

# Committee Report

**REGULAR CALENDAR**

**February 7, 2019**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

The Majority of the Committee on State-Federal Relations and Veterans Affairs to which was referred HCR 5,

AN ACT requesting the United States Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court in Citizens United v. Federal Election Commission. Having considered the same, report the same with the following amendment, and the recommendation that the bill OUGHT TO PASS WITH AMENDMENT.

**Rep. Ryan Buchanan**

**FOR THE MAJORITY OF THE COMMITTEE**

**MAJORITY  
COMMITTEE REPORT**

Committee:	State-Federal Relations and Veterans Affairs
Bill Number:	HCR 5
Title:	requesting the United States Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court in Citizens United v. Federal Election Commission.
Date:	February 7, 2019
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2019-0093h

**STATEMENT OF INTENT**

This resolution would add New Hampshire's voice to those of other states calling on Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court Citizens United case. The majority agrees that corporations are not people, and believes that the ruling in the Citizens United case needs to be reversed to restore and protect the rights of the people of the United States of America. It is far-fetched to conflate corporations with the individual. To give the rights of a person to a legal entity undermines the fabric of our nation, and weakens the democracy it was built upon.

Vote 11-7.

Rep. Ryan Buchanan  
FOR THE MAJORITY

Original: House Clerk  
Cc: Committee Bill File

## REGULAR CALENDAR

State-Federal Relations and Veterans Affairs

**HCR 5**, requesting the United States Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court in *Citizens United v. Federal Election Commission*. **MAJORITY: OUGHT TO PASS WITH AMENDMENT. MINORITY: INEXPEDIENT TO LEGISLATE.**

Rep. Ryan Buchanan for the **Majority** of State-Federal Relations and Veterans Affairs. This resolution would add New Hampshire's voice to those of other states calling on Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court *Citizens United* case. The majority agrees that corporations are not people, and believes that the ruling in the *Citizens United* case needs to be reversed to restore and protect the rights of the people of the United States of America. It is far-fetched to conflate corporations with the individual. To give the rights of a person to a legal entity undermines the fabric of our nation, and weakens the democracy it was built upon. **Vote 11-7.**

Original: House Clerk

Cc: Committee Bill File

# COMMITTEE REPORT

COMMITTEE: STATE-FED

BILL NUMBER: HCR5

TITLE: requesting the United States Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court in <sup>Citizens</sup> United v. Federal Election Commission

DATE: 2/7/19 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.  
2019-0093h

STATEMENT OF INTENT:

see email

COMMITTEE VOTE: 11-7

RESPECTFULLY SUBMITTED,

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

Rep. Ryan Buchanan  
For the Committee

## Karwocki, Karen

---

**From:** Klee, Patricia  
**Sent:** Thursday, February 07, 2019 1:43 PM  
**To:** Ryan Buchanan; Karwocki, Karen  
**Cc:** amandabouldin@gmail.com  
**Subject:** Re: HCR 5 Majority Report

Ryan this perfect. Thank you.

Karen I am no longer in Concord. Can you take this email as my concurrence to the Committee Report. If not I won't be back in Concord until Tuesday.

Trish  
Patricia Klee, State Representative  
Proud to Represent  
Hillsborough District 30/Nashua Ward 3  
Chair of the State/Federal Relations  
and Veterans Affairs Committee  
603-966-0979

On Thu, Feb 7, 2019 at 12:05 PM -0500, "Ryan Buchanan" <[rtbuch2018@gmail.com](mailto:rtbuch2018@gmail.com)> wrote:

This resolution would add New Hampshire's voice to those of other states in calling on Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court Citizens United case. The majority agrees that corporations are not people, and believes that the ruling in the Citizens United case needs to be reversed to restore and protect the rights of the people of the United States of America. It is far-fetched to conflate corporations with the individual. To give the rights of a person to a legal entity undermines the fabric of our nation, and weakens the democracy it was built upon.

State-Federal Relations and Veterans Affairs  
January 23, 2019  
2019-0093h  
11/01

Amendment to HCR 5

1 Amend the resolution by replacing the second paragraph after the resolving clause with the  
2 following:

3

4 That the state of New Hampshire hereby calls upon each member of the New Hampshire  
5 congressional delegation to actively support and promote in Congress an amendment to the United  
6 States Constitution on campaign finance reform and the first amendment that addresses this  
7 resolution and joins with all other states who have called for action to restore free, fair, and  
8 transparent elections to our democracy; and

**REGULAR CALENDAR**

**February 7, 2019**

**HOUSE OF REPRESENTATIVES**

**REPORT OF COMMITTEE**

The Minority of the Committee on State-Federal Relations and Veterans Affairs to which was referred HCR 5,

AN ACT requesting the United States Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court in Citizens United v. Federal Election Commission. Having considered the same, and being unable to agree with the Majority, report with the following resolution:  
**RESOLVED, that it is INEXPEDIENT TO LEGISLATE.**

**Rep. Al Baldasaro**

**FOR THE MINORITY OF THE COMMITTEE**



**MINORITY  
COMMITTEE REPORT**

Committee:	State-Federal Relations and Veterans Affairs
Bill Number:	HCR 5
Title:	requesting the United States Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court in Citizens United v. Federal Election Commission.
Date:	February 7, 2019
Consent Calendar:	REGULAR
Recommendation:	INEXPEDIENT TO LEGISLATE

**STATEMENT OF INTENT**

The minority believes that the supreme court got it right because we do have first amendment rights. Television network NBC is a corporation, book publisher Simon & Schuster is a corporation, Paramount Pictures is a corporation. Per Senator Cruz, "nobody would reasonably argue that Congress could restrict what they say, or what money they spend distributing their views, books or movies, merely because they are not individual persons." We do agree with Senator Rand's comments that money corrupts the process, however we also agree with Citizens United, in that speech, whether you pay for it or not, is speech. Newspapers and main street media are much bigger corporations, with a loud voice; millions of people view their writing and their bias. Paid speech must be protected.

Rep. Al Baldasaro  
FOR THE MINORITY

Original: House Clerk  
Cc: Committee Bill File

## REGULAR CALENDAR

State-Federal Relations and Veterans Affairs

**HCR 5**, requesting the United States Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court in Citizens United v. Federal Election Commission. **INEXPEDIENT TO LEGISLATE.**

Rep. Al Baldasaro for the **Minority** of State-Federal Relations and Veterans Affairs. The minority believes that the supreme court got it right because we do have first amendment rights. Television network NBC is a corporation, book publisher Simon & Schuster is a corporation, Paramount Pictures is a corporation. Per Senator Cruz, "nobody would reasonably argue that Congress could restrict what they say, or what money they spend distributing their views, books or movies, merely because they are not individual persons." We do agree with Senator Rand's comments that money corrupts the process, however we also agree with Citizens United, in that speech, whether you pay for it or not, is speech. Newspapers and main street media are much bigger corporations, with a loud voice; millions of people view their writing and their bias. Paid speech must be protected.

Original: House Clerk  
Cc: Committee Bill File

**MINORITY  
COMMITTEE REPORT**

Committee:	State-Federal Relations and Veterans Affairs
Bill Number:	HCR 5
Title:	requesting the United States Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court in Citizens United v. Federal Election Commission.
Date:	February 7, 2019
Consent Calendar:	REGULAR
Recommendation:	INEXPEDIENT TO LEGISLATE

**STATEMENT OF INTENT**

The minority believes that the supreme court got it right because we do have first amendment rights. Television -Network NBC is a corporation, book publisher Simon L. Schuster is a corporation, Paramount pictures is a corporation. Per Senator Cruz "nobody would reasonably argue that congress could restrict what they say, or what money they spend distributing their views, books or movies, merely because they are not individual persons." We do believe, like Senator Rand's comments that money corrupts the process, however we do agree with Citizens United, in that speech, whether you pay for it or not, it is speech. Newspapers and main street media are much bigger corporations, with a loud voice, where millions of people view what articles they write and what their bias is. Paid speech must be protected.

Rep. Al Baldasaro  
FOR THE MINORITY

Original: House Clerk  
Cc: Committee Bill File

MINORITY REPORT

COMMITTEE: State-Federal Relations and Veterans Affairs

BILL NUMBER: HCR 5

TITLE: Requesting The United States Congress To Propose

a Constitutional Amendment To Reverse The Ruling Of The United States Supreme Court In Citizens United v. Federal Election Commission

DATE: 2/7/2019

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. 2019-

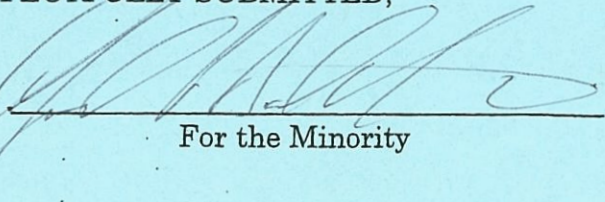
STATEMENT OF INTENT:

The minority believes that the supreme court got it right because do have first Amendment rights. ~~The~~ Television network NBC is a corporation, book publisher Simon & Schuster is a corporation, Paramount Pictures is a corporation. ~~Per~~ <sup>Per Senator Cruz</sup> "nobody would reasonably argue that Congress could restrict what they say, or what money they spend distributing their views, books or movies, merely because they are not individual persons." We do believe, like Senator Rand's comments that money corrupts the process, however we do agree with Citizens United, in that speech whether you pay for it or not, it is speech. <sup>main street</sup> ~~and~~ <sup>and</sup> media or much bigger corporations, with a loud voice, over

COMMITTEE VOTE: 11-7

RESPECTFULLY SUBMITTED,

• Copy to Committee Bill File

Rep.  For the Minority

**Karwocki, Karen**

---

**From:** Klee, Patricia  
**Sent:** Thursday, February 07, 2019 3:49 PM  
**To:** Karwocki, Karen  
**Subject:** Re: HCR 5 minority report

I approve.

Trish  
Patricia Klee, State Representative  
Proud to Represent  
Hillsborough District 30/Nashua Ward 3  
Chair of the State/Federal Relations  
and Veterans Affairs Committee  
603-966-0979

On Thu, Feb 7, 2019 at 3:26 PM -0500, "Karwocki, Karen" <[Karen.Karwocki@leg.state.nh.us](mailto:Karen.Karwocki@leg.state.nh.us)> wrote:

**MINORITY  
COMMITTEE REPORT**

<b>Committee:</b>	<b>State-Federal Relations and Veterans Affairs</b>
<b>Bill Number:</b>	<b>HCR 5</b>
<b>Title:</b>	<b>requesting the United States Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court in Citizens United v. Federal Election Commission.</b>
<b>Date:</b>	<b>February 7, 2019</b>
<b>Consent Calendar:</b>	<b>REGULAR</b>
<b>Recommendation:</b>	<b>INEXPEDIENT TO LEGISLATE</b>

**STATEMENT OF INTENT**

The minority believes that the supreme court got it right because we do have first amendment rights. Television - Network NBC is a corporation, book publisher Simon L. Schuster is a corporation, Paramount pictures is a corporation. Per Senator Cruz "nobody would reasonably argue that congress could restrict what they say, or what money they spend distributing their views, books or movies, merely because they are not individual persons." We do believe, like Senator Rand's comments that money corrupts the process, however we do agree with Citizens United, in that speech, whether you pay for it or not, it is speech. Newspapers and main street media are much bigger

# Voting Sheets

HOUSE COMMITTEE ON STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

EXECUTIVE SESSION on HCR 5

**BILL TITLE:** requesting the United States Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court in Citizens United v. Federal Election Commission.

**DATE:** February 7, 2019

**LOB ROOM:** 206

**MOTIONS: OUGHT TO PASS WITH AMENDMENT**

Moved by Rep. Buchanan                      Seconded by Rep. Adjutant                      AM Vote: 11-7

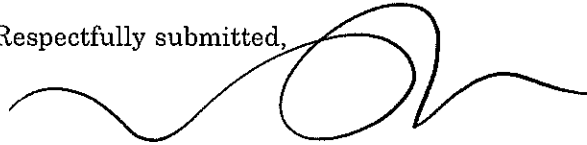
Amendment # 2019-0093h

Moved by Rep. Buchanan                      Seconded by Rep. Adjutant                      Vote: 11-7

**CONSENT CALENDAR: NO**

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

Respectfully submitted,



Rep Amanda Bouldin, Clerk

HOUSE COMMITTEE ON STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

EXECUTIVE SESSION on HCR 5

BILL TITLE: requesting the United States Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court in Citizens United v. Federal Election Commission.

DATE: 2/7/19

LOB ROOM: 206

MOTION: (Please check one box)

Inputs: [x] OTP, [ ] ITL, [ ] Retain (1st year), [ ] Adoption of Amendment # 2019-0093h, [ ] Interim Study (2nd year) (if offered). Moved by Rep. Buchanan, Seconded by Rep. ~~Manjiv~~ Adjutant, Vote: 11-7

MOTION: (Please check one box)

Inputs: [ ] OTP, [ ] OTP/A, [ ] ITL, [ ] Retain (1st year), [ ] Adoption of Amendment #, [ ] Interim Study (2nd year) (if offered). Moved by Rep. \_\_\_\_\_, Seconded by Rep. \_\_\_\_\_, Vote: \_\_\_\_\_

MOTION: (Please check one box)

Inputs: [ ] OTP, [ ] OTP/A, [ ] ITL, [ ] Retain (1st year), [ ] Adoption of Amendment #, [ ] Interim Study (2nd year) (if offered). Moved by Rep. \_\_\_\_\_, Seconded by Rep. \_\_\_\_\_, Vote: \_\_\_\_\_

MOTION: (Please check one box)

Inputs: [ ] OTP, [ ] OTP/A, [ ] ITL, [ ] Retain (1st year), [ ] Adoption of Amendment #, [ ] Interim Study (2nd year) (if offered). Moved by Rep. \_\_\_\_\_, Seconded by Rep. \_\_\_\_\_, Vote: \_\_\_\_\_

CONSENT CALENDAR: \_\_\_ YES \_\_\_ NO [x]

Minority Report? [x] Yes \_\_\_ No If yes, author, Rep: Baldasaro Motion ITL

Respectfully submitted: [Signature] Rep Amanda Bouldin, Clerk





2019 SESSION

State-Federal Relations and Veterans Affairs

Bill #: HCR 5 Motion: OTP/A AM #: 2019-0093h Exec Session Date: 2/7/19

<u>Members</u>	<u>YEAS</u>	<u>Nays</u>	<u>NV</u>
Klee, Patricia S. Chairman	✓		
Massimilla, Linda A. Vice Chairman	✓		
Bouldin, Amanda C. Clerk	✓		
Mangipudi, Latha D.	✓		
Fulweiler, Joyce M.	✓		
Adjutant, Joshua	✓		
Buchanan, Ryan T.	✓		
Davis, Fred E.	✓		
Piedra, Israel F.	✓		
Thompson, Craig R.	✓		
Warner, Anne L.	✓		
Baldasaro, Al P.		✓	
Lundgren, David C.			✓
Marple, Richard			✓
Katsakiores, Phyllis M.		✓	
Rollins, Skip A.		✓	
Lascelles, Richard W.		✓	
Panasiti, Reed A.		✓	
Desilets, Joel M.		✓	
Marzullo, JP		✓	
<b>TOTAL VOTE:</b>	<b>11</b>	<b>7</b>	<b>2</b>

State-Federal Relations and Veterans Affairs  
January 23, 2019  
2019-0093h  
11/01

Amendment to HCR 5

1 Amend the resolution by replacing the second paragraph after the resolving clause with the  
2 following:

3

4 That the state of New Hampshire hereby calls upon each member of the New Hampshire  
5 congressional delegation to actively support and promote in Congress an amendment to the United  
6 States Constitution on campaign finance reform and the first amendment that addresses this  
7 resolution and joins with all other states who have called for action to restore free, fair, and  
8 transparent elections to our democracy; and

# Hearing Minutes

HOUSE COMMITTEE ON STATE-FEDERAL RELATIONS AND VETERANS AFFAIRS

PUBLIC HEARING ON HCR 5

**BILL TITLE:** requesting the United States Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court in *Citizens United v. Federal Election Commission*.

**DATE:** January 16, 2019

**LOB ROOM:** 206 **Time Public Hearing Called to Order:** 2:05 p.m.

**Time Adjourned:** 3:10 p.m.

**Committee Members:** Reps. Klee, Massimilla, Amanda Bouldin, Mangipudi, Fulweiler, Adjutant, Buchanan, F. Davis, Piedra, Thompson, Baldasaro, Katsakiores, Lascelles, Panasiti and Marzullo

**Bill Sponsors:**  
Rep. McGhee **Rep. Petrigno**

TESTIMONY

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

**1. Rep. Kat McGhee, prime sponsor, speaking in support**

- o \*written testimony
- o Rep. Baldasaro asks if, by asking for an Article V, will we be going back to the media and unions controlling the message
- o Rep. McGhee responds that the effect of the decision won't completely eliminate money from politics; notes that individuals would still be able to donate, etc.
- o Rep. Baldasaro asks, if someone like him wants to get his message out, and pools his money with other legislators, would this stop him?
- o Rep. McGhee responds that it would not. This bill does not address campaign finance reform.
- o Rep. Adjutant shares his personal interpretation, and asks what public support there is
- o Rep. McGhee says that some 80% of people in NH support getting money out of politics
- o Rep. Adjutant asks if, because of the two winners of the 2016 primaries both supporting getting money out of politics, does the speaker agree that there is heavy public support for the issue
- o Rep. McGhee agrees
- o Rep. Mangipudi asks if this is campaign reform or if it is about corruption
- o Rep. McGhee agrees, says that this is about NH joining the states already looking to address this issue
- o Rep. Marzullo asks, if you have a lot of money, you might be in favor, and if you don't have a lot of money, you might be in favor. Rep. McGhee agrees.
- o Rep. Marzullo asks, how do you determine when and how to enact reform. Rep. McGhee says that this is a big part of the problem and is what they hope to address. Gave examples of how elections are run in England.
- o Rep. Baldasaro asks how the average joe schmoe would run if PACs are gone
- o Rep. McGhee responds that those high amounts of money are raised in reaction to the current system
- o Chairwoman Klee asks Rep. McGhee to provide the committee with the names of the 19 states doing this; Rep. McGhee says: CA, CO, CT, DE, HI, IL, ME, MD, MA, MT, NJ, NV, NM, NY, OR, RI, VT, WA, WV

- Chairwoman Klee asks how this is different from campaign reform. Rep. McGhee says that she hopes this is the beginning; says that speaking up is the first step.
- 2. Rep. Peter Petrigno, speaking in favor**
- Says that it is time to ask Congress to make changes
  - Chairwoman Klee clarifies that this type of Article V legislation seeks to cause action on the part of Congress, as opposed to organizing a convention of states
- 3. Joe Magruder, volunteer for American Promise, speaking in favor**
- \*included a handout, "Government of Citizens, Not Money"
  - Provided an additional handout, a letter to the committee from Ben Gubits, National Political Director for American Promise, dated January 16, 2019
  - Says that millions of voters have supported ballot initiatives in support of campaign finance reform, and that it is a nonpartisan issue
  - Urges the committee to give this bill serious consideration because passing these resolutions is an important part of solving the problem; says Congress has demonstrated they won't do it themselves
  - Says that this amendment will limit concentrated money in elections and will restore free speech to all
- 4. John Raby, speaking in favor**
- Says that most revenues come from advertising, which benefits corporations
  - Rep. Mangipudi asks if Mr. Raby is saying that politics has become a business, a bidding war, who can pay the most
  - Mr. Raby responds that yes, that is a minor part, but that the purpose is to undermine basic civil rights
  - Rep. Mangipudi follows up by asking, just as we have a healthcare system that is monetized, is our democracy now monetized -- Mr. Raby responds that this is correct
  - Mr. Raby recommends the book Six Amendments to the committee
  - Rep. Buchanan asks if the speaker thinks the corporations would give our millions expecting nothing in return
  - Mr. Raby says he cannot speak to who is fallible, and condemns no one, but thinks it is possible and should be kept in mind.
- 5. Olivia Zink, lobbyist for Open Democracy Action (Executive Director), speaking in favor**
- \*written testimony
  - Urges the committee to support the bill
  - Says that 96% of Americans believe that money has an undue influence in politics
  - Cites other statistics; Chairwoman Klee asks for sources on these statistics. Ms. Zink promises to email the committee a link to sources for these various claims.
  - Rep. Baldasaro asks if the speaker's organization supports the public financing of elections; Ms. Zink confirms that her organization supports this concept
- 6. Mary Till of NH Voters Restoring Democracy, speaking in favor**
- \*written testimony, no questions
- 7. Corinne Dodge of NH Voters Restoring Democracy, speaking in favor**
- \*written testimony

Respectfully submitted,

Rep. Amanda Bouldin, Clerk





# Testimony



1

Good afternoon Chairwoman Klee and members of the Committee. I'm Representative Kat McGhee, a member of the House Science, Technology and Energy Committee and the primary sponsor of HCR5.

