

1 SENATE RESOLUTION NO. 4

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6 A RESOLUTION OF THE SENATE OF THE STATE OF MONTANA URGING THE UNITED STATES
7 CONGRESS TO CONFIRM BY CONSTITUTIONAL AMENDMENT THE RIGHT TO PROHIBIT CORPORATE
8 CAMPAIGN CONTRIBUTIONS AND EXPENDITURES AND THE RIGHT TO LIMIT POLITICAL SPENDING IN
9 ELECTIONS AND REQUESTING CONGRESS TO SEND THE AMENDMENT TO THE STATES FOR
10 RATIFICATION.

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12 WHEREAS, government of, by, and for the people is a foundational American value; and

13 WHEREAS, the people of the United States enacted the Constitution of the United States to ensure
14 self-governance and to secure the blessings of liberty; and

15 WHEREAS, free and fair elections are essential to democracy and effective, representative self-
16 governance; and

17 WHEREAS, the United States Congress and state legislatures should have the authority to set
18 reasonable limits and conditions on campaign contributions to ensure effective self-governance; and

19 WHEREAS, in 1912, hardworking Montanans achieved protected elections, after struggling for decades
20 against corruption, when they passed by citizen initiative the Montana Corrupt Practices Act with over 76% of
21 the vote and a majority in every county. For nearly 100 years, the Act prohibited corporate contributions and
22 expenditures and limited those of individuals, until the 2010 U.S. Supreme Court case Citizens United v. FEC,
23 558 U.S. 310 (2010), and following decisions struck down those protections; and

24 WHEREAS, the citizens of Montana are now very concerned about the continued, deepening erosion
25 of our democratic processes by the unlimited, massive expenditures by corporations in our election process
26 and do not accept this attack on our democratic processes; and

27 WHEREAS, out-of-state corporate money used in election campaigns has had a dramatic effect on
28 Montana's elections and on politics across the nation; and

1 WHEREAS, regardless of our political leanings and party affiliations, Montanans see that these
2 influences have overwhelmed our citizens' voices in recent campaigns, have interfered with Montanans' right to
3 choose our representatives, and are undermining our democracy; and

4 WHEREAS, Montanans demand that we strengthen our democratic processes here in Montana and
5 across the nation by calling for the reversal of the Citizens United v. FEC ruling's harmful result that
6 corporations' use of money in elections is supposed to be protected in the same way that the free speech of
7 ordinary citizens and persons is protected; and

8 WHEREAS, Montanans passed Initiative Measure No. 166 in 2012 with 75% of the vote and a majority
9 in every county, which asserted that "the people of Montana establish that there should be a level playing field
10 in campaign spending, in part by prohibiting corporate campaign contributions and expenditures and by limiting
11 political spending in elections"; and

12 WHEREAS, Initiative Measure No. 166 asserted that the people of Montana regard money as property
13 and not as free speech and regard the rights under the United States Constitution as rights belonging to human
14 beings; and

15 WHEREAS, Initiative Measure No. 166 called for the Montana Congressional Delegation to act by
16 proposing an amendment to the United States Constitution and for the members of the Montana Legislature to
17 ratify any amendment that is consistent with the initiative; and

18 WHEREAS, Montanans join citizens, organizations, and government entities from all over the country
19 working to ban, by constitutional amendment, corporate contributions to elections and their destructive
20 influence on our state and nation politics.

21

22 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF MONTANA:

23 That the Senate of the 69th Legislature of the State of Montana urges the United States Congress to
24 propose an amendment to the United States Constitution that confirms the authority of government by the
25 people through state and federal law to regulate money in politics, particularly to prohibit corporate campaign
26 contributions and expenditures regarding a candidate or a ballot issue, ensures all citizens have access to the
27 political process by confirming that the rights enumerated in the United States Constitution are retained by the
28 people as natural persons, and confirms that money is not equal to free speech.

