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

PRES.

CLERK

I HEREBY APPROVE.

Date: 6/8/12
WHEREAS, The growing influence of large independent political expenditures by corporations and wealthy individuals is a great and growing concern to the people of the United States and the State of Rhode Island; and

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

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

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

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

WHEREAS, Citizens United has served as precedent for further legal decisions harming our democratic system of government, including SpeechNow.org v. FEC, which allows wealthy
individuals to anonymously channel unlimited political expenditures through Super PACs; and
WHEREAS, In the wake of Citizens United there has been an exponential increase in
large independent political expenditures by corporations and wealthy individuals which threatens
the integrity of the election process, corrupts our candidates, dilutes the power of individual
voters and distorts the public discourse; and
WHEREAS, Article V of the United States Constitution empowers and obligates the
people of the United States of America to use the constitutional amendment process to amend
their constitution; now, therefore be it
RESOLVED, That this General Assembly of the State of Rhode Island and Providence
Plantations respectfully urges the Congress of the United States to pass and send to the states for
ratification an amendment to the constitution to effectively overturn the holding of Citizens
United and its progeny and to permit the governments of the United States and the several states
to regulate and restrict independent political expenditures by corporations and wealthy
individuals; and be it further
RESOLVED, That the Secretary of State be and he hereby is authorized and directed to
transmit duly certified copies of this resolution to the President and Vice President of the United
States, the Speaker of the House of Representatives, the Minority Leader of the House of
Representatives, the Majority Leader of the United States Senate, the Minority Leader of the
United States Senate, and to each Senator and Representative from Rhode Island in the Congress
of the United States.