There are several members of the house, including my co-sponsor Representative Petrigno, and Representatives Cushing and Reed who plan to speak in support of this resolution, as well as members of the public who have long-worked for its passage. I know, because I am one of them.

I'd like to provide some context for House Continuing Resolution 5. Passing HCR5 would have NH join all the other New England states, 19 States so far, who have stood up to say that the unlimited use of money in politics is corrupting our democracy.

Although money in politics has been politicized by both major political parties - it is not a partisan issue. In fact majorities in both parties agree with getting the money out because they understand that money corrupts. The last time money threatened to overtake our body-politic, Teddy Roosevelt put laws in place to stop the commingling of money and government. 2 poor decisions by the Supreme Court helped undo those laws.

HCR5 does not fix the problem - it says NH agrees the problem should be fixed. As Teddy Roosevelt said, "Do what you can, with what you have, where you are." ..that is what is at the heart of this resolution.

Citizens United v. FEC changed a long-standing norm when the Supreme Court extended the rights of individuals to corporations. That decision, in 2010, built on another decision from 1976, Buckley v. Valeo, that redefined money as equal to free speech. Combined, these decisions give an inalienable right to large donors to drown out the voices of average Americans.

We are here before you today to ask you for your unanimous consent to recommend this bill to the House for a vote. We believe it is time for New Hampshire to stand up and be counted among the states who recognize that the US Congress must intercede in order to help the people overturn these bad decisions that undermine our democracy.

This Resolution is similar to those adopted by all the other New England states before us. We are not trail-blazing. We are adding our voice as a state to the call for a change of direction on the corrupting influence of money in our democracy.

If the US Congress responds as we'd like, they will bring forth a specific constitutional amendment to reverse these Supreme Court decisions.

A constitutional amendment is the only remedy left to the people. We are not seeking a Constitutional Convention, as some have suggested, because we seek a specific response to the redefinition of corporations as people, and money as speech. With this narrow definition to our aim, we hope the amendment will be ratified when it is returned to the states for a vote.

This is a first step in a long process, for which I humbly ask your support.

Thank you.

19 other states that have done nothing read into the record



3

**TAKE BACK  
OUR  REPUBLIC**

# **Government of Citizens, Not Money**

*Americans Are United for the  
28th Amendment*

Government of the People  
Secure Free and Fair Elections

## Fellow Americans-

We offer this report, *Government of Citizens*, at a time of great danger and opportunity for our nation. America faces many challenges. We believe most of these arise from a root crisis of concentrated money and special interests controlling our political system. Big donors are well-represented; most Americans are not.

As a result, Americans' trust in our institutions—and in each other—is collapsing. Powerful elites, the media and a political-industrial complex, profit from slicing and dicing Americans to prevent solutions that help hard-working Americans and instead reward only those on the left and the right that can afford to participate in the pay-for-play system that trades millions in campaign contributions for billions in your tax money as the government picks winners and losers.

Responding to this crisis offers a historic opportunity for national re-dedication to our core uniting principles. The way we seize this opportunity is a 28<sup>th</sup> Amendment to US Constitution that will enable Americans to enact effective, comprehensive and lasting reform. The 28<sup>th</sup> Amendment will keep corporate, union, special interest and foreign money out of our elections, will bring reasonable limits on election spending, and empower every American as a small donor and, more importantly, as a citizen.

One of today's untold stories is how much Americans defy conventional wisdom. We are not hopelessly divided; we are not incapable of big things. That may be true of our parties in Washington, but not of the American people.

- We are united, not divided, in our determination to return government to the people and restrain the power and corruption of big money in politics.
- We are going big, not incremental; we will pass and ratify a Constitutional amendment to combat corruption and secure our rights as equal citizens, with equal responsibilities.
- We are active, not passive, shaping fate rather than accept national failure.

We know this 28<sup>th</sup> Amendment will not be easy. Under Article V of the Constitution, only 2/3 of Congress or an amendment convention called by 2/3 of the States may propose a Constitutional Amendment, which then must be ratified by 3/4 (38) of the states. We are on our way: Nineteen states have formally called for the 28<sup>th</sup> Amendment by significant cross-partisan majorities. 800 cities and towns across the nation have done the same. And 28<sup>th</sup> Amendment resolutions are making progress in Congress with hundreds of co-sponsors in the House and Senate.

Please review this report to learn more. Now is the time to renew our national commitment to government of the people, by the people and for the people. The 28<sup>th</sup> Amendment can do that.

Jeff Clements  
President  
American Promise  
[jeffc@americanpromise.net](mailto:jeffc@americanpromise.net)

John Pudner  
Executive Director  
Take Back Our Republic  
[johnp@takeback.org](mailto:johnp@takeback.org)

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# Introduction

In September 1787, the delegates to the Constitutional Convention in Philadelphia signed the proposed Constitution and left Independence Hall to seek its ratification by the states and the American people. Stepping out, Ben Franklin famously answered a citizen's question about what kind of government the Constitutional founders had created: "A republic, if you can keep it."



Franklin's answer referred to the eternal challenges to republican government: foreign intrigue, concentrated power, faction, division, corruption and erosion of civic virtue, and more. Today, we face these same threats more than ever.

Among the most urgent threats is the take-over of elections and policy decisions by wealthy elites and concentrated economic capital in the treasuries of corporations, unions and other entities. The problem has been growing for many years but it recently reached the crisis point for the nation. Since 2010, election spending has skyrocketed—more than \$40 billion spent to define the outcomes of federal and state elections. And most of that money comes from less than 1% of Americans. A few wealthy donors, not the people, now call the shots.

Too many of our representatives are spending most of their time calling donors and raising money. And almost all Americans are locked out of this money-politics system where big money and corporate donors come first.

Economic elites and corporations now have a dominant impact on policy, but most citizens have no impact.<sup>1</sup> As money continues to pour into election in record amounts<sup>2</sup>, voter turnout is low<sup>3</sup>, as is satisfaction with candidates<sup>4</sup>, elected officials<sup>5</sup>, and the direction of the country generally.<sup>6</sup> **More than 80% of Americans agree that corporate political spending leads to political inequality and democratic corruption.**<sup>7</sup>

## Constitutional Crisis: How did we get here?

How did this happen? An “activist-minded Supreme Court” changed the rules of the game.<sup>8</sup>

In a series of decisions over the past few decades, the Supreme Court abandoned traditional Constitutional caution of checks and balances in favor of a reckless experiment that now allows unlimited money to be raised and spent in elections. With a theory that money spent in elections -- no matter the amount or source of funds -- is simply freedom of speech and cannot be balanced by other rights and interests of Americans, the Court has struck down campaign finance and election laws, *rejecting the core American value that your wealth should not define your rights as a citizen.* The result: corporate and special interest demands are met ahead of public need. Politicians spend most of their time raising money from a few big donors, while ordinary citizens are ignored.

*“The original framers were highly distrustful of the power of corporations. I suspect that the framers would be appalled at Citizens United. We the People—each of us—are only the most recent generation of Americans who have been called upon to defend the framers’ vision of a Constitutional government Of the People, By the People, and For the People. That responsibility Is now ours.”*

James Nelson,  
Justice, (Ret).  
Montana  
Supreme Court



1 Gilens, M., & Page, B. I. (2014). Testing theories of American politics: Elites, interest groups, and average citizens. *Perspectives on Politics*, 12(3), 564-581. DOI: 10.1017/S1537592714001595 ;

2 [http://www.pewresearch.org/fact-tank/2015/12/07/as-more-money-flows-into-campaigns-americans-worry-about-its-influence/ft\\_15-12-03\\_campaignfinance\\_74\\_14/](http://www.pewresearch.org/fact-tank/2015/12/07/as-more-money-flows-into-campaigns-americans-worry-about-its-influence/ft_15-12-03_campaignfinance_74_14/)

3 <http://www.pewresearch.org/fact-tank/2017/05/15/u-s-voter-turnout-trails-most-developed-countries/>

4 <http://www.pewresearch.org/fact-tank/2017/06/01/dislike-of-candidates-or-campaign-issues-was-most-common-reason-for-not-voting-in-2016/>

5 [https://www.realclearpolitics.com/epolls/other/congressional\\_job\\_approval-903.html](https://www.realclearpolitics.com/epolls/other/congressional_job_approval-903.html)

6 <http://news.gallup.com/poll/196388/satisfaction-remains-low-leading-election.aspx>

7 <http://www.demos.org/data-byte/corporate-political-spending-leads-political-inequality-and-democratic-corruption>

8 “Under our constitutional system, especially with an activist-minded Supreme Court, the judiciary may be the most important instrument for social, economic and political change.” Memorandum to the US Chamber of Commerce, August 1971, from Lewis Powell. Soon thereafter, Powell was appointed to the Court and authored many of the decisions creating new Constitutional rights for large corporations and money in politics.

The Supreme Court has had ample opportunity to correct its mistake, but it has not done so and shows no inclination to do so. That leaves it up to us, the American people, to use the Constitutional amendment process to correct the Court, as Americans have done seven times before.

The 28<sup>th</sup> Amendment will protect the integrity of American elections and secure equal rights of Americans as citizens in our republic by empowering the people to enact laws to address the unlimited and corrupting effects of concentrated money in politics. The Amendment may also address the Supreme Court's application of the Constitutional rights of human beings to corporations, and gerrymandering – which erodes our right to vote through the partisan rigging of legislative districts.<sup>9</sup>

**“A republic. If you can keep it.” We can keep it, if we act now.**

## **Why A 28<sup>th</sup> Amendment?**

**American democracy is in crisis**, and it is a Constitutional crisis. A core cause of the crisis is political inequality and money corruption of our political institutions -- legislative, executive and judicial -- a radically unbalanced political system where self-perpetuating corporate, governing & moneyed elites hold most of the power, and most Americans are excluded from meaningful representation and participation.

The Supreme Court's 2010 *Citizens United* ruling codified a decades' long assault on the **checks and balances of American politics**. The Court has repeatedly struck down state and federal election laws under a theory that campaign donations to influence elections by corporations, unions, Super PACs and billionaires is simply “free speech,” and that corporations and unions, like people, have a “right” to “speak” - that is, to spend unlimited money in elections.

- Billions of dollars now are flooding our elections at an unprecedented rate - **unprecedented in the history of the world**.
- Most of the money comes from less than 1% of Americans.
- Foreign money and influence comes in through corporate subsidiaries and dark-money Super PACs.
- Most Americans are excluded and unrepresented in government.
- Public needs and the national interest are neglected

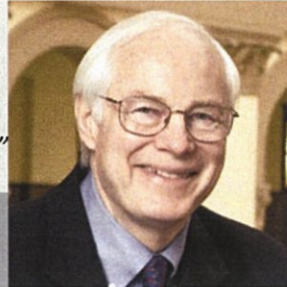
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<sup>9</sup> Several versions of effective amendment resolutions have been introduced and have significant support in Congress. American Promise is leading a cross-partisan initiative to ensure that we have the most effective language and an opportunity for all Americans to have a voice in that process. More information about Writing the 28th Amendment is available at [http://www.americanpromise.net/writing\\_the\\_28th\\_amendment](http://www.americanpromise.net/writing_the_28th_amendment)

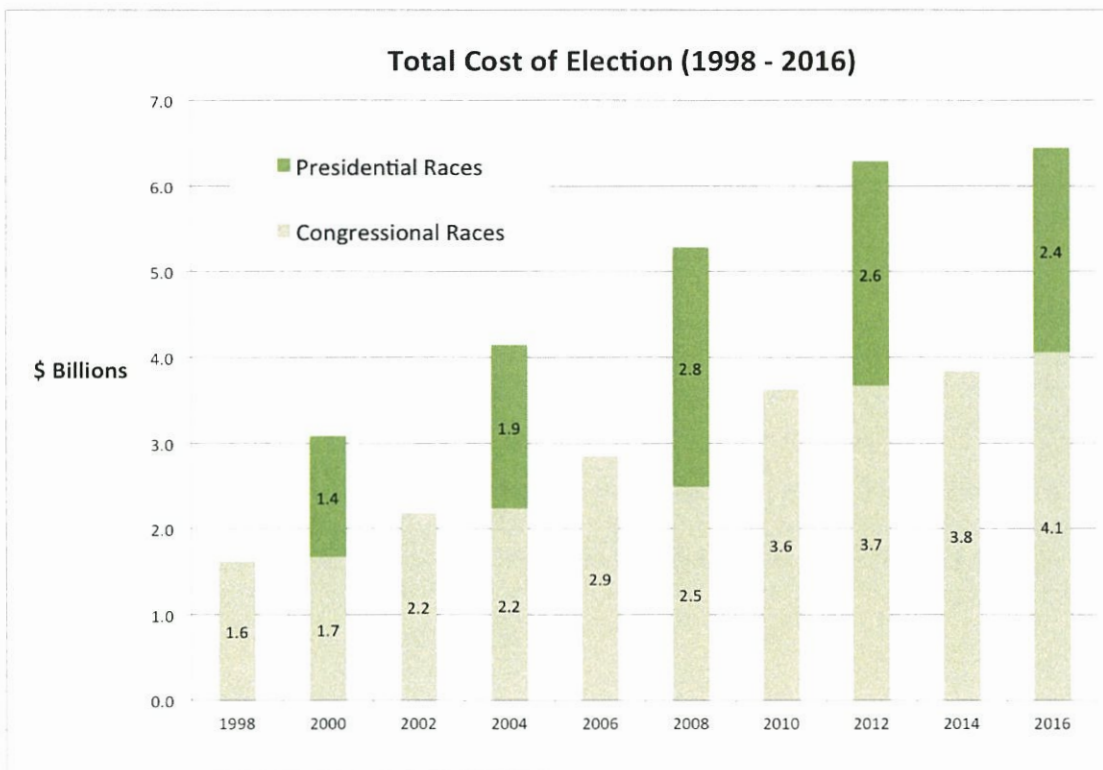
- Citizens are dispirited and angry, distrust elites and institutions, and are checking out or going to extremes.
- Front groups and dark money are bipartisan; the US Chamber of Commerce, Democratic Governors Association & Republican Governors Association between them spent \$700m from 2010-2016.

*The Supreme Court "has genetically altered our democratic DNA, pushing American politics in an oligarchic, corporatist direction. The Constitution begins 'We the people' not 'We the corporations.'"*

Jim Leach, U.S. Representative (R-Iowa), 2003-2007  
Former Chair, National Endowment For the Humanities



With the elimination of the lines and buffers between powerful economic forces and our political process, the result is not only an unprecedented level of political spending; the result is unprecedented corruption of our politics, unequal representation of our citizens, extreme polarization, anger and fragmentation, and a fundamental destabilization of the American republic.



When corporate money buys influence, we end up with laws, regulations and policies that serve profit and privilege at the expense of the people.



- Pharmaceutical companies lobby for legislation that bolsters profits from illicit drug sales while fueling the opioid addiction crisis; they deploy hundreds of millions of dollars in political spending to keep drug prices the highest in the world;
- Wall Street donors rig the game and lobby for preferential financial and tax regulations;
- Unfair subsidies for the powerful; low wages, expensive healthcare and unresponsive government for too many;
- Big money donors fuel gerrymandering strategies to divide and polarize Americans into Congressional and Statehouse districts where many votes don't matter and moderate views on both sides are unrepresented;
- Corporate prisons and big prison guard unions use political spending to block common sense criminal justice reform, keep more Americans incarcerated at huge tax-payers' expense;
- Legislators who too often represent donors rather than their constituents pass unread laws written by corporate lobbyists

The Supreme Court's aggressive role in striking down reform has had profound consequences for states' rights and our federalist system. Corporations have worked their way into influencing political decision-making through a decades' long campaign to overturn state and public interest laws. States that have long safeguarded their own campaign finance systems now face unprecedented court challenges.

- For example, **Montana** had barred corporate election spending since 1912; then without even a hearing, the US Supreme Court summarily overruled Montana's own Supreme Court and struck down a century of Montana law so that global corporations could make unlimited expenditures to influence Montana elections.<sup>10</sup> Laws in more than 20 other states suffered a similar fate.
- In **Alaska**, a longstanding law requiring campaign money for Alaska elections to come from the people of Alaska was attacked in court as a violation of the claimed free speech rights of wealthy out-of-state interests.<sup>11</sup>
- In **Arizona** and **Maine**, small-donor, public-funded clean election systems were attacked as violating the "free speech" rights of SuperPACs and big business to drown out the free speech of those with less money.<sup>12</sup>

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10 American Tradition Partnership v. Bullock, 132 S.Ct. 2490 (2012)

11 Thompson v. Hebdon, <http://www.campaignlegalcenter.org/case/thompson-v-hebdon>

12 Arizona Free Enterprise Club's Freedom Club PAC v. Bennett

Unlimited control of elections and politicians by those with a lot of money is not what free speech means. It is not what the First Amendment – which is for all Americans – means, and it is not what our federalist system of respecting the States means.

*"I thought it was an outrage that the Supreme Court can tell us that we can turn these elections over to whoever's got the most money." If Citizens United is not reversed, "it will change elections forever."*

Mike Madden  
State Representative, (R), Buffalo, Wyoming



As retired Supreme Court Justice John Paul Stevens, a Republican appointed to the bench by President Ford, has written, the Supreme Court's hostility to campaign finance reform is a "radical departure" from American Constitutional principles. Like the vast majority of Americans across the political system, he believes a Constitutional amendment is necessary to overturn it.

*"People of good conscience from all political spectrums must stand up now. What we care about as everyday people is in peril if we don't get concentrated money out of American politics. We can regain power in a representative democracy through the Constitution with the 28th Amendment."*

Nina Turner,  
Former State Senator, President, Our Revolution



## **The problem is cross-partisan; the solution must be, too**

The crisis of money corruption of our political system has been growing for many years. Beginning with *Buckley v. Valeo* in the 1970s, an "activist-minded Supreme Court" (in the words of Justice Lewis Powell) increasingly equates spending unlimited money to influence elections by corporations, unions, and extremely wealthy people and entities as simply "free speech." This Constitutional overreach by the Court was supported by Justices appointed by both Democratic and Republican Presidents and certainly was not a case of conservative versus liberal. Both sides got us into this mess. And principled Supreme Court Justices on each end of the spectrum warned of the consequences and tried to stop the Court's reckless activism.

