenda in Washington State", *Washington Secretary of State*, <http://www.sos.wa.gov/assets/elections/Initiative%20and%20Referenda%20Manual.pdf>, viewed 12/27/15

¹² "Direct Democracy - The Initiative and Referendum Process in Washington", *League of Women Voters of Washington*, <http://www.lwvwa.org/pdfs/studies/init-ref-study.pdf>, p5, viewed 12/17/15

APPENDIX A. ENDORSEMENTS FOR I-735

A full text of the initiative is available at: <http://www.wamend.org/initiativelanguage>

Organizations That Have Endorsed I-735: http://www.wamend.org/endorsements_by_organizations

National Organizations:

[Free Speech for People](#)

[Move to Amend](#)

[Public Citizen](#)

Washington State Organizations:

Backbone Campaign

Benton County Democrats

Clallam County Democrats

Cowlitz County Democrats

Evergreen Democratic Club

[Faith Action Network](#)

[Fix Democracy First](#)

Franklin County Democrats

Govt of the People, Olympia,

Wolf-Pac

Green Party of Washington

[IBEW Local 46](#)

[IBEW Local 77](#)

Island County Citizens Ignited

Jefferson County Democrats

King County Democrats

Kitsap County Democrats

Labor Dem Work Group

[Metropolitan Democratic](#)

[Club \(Seattle\)](#)

Middle Class Alliance

Move to Amend Clallam

County

Move to Amend Olympia

Move to Amend Greater

Seattle

Move to Amend Whatcom

MoveOn Olympia

MoveOn Seattle

MoveOn.org WA

[Northwest Progressive](#)

[Institute](#)

Occupy Port Townsend

[Olympic Climate Action](#)

Olympia Food Co-op Board

Pacific Northwest Regional

Council of Carpenters

Peace and Justice Action

League of Spokane (PJALS)

Pierce County Democrats

[Puget Sound Advocates for](#)

[Retirement Action](#)

RAD Team of Tacoma

[Real Change](#)

Represent.us

Retired Public Employees

Council of WA

[Seattle Education Association](#)

[SEIU Local 775](#)

[SEIU Healthcare 1199NW](#)

Snohomish County

Democrats

SPEEA Professional

Aerospace Union

Spokane County Democrats

Spokane Move to Amend the

Constitution

Unitarian Universalists for

Justice

[United Methodist Church,](#)

[Pacific Northwest](#)

[Conference](#)

United Church of Christ,

Pacific Northwest

Conference

[Washington Education](#)

[Association](#)

[Washington State Labor](#)

[Council](#)

[Washington State Democrats](#)

Washington State Democrats

Progressive Caucus

Washington State Democrats

Labor Caucus

[WashPIRG](#)

