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Majority oppose court's 'corporations are persons' decision

March 8, 2012

By **Luke Baynes**

Observer staff

With a
few
notable

Jacob September, 18, spoke in favor of Article 4
at Town Meeting. (Observer photo by Stephen
Mease)

exceptions, the citizens of Williston were united Monday in their opposition to the U.S. Supreme Court's "Citizens United" decision at a Town Meeting where national concerns overshadowed town issues.

Sen. Ginny Lyons (D-Williston) was the first to speak in favor of a Town Meeting article that asked if the town should "urge the Vermont Congressional Delegation and the United States Congress to propose a United States Constitutional amendment for the States' consideration which provides that money is not political speech ... (and) that corporations are not persons under the United States Constitution."

“When we look at our democracy, it’s the individual voice and the individual vote that makes the difference. It shouldn’t be who has the most money,” Lyons said. “So this proposal is to send a message both to our state legislature and to our federal delegation to please undo the Citizens United decision.”

The Citizens United reference mentioned by Lyons is the Jan. 21, 2010 U.S. Supreme Court decision in the case of Citizens United v. Federal Election Commission. Although its legal and political ramifications continue to be debated at the highest levels of the national discourse, a widely held view is that the decision enabled the creation of “Super PACs” (political action committees) that can accept unlimited campaign contributions for political candidates.

Jacob September, a senior at Champlain Valley Union High School, was aligned with Lyons in his support of the article.

“Corporations and people are separate,” said September. “This is a message, saying ... we the people will vote against any legislator who takes billions of dollars from corporations and spends his or her time working for the corporations instead of working for his or her constituents.”

Williston Selectboard member Chris Roy, who left his seat at the meeting’s presidential table to speak at the public microphone in the center of the Williston Central School auditorium, was opposed to the article.

“Citizens United was not a terribly earth-shattering decision. All it did was take the proposition that money is speech – which is about 40 years old in the Supreme Court – and the concept that corporations have certain constitutional rights – which is over 100 years old – and said that those two can coexist,” Roy said. “This resolution is asking us to amend our United States Constitution to limit freedom. How many amendments have done that? I can think of one: Prohibition; and then a few years later they got rid of that.”

Charlie Magill followed Roy at the microphone.

“I’m not quite as well organized as Chris, but I have some concerns. I think that there has always been a money factor in American politics,” Magill said.

He concluded: “I hope you’ll defeat this. I think this is bad politics.”

Allaire Diamond, who successfully convinced the Selectboard at its Jan. 23 meeting to include the Citizens United matter in the Town Meeting agenda, had the final word in the evening’s debate.

“We, as individual people, should be the only people who have a vote when it comes to our elections,” said Diamond. “Groups of people, non-profits, unions, companies, Super PACs, should not be allowed to control elections in the way that they can under this decision.”

Tony Lamb, elected as moderator in the first order of the meeting’s agenda, brought the issue to a close by asking for a show of “ayes” and “nays.”

After hearing a decibel level clearly favoring approval of the article, Lamb concluded: “It is the opinion of the chair that the ayes have it. The article carries.”

OTHER BUSINESS

Following Lamb’s remarks, Williston Town Manager Rick McGuire assumed the podium and gave a summary of a town budget season that reached its executive level conclusion on Jan. 23, when the Selectboard approved a fiscal year 2013 operating budget of \$8,311,530.

McGuire also addressed several fiscal concerns separate from the town’s operating budget, including a proposed municipal

bond issuance, not to exceed a \$400,000 face value over a 10-year term, to finance the purchasing costs of an undetermined plot of land – likely in the vicinity of the intersection of Old Stage and Mountain View roads – that would be used to house a new water storage tank for the town.

McGuire concluded his prepared remarks by providing residents with a summary of a separate \$160,000 line item for the repair of deteriorating town roads.

A DAY'S WAIT

Armed with a healthy mix of Vermont's old-time barnyard politics and the modern character of Williston's current Australian ballot system, voters were given roughly nine hours from the conclusion of the Williston Town Meeting to ponder the evening's events before polls opened at 7 a.m. the next morning at the Williston Armory.