Conservatives such as Justice William Rehnquist supported campaign finance limitations and opposed the creation of the new “free speech” rights for business corporations.

*The “Fourteenth Amendment does not require a State to endow a business corporation with the power of political speech...For in a democracy, the economic is subordinate to the political, a lesson that our ancestors learned long ago, and that our descendants will undoubtedly have to relearn many years hence.”*

U.S. Supreme Court Justice William Rehnquist



And liberals such as Justice Harry Blackmun – who authored *Roe v. Wade* – opposed campaign finance limits and supported new rights for corporations.

Just as both sides got us into this mess, the corruption and abuse of money in our political system is likewise cross-partisan. Wealthy donors and special interests dominate both major parties. Candidates and elected officials in both major parties raise and spend billions of dollars of special interest money, and are cozy with corporate lobbyists. The problem is not simply a few corrupt people nor is it only on one side of the aisle. The problem is a corrupt system.

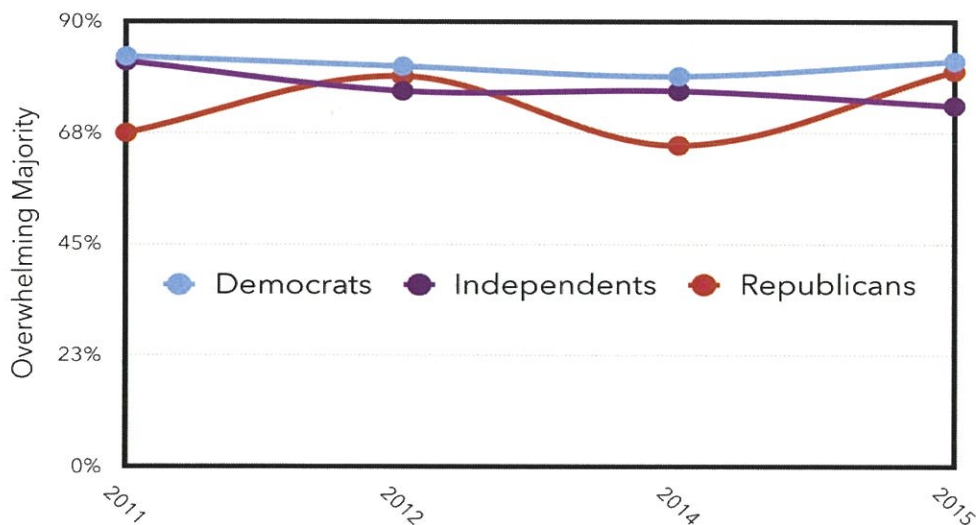
A Constitutional amendment will correct the problem, and create a sound foundation for successful reform and renewal of our republic. To win a Constitutional amendment – passed by 2/3 of Congress or an amendment convention called by 2/3 of the States, and ratified by 3/4 of the states, we will have to be united. And we are.

## Are Americans Really United?

The mainstream media and politicians too entrenched in the pay-to-play system to realize how much the ground has shifted under them too often portray support for this Constitutional amendment to enable reasonable limits on election spending and empowerment of regular voters as a partisan issue. They say Democrats support an amendment and Republicans must be against it, unimaginatively fueling the preferred “conservative” versus “progressive” narrative. Or they think Americans are too divided to do the heavy lifting of a Constitutional amendment. They’re wrong on both counts.

Across the board, in every state, Americans - regardless of party affiliation or no affiliation - agree that we must pass and ratify the 28<sup>th</sup> Amendment. Poll after poll, year in and year out, shows how united Americans are on the call for the 28th Amendment.

## Americans Want The 28th Amendment



[www.americanpromise.net](http://www.americanpromise.net)

Sources <sup>13</sup>

More than polls show how much Americans are united. When presented with the chance to vote for a Constitutional amendment to regulate election spending, citizens consistently support it with deep cross-partisan support.

For example, in **Colorado** and **Montana**, 75% of voters have approved ballot initiatives formally calling for the 28<sup>th</sup> Amendment.<sup>14</sup> Washington and California joined this list in 2016 of ballot initiative approvals for the Amendment, and voters in Massachusetts, Wyoming, Florida and many other states are working to follow suit.

In total, as of early 2018, nineteen states have formally enacted 28<sup>th</sup> Amendment resolutions either through the citizen ballot initiative or by legislators. **Twenty more states had resolutions pending in 2017.** More than 800 cities and towns across the nation have passed 28<sup>th</sup> Amendment resolutions. These communities have acted regardless of whether they are in so-called “red states” or “blue states,” and when they

<sup>13</sup> Peter Hart Poll (2010/11) (79% of Americans, including 68 percent Republicans, 82% Independents, and 87% of Democrats support an Amendment overturning the *Citizens United* ruling); AP (2012) (83% of all Americans, including 81% of Republicans, 78% of independents, and 85% of Democrats believe “there should be limits on the amount of money corporations, unions, and other organizations can contribute to outside organizations trying to influence campaigns); Lake Research Partners (2014) (Republicans oppose *Citizens United* ruling by a 2-1 margin)

Bloomberg News (2015) (80% of Republicans and 78% of all Americans support a constitutional amendment overturning the *Citizens United* ruling.)

<sup>14</sup> [https://ballotpedia.org/Colorado\\_Corporate\\_Contributions\\_Amendment,\\_Amendment\\_65\\_\(2012\);](https://ballotpedia.org/Colorado_Corporate_Contributions_Amendment,_Amendment_65_(2012);)  
[https://ballotpedia.org/Montana\\_Corporate\\_Contributions\\_Initiative,\\_I-166\\_\(2012\).](https://ballotpedia.org/Montana_Corporate_Contributions_Initiative,_I-166_(2012).)

have done so through the voice of the voters in ballot initiatives, the cross-partisan support is overwhelming, with results of over 80% in favor a common result.

Many Republican lawmakers now are joining their Democratic counterparts in supporting the 28<sup>th</sup> Amendment. We list more than 100 elected Republicans who have taken this stand for the good of the Constitution and the Country in Appendix I. And there are many more in every state ready to lead in rebuilding our Republic's Constitutional foundations of distributed powers, equal citizenship, and effective self-government by the people.

## Ready for Change

Although citizen support across the country is widespread and truly cross-partisan, in Washington DC, the situation is different. So far, with a few notable exceptions, in Congress the Democrats and Independents have been more vocal and active in co-sponsoring legislation that would lead to the 28<sup>th</sup> Amendment. That needs to change.

Many elected officials in both major parties *do* recognize the need to ensure that Americans have the right to enact campaign finance laws and reasonable limits on money in elections. Only with a Constitutional amendment can we protect the integrity of our elections our government and reinstate a fair and level playing field for all American citizens. And only with cross-partisan support can we ratify the 28<sup>th</sup> Amendment.

*"It is time to accept the historical gravity of our situation. It is time for Americans of all political viewpoints to come together to win the 28<sup>th</sup> Amendment — and to renew U.S. democracy again."*

Doris Kearns Goodwin,  
Presidential Historian,  
Pulitzer Prize-winning Author

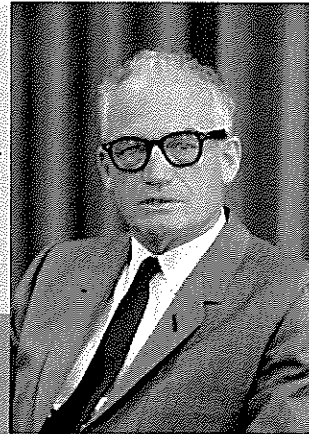


To succeed, and for the good of the country and our common future, cross-partisan support is not only desirable, it is essential. By design, a Constitutional Amendment can only succeed when Congress unites over a single issue. It requires a 2/3 vote of Congress to propose an effective amendment that can be ratified by the required 38 States, with 67 Senators and 290 House members needed to vote for 28<sup>th</sup> Amendment proposal.

As the Appendix to this Report makes clear, many Republicans in the country support the 28<sup>th</sup> Amendment and we hope that Republicans in Congress begin to act on that. This require leadership, independence and work from both Democrats and Republicans in Congress. We have recommendations below for each side of the aisle, and for all Americans to get this done, and we stand ready to assist in any way.

*"In order to achieve the widest possible distribution of political power, financial contributions to political campaigns should be made by individuals and individuals alone. I see no reason for **labor unions – or corporations** – to participate in politics. Both were created for economic purposes and their activities should be restricted accordingly."*

Barry Goldwater,  
U.S. Senator, Arizona (1953-1965)  
Republican nominee for President (1964)



## Time for Congress to Step Up

Republicans in Congress, your constituents have spoken and it is time for you to join us. As set forth in Appendix 1, **hundreds of Republican lawmakers in Congress and state legislatures around the country have either already voted for 28<sup>th</sup> Amendment resolutions or voiced their support for a Constitutional amendment to address the money-domination of our politics.** Republicans at every level, currently in office and after a lifetime of service, have stated publicly again and again that there is too much money in politics and that we must stop this corruption of our political system.

It is time for Republicans in Congress to engage to get the 28<sup>th</sup> Amendment out of Congress to the States for ratification. We ask you to co-sponsor one of the Amendment bills currently introduced, or work with us to introduce a compatible alternative version that all sides can work with.

## WIDESPREAD REPUBLICAN SUPPORT FOR ENDING THE CORRUPTING INFLUENCE ON MONEY IN POLITICS

*Lindsey Graham*, U.S. Senator (R-South Carolina) 2003-present

"What I worry about is that we are turning campaigns over to about 100 people in this country, and they are going to be able to advocate their cause at the expense of your cause."

*John McCain*, U.S. Senator from Arizona (1987-present), former Republican nominee for President (2008): "What the Supreme Court did is a combination of arrogance, naiveté and stupidity the likes of which I have never seen...**Since when is a corporation a person?** ... This system is not fair to the American people... I grieve right now for the average citizen, for the average voter."

*Walter Jones*, U.S. Representative, 3rd district of North Carolina (1995-present): "The citizen is almost left out (of the political process)...**I feel very strongly that money drives policy and it should not be that way.**"

*John Bohlinger*, Lieutenant Governor (R-Montana) (2005-2013): "...Republicans and Democrats don't always agree on policy matters, but there's one thing we do agree on, and that is: **corporate money should not influence the outcome of an election.**"

"*Buddy*" *Roemer*, Governor, R- Louisiana (1988-1992)

"This is not about one party versus the other, or about one person or another. **It is about systemic and institutional corruption where the size of your check rather than the strength of your need or idea determine your place in line...**"

*David Stockman*, Director, U.S. Office of Management and Budget under President Reagan (1981-1985): "I think we can only solve it by...a Constitutional Amendment...**nothing is really going to change until we get money out of politics** and do some radical things to change the way elections are financed and the way the process is influenced by organized money."

*Verner Bertelsen*, Secretary of State, (R-Montana) (1988-1989): "I am a lifelong Republican and I served as Montana secretary of state from 1988 to 1989...Corporations aren't people and money isn't speech. **CEOs of corporations may choose to personally contribute to political campaigns, but they shouldn't be allowed to use shareholders' money to do so.**"

*Catherine Cloutier*, State Senator, R-Delaware (2000-present): "The United States of America's **elections should not should not be permitted to go to the highest bidder**, and yet this is the risk that rises from the ashes of the Citizens United decision."

Democrats in Congress have work to do as well. It's time to get serious about actually passing the 28<sup>th</sup> Amendment. This means **inviting Republicans to the table at the beginning of the drafting process**. We need an Amendment proposal that has cross-partisan support when introduced with input from Republicans who are willing to lead on this issue. We urge Democrats to join Republicans in a cross-partisan caucus to work on agreeable language for an effective, strong 28<sup>th</sup> Amendment.

To that end, we are participating in a year-long, cross-partisan project led by American Promise that will perfect the language of the 28<sup>th</sup> Amendment. We work together with constitutional attorneys and scholars, retired judges, political leaders and citizens across the political spectrum to build cross-partisan consensus behind final, effective language of a 28<sup>th</sup> Amendment proposal. Please join us.

## **Time To Act**

Constitutional amendments have preserved our republic since the Bill of Rights amendments were ratified in 1791. They have never been achieved by one party, one group or by the politicians alone. They require all American citizens to get in the game. That's what we must do once again. We ask all to join us.

### **American Promise**

Jeff Clements, President  
Jeffc@americanpromise.net  
[Americanpromise.net](http://Americanpromise.net)

### **Take Back Our Republic**

John Pudner, Executive Director  
Johnp@takeback.org  
[Takeback.org](http://Takeback.org)



# Appendix I

## Republicans Call for the 28<sup>th</sup> Amendment

**Sen. Al Simpson**, US Senator, (R- Wyoming) 1979-1997  
American Promise Advisory Council - 2016-present

“People across the nation, regardless of their political affiliation, are making clear that corporations or unions should not be able to spend internal funds to influence elections. I urge you to support the call for a 28<sup>th</sup> Amendment to the Constitution that restores the fundamental promise of our Republic: government of, by and for the people.”

[http://www.americanpromise.net/who\\_we\\_are#ap\\_advisory\\_council](http://www.americanpromise.net/who_we_are#ap_advisory_council)

“Money’s dominance over politics is a top problem our nation faces. It prevents us from tackling anything else... I am committed to working with Wyomingites and Americans to pass a 28<sup>th</sup> Amendment to our Constitution so people — not money, corporations, unions or special interests — govern America.”

[http://trib.com/opinion/columns/simpson-we-need-a-th-amendment/article\\_237474f7-2f75-5310-a58a-8dbf5c1916a5.html](http://trib.com/opinion/columns/simpson-we-need-a-th-amendment/article_237474f7-2f75-5310-a58a-8dbf5c1916a5.html)

**Sen. Lindsey Graham**, U.S. Senator (R-South Carolina) 2003-present



“What I worry about is that we are turning campaigns over to about 100 people in this country, and they are going to be able to advocate their cause at the expense of your cause.”

[https://www.washingtonpost.com/politics/big-money-in-politics-emerges-as-a-rising-issue-in-2016-campaign/2015/04/19/c695cbb8-e51c-11e4-905f-cc896d379a32\\_story.html?utm\\_term=.2240b5aded83](https://www.washingtonpost.com/politics/big-money-in-politics-emerges-as-a-rising-issue-in-2016-campaign/2015/04/19/c695cbb8-e51c-11e4-905f-cc896d379a32_story.html?utm_term=.2240b5aded83)

He added that after the Supreme Court's *Citizens United* decision that allowed unlimited political spending by groups, stopping that cash flow would require a constitutional amendment. "I think there's a way to get there," he said, adding, "that would be a priority for me."

<http://www.cnn.com/2015/10/12/politics/lindsey-graham-citizens-united/index.html>

**Senator John McCain**, U.S. Senator from Arizona (1987-present), former Republican nominee for President (2008)

“What the Supreme Court did is a combination of arrogance, naivete and stupidity the likes of which I have never seen. Russ Feingold and I went over to watch the arguments before the United States Supreme Court. I couldn’t believe how little these justices understood about the realities of political campaigns....They were incredibly naive. **Since when is a corporation a person?**...What it has done is it has unleashed a flood of money... “

“And by the way you know Sheldon [Adelson], the Las Vegas casino owner, who owns a casino also, casinos in Macau, he’s contributing I think over \$20 million right now, so foreign money already is into American political campaigning, in a roundabout way, but it is.”

“I promise you this. I promise you there will be huge scandals, because there’s too much money washing around, too much of it is you don’t know who contributed, and there’s too much corruption associated with that kind of money. There will be major scandals.”

“We will go out there again, we’ll fight again, and we’ll continue to fight, because it’s not fair to the American people. This system is not fair to the American people... I grieve right now for the average citizen, for the average voter.”

*Reuters, March 28th, 2012:*

<http://www.youtube.com/watch?v=GNZU-vlfAs0>

“I believe that history will show that the *Citizens United* decision by the United States Supreme Court was one of the worst in history saying that corporations are people and money is speech -- a violation of everything that I believe, certainly in the 20<sup>th</sup> century what we believed as far as financing of elections is concerned.”

*MSNBC, The Daily Rundown, August 27, 2014*

<http://www.msnbc.com/the-daily-rundown/watch/meet-the-presss-1-guest-surprises-chuck-todd-322437187546> at 8:50

“*We* need a level playing field and we need to go back to the realization that Teddy Roosevelt had that we have to have a limit on the flow of money, and that corporations are not people.”

“That’s why we have different laws that govern corporations than govern individual citizens. And so to say that corporations are people, again, flies in the

face of all the traditional Supreme Court decisions that we have made -- that have been made in the past.”

*PBS NewsHour, June 14th, 2012:*

[http://www.pbs.org/newshour/bb/politics/jan-june12/mccain\\_06-14.html](http://www.pbs.org/newshour/bb/politics/jan-june12/mccain_06-14.html) at 9:56

“I condemn them [SuperPACs] on all sides and I condemn the United States Supreme Court for their naivete in the Citizens vs. United [sic], a decision which is an outrage.”

*“Meet the Press”, January 29th, 2012:*

<http://www.nbcnews.com/id/3032608/vp/46181493#46181493> at 9:40

*Voted in favor of a 28<sup>th</sup> Amendment to enable regulation of campaign finance*

**Walter Jones**, U.S. Representative, 3rd district of North Carolina (1995-present)



“The citizen is almost left out (of the political process) ... I feel very strongly that money drives policy and it should not be that way.”

*Trump Should Follow Clinton’s Lead on Citizens United.*

<http://www.charlotteobserver.com/news/politics-government/election/article106380887.html>

*Repeated co-sponsor of 28<sup>th</sup> Amendment in Congress*

*Co-Sponsor of H.J. Res 48 (in the 114th and 115th Congress)*

*Co-sponsored H.J. Res. 21 (in the 113th Congress) and H.J. Res. 88 (in the 112th Congress), identical bills to amend the U.S. Constitution to make it clear that corporations do not have constitutional rights, as if they were people:*

<https://beta.congress.gov/bill/113th-congress/house-joint-resolution/21/cosponsors>

<http://thomas.loc.gov/cgi-bin/bdquery/z?d113:hj21:> and <http://thomas.loc.gov/cgi-bin/bdquery/z?d112:hj88:>

**John Katko**, U.S. Representative, 24th district of New York (2015-present)

Katko said he would support a constitutional amendment to overturn the Supreme Court's 2010 in *Citizens United*, explaining, "The only way you're going to limit [money in politics] is through a constitutional amendment."

*Speaking with the Editorial Board of The Syracuse Post Standard, October 31st, 2016:*[http://www.syracuse.com/politics/index.ssf/2016/10/after\\_7\\_million\\_campaign\\_katko\\_and\\_deacon\\_deplore\\_money\\_in\\_politics.html](http://www.syracuse.com/politics/index.ssf/2016/10/after_7_million_campaign_katko_and_deacon_deplore_money_in_politics.html)

**Jim Leach**, U.S. Representative, R- Iowa (1977-2007), Chair, National Endowment for the Humanities (2009-2013), American Promise Advisory Council, 2016-present

"*Citizens United* has genetically altered our democratic DNA, pushing American politics in an oligarchic, corporatist direction. The Constitution begins 'We the people' not 'We the corporations.'"