Wedgewood Justice and

Peace Coalition

West Seattle Democratic

Women

Yakima County Democrats

1st Congressional District

Democrats

1st Legislative District

Democrats

3rd Legislative District

Democrats

5th Legislative District

Democrats

11th Legislative District

Democrats

26th Legislative District

Democrats

27th Legislative District

Democrats

28th Legislative District

Democrats

30th Legislative District

Democrats

31st Legislative

District Democrats

32nd Legislative District

Democrats

33rd Legislative District

Democrats

34th Legislative District

Democrats

36th Legislative District
Democrats
41st Legislative
District Democrats

44th Legislative District
Democrats
45th Legislative District
Democrats

46th Legislative District
Democrats
48th Legislative District
Democrats

Elected Officials Who Have Endorsed I-735

http://www.wamend.org/endorsements_by_elected_officials

Adam Smith - Congressman WA 9th
Congressional District

Andy Billig - Senator 3rd Legislative District

Maralyn Chase - Senator 32nd Legislative
District

David Frockt - Senator 46th Legislative District

Cyrus Habib - Senator 48th Legislative District

Bob Hasegawa-, Senator 11th Legislative District

Pramila Jayapal - Senator 37th Legislative
District

Jeanne Kohl-Welles - Senator 36th Legislative
District

Rosemary McAuliffe - Senator 1st Legislative
District

Mark Miloscia - Senator 30th Legislative District

Mark Carol Gregory - Representative 30th
Legislative District

Drew Hansen - Representative 23rd Legislative
District

Zack Hudgins - Representative 11th Legislative
District

Sam Hunt - Representative 22nd Legislative
District

Laurie Jinkins - Representative 27th Legislative
District

Ruth Kagi - Representative 32nd Legislative
District

Christine Kilduff - Representative 28th
Legislative District

Adam Kline - retired Senator 37th Legislative
District

Gene Lux - retired Representative 37th
Legislative District

Joan McBride - Representative 48th Legislative
District

Jim Moeller - Representative 49th Legislative
District

Tina Orwall - Representative 33rd Legislative
District

Gerry Pollet - Representative 46th Legislative
District

Chris Reykdal - Representative 22nd Legislative
District

Cindy Ryu - Representative 32nd Legislative
District

Mike Sells - Representative 38th Legislative
District

Tana Senn - Representative 41st Legislative
District

Derek Stanford - Representative 1st Legislative
District

Gael Tarleton - Representative 36th Legislative
District

Sharon Tomiko Santos - Representative 37th
Legislative District

Brady Walkinshaw - Representative 43rd
Legislative District

Dow Constantine - King County Executive

Rod Dembowski - King County Council

Larry Gossett - King County Council

Lloyd Hara - King County Auditor

Joe McDermott - King County Council

Dave Upthegrove - King County Council

Dave Asher - Kirkland City Council

Claudia Balducci- Mayor of Bellevue

Tim Burgess - Seattle City Council

Brenda Fincher - Kent City Council

Jean Godden - Seattle City Council

Leanne Guier - Mayor of Pacific

Will Hall - Shoreline City Council

Bruce Harrell - Seattle City Council

Nigel Herbig - Kenmore City Council

Anders Ibsen - Tacoma City Council

Shelly Kloba - Kirkland City Council

Marty McLaren - Seattle School Board
 Marlla Mhoon - Covington City Council
 Ed Murray - Mayor of Seattle
 Mike O'Brien - Seattle City Council
 Jesse Salomen - Shoreline City Council
 Kshama Sawant - Seattle City Council
 Van AuBuchon - Lynnwood City Council
 Shari Winstead - Mayor of Shoreline
 Mullet - Senator 5th Legislative District
 Sharon Nelson - Senator 34th Legislative District
 Christine Rolfes - Senator 23rd Legislative District

Steve Bergquist - Representative 11th Legislative District

Reuven Carlyle - Representative 36th Legislative District
 Judy Clibborn - Representative 41st Legislative District
 Eileen Cody - Representative 34th Legislative District
 Jessyn Farrell - Representative 46th Legislative District
 Joe Fitzgibbon - Representative 34th Legislative District
 Roger Goodman - Representative 45th Legislative District
 Mia Gregerson - Representative 33rd Legislative District

Candidates Who Have Endorsed I-735 http://www.wamend.org/endorsements_by_candidates

Sally Andrews - SeaTac City Council Candidate
 Rick Burke - Seattle School Board Candidate
 Bill Bradburd - Seattle City Council Candidate
 Sandy Brown - Seattle City Council Candidate
 Darcy Burner - Former Congressional Candidate
 Mike Dalesandro - Candidate for Clark County Chair
 Chuck Green - Clark County Council Candidate
 Fred Felleman - Port of Seattle Candidate
 Steve Fields - Redmond Mayoral Candidate
 Jill Geary - Seattle School Board Candidate
 Jon Grant - Seattle City Council Candidate
 Leslie Harris - Seattle School Board Candidate
 Rod Hearne - Seattle City Council Candidate
 Lisa Herbold - Seattle City Council Candidate
 Holi Giffin - Burien City Council Candidate
 Lorena González - Seattle City Council Candidate
 Debora Juarez - Seattle City Council Candidate
 Phillipa Kassover - Lake Forest Park City Council
 Shar Lichty - Spokane Mayoral Candidate
 Angela Marx - 3rd Congressional District Candidate
 Lauren McGuire - Seattle School Board Candidate
 Anthony J. Murrietta - Federal Way City Council Candidate
 Joe Pakootas - 5th Congressional District Candidate
 Lorn Richey - Shoreline City Council Candidate

Jason Ritchie - WA 8th Congressional District Candidate
 John Roderick - Seattle City Council Candidate
 Ken Rogers - Port of Seattle Candidate
 Keith Scully - Shoreline City Council Candidate
 Norman Sigler - Port of Seattle Commission Candidate
 Brianna Thomas - Port of Seattle Commission Candidate
 John Waite - Spokane City Council Candidate
 Halei Watkins - Seattle City Council Candidate
 Catherine Weatbrook - Seattle City Council Candidate
 Sheree Wen - Medina City Council Candidate
 John Wilson - King County Auditor Candidate
 Marion Yoshino - Port of Seattle Commission Candidate

Local Support for a Constitutional Amendment to Alleviate the Negative Consequences Emerging from *Citizens United*, a Supreme Court decision <http://united4thepeople.org/state-and-local-support-2/>

State Support

64th Legislature (2015-16): [HJM 4004](#), [SJM 8002](#), [Legislators' Letter](#)

63rd Legislature (2013-14): [HJM 4001](#), [SJM 8002](#)

62nd Legislature (2011-12): [HJM 4005](#), [SJM 8007](#)

61st Legislature (2009-10): [SJM 8027](#)

Local Support

On November 4, 2013, the **Anacortes City Council** [passed \(see page 2, "Resolution 1875"\) a resolution](#) calling for statutory or constitutional amendments to reverse *Citizens United*.

