COUNTY OF SUFFOLK

KARA HAHN
LEGISLATOR, FIFTH DISTRICT

COMMITTEE CHAIR
ENVIRONMENT, PLANNING
& AGRICULTURE

VICE-CHAIR
PARKS & RECREATION

COUNTY LEGISLATURE

Senate Majority Leader John Flanagan
260 E Main St #203
Smithtown, NY 11787

Dear Senate Majority Leader Flanagan:

We are writing to respectfully request that a resolution be passed by the NY State Senate that would memorialize the Legislature’s disagreement with the United States Supreme Court in Citizens United v. Federal Election Commission and would call upon the United States Congress to propose and send to the states for ratification a constitutional amendment to overturn Citizens United v. Federal Election Commission. This constitutional amendment should seek to rectify the High Court’s decision to grant inanimate corporations the same unbridged first amendment protections afforded to our citizens. When this ruling is applied by lower courts to pending and future cases, the precedent set by the Citizens United v. Federal Election Commission decision will erode the rights of the electorate and undermine democracy. By taking decisive action on behalf of our State’s residents to protect the role of individuals in our electoral process you will assert once and for all that this democracy belongs to the people of the United States and not corporations.

The consequence of the Citizens United decision is such that the political spending of corporations receives a constitutional protection previously reserved only for individuals. The Court explicitly disregarded longstanding precedent when it struck down federal prohibitions on the use of corporate treasury funds for campaign finance expenditures in connection with federal elections on the grounds of being unconstitutional.

Compounding the severity of this ruling is its application in lower court decisions, the first example of which has been the Speecnhnow.org vs. FEC. In this case the precedent set by the Citizens United ruling was applied to overturned limits on independent expenditures. This led to the era of SuperPACs in which we currently find ourselves; an era where a select few can inundate our electoral process with special interest money.

It is often evident that candidates and the “Super PACs” that supposedly campaign separately for them are actually well coordinated. This is accomplished by having a candidate’s former staff members managing their “Super PAC.” The result is substantial contributions to candidates through under-handed means that severely limit the democratic process of the United States and ensure that corporations hold immense and disproportionate political power.
In his 1910 “New Nationalism” speech, former President Theodore Roosevelt stated that, “It is necessary that laws should be passed to prohibit the use of corporate funds directly or indirectly for political purposes; it is still more necessary that such laws should be thoroughly enforced. Corporate expenditures for political purposes... have supplied one of the principal sources of corruption in our political affairs.”

In the absence of leadership from Washington on this issue, we need our New York State representatives to create a forum to remedy this inequity. In that spirit we ask for your consideration of calling for a constitutional amendment to be sent to the states for ratification to correct the course of democracy and realign political power as a right of the people.

Thank you for considering our request and please contact me with any questions.

Sincerely,

Kate Hahn  
Suffolk County Legislator  
Fifth District

Al Krupski  
Suffolk County Legislator  
First District

Kate M. Browning  
Suffolk County Legislator  
Third District

Deputy Presiding Officer Robert Calarco  
Suffolk County Legislator  
Seventh District

Monica R. Martinez  
Suffolk County Legislator  
Ninth District

Presiding Officer DuWayne Gregory  
Suffolk County Legislator  
Fifteenth District

Bridget Fleming  
Suffolk County Legislator  
Second District

Sarah S. Anker  
Suffolk County Legislator  
Sixth District

William J. Lindsay III  
Suffolk County Legislator  
Eighth District

Steve Stern  
Suffolk County Legislator  
Sixteenth District
Cc:

Hon. Kenneth P. LaValle, Senator
Hon. Thomas Croci, Senator
Hon. Carl L. Marcellino, Senator
Hon. Anthony Palumbo, Assemblyman
Hon. L. Dean Murray, Assemblyman
Hon. Alfred C. Graf, Assemblyman
Hon. Andrew Garbarino, Assemblyman
Hon. Andrew Raia, Assemblyman
Hon. Joseph Saladino, Assemblyman

Hon. Philip M Boyle, Senator
Hon. Michael Venditto, Senator
Hon. Jack Martins, Jr., Senator
Hon. Fred W. Thiele, Jr., Assemblyman
Hon. Steven Englebright, Assemblyman
Hon. Philip R. Ramos, Assemblyman
Hon. Michael Fitzpatrick, Assemblyman
Hon. Chad Lupinacci, Assemblyman