[http://www.americanpromise.net/who\\_we\\_are#ap\\_advisory\\_council](http://www.americanpromise.net/who_we_are#ap_advisory_council)

**A corporation is an artificial creation of the state which in turn is a creation of the people. To vest with constitutionally protected political rights an inanimate entity makes mockery of our individual-rights heritage...**

There is great inequality between corporations, no equality of individual and corporate "personhood," and no equality of individuals when one with many corporate ties may have more capacity to influence decision-making than one with none or just a few...

There is no escaping the reality that the precept of corporate personhood pushes American politics in an oligarchic direction...

The court's law-making judgment cannot be challenged by Congress because an activist 5-to-4 majority has presumptuously held that the moneyed speech powers it has granted corporations are protected by the First Amendment...

moneyed "speech" must not be allowed to weaken the voices of the people. The Constitution begins "We the people. . ." not "We the corporations. . ."

*Boston Globe, "Democracy For Sale", October 14th, 2012:*

[http://articles.boston.com/2012-10-14/opinion/34427397\\_1\\_civility-political-process-political-retribution](http://articles.boston.com/2012-10-14/opinion/34427397_1_civility-political-process-political-retribution)

**"Buddy" Roemer**, Governor, R- Louisiana (1988-1992)

*Testimony at a hearing of the U.S. Senate Judiciary Subcommittee on the Constitution, on "Taking Back Our Democracy: Responding to Citizens United and the Rise of Super PACs," July 24th, 2012:*

<http://www.gpo.gov/fdsys/pkg/CHRG-112shrg86915/html/CHRG-112shrg86915.htm><http://www.judiciary.senate.gov/pdf/12-7-24RoemerTestimony.pdf>

"...it is my belief that Washington DC is not just broken. It is bought, rented, leased, owned by the money givers. Special interests, the bundlers, PACs, Super PACs, lobbyists, the Wall Street bankers, the pharmaceuticals, the corporate giants, the insurance companies, organized labor, the GSE's like Fannie and Freddie, energy companies, on and on and on and on. And this is not about one party versus the other, or about one person or another. It is about systemic and institutional corruption where the size of your check rather than the strength of your need or idea determine your place in line..."

**"An appropriate Constitutional Amendment could be required** as we work through this complex problem.

**John Bohlinger**, Lieutenant Governor (R-Montana) (2005-2013)

"Many people associate the onslaught of Super PACs and dark money contributions from a tiny handful of billionaires with Republican strategists like Karl Rove and conservative donors like the Koch brothers and others. But there is a growing movement in states all across the country of Republicans standing in opposition to Citizens United and the steady erosion of the rights of citizens to enforce common sense regulations on campaign spending through a government that, last time I checked, is of, by, and for the people. All the people; not just a wealthy few. And not the corporations."

<http://thehill.com/blogs/congress-blog/politics/305681-more-republicans-should-support-overturning-citizens-united>

"I'm John Bohlinger, Montana's Lieutenant Governor, and I'm a Republican. Now, Republicans and Democrats don't always agree on policy matters, but there's one thing we do agree on, and that is: corporate money should not influence the outcome of an election."

<http://youtu.be/ditFMj2EhUQ>

*At a press conference on May 3rd, 2012 endorsing Montana's ballot initiative I-166, calling for a constitutional amendment: <http://youtu.be/opemPbg2gkw>*

"This is a government of the people, by the people, for the people, and corporations are not people."

*At the same press conference: <http://youtu.be/ZWSH07ksqbo>*

"The Corrupt Practices Act: that was adopted by the people of Montana in 1912, putting some limits and boundaries on the influence of money on the outcome of elections. This is a question that I think goes beyond partisan matters of politics."

It's not a question of, well, this is a Republican issue or this is a Democrat issue. This is an issue about fair outcomes of elections."

**Verner Bertelsen**, Secretary of State, (R-Montana) (1988-1989)

"Without an amendment to the U.S. Constitution, clarifying that corporations are not people, and that money is not speech, policies aimed at cleaning up elections and reducing the undue influence of money in politics will remain under a threat."

*May 3rd, 2012 endorsing Montana's ballot initiative I-166, calling for a constitutional amendment: <http://youtu.be/opemPbg2gkw>*

"On your ballot, you'll see state initiative I-166. You should vote FOR it. A vote FOR I-166 shows that you still believe it's people, not corporations, who should call the shots in our political system.

I-166 calls on our leaders to amend the U.S. Constitution and re-institute limits on political spending. It would assert that corporations aren't people, they shouldn't be granted the same rights as people, and they certainly shouldn't be allowed to buy elections.

I-166 is a chance to fight back against the bad Citizens United decision by the U.S. Supreme Court and more recent decisions that threaten to undo Montana's century-old laws against political corruption. It's an initiative supported strongly by Montana Republicans and Democrats alike.

I am a lifelong Republican and I served as Montana secretary of state from 1988 to 1989...

Corporations aren't people and money isn't speech. CEOs of corporations may choose to personally contribute to political campaigns, but they shouldn't be allowed to use shareholders' money to do so."

*Billings Gazette, "Stand against unlimited campaign spending, vote for I-166", October 15th, 2012: [http://billingsgazette.com/news/opinion/guest/guest-opinion-stand-against-unlimited-campaign-spending-vote-for-i/article\\_8a1755d3-6539-5e37-92a6-3183d8b6eba9.html](http://billingsgazette.com/news/opinion/guest/guest-opinion-stand-against-unlimited-campaign-spending-vote-for-i/article_8a1755d3-6539-5e37-92a6-3183d8b6eba9.html)*

**Phil Boyle**, State Senator, New York (2013-present) and  
**Kemp Hannon**, State Senator, New York (2013-present)

*In a jointly written letter to Congress following their votes which made New York the 16th State calling on Congress to amend the Constitution and overturn Citizens United:*

“It is vitally important that all Americans maintain faith in their electoral system. We cannot allow exorbitant campaign spending by unions, corporations, and wealthy individuals diminish that faith.”

“We believe that the large influx of campaign money relates directly to the U.S. Supreme Court’s 2010 *Citizens United v. Federal Election Commission* decision, among others. The *Citizens United* decision declared that artificial entities - unions, corporations, and associations - have the same rights as The People with regard to election spending. This decision effectively topples dozens of state and federal laws - and decades of judicial precedent that allowed regulation of expenditures in political campaigns.

Full letter: <http://www.ny4democracy.org/wp-content/uploads/2016/06/Republican-Amendment-Letter.pdf>

**Jim Cox**, State Representative, R-Pennsylvania (2007-present)

Lead sponsor of HR 357. *Text: A Concurrent Resolution calling for a Free and Fair Elections Amendment to the Constitution of the United States via a Convention of States, pursuant to Article V of the Constitution of the United States, to authorize the states to apply disclosure rules and reasonable guidelines on election campaign contributions and expenditures.*

**HR 357 Republican sponsors:**

**Bryan Cutler**, State Representative, R-Pennsylvania (2007-present)  
**Mark Gillen**, State Representative, R-Pennsylvania (2011-present)  
**Rick Irvin**, State Representative, R-Pennsylvania (2015-present)  
**Aaron Kaufer**, State Representative, R-Pennsylvania (2015-present)  
**Christopher Quinn**, State Representative, R-Pennsylvania (2016-present)  
**Jack Rader Jr.**, State Representative, R-Pennsylvania (2015-present)  
**Curtis Sonney**, State Representative, R-Pennsylvania (2005-present)  
**Jeff Wheeland**, State Representative, R-Pennsylvania (2015-present)  
**Harry Lewis Jr.**, State Representative, R-Pennsylvania (2015-present)  
**Stephen Barrar**, State Representative, R-Pennsylvania (1997-present)  
**Thomas Murt**, State Representative, R-Pennsylvania (2007-present)  
**Dan Moul**, State Representative, R-Pennsylvania (2007-present)  
**Tarah Toohil**, State Representative, R-Pennsylvania (2011-present)  
**Nick Miccarelli**, State Representative, R-Pennsylvania (2009-present)  
**James Santora**, State Representative, R-Pennsylvania (2015-present)  
**Paul Schemel**, State Representative, R-Pennsylvania (2015-present)  
**Garth Everett**, State Representative, R-Pennsylvania (2007-present)  
**Eric Nelson**, State Representative, R-Pennsylvania (2016-present)  
**Adam Harris**, State Representative, R-Pennsylvania (2003-present)  
**Brian Ellis**, State Representative, R-Pennsylvania (2005-present)  
**Kurt Masser**, State Representative, R-Pennsylvania (2011-present)

**Jesse Topper**, State Representative, R- Pennsylvania (2014-present).

**David Stockman**, Director, U.S. Office of Management and Budget under President Reagan (1981-1985)

*On "Moyers & Company", March 9th, 2012:*

<http://billmoyers.com/segment/david-stockman-on-crony-capitalism/> at 31:55

"Now we have an entitled class in this country that is far worse than, remember the "welfare queens" that Ronald Reagan used to talk about? We now have an entitled class of Wall St. financiers and corporate CEOs who believe the government is there to do... whatever it takes to keep the game going and their stock price moving upward."...

"How do we solve it? **I think we can only solve it by... a Constitutional Amendment**, so I don't say this lightly, but I think we have to eliminate all contributions above \$100.- and **get corporations out of politics entirely. Ban corporations from campaign contributions or attempting to influence elections.** Now I know that runs into current "free speech", so the only way around it is a Constitutional Amendment to cleanse our political system on a one-time basis from this enormously corrupting influence that has built up. And I think nothing is really going to change until we get money out of politics and do some radical things to change the way elections are financed and the way the process is influenced by organized money."

**Dan Furphy**, State Representative, R-Wyoming (2017-present)

Sponsor of HJR 0010 urging Congress to propose a constitutional amendment ensuring free and fair elections. Full Text:

<http://legisweb.state.wy.us/2017/Introduced/HJ0010.pdf>

**Tyler Lindholm**, State Representative, R-Wyoming (2015-present)

Sponsor of HJR 0010.

**Pat Sweeney**, State Representative, R-Wyoming (2017-present)

Sponsor of HJR 0010.

**Dan Zwonitzer**, State Representative, R-Wyoming (2005-present)

Sponsor of HJR 0010.

**Michael Mike Madden**, State Representative, R-Wyoming (2006-present)

**Gary Stevens**, President of the State Senate (2009-2012), and State Senator, (R-Alaska) (2003-present)

**Kevin Meyer**, State Senator, (R-Alaska) (2009-present)



*Voted "Yea" on 3/21/12 to pass bill # SJR 13:*

[http://www.legis.state.ak.us/basis/get\\_jrn\\_page.asp?session=27&bill=SJR13&jrn=1904&hse=S](http://www.legis.state.ak.us/basis/get_jrn_page.asp?session=27&bill=SJR13&jrn=1904&hse=S)

**Catherine Cloutier**, State Senator, R-Delaware (2000-present)

Joined cross-partisan letter of Delaware legislature calling on Congress to pass the 28<sup>th</sup> Amendment to reverse Supreme Court and permit limitations of money in elections.

<http://united4thepeople.org//wp-content/themes/united/resolutions/DE.pdf>

"The United States of America's elections should not should not be permitted to go to the highest bidder, and yet this is the risk that rises from the ashes of the Citizens United decision."

**Chris Steineger**, State Senator, (R- Kansas) (1997-2013)

*Co-sponsored bill # SCR 1617:*

[http://www.kslegislature.org/li/b2011\\_12/measures/documents/scr1617\\_00\\_0000.pdf](http://www.kslegislature.org/li/b2011_12/measures/documents/scr1617_00_0000.pdf)

**Karen McConnaughay**, State Senator, (R-Illinois) (2013-present)

*Co-sponsored bill # SJR 27:*

<http://ilga.gov/legislation/billstatus.asp?DocNum=27&GAID=12&GA=98&DocTypeID=SJR&LegID=75827&SessionID=85>

*Voted with the majority to pass SJR 27 on May 14<sup>th</sup>, 2013:*

"That the rights to influence our political process by big business, by corporations and wealthy individuals, our forefathers never intended for that to trump the rights of us as individuals."

<http://www.dailyherald.com/article/20130417/news/704179644/>

**Pamela J. Althoff**, State Senator, R-Illinois (2003-present)

*Co-sponsored bill # SJR 27:*

<http://ilga.gov/legislation/billstatus.asp?DocNum=27&GAID=12&GA=98&DocTypeID=SJR&LegID=75827&SessionID=85>

*Voted with the majority to pass SJR 27 on May 14<sup>th</sup>, 2013:*

<http://freespeechforpeople.org/sites/default/files/IL%20Sen%20votes%20for%20SJR%2027%205-14-13.pdf>

**David Burns**, State Senator, R-Maine (2012-present), *and:*

**Ronald F. Collins**, State Senator, R-Maine (2010-present),

*Cosponsored SP 548:*

<http://www.mainelegislature.org/LawMakerWeb/sponsors.asp?ID=280048833>

**Roger Katz**, State Senator, R-Maine (2010-present),

**Brian Langley**, State Senator, R-Maine (2010-present),

**Tom Saviello**, State Senator, R= Maine (2010-present), *and:*

**Edward Youngblood**, State Senator, R-Maine (2012-present)

*Cosponsored SP 548:*

<http://www.mainelegislature.org/LawMakerWeb/sponsors.asp?ID=280048833>

*Senators Katz, Langley, Saviello, and Youngblood also voted with the majority to pass SP 548:*

<http://www.mainelegislature.org/LawMakerWeb/rollcall.asp?ID=280048833&chamber=Senate&serialnumber=57>

*In addition, Senator Youngblood appeared at a rally in support of this resolution, on January 22nd, 2013, as reported in a Bangor Daily News story:*

<http://bangordailynews.com/2013/01/22/politics/maine-lawmakers-join-effort-to-amend-constitution-to-allow-campaign-funding-limits/>

...Youngblood supports a constitutional amendment to overturn Citizens United and has submitted legislation... Youngblood said Tuesday that he expects it will draw Democrats, Republicans and independents as co-sponsors.

“There has to be a way to secure First Amendment rights to speech and still control the amount of dollars spent on campaigns,” he said. “It should be plain to everyone after the election we’ve just had, which broke records for spending, that the system isn’t getting better.”

**Rodney Whitemore**, State Senator, R-Maine (2010-present)

*Voted with the majority to pass SP 548:*

<http://www.mainelegislature.org/LawMakerWeb/rollcall.asp?ID=280048833&chamber=Senate&serialnumber=57>

**Sean Nienow**, State Senator, R-Minnesota (2011-present)

*Voted with the majority to pass bill # SF 17:*

<http://www.senate.leg.state.mn.us/journals/2013-2014/20130502048.pdf>

**Ron Arthun**, State Senator, R-Montana (2011-present),  
**Edward Buttrey**, State Senator, R-Montana (2011-present),  
**Jennifer Fielder**, State Senator, R-Montana (2013-present),  
**Llew Jones**, State Senator, R-Montana (2011-present),  
**Alan Olson**, State Senator, R-Montana (2011-present),  
**Scott Sales**, State Senator, R-Montana (2013-present),  
**Bruce Tutvedt**, State Senator, R-Montana (2009-present), *and*:  
**Chas Vincent**, State Senator, R-Montana (2011-present)

*Voted "Yea" on bill # SJ 19:*

[http://laws.leg.mt.gov/legprd/LAW0211W\\$BLAC.VoteTabulation?P\\_VOTE\\_SEQ=S765&P\\_SESS=20131](http://laws.leg.mt.gov/legprd/LAW0211W$BLAC.VoteTabulation?P_VOTE_SEQ=S765&P_SESS=20131)

*Bill text is on record at:*

[http://leg.mt.gov/bills/2013/senjoint/SJ0019\\_2.pdf](http://leg.mt.gov/bills/2013/senjoint/SJ0019_2.pdf)<http://data.opi.mt.gov/bills/2013/billhtml/SJ0019.htm>

**Kevin Mullin**, State Senator, R-Vermont (2003-present),  
**Vincent Illuzzi**, State Senator, R-Vermont (1981-2013),  
**Diane B. Snelling**, State Senator, R-Vermont (2002-present), **Richard Westman**, State Senator, Vermont (2011-present), *and*:  
**William T. Doyle**, State Senator, R-Vermont (1969-present)

*Voted in support of bill # JRS 11:*

<http://www.leg.state.vt.us/database/status/rcdetail.cfm?Session=2012&RollCallID=466>

**Bob Lynn**, Chair, Committee on State Affairs, and State Representative, R-Alaska (2003-present) *and*:  
**Doug Isaacson**, State Representative, R-Alaska (2013-present)

*Described in a press report as supporting bill # HJR 8:*

<http://radiokenai.net/campaign-reform-being-discussed-in-juneau/>

The House State Affairs Committee held a hearing yesterday on House Joint Resolution 8, sponsored by Anchorage Representative Les Gara.

HJR8 asks Congress to amend the U.S. constitution to prohibit corporations and unions from unlimited spending on political campaigns.

Committee chair, Bob Lynn of Anchorage, said that he supports the resolution since companies with a foreign board of directors can influence domestic politics; North Pole Representative Doug Isaacson also backed the resolution.

*Bill text is on record at:*

[http://www.legis.state.ak.us/basis/get\\_bill\\_text.asp?hsid=HJR008A&session=28](http://www.legis.state.ak.us/basis/get_bill_text.asp?hsid=HJR008A&session=28)

**Donald Blakey**, State Representative, R-Delaware (2006-present), *and:*

**Michael Ramone**, State Representative, R-Delaware (2008-present)

*Joined a majority of state legislators in signing a letter to Congress calling for an amendment: <http://freespeechforpeople.org/sites/default/files/DE-ltr-June-10-2013-3Rs-highlighted.PDF>*

**Josh Harms**, State Representative, R-Illinois (2012-present),

**David Harris**, State Representative, R-Illinois (2010-present),

**Michael McAuliffe**, State Representative, R-Illinois (1996-present),

**Sandra Pihos**, State Representative, R-Illinois (2002-present),

**Robert Pritchard**, State Representative, R-Illinois (2003-present),

**Pam Roth**, State Representative, R-Illinois (2011-present),

**Jim Sacia**, State Representative, R-Illinois (2002-present),

**Michael Tryon**, State Representative, R-Illinois (2004-present), *and*

**Barbara Wheeler**, State Representative, R-Illinois (2012-present)

*Voted with the majority of State Representatives to pass bill # SJR 27:*

<http://freespeechforpeople.org/sites/default/files/IL%20House%20Vote.pdf> or

[http://www.ilga.gov/legislation/votehistory/98/senate/09800SJ0027\\_05142013\\_049000D.pdf](http://www.ilga.gov/legislation/votehistory/98/senate/09800SJ0027_05142013_049000D.pdf)

**Dennis Keschl**, State Representative, R-Maine (2010-present)

*Co-sponsored SP 548:*

<http://www.mainelegislature.org/LawMakerWeb/sponsors.asp?ID=280048833>

*...and also voted with the majority of State Representatives to pass it:*

<http://www.mainelegislature.org/LawMakerWeb/rollcall.asp?ID=280048833&chamber=House&serialnumber=60>

*Representative Keschl was also quoted in a Bangor Daily News Story describing his reasons for supporting SP 548:*

<http://bangordailynews.com/2013/04/30/politics/senate-backs-resolutions-supporting-campaign-finance-immigration-reforms/>

In a House floor speech, Rep. Dennis Keschl, R-Belgrade, said, “Unions, corporations and other wealthy special interest groups should not be able to use their money to drown out the voices of the people.”

