

RESOLUTION OF THE CITY COUNCIL

No. 315

Approved June 8, 2012

WHEREAS, The growing influence of large political expenditures by corporations and wealthy individuals is a major concern for the people of the United States and the State of Rhode Island; and

WHEREAS, Throughout our nation's history, the federal government and the many states have sought to ensure the fairness of our election processes by regulating and restricting political expenditures by individuals and corporations; and

WHEREAS, The First Amendment of the United States Constitution was designed to protect the free speech rights of people, not corporations; and

WHEREAS, In 2010, a divided Supreme Court controversially decided in *Citizens United v. Federal Elections Commission* that the First Amendment prohibits restrictions on the use of corporate or union treasury funds for electioneering; and

WHEREAS, This decision overturned decades of statutes democratically enacted by the U.S. Congress and by numerous state legislatures; and

WHEREAS, Numerous legal scholars have stated that the *Citizens United* ruling was a dramatic reversal of established judicial precedent; and

WHEREAS, Since the Supreme Court's decision in *Citizens United*, there has been a dramatic increase in large political expenditures by corporations and wealthy individuals; and

WHEREAS, Today, nearly 25% of all campaign contributions come from 0.01% of the population, giving that small minority a vastly disproportionate influence on elections; and

WHEREAS, *Citizens United* has already served as precedent in legal decisions further harming the American democratic process; and

WHEREAS, Ensuring the fairness and integrity of elections is a vital duty of public officials in a democracy; and

WHEREAS, The *Citizens United* decision is one of the least popular Supreme Court rulings in recent memory, with one poll showing only 15% of Americans supporting the ruling; and

WHEREAS, There is a long history of passing Constitutional Amendments in response to dangerous and extremely unpopular Supreme Court decisions; and

WHEREAS, Recently, the Rhode Island General Assembly passed H7899, a joint resolution urging the U.S. Congress to pass and send to the states for ratification an amendment to the Constitution overturning the Supreme Court's ruling in *Citizens United*.

NOW, THEREFORE BE IT RESOLVED, That the Providence City Council does hereby urge the United States Congress to pass and send to the states for ratification an amendment to the Constitution overturning the Supreme Court's ruling in *Citizens United*.

BE IT FURTHER RESOLVED, That, upon passage, copies of this resolution be sent to the sponsors of H7899, the entire Providence General Assembly delegation and the entire Rhode Island Congressional delegation.

IN CITY COUNCIL

JUN 07 2012

READ AND PASSED

M. Durr
PRES.

Ag. m. Stebbins
CLERK

I HEREBY APPROVE.

Angel Torres
Mayor

Date: 6/8/12

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

JOINT RESOLUTION

URGING CONGRESS TO PASS AND SEND TO THE STATES A CONSTITUTIONAL
AMENDMENT PERMITTING STATE AND FEDERAL REGULATION AND RESTRICTION
OF INDEPENDENT POLITICAL EXPENDITURES

Introduced By: Representatives Fox, Blazejewski, Keable, Ajello, and Valencia

Date Introduced: March 06, 2012

Referred To: House Judiciary

1 WHEREAS, The growing influence of large independent political expenditures by
2 corporations and wealthy individuals is a great and growing concern to the people of the United
3 States and the State of Rhode Island; and

4 WHEREAS, In a democracy the assurance of a fair and uncorrupted election process is of
5 the utmost importance, and the Rhode Island General Assembly believes that it is a legitimate
6 and vital role of government to regulate independent political expenditures by corporations,
7 unions, and wealthy individuals; and

8 WHEREAS, In fulfillment of this important role the government of the United States and
9 a majority of states have regulated and restricted independent political expenditures by
10 corporations; and

11 WHEREAS, In 2010, the Supreme Court of the United States decided by a bare majority
12 in Citizens United v. Federal Elections Commission that the First Amendment of the Constitution
13 of the United States prohibits restrictions on the use of corporate and union treasury funds for
14 electioneering; and

15 WHEREAS, Citizens United was a dramatic reversal of established Supreme Court
16 precedent, and overturned decades of statutes enacted by Congress and numerous state
17 legislatures; and

18 WHEREAS, Citizens United has served as precedent for further legal decisions harming
19 our democratic system of government, including SpeechNow.org v. FEC, which allows wealthy

1 individuals to anonymously channel unlimited political expenditures through Super PACs; and

2 WHEREAS, In the wake of Citizens United there has been an exponential increase in
3 large independent political expenditures by corporations and wealthy individuals which threatens
4 the integrity of the election process, corrupts our candidates, dilutes the power of individual
5 voters and distort the public discourse; and

6 WHEREAS, Article V of the United States Constitution empowers and obligates the
7 people of the United States of America to use the constitutional amendment process to amend
8 their constitution; now, therefore be it

9 RESOLVED, That this General Assembly of the State of Rhode Island and Providence
10 Plantations respectfully urges the Congress of the United States to pass and send to the states for
11 ratification an amendment to the constitution to effectively overturn the holding of Citizens
12 United and it's progeny and to permit the governments of the United States and the several states
13 to regulate and restrict independent political expenditures by corporations and wealthy
14 individuals; and be it further

15 RESOLVED, That the Secretary of State be and he hereby is authorized and directed to
16 transmit duly certified copies of this resolution to the President and Vice President of the United
17 States, the Speaker of the House of Representatives, the Minority Leader of the House of
18 Representatives, the Majority Leader of the United States Senate, the Minority Leader of the
19 United States Senate, and to each Senator and Representative from Rhode Island in the Congress
20 of the United States.

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