

Senators Warren, Conyers, Bieda, Knezek, Young, Hertel, Gregory, Johnson, Hopgood, Hood and Ananich offered the following resolution:

Senate Resolution No. 77.

A resolution to urge the U.S. Congress to propose, pass, and send to the states for ratification a constitutional amendment clarifying that free speech rights are held by natural persons, not corporate entities, and guaranteeing that the U.S. Congress and state legislatures may regulate all moneys raised and spent for political purposes.

Whereas, Free and fair elections are a cornerstone of democratic government that is "of the people, by the people, and for the people"; and

Whereas, The U.S. Congress and state legislatures have long regulated political contributions and expenditures. In accord with our country's values, campaign laws can help to promote fair play and even the playing field, regardless of wealth; and

Whereas, In 2010, the U.S. Supreme Court issued its closely contested 5-4 decision on *Citizens United v. Federal Election Commission*, ruling that the U.S. Congress and the states lack the constitutional right to ban independent corporate and union expenditures to political campaigns. The *Citizens United* decision also relied on a previous Supreme Court decision from 1976, *Buckley v. Valeo*, which likened political campaign spending to speech. Moreover, since the *Citizens United* case, other Supreme Court rulings have further eroded barriers to money in elections; and

Whereas, Decisions made in a representative government should emanate from the people's will and not be unduly influenced by special interests with vast resources. The *Citizens United* decision, permitting corporate, union, and other legal entities to spend on political campaigns without limits, is corrosive to democracy and may breed corruption; and

Whereas, Free speech is a constitutional right held by natural persons that should not extend to corporations, unions, or other legal entities, as was done in the *Citizens United* decision. These legal entities established under the law make important contributions to our society, but it is wrong to equate them with natural persons who enjoy the same speech rights; and

Whereas, The *Citizens United* decision and other court decisions that have greatly expanded the role of money in elections and curtailed reasonable regulations should be overturned; now, therefore, be it

Resolved by the Senate, That we urge the U.S. Congress to propose, pass, and send to the states for ratification a constitutional amendment clarifying that free speech rights are held by natural persons, not corporate entities, and guaranteeing that the U.S. Congress and state legislatures may regulate all moneys raised and spent for political purposes; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.