**Alexander Willette**, Assistant Republican Leader and State Representative, Maine (2010-Present),

**Bernard Ayotte**, State Representative, R-Maine (2006-present),  
**Michael Beaulieu**, State Representative, R-Maine (2006-present),  
**Tyler Clark**, State Representative, R-Maine (2008-present),  
**David Cotta**, State Representative, R-Maine (2006-present),  
**Larry Dunphy**, State Representative, R-Maine (2010-present),  
**Brian Duprey**, State Representative, R-Maine (2012-present),  
**James Gillway**, State Representative, R-Maine (2010-present),  
**Lance Harvell**, State Representative, R-Maine (2009-present),  
**Jon Kinney**, State Representative, R-Maine (2012-present),  
**Gary Knight**, State Representative, R-Maine (2006-present),  
**Sharri MacDonald**, State Representative, R-Maine (2012-present),  
**Joyce Maker**, State Representative, R-Maine (2010-present),  
**Richard Malaby**, State Representative, Maine (2010-present),  
**Don Marean**, State Representative, R-Maine (2012-present),  
**Matt Pouliot**, State Representative, R-Maine (2012-present),  
**Roger Reed**, State Representative, R-Maine (2012-present),  
**Beth Turner**, State Representative, R-Maine (2011-present),  
**Tom Tyler**, State Representative, R-Maine (2012-present),  
**Amy Volk**, State Representative, R-Maine (2010-present),  
**Windol Weaver**, State Representative, R-Maine (2006-present),  
**Corey Wilson**, State Representative, R-Maine (2012-present),  
**Ellen Winchenbach**, State Representative, R-Maine (2012-present), *and*:  
**Steve Wood**, State Representative, R-Maine (2010-present)

*Voted with the majority of State Representatives to pass SP 548:*

<http://www.mainelegislature.org/LawMakerWeb/rollcall.asp?ID=280048833&chamber=House&serialnumber=60>

**Ron George**, State Delegate, R-Maryland (2007-present)

*Joined a majority of state legislators in signing a letter to Congress calling for an amendment:*

<http://freespeechforpeople.org/sites/default/files/MDGeneralAssembly-5pages-RonGeorge-highlight.pdf>

**Liz Bangerter**, State Representative, R-Montana (2011-present)

*Voted in favor of bills # HJ 10 (in 2011) and # HJ 6 (in 2013):*

[http://laws.leg.mt.gov/legprd/LAW0211W\\$BLAC.VoteTabulation?P\\_VOTE\\_SEQ=H695&P\\_SESS=20111](http://laws.leg.mt.gov/legprd/LAW0211W$BLAC.VoteTabulation?P_VOTE_SEQ=H695&P_SESS=20111)  
[http://laws.leg.mt.gov/laws11/LAW0211W\\$BLAC.VoteTabulation?P\\_VOTE\\_SEQ=H695](http://laws.leg.mt.gov/laws11/LAW0211W$BLAC.VoteTabulation?P_VOTE_SEQ=H695)

*And:*

[http://laws.leg.mt.gov/legprd/LAW0211W\\$BLAC.VoteTabulation?P\\_VOTE\\_SEQ=H798&P\\_SESS=20131](http://laws.leg.mt.gov/legprd/LAW0211W$BLAC.VoteTabulation?P_VOTE_SEQ=H798&P_SESS=20131)

**Lila Walter Evans**, State Representative, R-Montana (2011-2013),

**Daniel Salomon**, State Representative, R-Montana (2011-present), *and*:  
**Bob Wagner**, State Representative, R-Montana (2009-2013)

*Voted in favor of bill # HJ 10:*

[http://laws.leg.mt.gov/legprd/LAW0211W\\$BLAC.VoteTabulation?P\\_VOTE\\_SEQ=H695&P\\_SESS=20111](http://laws.leg.mt.gov/legprd/LAW0211W$BLAC.VoteTabulation?P_VOTE_SEQ=H695&P_SESS=20111)  
[http://laws.leg.mt.gov/laws11/LAW0211W\\$BLAC.VoteTabulation?P\\_VOTE\\_SEQ=H695](http://laws.leg.mt.gov/laws11/LAW0211W$BLAC.VoteTabulation?P_VOTE_SEQ=H695)

**Christy Clark**, State Representative, R-Montana (2011-present),  
**Steve Gibson**, State Representative, R-Montana (2011-present),  
**Sarah Laszloffy**, State Representative, R-Montana (2013-present),  
**Dennis Lenz**, State Representative, R-Montana (2013-present),  
**Jesse O'Hara**, State Representative, R-Montana (2007-present),  
**Nicholas Schwaderer**, State Representative, R-Montana (2013-present),  
**Ray Shaw**, State Representative, R-Montana (2013-present),  
**Kirk Wagoner**, State Representative, R-Montana (2013-present), *and*:  
**Jeffrey Welborn**, State Representative, R-Montana (2009-present),

*Voted in favor of bill # HJ 6:*

[http://laws.leg.mt.gov/legprd/LAW0211W\\$BLAC.VoteTabulation?P\\_VOTE\\_SEQ=H798&P\\_SESS=20131](http://laws.leg.mt.gov/legprd/LAW0211W$BLAC.VoteTabulation?P_VOTE_SEQ=H798&P_SESS=20131)

**David Bickford**, State Representative, R-New Hampshire (1996-2006, 2008-2010, 2012-present),  
**Timothy Comerford**, State Representative, R-New Hampshire (2008-present),  
**Susan Emerson**, State Representative, R-New Hampshire (2000-2002, 2004-present),  
**Carolyn Gargasz**, State Representative, R-New Hampshire (2000-present),  
**Richard Gordon**, State Representative, R-New Hampshire (2012-present),  
**James Grenier**, State Representative, R-New Hampshire (2012-present),  
**Stephen Holmes**, State Representative, R-New Hampshire (2012-present),  
**Daniel Itse**, State Representative, R-New Hampshire (2000-present),  
**David Kidder**, State Representative, R-New Hampshire (2004-present), *and*:  
**Herbert Richardson**, State Representative, R-New Hampshire (2002-2006, 2008-present)

*Voted with the majority on May 15, 2014 to pass bill # SB307:*

<http://legiscan.com/NH/rollcall/SB307/id/364694>

*And:*

*Voted with the majority on March 20th, 2013 to pass bill # HCR 2:*

<https://org2.salsalabs.com/o/7003/images/HCR%202%20Final%20RollCall%203-20-13%20w%2010%20R%20yeas.pdf>

<https://org2.democracynaction.org/o/7003/images/HCR%202%20Final%20RollCall%203-20-13%20w%2010%20R%20yeas.pdf> or

[http://www.gencourt.state.nh.us/bill\\_status/Roll\\_calls/billstatus\\_rcdetails.aspx?vs](http://www.gencourt.state.nh.us/bill_status/Roll_calls/billstatus_rcdetails.aspx?vs)

[=79&sy=2013&lb=H&eb=HCR0002&sortoption=billnumber&txtsessionyear=2013&txtbillnumber=HCR2&ddlsporsors=&lsr=290](#)

**James Belanger**, State Representative, New Hampshire (2010-present),  
**Ronald Belanger**, State Representative, New Hampshire (1992-present),  
**Regina Birdsell**, State Representative, New Hampshire (2010-present),  
**Gene Charron**, State Representative, New Hampshire (2004-present),  
**Lars Christiansen**, State Representative, New Hampshire (1996-present)  
**Gary Daniels**, State Representative, New Hampshire (1996-2000, 2006-present)  
**Ralph Doolan**, State Representative, New Hampshire (2012-present)  
**Robert Elliot**, State Representative, New Hampshire (2006-present)  
**Beverly Ferrante**, State Representative, New Hampshire (2008-present)  
**Donald Flanders**, State Representative, New Hampshire (2000-present)  
**Jack Hayes**, State Representative, New Hampshire (2012-present)  
**Laura Jones**, State Representative, New Hampshire (2010-present)  
**Priscilla Lockwood**, State Representative, New Hampshire (1998-present)  
**Robert Luther**, State Representative, New Hampshire (2010-present)  
**David Murotake**, State Representative, New Hampshire (2012-present)  
**Robert Nigrello**, State Representative, New Hampshire (2012-present)  
**Elisabeth Sanders**, State Representative, New Hampshire (2004-present)  
**John Sedensky**, State Representative, New Hampshire (2008-present)  
**Steven Smith**, State Representative, New Hampshire (2010-present)  
**Kevin St. James**, State Representative, New Hampshire (2012-present)  
**Jordan Ulery**, State Representative, New Hampshire (2004-present)  
**Karen Umberger**, State Representative, New Hampshire (2008-present)  
**Kenneth Weyler**, State Representative, New Hampshire (1990-2008, 2010-present)

*Voted with the majority on May 15, 2014 to pass bill # SB307:*  
<http://legiscan.com/NH/rollcall/SB307/id/364694>

**Susan Emerson**, State Representative, New Hampshire (2000-2002, 2004-present),  
**Richard Gordon**, State Representative, New Hampshire (2012-present),  
**Stephen Holmes**, State Representative, New Hampshire (2012-present),  
**Herbert Richardson**, State Representative, New Hampshire (2002-2006, 2008-present)

*Voted with the majority on March 20th, 2013 to pass bill # HCR 2:*  
<https://org2.salsalabs.com/o/7003/images/HCR%202%20Final%20RollCall%203-20-13%20w%2010%20R%20yeas.pdf> or  
[http://www.gencourt.state.nh.us/bill\\_status/Roll\\_calls/billstatus\\_rcdetails.aspx?vs=79&sy=2013&lb=H&eb=HCR0002&sortoption=billnumber&txtsessionyear=2013&txtbillnumber=HCR2&ddlsporsors=&lsr=290](http://www.gencourt.state.nh.us/bill_status/Roll_calls/billstatus_rcdetails.aspx?vs=79&sy=2013&lb=H&eb=HCR0002&sortoption=billnumber&txtsessionyear=2013&txtbillnumber=HCR2&ddlsporsors=&lsr=290)

**Jack Ciattarelli**, State Assembly Member, New Jersey (2011-present)

*Voted with the majority on October 18th, 2012 to pass bill # AR 86:*  
<https://org2.salsalabs.com/o/7003/images/NJ%20AR86%20roll%20call%2010-18-12.pdf><https://org2.democracynaction.org/o/7003/images/NJ%20AR86%20roll%20call%2010-18-12.pdf>; Roll call also available via navigation under the following general link: <http://www.njleg.state.nj.us/bills/BillView.asp>

**Don Tripp**, State Representative, New Mexico (1999-present)

*Voted with the majority on January 31st, 2012 to pass bill # HM 4:*  
<http://www.nmlegis.gov/Sessions/12%20regular/votes/HM004HVOTE.pdf>

**Michael Montesano**, State Assembly Member, New York (2010-present)

*Joined a majority of State Assembly Members in signing a June 2014 letter to Congress calling for an amendment:*  
<http://www.ny4democracy.org/wp-content/uploads/2014/06/AssemblyLetter.pdf>

*And:*

*Co-sponsored bill # K 1016:*  
[http://assembly.state.ny.us/leg/?default\\_fld=%0D%0A&bn=K1016&term=2011&Summary=Y&Actions=Y&Votes=Y&Memo=Y&Text=Y](http://assembly.state.ny.us/leg/?default_fld=%0D%0A&bn=K1016&term=2011&Summary=Y&Actions=Y&Votes=Y&Memo=Y&Text=Y)

**Clifford Crouch**, State Assembly Member, New York (1995-present)

**Chad Lupinacci**, State Assembly Member, New York (2013-present)

**David McDonough**, State Assembly Member, New York (2002-present)

*Joined a majority of State Assembly Members in signing a June 2014 letter to Congress calling for an amendment:*  
<http://www.ny4democracy.org/wp-content/uploads/2014/06/AssemblyLetter.pdf>

**Dan Moul**, State Representative, Pennsylvania (2007-present),

**Mark Mustio**, State Representative, Pennsylvania (2003-present), *and:*

**RoseMarie Swanger**, State Representative, Pennsylvania (2007-present)

*Co-sponsored bill # HR 556:*  
<http://www.legis.state.pa.us/CFDOCS/Legis/PN/Public/btCheck.cfm?txtType=HTM&sessYr=2011&sessInd=0&billBody=H&billTyp=R&billNbr=0556&pn=3029>

**Bob Faehn**, former State House Majority Leader and former State Representative, South Dakota (2005-2011)

*Co-sponsored bill # HCR 1018:*



[http://legis.sd.gov/Legislative\\_Session/Bills/Bill.aspx?Bill=HCR1018&Session=2010](http://legis.sd.gov/Legislative_Session/Bills/Bill.aspx?Bill=HCR1018&Session=2010)<http://legis.state.sd.us/sessions/2010/Bill.aspx?File=HCR1018P.htm>

**Mark Kirkeby**, former State Representative, South Dakota (2007-2012; State Senator, 2013-present)

*Voted for bill # HCR 1018:*

[http://legis.sd.gov/Legislative\\_Session/Bills/RollCall.aspx?Vote=7679&Session=2010](http://legis.sd.gov/Legislative_Session/Bills/RollCall.aspx?Vote=7679&Session=2010)<http://legis.state.sd.us/sessions/2010/RollCall.aspx?Vote=2255>

**Dennis Devereux**, State Representative, Vermont (2007-present),  
**Adam Howard**, State Representative, Vermont (2009-2013),  
**Patti Komline**, State Representative, Vermont (2005-present),  
**Oliver Olsen**, State Representative, Vermont (2010-2013), *and*:  
**Kurt Wright**, State Representative, Vermont (2001-present)

*Voted with the majority to pass bill # JRS 11:*

<http://www.leg.state.vt.us/database/status/rcdetail.cfm?Session=2012&RollCallID=481>

**Mike Hope**, State Representative, Washington State (2009-present)

*Co-sponsored bill # HJM 4001:*

<http://apps.leg.wa.gov/billinfo/summary.aspx?bill=4001&year=2013>

**Jan Angel**, State Representative, Washington State (2009-present)

*Voted for bill # HJM 4001:*

<http://apps.leg.wa.gov/billinfo/summary.aspx?bill=4001&>

**John Ellem**, State Delegate, West Virginia (2000-present)

*Co-sponsored bill # HR 8 in 2012:*

[http://www.legis.state.wv.us/Bill\\_Text\\_HTML/2012\\_SESSIONS/RS/Bills/hr8%20intro.htm](http://www.legis.state.wv.us/Bill_Text_HTML/2012_SESSIONS/RS/Bills/hr8%20intro.htm)

*Delegate Ellem is also quoted in a press report describing his reasons for supporting bill # HR 9, in 2013: <http://www.statejournal.com/story/21820476/wv-house-resolution-seeks-to-overturn-citizens-united>*

Delegate John Ellem, R-Wood, dusted off the history books and pointed out the Dutch East India Company, the first multi-national corporation, was created to do big business and had powers to declare war and to try, imprison and execute people. But, Ellem said, times have changed.

"It was a tool," he said. "Corporations existed before the 1st Amendment. They existed before our constitution. Since a corporation is a tool for commerce, I strongly believe being a tool we created, we have the power, we as the legislative

body, and the Supreme Court has chimed in on it, but we have the right to impose restrictions."

*The text of HR 9 is on record at:*

[http://www.legis.state.wv.us/Bill\\_Text\\_HTML/2013\\_SESSIONS/RS/Bills/hr9%20intro.htm](http://www.legis.state.wv.us/Bill_Text_HTML/2013_SESSIONS/RS/Bills/hr9%20intro.htm)

**Bill Hamilton**, State Delegate, West Virginia (2003-present)

*Co-sponsored bill # HR 8:*

[http://www.legis.state.wv.us/Bill\\_Text\\_HTML/2012\\_SESSIONS/RS/Bills/hr8%20intro.htm](http://www.legis.state.wv.us/Bill_Text_HTML/2012_SESSIONS/RS/Bills/hr8%20intro.htm)

## **Republican critics of the Supreme Court's decisions about money in politics**

**Rob McKenna**, Attorney General of Washington State (2005-2013),

**Mark Shurtleff**, Attorney General of Utah (2001-2013), *and*

**Lawrence G. Wasden**, Attorney General of Idaho (2003-present)

*In an amicus brief before the U.S. Supreme Court in American Tradition Partnership v. Bullock, filed by twenty-two state Attorneys General including these three Republicans:*

<http://www.ag.ny.gov/sites/default/files/press-releases/2012/ATPvBullock-States-Brief-Supporting-Montana.pdf>

"In particular, the amici States believe that the Court should reexamine the assertion in *Citizens United* that independent expenditures, no matter their size or circumstances, rarely cause corruption or the appearance of corruption of federal officeholders, as well as the holding that the federal law at issue in that case could not be supported, in whole or in part, by government interests in preventing distortion of political campaigns and protecting shareholders from the use of corporate funds for political communications they do not support."

"The States have regulated corporate participation in politics for over a century."

"The States' legislative responses [to the *Citizens United* decision], however, evidence their continuing interest in ensuring that corporate expenditures do not threaten the integrity of their democratic processes."

"The States have a compelling interest in preventing domination of state and local elections by nonresident corporate interests."

“...the anti-corruption interest is not the only cognizable government interest that can support restrictions on campaign expenditures: a polity also has a compelling interest in regulating electoral influence by nonresidents.”

“And nonresident corporations, due to their large aggregations of wealth and discrete economic interests, present the greatest risk of domination or distortion of state and local elections by nonresidents.”

**Jon Huntsman**, former Governor of Utah (2005-2009), former U.S. Ambassador to China (2009-2011)

*Slate, January 6th, 2012:*

[http://www.slate.com/blogs/weigel/2012/01/06/occupiers\\_for\\_huntsman\\_part\\_ii\\_of\\_course\\_corporations\\_are\\_not\\_people.html](http://www.slate.com/blogs/weigel/2012/01/06/occupiers_for_huntsman_part_ii_of_course_corporations_are_not_people.html)

**"Of course corporations are not people,"** joked Huntman [sic]. "Who would say such an outlandish thing!"

*KSL.com, August 7th, 2012:* <http://www.ksl.com/?nid=757&sid=21601347>

"The party has become a holding company for super PACs," he said, describing the Citizen's United Supreme Court case, which opened the door to unlimited, secret money in campaigns as disastrous.

Huntsman said he longed for the party of Lincoln, who elevated "the notion of individual liberty," of Roosevelt (Teddy, not Franklin), who stood up to too-large corporations "in the name of fairness and equality" and Eisenhower "who built our infrastructure."

**Ron Paul**, former U.S. Representative, 22nd then 14th district of Texas (1979-1985; 1997-2013)

*In an interview while campaigning for the presidency in August, 2011:*

<http://www.youtube.com/watch?v=s-xFexgH76g>

*Originally transcribed at RonPaul.com:* <http://www.ronpaul.com/2011-08-17/ron-paul-corporations-are-not-people/>

Interviewer: "What did you make of Mitt Romney's statement that corporations are people yesterday?"

Ron Paul: "Well obviously, they are not. People are individuals, they're not groups and they're not companies. Individuals have rights, they're not collective. You can't duck that. So individuals should be responsible for corporations, and they shouldn't be a new creature so-to-speak. Rights and obligations should be always back to the individual."