On March 5, 2013, the **Oak Harbor City Council** [passed \(see page 4, "Resolution 13-02"\) a resolution](#) calling for a constitutional amendment to clearly state that corporations are not people and only people have constitutional rights, political contributions and expenditures are not constitutionally protected speech, and federal and state governments shall have the power both to regulate them and to require public disclosure of their sources.

On February 19, 2013, the **Kirkland City Council** [passed a resolution](#) positing that corporations are not people when it regards constitutional regulation of elections, nor is money speech, and political campaign donations are not constitutionally protected speech. While the resolution text does not specifically suggest or urge a constitutional amendment, it is considered part of the constitutional amendment advocacy by Move to Amend and allied organizations. Kirkland resident and Move to Amend member Bill Lamarche in [Kirkland Reporter](#): "But he hopes with enough cities behind the measure that it will eventually get state approval to 'put pressure on the federal government to amend the Constitution.'"

On January 28, 2013, the **Sequim City Council** [passed \(see pgs. 5-6, item 9\) a resolution](#) calling for a constitutional amendment to stipulate that no constitutional provisions shall limit the power of federal and state governments to regulate the speech of corporations and similar entities.

On December 19, 2012, the **Walla Walla City Council** [passed \(see page 8, "Resolution No. 2012-97"\) a resolution](#) calling for a constitutional amendment to clearly state that corporations are not people and only people have constitutional rights, political contributions and expenditures are not constitutionally protected speech, and federal and state governments shall have the power both to regulate them and to require public disclosure of their sources.

On December 18, 2012, the **Tacoma City Council** [passed \(see pgs. 3-4, "Public Comment," and page 7, "Resolution No. 38596"\) a resolution](#) calling for a constitutional amendment to clearly state that corporations are not people and only people have constitutional rights, and political contributions and expenditures are not constitutionally protected speech.

On October 2, 2012, the **Olympia City Council** [passed a resolution](#) calling for a constitutional amendment to provide that corporations are not human beings, nor are political contributions and expenditures constitutionally-protected speech, and that Congress and the states shall have the power to regulate such contributions and expenditures and to require public disclosure of their sources.

On September 25, 2012, the **Coupeville Town Council** [passed \(see page 2, “Approval of Resolution 12-06”\) a resolution \(see pgs. 11-12\)](#) calling for a constitutional amendment to state that corporations are not human beings, nor are political contributions and expenditures constitutionally protected speech, and that Congress and the states shall have the power to regulate such contributions and expenditures and to require public disclosure of their sources.

On September 11, 2012, the **La Conner Town Council** [passed \(see page 2, “Resolution – Amendment”\) a resolution](#) calling for a constitutional amendment to abolish corporate personhood.

On July 25, 2012, the **Snohomish County Council** [passed \(see page 14, item 6\) a resolution](#) calling for a constitutional amendment to clearly state that political contributions and expenditures are not constitutionally protected speech, and federal and state governments shall have the power both to regulate them and to require public disclosure of their sources.

On July 23, 2012, the **Island County Board of Commissioners** [passed \(see pgs. 3-4, “Resolution C-87-12”\) a resolution](#) calling for a constitutional to reverse *Citizens United* by clarifying that corporations are not persons under the US Constitution, nor is money speech, nor is the donation of money to a political campaign constitutionally protected speech.

On June 4, 2012, the **Bellingham City Council** [passed a resolution](#) calling for a constitutional amendment to declare the corporations are not entitled to the constitutional rights of natural persons, and to ensure that corporate election expenditures are not constitutionally protected speech.

On June 4, 2012, the **Langley City Council** [passed \(see page 1, “New Business”\) a resolution](#) calling for a constitutional amendment to reverse *Citizens United* by clarifying that corporations are not people, nor is money speech.

On May 14, 2012, the **Seattle City Council** [passed \(see “Resolution No. 31380” under items F and I\) a resolution](#) calling for a constitutional amendment to state that corporations are not human beings, nor are political contributions and expenditures constitutionally protected speech, and that Congress and the states shall have the power to regulate such contributions and expenditures and to require public disclosure of their sources.

On April 23, 2012, the **Jefferson County Board of County Commissioners** [passed a resolution](#) calling for a constitutional amendment to abolish corporate personhood and reclaim our sovereign right to self-governance. The Council also supported public education on the democratic threats posed by corporate personhood, and encouraged lively discussion toward responding to such threats.

On March 5, 2012, the **Port Townsend City Council** [passed \(see pgs. 4-5, “RESOLUTION 12-010”\) a resolution](#) calling for a constitutional amendment to abolish corporate personhood and reclaim our sovereign right to self-governance. The Council also supported public education on the democratic threats posed by corporate personhood, and encouraged lively discussion toward responding to such threats.