

HOUSE No. 3768

The Commonwealth of Massachusetts

PRESENTED BY:

Carmine Lawrence Gentile

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying resolution:

Resolutions for an application to Congress for an amendment overturning Citizens United.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>1/20/2023</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>1/25/2023</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>1/25/2023</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>1/27/2023</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>1/31/2023</i>
<i>Ryan M. Hamilton</i>	<i>15th Essex</i>	<i>2/2/2023</i>
<i>Tricia Farley-Bouvier</i>	<i>2nd Berkshire</i>	<i>2/14/2023</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/16/2023</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>2/17/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/18/2023</i>

HOUSE No. 3768

By Representative Gentile of Sudbury, a petition (accompanied by resolutions, House, No. 3768) of Carmine Lawrence Gentile and others for the adoption of resolutions memorializing the Congress of the United States to pass and send to the states for ratification a constitutional amendment to restore the first amendment and fair elections to the people. Veterans and Federal Affairs.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

Resolutions for an application to Congress for an amendment overturning Citizens United.

1 Memorializing the Congress of the United States to pass and send to the states for
2 ratification a constitutional amendment to restore the first amendment and fair elections to the
3 people.

4 Whereas, for the past 4 decades, a divided United States Supreme Court has allowed for
5 corporations, unions, political action committees and super political action committees to
6 influence the political process and democratically-enacted reforms; and

7 Whereas, the first amendment has been greatly impacted by the United States Supreme
8 Court’s ruling in Citizens United v. the Federal Elections Commission; and

9 Whereas, the United States Supreme Court’s ruling in Citizens United overturned
10 longstanding precedent prohibiting these interests from spending general treasury funds in
11 democratic elections; and

12 Whereas, the United States Supreme Court’s ruling in Citizens United will allow
13 corporations, unions, political action committees and super political action committees limitless
14 and unprecedented campaign spending and disproportionate influence, threatening the fairness of
15 the democratic process; and

16 Whereas, the people of the United States have previously used the Constitutional
17 amendment process to overturn Supreme Court decisions that present a risk to the democratic
18 process and self government; and in 2018 the Commonwealth of Massachusetts Citizens
19 Commission Concerning a Constitutional Amendment for Government of the People created by
20 the overwhelming affirmative vote of Ballot Question 2 in the 2018 general election in the
21 Commonwealth of Massachusetts proposed the following Amendment:

22 “Section 1. We the People have compelling sovereign interests in representative self-
23 government, federalism, the integrity of the electoral process, and the political equality of natural
24 persons.

25 Section 2. Nothing in this Constitution shall be construed to forbid Congress or the
26 States, within their respective jurisdictions, from reasonably regulating and limiting contributions
27 and expenditures in campaigns, elections, or ballot measures.

28 Section 3. Congress and the States shall have the power to implement and enforce this
29 article by appropriate legislation, and may distinguish between natural persons and juridical
30 persons, including by prohibiting juridical persons from raising and spending money in
31 campaigns, elections, or ballot measures.”

32 now therefore be it

33 Resolved, that the Massachusetts General Court hereby memorializes the Congress of the
34 United States to pass and send to the states for ratification a Constitutional amendment to restore
35 the First Amendment and fair elections to the people such as that proposed above; and be it
36 further

37 Resolved, that a copy of these resolutions be transmitted forthwith by the Clerk of the
38 House of Representatives to the President of the United States, to the presiding officer of each
39 branch of Congress and to the members of those branches from the Commonwealth of
40 Massachusetts.