**Warren Rudman**, late former U.S. Senator from New Hampshire (1980 -1993)

*In a column he wrote in the Washington Post, published February 3rd, 2010, "Republicans losing their way on campaign finance reform":*

*<http://www.washingtonpost.com/wp-dyn/content/article/2010/02/04/AR2010020403624.html>*

"...laws limiting corporate money in federal elections and requiring strict disclosure of campaign funds... were dealt a serious blow by [the] Supreme Court decision in Citizens United v. Federal Election Commission. That such a rash and immoderate ruling could come from a chief justice once committed to respecting precedent, and win praise from leaders of my party, is beyond my comprehension..."

**Supreme Court opinion notwithstanding, corporations are not defined as people under the Constitution**, and free speech can hardly be called free when only the rich are heard."

**Trevor Potter**, former Commissioner (1991-1995), Federal Election Commission

*In a video interview with Bill Moyers, "Trevor Potter on Fighting Big Money in the 2012 Election": <http://billmoyers.com/segment/trevor-potter-on-fighting-big-money-in-the-2012-election/>*

"...the Citizens United decision,... that I and I think many other people think was a big mistake..."

It seems to me that the Supreme Court majority and Citizens United ignored, essentially, a hundred years of American history, going back to date Theodore Roosevelt and his first clarion call, that big money and Wall Street not dominate the presidential election. And his urging of Congress to limit corporate contributions..."

So to say that the right thing to do in a democracy is have a corporation spend money in ways that will give them the most profit, never mind what happens to anyone else or the rest of the country. It is, I think, an example of why **you don't really want corporations participating directly in elections.**

They have a very narrow interest. Which is supposed to be their shareholders. But we want voters and citizens to have a broader interest. To think about the next generation, to think about the greater good. There's an interesting quote from the head of Exxon in a new book out on Exxon where he says, "Exxon is not a U.S. corporation, we do not act in the best interest of the United States."

Well, it is a U.S. corporation, but what he meant is, they have shareholders all over the world, they have investments all over the world, and it's not his job to do things that are good for America, it's his job to do things that are good for his international shareholders.”

*Featured in a video by The Atlantic, “Stephen Colbert’s Lawyer Explains the Danger of SuperPACs”:*

<http://www.theatlantic.com/politics/archive/2012/09/stephen-colberts-lawyer-explains-the-danger-of-super-pacs/262419/>

*[Interviewer:]* “How radically would you say that the campaign finance landscape has changed since the *Citizens United* decision?”

*[Potter:]* “I think it’s safe to change that today we’re probably at the lowest place I have seen in my legal career.” ...

*[Interviewer:]* “What concerns you about the idea of unlimited corporate donations in politics?”

*[Potter:]* “I think the fundamental belief here is that citizens, who are, after all, voters, should be the ones participating in election advocacy because you and I have a whole range of reasons to vote for someone or to give to a candidate. But in theory, in law, in reality, a corporation only has one reason, which is to maximize their profits.”

### **Olympia Snowe, U.S. Senator, Maine (1995-2013)**

*In an article on Maine Public Broadcasting, November 6th, 2012:*

<http://www.mpbn.net/News/MPBNNews/tabid/1159/ctl/ViewItem/mid/3762/ItemId/24561/Default.aspx><http://www.mpbn.net/Home/tabid/36/ctl/ViewItem/mid/3478/ItemId/24561/Default.aspx>

Outside groups have spent more than \$7 million on Maine's U.S. Senate race alone. And Sen. Snowe says the unleashing of their attack ads has been a disservice to the candidates and the voters because they've dampened discussion of real issues. That's why **Snowe says she'd endorse a future effort to repeal Citizens United.**

"It's ridiculing our process, it's ridiculing, frankly, the common sense, practicality and intelligence of the American people," Snowe says. "They expect better, should get better, deserve better."

*Senator Snowe also shared her views on Citizens United in an interview on the Diane Rehm Show on May 21<sup>st</sup>, 2013: <http://thedianerehmshow.org/shows/2013-05-21/olympia-snowe-fighting-common-ground-how-we-can-fix-stalemate-congress>, at 35:30*

... I think it matters profoundly, the decision that was issued by the Supreme Court on *Citizens United*. And as a matter of fact, it was my provision in the campaign finance law that was challenged in *Citizens United*.

It was based on issue advocacy ads that Senator Jeffords and I had drafted to try to combat the influence of these ads by outside organizations right before an election. I said they were designed to influence the outcome. You know, if you're identifying members of Congress or Senators by name shortly before the election, in this case it was 60 days. So we thought we drew a very bright line. In fact, it was upheld in the first challenge before the Supreme Court. There were three hours of arguments on my provision. It was sustained because at that point, of course, we had Sandra Day O'Connor on the Court.

But, regrettably, it wasn't in this case. And **then they unraveled, you know, another 100 years of case law and precedent. So I think it matters because it's just more money where they can, you know, flood the airways with invectives and demonize individuals and positions and viewpoints, even during the course of the legislative session, not just in matter of the campaign, so it becomes perpetual. And 71 percent of the ads that are run are attack ads. So that has a spillover effect into the legislative process. It's undeniable, in many ways.**

*Senator Snowe was also quoted previously in an article on initial reaction to the Citizens United decision, at Examiner.com:*

<http://www.examiner.com/article/congressional-reaction-and-non-reaction-to-supreme-court-ruling-on-mccain-feingold-law>

Senator Olympia Snowe (R-Maine), for example, was one Republican to publicly declare her unease with the decision. Snowe said she was "deeply troubled" by the ruling.

"The effects of the decision will be to undermine existing law, flood the airwaves with corporate and union advertisements and undercut landmark reforms that I and many others fought to secure to put elections back in the hands of the American people. Today's decision was a serious disservice to our country."

**Lisa Murkowski**, U.S. Senator, Alaska (2002-present)

*In Washington Post Op-Ed by Senators Murkowski and Ron Wyden (D-OR), published December 27th, 2012, "Our states vouch for transparent campaign financing":* [http://www.washingtonpost.com/opinions/a-federal-blueprint-for-transparent-campaign-financing/2012/12/27/b1c6287e-43eb-11e2-8061-253bccfc7532\\_story.html](http://www.washingtonpost.com/opinions/a-federal-blueprint-for-transparent-campaign-financing/2012/12/27/b1c6287e-43eb-11e2-8061-253bccfc7532_story.html)

"Take it from two United States senators from both sides of the aisle who have decades of experience in public life: Campaign-finance rules have a tremendous impact on the public policy agenda in Congress. Contrary to the popular perception, the prospect of getting — or not getting — a check from an individual or political action committee does not drive the typical decision on Capitol Hill.

But decision-making is often colored by the prospect of facing \$5 million in anonymous attacks ads if a member of Congress crosses an economically powerful interest.

**This influx of unregulated political cash stemming from the Supreme Court's 2010 Citizens United decision spawned a particularly vitriolic political cycle.**

Groups on both sides dumped some \$6 billion into tearing down candidates for public office. The anonymity of much of this spending encourages ads that lower the level of political discourse and makes it harder, not easier, for Americans to make informed decisions. Most of all, this spending ensured that those elected in November would carry that pressure for strict and absolute partisanship back to Washington, hobbling our efforts to govern for another two years.

The resulting political gridlock is preventing progress in a number of areas — apparent in the “fiscal cliff” negotiations — but most significantly on fundamental campaign-finance reforms...

**Along with many Americans, we are uncomfortable with the Citizens United decision. Unlimited corporate and individual spending is corrosive to democracy and undermines the political process...”**

**Newt Gingrich**, former Speaker, U.S. House of Representatives (1995-1999), and former U.S. Representative (1979-1999)

*In a guest appearance on The Colbert Report, November 13th, 2012:*

<http://thecolbertreport.cc.com/episodes/ws071h/november-13--2012---newt-gingrich>

<http://www.colbertnation.com/the-colbert-report-videos/421236/november-13-2012/newt-gingrich-pt--2> at 3:00

Gingrich: **"I think super PACs as such are in fact very dangerous** in the long run. When you see Mayor Bloomberg put a million seven hundred thousand into a democratic district in California to beat somebody, **there's something fundamentally, profoundly wrong about what's happening, and it's happening in both parties and in the long run it's going to be very negative and very destructive of our system."**...

Gingrich: "I had one billionaire, a good friend and a person who's deeply passionate about..."

Colbert: "Great friend to have. Billionaires are some of the best friends to have."

Gingrich: "I'd love to have had ten or 15. Romney had about 26. It turned out 26 billionaires beat one. This was a great revelation to us. So I think Romney..."

Colbert: **"That would make a great reality show: Billionaire Fight"**

Gingrich: "**There you go. We just had it. It was called the election.**"

**Richard Posner**, Judge, U.S. Court of Appeals for the Seventh Circuit (1981-present), nominated by President Reagan

*Speaking at the University of Chicago Law School on July 12th, 2012, as reported in The Daily Beast in this piece, which also describes Posner as "the most influential conservative judge outside the Supreme Court":*

*<http://www.thedailybeast.com/articles/2012/07/14/richard-posner-bashes-supreme-court-s-citizens-united-ruling.html>*

"Our political system is pervasively corrupt due to our Supreme Court taking away campaign-contribution restrictions on the basis of the First Amendment."

"wealthy people essential[ly] bribe legislators" [with campaign contributions]

**Robert Dold**, U.S. Representative, 10th district of Illinois (2011-2013)

*The New York Times*, "Mauled by Ads, Incumbents Look to Declaw Outside Groups", October 23, 2012:

*[http://www.nytimes.com/2012/10/24/us/politics/incumbents-hit-hard-by-attack-ads-considering-tightening-campaign-finance-laws.html?hp&\\_r=1&](http://www.nytimes.com/2012/10/24/us/politics/incumbents-hit-hard-by-attack-ads-considering-tightening-campaign-finance-laws.html?hp&_r=1&)*

"I think what we're going to find as history takes a look is that the Citizens United case diluted the voice of the average voter with the amount of advertising from outside groups. There are going to be those that say that was a good thing, but I do think the people of the 10th District deserved better."

**Michael Steele**, former Chairman, Republican National Committee (2009-2011)

*In a RepublicReport.org video posted April 6th, 2012:*

*<http://youtu.be/aImNDsdGe-o>*

"I think that there's going to be a movement if you will to somehow fix or correct this market that we currently have for campaign finance with respect to *Citizens United*. And I'm fine with that."

**Sue Kelly**, former U.S. Representative, 19th district of New York (1995-2007)

*Quoted in this article on her appearance at Boston University on September 24th, 2012: <http://dailyfreepress.com/2012/09/25/former-congressmen-address-partisan-politics/>*



“I think the money situation is corrupting the political process,” Kelly said in response to a student question about flaws in American politics. “There’s so much money [in politics] now.”

Kelly referred to the Citizens United Supreme Court case, in which the court ruled that the First Amendment prevents the government from limiting the amount of money corporations or unions can spend on political campaigns.

**Artur Davis**, former U.S. Representative, 7th district of Alabama (2003-2011); Republican since 2012

*Interviewed in The Washington Times, October 2nd, 2012:*  
<http://communities.washingtontimes.com/neighborhood/conscience-realist/2012/oct/2/artur-davis-ron-paul-citizens-united-and-public-se/>

"I remain of the opinion that **the Supreme Court got it wrong in Citizens United**. The Court’s conceit that the financing of independent expenditures creates no appearance of corruption or influence peddling, while direct contributions do, is the kind of distinction that only a court whose members have never run for so much as city council could contemplate. While I recognize that most conservatives disagree, I subscribe to an older view that preserving trust in public institutions is a conservative value in its own right. I think over time, conservatives will lament the ruling, as the left invariably uses it to maximize its own special interest influence."

**Jim Clancy**, Chairman (2013-present), and previously Commissioner (2010-2013), Texas Ethics Commission

*Interviewed in The Texas Tribune, February 5th, 2013:*  
<http://www.texastribune.org/2013/02/05/jim-clancy-and-paul-hobby-tt-interview/>

“TT: What has Citizens United meant for the watchdog role of the Ethics Commission?”

“Clancy: Citizens United created uncertainty for the people who have to follow our rules. There are a lot of very good, well-intentioned people trying to find out what to do in certain circumstances. One of challenges we have is that those people who come to us, who try to disclose, are typically the ones who are fined. People who don’t report, who ignore the disclosure system, those folks are rarely involved. The reason why you see a real pushback when you start talking about some expanded powers, more disclosure, more fines, is because there’s a feeling that those people who try to comply are punished for doing so.”

**Michael Ellis**, President, Wisconsin State Senate (1982-present)

*Quoted in this report in the Appleton Post-Crescent:*

<http://www.postcrescent.com/article/U0/20130422/APC0101/304220312>

And Ellis cited one of his longtime crusades — campaign finance reform.

**“We’ve had roadblocks because of the Supreme Court decision,”** he said. **“Citizens United** shifts pressure from individuals to collectivism. Collectivism can spend as much as they want, **rendering the individual citizen of our state null and void.** We have to do what we can within the confines of the Supreme Court decision.”

**Bill Brock**, Former Chairman, Republican National Committee, (1977-1981)

Quoted in Bloomberg View, May 25, 2014:

<http://www.bloombergvew.com/articles/2014-05-25/shrinking-line-separates-campaign-donations-from-bribes>

Bill Brock, one of the most successful chairmen of the Republican National Committee, has said the problem goes well beyond bribery: "The appearance of corruption is corrosive and is undermining our democracy."

**Vance McAllister**, U.S. Representative, 5<sup>th</sup> District of Louisiana, (2013-present)

*Quoted in Think Progress, June 10, 2014:*

<http://thinkprogress.org/justice/2014/06/10/3446992/republican-congressman-demolishes-the-supreme-courts-rationale-for-killing-campaign-finance-laws/>

**“Money controls Washington,”** according to Congressman Vance McAllister (R-LA), who also told an audience of Louisiana accountants that Congress is caught in a “steady cycle of voting for fundraising and money instead of voting for what is right.”

**Historic Republican Critics of Unchecked Corporate Power and Corporate Participation in Politics, predating *Citizens United***

**Theodore Roosevelt**, President of the United States, 1901-1909

*In his “New Nationalism” speech, 1910:*

<http://teachingamericanhistory.org/library/index.asp?document=501>

"For every special interest is entitled to justice, but not one is entitled to a vote in Congress, to a voice on the bench, or to representation in any public office. The Constitution guarantees protection to property, and we must make that promise good. But it does not give the right of suffrage to any corporation."

"The true friend of property, the true conservative, is he who insists that property shall be the servant and not the master of the commonwealth; who insists that the creature of man's making shall be the servant and not the master of the man who made it. The citizens of the United States must effectively control the mighty commercial forces which they have called into being."

"There can be no effective control of corporations while their political activity remains. To put an end to it will be neither a short nor an easy task, but it can be done."

**William Rehnquist**, Chief Justice of the U.S. Supreme Court, 1986-2005

*In his dissent in the case First National Bank of Boston v. Bellotti, 1978:*

<http://caselaw.lp.findlaw.com/cgi-bin/getcase.pl?court=us&vol=435&invol=765>

"Nevertheless, we concluded soon thereafter that **the liberty protected by that [fourteenth] Amendment "is the liberty of natural, not artificial persons."** Northwestern Nat. Life Ins. Co. v. Riggs, (1906)."

"... Congress of the United States, and the legislatures of 30 other States of this Republic have considered the matter, and have concluded that **restrictions upon the political activity of business corporations are both politically desirable and constitutionally permissible.** The judgment of such a broad consensus of governmental bodies expressed over a period of many decades is entitled to considerable deference from this Court. I think it quite probable that their judgment may properly be reconciled with our controlling precedents, but **I am certain that under my views** of the limited application of the First Amendment to the States, which I share with the two immediately preceding occupants of my seat on the Court, but not with my present colleagues, **the judgment of the Supreme Judicial Court of Massachusetts should be affirmed.**"

"Since **it cannot be disputed that the mere creation of a corporation does not invest it with all the liberties enjoyed by natural persons**, United States v. White, (1944) (corporations do not enjoy the privilege against self-incrimination), our inquiry must seek to determine which constitutional protections are "incidental to its very existence." Dartmouth College, *supra*, at 636."

"Although the Court has never explicitly recognized a corporation's right of commercial speech, such a right might be considered necessarily incidental to the business of a commercial corporation.

It cannot be so readily concluded that the right of political expression is equally necessary to carry out the functions of a corporation organized for commercial purposes. **A State grants to a business corporation the blessings of potentially perpetual life and limited liability** to enhance its efficiency as an economic entity. It might reasonably be concluded that **those properties**, so beneficial in the economic sphere, **pose special dangers in the political sphere.**

Furthermore, it might be argued that **liberties of political expression are not at all necessary to effectuate the purposes for which States permit commercial corporations to exist.** So long as the Judicial Branches of the State and Federal Governments remain open to protect the corporation's interest in its property, it has no need, though it may have the desire, to petition the political branches for similar protection. Indeed, the States might reasonably fear that **the corporation would use its economic power to obtain further benefits beyond those already bestowed.**"

**The free flow of information is in no way diminished by the Commonwealth's decision to permit the operation of business corporations with limited rights of political expression. All natural persons, who owe their existence to a higher sovereign than the Commonwealth, remain as free as before to engage in political activity.** Cf. *Maier v. Roe*, (1977)."

**Barry Goldwater**, U.S. Senator, Arizona (1953-1965), Republican nominee for President (1964)

*In his seminal book, The Conscience of a Conservative, on page 54:*

*In order to achieve the widest possible distribution of political power, financial contributions to political campaigns should be made by individuals and individuals alone. I see no reason for labor unions – or corporations – to participate in politics. Both were created for economic purposes and their activities should be restricted accordingly.*

# Appendix II

## Constitutional Amendments Are How Americans Keep Our Republic

Constitutional amendments are not easy, nor should they be. Under Article V of the Constitution, amendments must be proposed by 2/3 of Congress (or alternatively, convention called by 2/3 of the States, to date, never used) and ratified by 3/4 of the States. They often require the reversal of Supreme Court decisions (eight of our constitutional amendments did that). And they challenge and overturn powerful entrenched interests and threaten oligarchs, from the slaveholders to the largest corporations and “robber barons” that controlled the United States Senate before the 17<sup>th</sup> Amendment, which implemented the direct election of US Senators by the people.

*[[CALLOUT: “We need to rescue the First Amendment rights of Americans from a growing Oligarchy. The nation’s Founders based our Republic on the balance of interests to be argued for through competing free speech. Allowing unlimited and secret or veiled campaign contributions to be used as a giant blow horn actually destroys the free speech of individuals that our Constitution should protect.” John Pudner, Executive Director, Take Back Our Republic]]*

Nearly every generation of Americans has lived up to the challenge of the using Constitutional amendment process to keep our republic. Indeed, constitutional amendments tell the story of America. They are how we have resolved and won our most epic struggles and aspirations.

- ✓ The **Bill of Rights** (1<sup>st</sup> - 10<sup>th</sup> Amendments)
- ✓ The **end of slavery** and a new promise of liberty and equality for all Americans (13<sup>th</sup> - 15<sup>th</sup> Amendments)
- ✓ The right of women to vote, and later, men and women over 18 (19<sup>th</sup> and 26<sup>th</sup> Amendments)
- ✓ The election by the people of United States Senators (17<sup>th</sup> Amendment)
- ✓ **Civil rights** and the end of the poll tax (24<sup>th</sup> Amendment)
- ✓ Federalism and **checks on concentrated power**, overreaching and corruption threats of the federal government (10<sup>th</sup> - powers reserved to states and people, 11<sup>th</sup> - no suing states in federal courts)
- ✓ Repeal of prohibition (21<sup>st</sup> Amendment)
- ✓ Term limits for the President (22<sup>nd</sup> Amendment)
- ✓ Congressional pay raises (27<sup>th</sup> Amendment)

Our Pocket Constitutions have thirty-four pages of text. Roughly half (16 pages) of that text was not part of the Constitution that the nation’s founders signed in September 1787. These pages contain our twenty-seven amendments (so far). Americans ratified the First Amendment in 1791 and the Twenty-Seventh two hundred years later in 1992, with

amendments in between across every generation. There's no doubt that passing a constitutional amendment is a heavy lift, but when our republic is at risk, as it is today from the threat concentrated money, we revere our Constitutional founders by using the mechanisms they enshrined in the Constitution to correct course.

Americans today must again rise to the challenge of protecting our republic and win the 28<sup>th</sup> Amendment to correct the concentrated power, disenfranchisement, and corruption that results from unlimited money of the few driving our elections and representatives.



3

**State-Federal Relations and Veterans Affairs Committee  
January 16, 2019**

**Testimony of Ben Gubits, National Political Director for American Promise, in support of the  
Amendment to the U.S. Constitution proposed by House Concurrent Resolution 5**

**Executive Summary**

The following testimony in support of HCR 5, is on behalf of American Promise and its more than 150,000 cross-partisan members that support a Constitutional Amendment to reduce the undue influence of money in our elections and government, and protect the rights of all Americans to equal citizenship in our republic.

Attached:

- Cross Partisan Support for this Constitutional amendment: *Government of Citizens, Not Money* Report

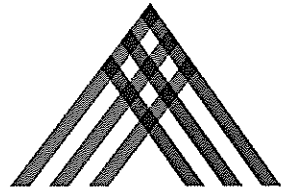
Thank you for the opportunity to submit this testimony on behalf of American Promise, a cross-partisan non-profit organization made up of Americans all over the country, including many in New Hampshire, who are working to secure government of the people, rather than money.

We support HCR 5, which advances an urgently needed amendment to the United States Constitution. Such an amendment will ensure transparency, prevent corruption and the buying of access and influence in our political system, and secure the rights of Americans to equal citizenship and representation in our republic.

This Constitutional amendment effort is not a partisan issue, and many Republicans join Democrats in supporting this cause.<sup>1</sup> In every election since 2010, millions of voters in all over the country voted to pass ballot initiatives advancing this Constitutional amendment solution. They all passed, no matter whether the voters were mostly Republicans or mostly Democrats.

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<sup>1</sup> See attached Report. See also Statement of Fmr. Sen. Alan Simpson (R-Wyoming) ([http://www.americanpromise.net/alan\\_simpson\\_letter](http://www.americanpromise.net/alan_simpson_letter)); Congressman Walter Jones (R-North Carolina) (<http://www.charlotteobserver.com/news/politics-government/election/article106380887.html>); Fmr. Congressman James Leach ([http://www.americanpromise.net/nina\\_turner\\_and\\_jim\\_leach\\_op\\_ed\\_desmoines\\_register](http://www.americanpromise.net/nina_turner_and_jim_leach_op_ed_desmoines_register))



## AMERICAN PROMISE

Almost 800 cities and towns now have joined nineteen states in passing similar resolutions. 82 of these communities are right here in New Hampshire.

Hundreds of Representatives and Senators are now on board, and more and more Americans now know that we must act to win this Constitutional amendment—which will be the 28<sup>th</sup> Amendment— before it's too late. The Resolution you are considering now will make a very important contribution to this historic national cause.

### *Background*

At American Promise, our cross-partisan Advisory Council includes Justice James Nelson, who recently retired from the Montana Supreme Court after twenty years of service; law professors such as John Coates and Lawrence Lessig of Harvard Law School and Tamara Piety of the University of Tulsa College of Law; former Members of Congress, Governors, and state legislators with a century of combined experience in the law, lawmaking, and federalism, including Senator Alan Simpson (R-Wyoming), Governor Mike Dukakis (D-Massachusetts), Congressman Jim Leach (R-Iowa) and State Senator Nina Turner (D-Ohio). In addition, our Advisory Council members include Americans from all walks of life and every region of the country. Including local to New Hampshire, Ella McGrail. (full list here: [http://www.americanpromise.net/about#ap\\_advisory\\_council\\_](http://www.americanpromise.net/about#ap_advisory_council_))

Ella, a first year freshman in college, has been advocating for this reform on behalf of her generation for four years.

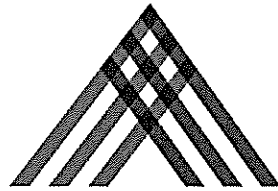
“We know freedom of speech in New Hampshire. Freedom of speech is the stories, experiences, wisdoms, pleas, and views of our people. It is not dollar bills or checks exchanged behind closed doors. Money does talk, but in doing so it silences thousands.”

### *Why a Constitutional Amendment.*

A 28<sup>th</sup> Amendment to the United States Constitution is urgent because we face a Constitutional crisis, not just a “campaign finance” problem. As former member of Congress and American Promise Advisory Council member James Leach (R-Iowa) has said, America risks moving to “corporatism and oligarchy,” where money rather than people rule.

Oligarchy or republican democracy: That is our choice, and a 28<sup>th</sup> Amendment to the Constitution enables us to make the right choice.





## AMERICAN PROMISE

So many Americans now feel excluded by our political system because we are excluded: money increasingly controls who can run, who can serve, and what issues matter. And most Americans don't have the money to play the game. Thus, our political system increasingly is dominated by the resources of the very few.

The 2016 election was the most expensive in American history, and most of the money came from less than 1% of the population. In fact, three billionaires alone spent \$200 million. In general, only 4% of Americans participate in the political money game in any way at all. And the money from only 0.5% accounts for most of the total contributions and spending.<sup>2</sup>

While unions and the very wealthy account for a great deal of money, global corporations also are spending massively in federal, state and local elections. Because this spending is unwelcome by Americans, corporations usually try to hide how they spend the money. In recent years, for example, just three conduits for corporate money—the U.S. Chamber of Commerce, the Democratic Governors Association, and the Republican Governors Association, accounted for more than \$700 million in election spending.

This is the American reality now: With only rare exceptions, money decides who runs, who wins, who governs, and what laws pass and don't pass. In this system, most Americans become second-class citizens, treated more like consumers than citizens, and as mere spectators to fights between competing factions of the donor class.

This is a dangerous breach of our national covenant, and a Constitutional Amendment can fix it. This 28<sup>th</sup> Amendment will renew our American promise that every one of us, no matter how poor or how rich, is an equal citizen.

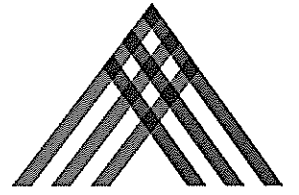
The amendment will limit concentrated money in elections, end the corrupt pay-to-play lobbying system, and keep corporations in business and out of politics. The 28th Amendment will restore free speech rights to all Americans, not just those few who now "speak" so loudly with money and corporate clout.

HCR 5 now is needed to push Congress to act, and I hope it finds support across the aisle.

For all of these reasons, I am grateful for the opportunity to submit this testimony for your consideration.

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<sup>2</sup> 66-80%, depending on various calculations. OpenSecrets; Demos-PIRG 2015.



AMERICAN PROMISE

Sincerely,

Ben Gubits  
National Political Director - American Promise

January 16, 2019

Patricia Klee, Chairwomen  
State-Federal Relations and Veterans Affairs  
LOB Room 206  
Concord, NH 03301

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Good Afternoon Chair

My name is Olivia Zink, Executive Director of Open Democracy Action. Open Democracy Action's mission is to bring about and safeguard political equality for the people of New Hampshire. This will only happen through an open, accountable, and trusted democratic government, "of, by, and for the people," that is free from the corrupting influence of big-money politics and control.

I urge you to vote OTP on HCR 5 asking our federal officials to amend the Constitution to clarify that Constitutional rights belong to people and that money is not speech.

In 2010, the Supreme Court, in a case called Citizens United v. Federal Election Commission, ruled to allow unlimited corporate and union money into elections. This decision gave artificial non-persons, and possibly non-citizen multinational corporations, the same Constitutional rights to free speech as people; and that has led to an astounding increase in political spending in local, state and national elections. The 2018 election was the most expensive in history.

96% of Americans believe that unlimited big money has a corrupting and undue influence over our political process. Republicans, Democrats, Independents, most people that we've talked to, do not look at this issue as being right/left or liberal vs. conservative, but rather as a move to put "We the People" back in charge of our democracy and large, moneyed interests out.

82 Warrant Articles have passed in NH. Towns and cities have raised their voices that a Constitutional Amendment is the long-term solution to fully reverse the Court's ruling and to restore our rights and assert that "Democracy is for People."

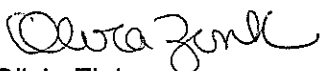
Even Justice Stevens, in his dissenting opinion in this Citizens United case, said, (quote) "...the distinction between corporate and human speakers is significant. Although they make enormous contributions to our society, corporations are not actually members of it. They cannot vote or run for office." (close quote) He added that because corporations can be controlled by foreigners, their interests may even conflict with the interests of eligible voters.

Former Senator Warren Rudman of New Hampshire wrote "Supreme Court opinion notwithstanding, corporations are not defined as people under the Constitution; and free speech can hardly be called free when only the rich are heard."

This call for a Constitutional Amendment is about free speech, every voice being heard equally.

Let's restore our Constitutional rights and start the process of getting BIG MONEY out of our elections and BIG IDEAS back in.

Please vote "OTP" on HCR 5



Olivia Zink  
Executive Director, Open Democracy Action  
4 Park St, Suite 301, Concord, NH 03301  
603-715-8197 or cell: 603-661-8621

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## Testimony in support of HCR 5

My name is Mary Till from Derry, NH. I am speaking as a concerned citizen in support of HCR 5.

This House Concurrent Resolution asks the United States Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court in Citizens United v. Federal Election Commission. This Supreme Court decision effectively disenfranchised millions of voters by making it financially burdensome if not impossible for candidates representing their interests instead of corporate interests to mount a successful campaign for the Presidency, the U S Congress, Governor, and now even NH State Senator without accepting large contributions to their campaign by moneyed interests. Those candidates who refuse PAC money from moneyed interests find themselves being outspent by massive amounts of money.

Overturing Citizens United by declaring that corporations are not people and money is not speech would restore campaigns to a level playing field where the interests of all citizens would carry equal weight. I urge you to support HCR 5 so that New Hampshire can go on record as supporting reasonable campaign finance laws to create a level playing field in our elections.

Respectfully,

Mary Till  
Derry, NH

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## New Hampshire Voters Restoring Democracy

Grassroots voters working to restore Democracy by getting "Big Money" out of politics.

[www.VotersRestoringDemocracy.org](http://www.VotersRestoringDemocracy.org)

Representative Amanda Boulin  
State-Federal Relations & V.A. Hearing Committee  
LOB Rm 206, Concord, NH 03301

January 8, 2019

Representative Boulin:

We are NH constituents writing to introduce ourselves and our citizen activist work to you. N.H. Voters Restoring Democracy, a grassroots group of NH citizens, is actively working for the passage of *non-partisan* legislation to stop the corrupting influence of excessive and secret money in our NH election financing system. We are asking for your help in getting this legislation passed.

Specifically we are asking your support of HCR 5, a resolution which would call on our US Congresspersons to initiate an amendment to the US Constitution to get big money out of politics. Your committee will be hearing this bill soon, and I have attached a copy of the bill. You may be aware that in the past few years, eighty NH towns have already passed warrant articles or resolutions calling on you to pass this bill. NH voters want this legislation passed, and NHVRD will be tracking voting records on our website for those voters.

We believe that the influence of unlimited and secretive money in our present-day election financing system is causing our elected officials to be non-responsive to the needs of working people and is a root cause of the growing dysfunction we are seeing in our government today. Understanding that a number of recent Supreme Court decisions have allowed a corrupted election finance system to flourish, we believe that passage of an amendment to the US Constitution is necessary to achieve comprehensive and long-term protection of the integrity of our elections and consequently of our governance.

Will you support HCR 5?

Respectfully,

Corinne Dodge, Derry, NH 603 432-5759 [NH@votersrestoringdemocracy.org](mailto:NH@votersrestoringdemocracy.org)

Steering Committee:

Mary Till  
Carol Bates

Jennifer Dube  
Fred Bates

Rep. Ellen Read  
Erin Spencer

19-0588

11/10

## HOUSE CONCURRENT RESOLUTION 5

SPONSORS: Rep. McGhee, Hills. 40; Rep. Petriano, Hills. 23

COMMITTEE: State-Federal Relations and Veterans Affairs

ANALYSIS: This concurrent resolution requests the United States Congress propose a constitutional amendment reversing the effects of the rulings of the United States Supreme Court in *Buckley v. Valeo* and *Citizens United v. Federal Elections Commission*.

**-A RESOLUTION requesting the United States Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court in *Citizens United v. Federal Election Commission*.**

Whereas, *Buckley v. Valeo*, 424 U.S. 1 (1976), saw the United States Supreme Court rule that restricting spending for political communication amounted to a restriction of free speech; and

Whereas, *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010) saw the United States Supreme Court rule that corporations and unions are constitutionally permitted to support or oppose candidates through political spending; and

Whereas, these recent decisions disproportionately elevate the interest of those able to pay in our elections, at the expense of ordinary Americans; and

Whereas, New Hampshire's citizens rely on free and fair elections and reasonable campaign finance laws to maintain effective self-governance; and

Whereas, the current legal landscape frustrates efforts to reduce the influence of moneyed interests and induces wasting and escalating sums of money to influence elections outcomes; and

Whereas, the corrupting influence of money on our democracy undermines the essential trust of the citizenry in our government; now, therefore, be it

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

**That the state of New Hampshire hereby calls upon the United States Congress to propose and send to the states for ratification a constitutional amendment to reinstate a precedent of 'we, the people' being at the center of our democracy, rather than money; and**

**That the state of New Hampshire hereby calls upon each member of the New Hampshire congressional delegation to actively support and promote in Congress an amendment to the United States Constitution on campaign finance reform and the first amendment that addresses this resolution and joins with all other states who have called for action to restore free and fair elections to our democracy; and**

**That suitable copies of this resolution, duly authenticated by the secretary of state, be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and to each member of the New Hampshire Congressional Delegation.**



*State-Federal Relations & Veterans Affairs Hearing committee*

Good Afternoon Chair Klee, Vice-Chair Massimilla, and members of this committee.

I am speaking in support of HCR 5. My name is Corinne Dodge and I am a voter in Derry. I am representing NH Voters Restoring Democracy, a grassroots group of NH citizens advocating for the passage of *non-partisan* legislation to stop the corrupting influence of excessive and secret money in our current election financing system.

I would like to emphasize here that this is truly a *non-partisan issue*. Both Democratic, Republican, and Independent voters are frustrated and angry because we believe that many of our elected officials now cater to the needs of wealthy donors and international corporations at the expense of the needs of working people like ourselves. We want a NH call for a national Constitutional Amendment for meaningful and comprehensive change. Eighty NH towns have already called on you to initiate such an amendment. Advocates such as myself have come to testify here and at the NH Senate year after year only to be turned down time after time. We are asking for **your** help today.

I have been advocating for the past 5 years and would like to share with you some of what I have learned by speaking with and listening to a good number of NH Republican and Democratic legislators and candidates for state and federal office. In requesting help for the promotion of campaign finance reform, this is what I heard from them:

- Over and over I heard from a number of NH State Senators, that they were frustrated and angry that the current cost of running an election in NH has escalated drastically in the past few years and that it can now cost over a hundred thousand dollars. Our current campaign finance system has clearly become overwhelmingly burdensome to candidates who do not accept money from very wealthy donors and/or large corporations from out of state.
- I heard a number of candidates tell me about the extravagant amounts of secret money that wealthy donors, corporations and Pacs were spending to ruin their campaigns with false information.
- I heard from some state and federal legislators and incumbents that while they strongly supported campaign finance reform in principle, they were literally afraid of losing their election if they dared to come out publicly in favor of campaign finance reform. They had reason to believe that their campaign would be attacked with unlimited amounts of money from secret Pacs.

My response to all these statements is that this is exactly why we need a national Constitutional Amendment for comprehensive and long-term prevention of this excessive campaign funding and spending madness. NH Legislators should not be afraid to support NH constituents. Now is the time for you as legislators to stand up and support constituents, ethical election financing and ethical governance.

Please support HCR 5.

Thank You

Vote Yes (OTP) to HCR 5 requesting the U.S. Congress to propose a constitutional amendment to reverse the ruling of the U.S. Supreme Court in *Citizens United v. Federal Election Commission*

1/16/19 -- Written Testimony Supporting HCR 5

To Honorable Members of the State-Federal Relations Committee:

RE: HCR 5

My name is John Friede. I am a resident of Peterborough. As a former educator and non-profit administrator my expertise in state-federal relations is limited to where international trade intersects with state sovereignty issues. My knowledge led me to be part of a committee empowered to examine the impact of international trade on New Hampshire by former Governor Lynch. I have continued to research and learn about threats of this nature. I believe the correct action is to support HCR 5 calling to reverse the ruling of the United States Supreme Court in *Citizens United v. Federal Election Commission*.

There is strong bipartisan support for overturning *Citizens United*. Back in 2010 former NH Senator Warren Rudman writing in the *Washington Post* said, "Supreme Court opinion notwithstanding, corporations are not defined as people under the Constitution, and free speech can hardly be called free when only the rich are heard." Three years ago NH residents successfully passed a resolution in 85 towns and the city of Keene calling for end to big money in politics

The 2010 U.S. Supreme Court ruling in opened the floodgates to unlimited corporate spending on elections. Nearly ten years since *Citizens United* eviscerated decades worth of campaign finance regulations our democracy is awash in special interest money. A tiny fraction of the wealthiest one percent now provides the lion's share of campaign contributions, spending billions of dollars to influence who can run for public office and what they stand for once they are elected.

In order to influence voters in 2012, special interest groups, mostly from outside NH, spent five times what our state candidates did on their own campaigns. Nationally, total 2012 election spending was 3 times the level seen in 2010.

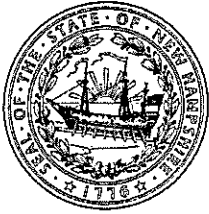
The tens of millions of dollars spent by groups and individuals outside of NH during the recent election cycle to influence our elections constitute a genuine threat to our ability to retain a real republic, a representative democracy. It is fair to conclude that these large funders exert undue influence on the legislative process. It is beyond time to study this issue. Now is the time for action. Please vote OTP for HCR 5.

Please include this in the legislative record.

Thank you,

John Friede  
54 High St.  
Peterborough, NH 03458





HOUSE COMMITTEE RESEARCH OFFICE  
New Hampshire House of Representatives  
4<sup>th</sup> Floor, Legislative Office Building  
Concord, NH 03301-6334  
TEL: (603) 271-3600  
TDD Access: Relay NH 1-800-735-2964

D.C. Bates, House Committee Researcher  
603-271-3385; [dc.bates@leg.state.nh.us](mailto:dc.bates@leg.state.nh.us); LOB 408

## MEMORANDUM

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**TO:** Rep. Klee, State-Federal Relations and Veterans Affairs  
**FROM:** D.C. Bates, House Committee Research  
**DATE:** January 23, 2019  
**SUBJ:** HCR 5 (2019), summary of past Citizens United related legislation

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Representative Klee,

You asked me find past NH legislation related to the Supreme Court's Citizens United v. FEC decision in January 2010. Below are the related bills, committee reports and a brief legislative history.

If I can provide further assistance or more detail on any point, please contact me.

**HCR 1 (2011)** 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.

(On February 9, 2011 the House voted to adopt the committee recommendation of ITL 280-93.)

**HR 8 (2011)** urging the New Hampshire congressional delegation to sponsor and support a constitutional amendment to re-establish the authority of the states and Congress to regulate campaign spending by corporations.

MAJORITY: INEXPEDIENT TO LEGISLATE. Rep. Daniel J Tamburello for the Majority of State-Federal Relations and Veterans Affairs: A constitutional amendment as requested by the bill is unnecessary and politically motivated. If there is an issue that needs to be addressed it should be submitted as a bill that results in a state law and not request a constitutional amendment. Vote 8-3.

MINORITY: OUGHT TO PASS. Rep. Robert L Theberge for the Minority of State-Federal Relations and Veterans Affairs: The issue of money in politics pits fundamental constitutional rights against each other. On the one hand, we have the right to spend our own money to influence voter opinion. But on the other, the voters have an equally fundamental right to cast an educated ballot. An ill-informed electorate, Thomas Jefferson taught us, puts democracy and self-governance at grave risk. Before the US Supreme Court's opinion in Citizens' United v. FEC, the constitution gave Congress and the states the authority to strike this balance in the voters' favor. Citizens' United stripped the voters of their rights so that corporations can enjoy theirs. After Citizens' United, 2010 campaign spending by outside groups quadrupled over prior years' spending. Some of that new money came from foreign interests because of Citizens' United and the path to American citizenship that it created. Under Citizens' United, foreign special interests need only spend a few hundred bucks to form a US corporation to earn the same right as any other American corporation to spend money to influence our elections. No doubt this is part of the reason why 80% of Americans oppose Citizens' United and want constitutional authority restored to Congress and the states. HR8 simply urges our congressional delegation to work to restore the people's right to free and fair elections.

(On February 23, 2011 the House voted to adopt the committee recommendation on a voice vote)

**HR 7 (2013)** urging the New Hampshire congressional delegation to sponsor and support a constitutional amendment to re-establish the authority of the states and Congress to regulate campaign spending by entities created by law.

MAJORITY: INEXPEDIENT TO LEGISLATE. Rep. Alfred P Baldasaro for the Majority of State-Federal Relations and Veterans Affairs: The majority believes that HR 7 should have been presented as an HCR, where the Senate would have a say on the subject matter that involves a voice not just by the House. Laws are already on the books dealing with campaign donations and spending. Vote 6-4.

MINORITY: OUGHT TO PASS. Rep. Linda Massimilla for the Minority of State-Federal Relations and Veterans Affairs: The purpose of the legislation is to address the supreme court's decision with the 2009 citizens united ruling which allows for the disproportionate influence on campaign spending. Corporations and individual citizens are not equal when it comes to free speech, however they may have similar property rights.

(On March 13, 2013 the House voted that HR 7 be Laid on the Table on a voice vote.)

**HCR 2 (2013)** requesting Congress to begin the process for a constitutional amendment establishing that human beings, not corporations, are entitled to constitutional rights.

MAJORITY: OUGHT TO PASS. Rep. Robert L Theberge for the Majority of State-Federal Relations and Veterans Affairs: This resolution urges the New Hampshire Congressional delegation to support and advance an amendment to the U.S. Constitution establishing that human beings, not corporations, are entitled to constitutional rights and that money given to political campaigns, or spent by them, is not a form of constitutionally protected free speech. The requested constitutional amendment will overrule the U.S. Supreme Court's decision in "Citizens United v. FEC" (2010). This resolution also expresses the view that "the Supreme Court is

misguided in principle, and wrong on the law, because in a democracy, the people rule." In passing this resolution, New Hampshire joins a growing national movement that already includes eleven other states, more than one quarter of Congress, and nearly 500 cities, states, and counties, including Barnstead, Bradford, Nottingham here in New Hampshire, all of which have called for a constitutional amendment to overturn "Citizens United," with the support of an overwhelming majority of the American public. Vote 9-8.

MINORITY: INEXPEDIENT TO LEGISLATE. Rep. Alfred P Baldasaro for the Minority of State-Federal Relations and Veterans Affairs: The vote when first voted was an OTP 8-5. A week later the committee held the bill for a reconsideration, brought in two new members to exec, a motion to reconsider, then a motion to ITL. 598 15 march 2013 HOUSE RECORD The minority supported that there is no need for a constitutional amendment to change the Supreme Court's decision of January 21, 2010 in the citizens united vs. federal election commission, where corporations have the same first amendment rights as human beings. Twenty-four states to date, have laws in place prohibiting corporations from making independent expenditures from their general treasury. We believe that congress can make laws pertaining to public corporations and unions, whereas public corporations have to answer to stockholders and unions have to answer to their members when donating millions of dollars to political action committees (PACs) without their approval.

(On March 20, 2013 two motions to lay HCR 2 on the table, two motion to indefinitely postpone, and one motion to recommit were all defeated. The House adopted the majority committee recommendation of OTP 189-139. The Senate refused to introduce the bill, citing Senate Rule 3-26, as it lacked the necessary 2/3rds vote.<sup>1</sup>)

**HCR 10 (2014)** applying to the Congress of the United States to call for a convention under Article V of the United States Constitution.

MAJORITY: INEXPEDIENT TO LEGISLATE. Rep. Jeanine M Notter for the Majority of State-Federal Relations and Veterans Affairs. Adding Liberty amendments to the Constitution sounds like a wonderful idea, but in order to do that we would have to support a Constitution Convention, or a Con-Con, as it is also commonly known. The danger of a Con-Con or an Article V Convention is that it cannot be limited to a single issue no matter what the resolution reads. The danger of a runaway convention is a very real threat that could throw out our Constitution and replace it with something else. A better way to rein in our out-of-control federal government is state nullification of federal laws. The states have the power to do this based on the enumerated powers of the Constitution and the 10th Amendment. Vote 9-4.

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<sup>1</sup>Senate Rule 3-26: Types of Resolutions Allowed - The only resolutions that may be introduced into the Senate are: resolutions seeking an advisory opinion of the supreme court under the New Hampshire Constitution; joint resolutions sponsored by the Joint Legislative Committee on Administrative Rules; resolutions ratifying amendments to the U.S. Constitution; resolutions proposing amendment of the New Hampshire Constitution; procedural and rules resolutions prepared by the Clerk; concurrent resolutions for the purpose of joint rules; joint resolutions for the purpose of continuing resolutions; and concurrent resolutions to declare the office of Governor vacant by Pt. II, Art. 49-a. All other resolutions shall require a vote of two-thirds of members present and voting to be introduced for consideration by the body pursuant to Senate Rule 6-6. The vote on the question of whether to introduce the resolution for consideration by the body is non-debatable.

MINORITY: OUGHT TO PASS. Rep. Timothy J Smith for the Minority of State-Federal and Veterans Affairs. This bill applies to congress, under Article V of the US Constitution, to hold an amendment convention to propose an amendment to overturn the US Supreme Court's disastrous decision in Citizens United Vs. FEC. This is specifically an amendment convention, and is not a general "constitutional convention" despite misconceptions which have been espoused by an outside activist group. This is a critical issue aimed at pushing back the tide of corruption in Washington DC. As it deals with a Supreme Court decision, the only constitutional way to address the issue is with an amendment. Thus far, Congress has failed to do so (and will continue to fail, since the status-quo is in their own best interest) so it falls to the states to address the problem. Thankfully, the Founding Fathers 810 14 march 2014 HOUSE RECORD gave us Article V which allows the states to propose an amendment without Congress in case Congress ever became the problem, such as we have now with the institutional corruption that plagues our national politics. Substantial research and legal studies were presented to the committee showing that the convention under Article V can be safely limited to a single topic and HCR-10 contains carefully vetted language to that end. Compatible measures have been introduced in many other states this year, and have already passed one legislative chamber in at least two other states as of this writing.

(On March 13, 2014 the House voted that HCR 10 be Laid on the Table 181- 97.)

**HJR 11 (2014)** petitioning Congress of the United States to call a constitutional convention for the purpose of proposing an amendment to the Constitution to provide that rights extended by the constitution intended for people are granted only to human beings.

INEXPEDIENT TO LEGISLATE. Rep. Alfred P Baldasaro for State-Federal Relations and Veterans Affairs. The committee feels that the U.S. Constitution, Bill of Rights and the NH Constitution are not being enforced nor properly executed. Under the NH Constitution article 7 (state sovereignty), the people of NH have free, sovereign and independence to govern and make laws in the best interest for the people of NH and hence, not make any changes to the U.S. Constitution which opens the entire constitution under a constitutional convention to an unknown number of changes and outcomes. Vote 15-0.

(On March 5, 2014 the House voted to adopt the committee recommendation of ITL on a voice vote.)

**SB 307 (2014)** establishing a committee to review Citizens United amendments to the United States Constitution.

Committee reports in the Senate are unlike committee reports in the House, and typically only list the recommended motion, without any text explaining the reasoning. SB 307 was introduced in the Senate. HB 307 passed the Senate 23-1 after amendments adjusting the duties and membership of the proposed study committee, and was then referred to the House State-Federal Relations and Veterans Affairs committee, which further amended the bill.

MAJORITY: OUGHT TO PASS WITH AMENDMENT. Rep. Robert L Theberge for the Majority of State-Federal Relations and Veterans Affairs. The objective of the legislation is to establish a committee to review all proposed language and amendments to the Citizens United ruling and

related cases by the U.S. Supreme Court. The majority believes that the Supreme Court's decision is an issue which affects everyone across the political spectrum. It is not a conservative nor a liberal issue, but an issue affecting the integrity of our democracy. The intent of the report is to make recommendations for proposed legislation to New Hampshire's congressional delegation. Vote 8-5.

MINORITY: INEXPEDIENT TO LEGISLATE. Rep. Alfred P Baldasaro for the Minority of State-Federal Relations and Veterans Affairs. This bill as amended is a feel good study committee. The amendment sets up the study committee with two senators and two representatives, one each appointed by the majority and minority of both chambers. The resolution for the Supreme Court decision on Citizens United was not passed in the NH Senate. The minority feels that this back door approach is unnecessary for a study committee, which is a misuse of taxpayers' money that can be better used in other areas in need of financial support. The minority believes that if the Supreme Court decision was of such importance for NH, than why hasn't our Congressional delegation filed legislation in support of a constitutional amendment?

(On May 15, 2014 the House voted to adopt the committee recommendation of OTPA 183-87)

A Committee of Conference was called to reconcile the House and Senate versions of the bill, but the conferees were unable to agree.

Rep. Robert Theberge: The House conferees do not agree with the Senate's version of the bill. The Senate stated that there "may be" a need for a Constitutional Convention where as the House position is that there "is" a need for a Constitutional Convention. There was no agreement.

**HB 371 (2015)** relative to assessing the consequences of the Citizens United decision.

MAJORITY: INEXPEDIENT TO LEGISLATE. Rep. Jack B. Flanagan for the Majority of Legislative Administration. The bill assumes from its beginning that the Supreme Court has made several "wrong" decisions with respect to campaign finance. That issue alone is one of considerable debate and one that will undoubtedly continue. The mechanisms put in place in this bill require standing committees of the House and Senate to travel around the state to take public input on the issue; it then even requires those committees to submit draft language to the US Constitution on how to fix this perceived problem! Additionally, this bill calls on the Congressional delegation to act on this perceived problem by working towards a constitutional amendment. A more apt approach would be a constitutional convention to address whatever perceived issues may exist at large; but the majority of the committee believes the inferences supposed in this bill are without merit to begin with. Vote 5-4.

MINORITY: OUGHT TO PASS. Rep. Lucy M. Weber for the Minority of Legislative Administration. HB 371 requires hearings to be held in four separate sites around the state so that testimony may be heard from NH citizens about the effects of the Citizens United decision. The results of those hearings were to be communicated to the NH congressional delegation, as well as to various NH state officials. For those of us who support amending the US Constitution to make it clear that Citizens United was wrongly decided, but who are also concerned about using Article

V to amend the US Constitution, this bill presented an excellent opportunity to further communicate our concerns to our Congressional delegation.

(On February 11, 2015 the House voted to adopt the committee recommendation of ITL 194-157.)

**HCR 2 (2015)** applying to Congress to hold a convention for amendments.

OUGHT TO PASS. Rep. Timothy J. Smith for State Federal Relations and Veterans Affairs. This resolution applies to congress to hold a convention for proposing amendments for the sole purpose of getting money out of politics and restoring free and fair elections at all levels of government. Vote 13-2.

(On March 4, 2015 a motion to Lay on the Table was defeated and the House adopted the committee recommendation of OTP. A motion to reconsider on March 11, 2015 was also defeated. The Senate refused to introduce the bill, citing Senate Rule 3-26.)

**SB 136 (2016)** establishing a committee to review constitutional amendments pending in Congress regarding the Citizens United decision and related cases that have been introduced in the United States Supreme Court.

SB 136 was introduced in January 2015 in the Senate and passed the Senate on a voice vote after amendments adjusting the duties and membership of the proposed study committee. It was then referred to the House Legislative Administration committee. The committee voted to retain the bill for further work in the Fall.

MAJORITY: REFER FOR INTERIM STUDY. Rep. Richard Hinch for the Majority of Legislative Administration. This bill establishes a legislative committee to review the impact of the Citizens United decision and constitutional amendments relating to this decision that are currently pending in Congress. As written, the committee is required to file a report on November 1, 2015, which is just over two weeks after the date of the executive session. The majority of the committee believed that by sending this bill to Interim Study, the issue of whether a study committee remains necessary can and will be debated, and recommendations for future legislation can be filed based on those findings, if necessary. Vote 7-3.

MINORITY: OUGHT TO PASS. Rep. Lucy Weber for the Minority of Legislative Administration. SB 136, in its current form, simply establishes a four member, bipartisan committee to review all constitutional amendments pending in Congress on the subject of the Citizens United decision. The review committee would then communicate its recommendations, if any, for further action to both the NH legislature and the NH congressional delegation. Members of the minority are of the opinion that further study of the language of the bill, as opposed to the study of the actual issue, is unnecessary, unproductive and a waste of time and resources. It is clear that NH citizens want the issue of campaign financing to be addressed, preferably sooner rather than later. Putting any action off for another election cycle simply fails to address the problem. The floor amendment simply extends the time for the committee to report, adding an interim report by June 1, 2016 and a final report by November 1, 2016.

(On January 26, 2016 votes to adopt the majority committee recommendation of Interim Study and to Lay on the Table both failed. A floor amendment was adopted and the House voted OTPA 156-152. On January 28, 2016 the House voted to Reconsider, Lay the bill on the Table and Remove the bill from the Table. A motion of OTPA was defeated, and then the House voted to adopt a motion of ITL 166-137. A subsequent motion to reconsider failed on a voice vote.)

**HB 116 (2017)** relative to assessing the consequences of the Citizens United decision.

MAJORITY: INEXPEDIENT TO LEGISLATE. Rep. Norman Silber for the Majority of Election Law. Under the language of this bill, this legislature directs our congressional delegation to amend the Federal Constitution to address money in politics. Proponents believe this is necessary because of the consequences of the Citizens United decision, which they argue should be overturned because of the money now being spent in politics. The majority of the committee believes that this bill is unnecessary in light of the fact that there is a constitutional amendment that would overturn the Citizens United decision. The majority of the committee also believed that the Supreme Court's reasoning set out in the Citizens United case addresses valuable First Amendment rights which should be protected. Vote 10-8.

MINORITY: OUGHT TO PASS. Rep. Wayne Moynihan for the Minority of Election Law. This bill calls upon the NH Congressional Delegation to do all in its power to support and pass an amendment to the US Constitution to address the corrupting influence of money in politics as a consequence of the Citizens United decision. Eighteen states and sixty-nine New Hampshire towns have passed resolutions calling for such an amendment. The bill empowers committees of the New Hampshire Senate and House to conduct public hearings in four areas of the state, to thereby enable the citizens of those sixty-nine towns, and others, to offer first hand testimony regarding the amendment and its language. The passage of the bill will be unambiguous recognition of the demand that New Hampshire citizens have delivered to the New Hampshire House that it take action to oppose the consequences of Citizens United.

(On March 9, 2017 the House voted to adopt the majority committee recommendation of ITL 193-163.)

# Bill as Introduced



HCR 5 - AS INTRODUCED

2019 SESSION

19-0588  
11/10

HOUSE CONCURRENT RESOLUTION     **5**

A RESOLUTION     requesting the United States Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court in Citizens United v. Federal Election Commission.

SPONSORS:         Rep. McGhee, Hills. 40; Rep. Petrigno, Hills. 23

COMMITTEE:        State-Federal Relations and Veterans Affairs

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ANALYSIS

This concurrent resolution requests the United States Congress propose a constitutional amendment reversing the effects of the rulings of the United States Supreme Court in Buckley v. Valeo and Citizens United v. Federal Elections Commission.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Nineteen*

A RESOLUTION requesting the United States Congress to propose a constitutional amendment to reverse the ruling of the United States Supreme Court in *Citizens United v. Federal Election Commission*.

1       Whereas, *Buckley v. Valeo*, 424 U.S. 1 (1976), saw the United States Supreme Court rule that  
2 restricting spending for political communication amounted to a restriction of free speech; and

3       Whereas, *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010) saw the United  
4 States Supreme Court rule that corporations and unions are constitutionally permitted to support  
5 or oppose candidates through political spending; and

6       Whereas, these recent decisions disproportionately elevate the interest of those able to pay in  
7 our elections, at the expense of ordinary Americans; and

8       Whereas, New Hampshire's citizens rely on free and fair elections and reasonable campaign  
9 finance laws to maintain effective self-governance; and

10       Whereas, the current legal landscape frustrates efforts to reduce the influence of moneyed  
11 interests and induces wasting and escalating sums of money to influence elections outcomes; and

12       Whereas, the corrupting influence of money on our democracy undermines the essential trust of  
13 the citizenry in our government; now, therefore, be it

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

15       That the state of New Hampshire hereby calls upon the United States Congress to propose and  
16 send to the states for ratification a constitutional amendment to reinstate a precedent of 'we, the  
17 people' being at the center of our democracy, rather than money; and

18       That the state of New Hampshire hereby calls upon each member of the New Hampshire  
19 congressional delegation to actively support and promote in Congress an amendment to the United  
20 States Constitution on campaign finance reform and the first amendment that addresses this  
21 resolution and joins with all other states who have called for action to restore free and fair elections  
22 to our democracy; and

23       That suitable copies of this resolution, duly authenticated by the secretary of state, be  
24 transmitted to the President of the United States, the President of the United States Senate, the  
25 Speaker of the United States House of Representatives, and to each member of the New Hampshire  
26 Congressional Delegation.