

## Senate Concurrent Resolution No. 1607

By Senators Holland, Faust-Goudeau, Francisco, Haley, Hawk, Hensley, Kelly  
and Pettey

1-28

1 A CONCURRENT RESOLUTION urging congress to pass an  
2 amendment to the United States constitution to overturn the holding in  
3 Citizens United v. Federal Election Commission.

4  
5 WHEREAS, The protections afforded by the first amendment to the  
6 United States constitution to the people of our nation are fundamental to  
7 our democracy; and

8 WHEREAS, The founders of the republic and the signers of the  
9 United States constitution clearly and emphatically intended freedom of  
10 speech to mean freedom to communicate with and by natural persons  
11 either directly or through the free press; and

12 WHEREAS, Such freedoms were never intended by the founders to  
13 apply to corporations, which have special advantages not enjoyed by  
14 natural persons, such as limited liability, perpetual life and favorable  
15 treatment of the accumulation and distribution of assets, that allow them  
16 to spend prodigious sums on campaign messages that have little or no  
17 correlation with the beliefs held by natural persons; and

18 WHEREAS, Free and fair elections are essential to democracy and  
19 effective self-governance; and

20 WHEREAS, The United States Supreme Court ruled on January 21,  
21 2010, in Citizens United v. Federal Election Commission, that  
22 corporations have the same first amendment rights as naturally born  
23 persons, and that corporations can spend unlimited amounts of money on  
24 elections; and

25 WHEREAS, There is an unequal playing field that allows  
26 corporations to spend without limit to influence elections, candidate  
27 selection and policy decisions and to sway votes; and

28 WHEREAS, Corporations own most of America's mass media and use  
29 that media as a megaphone to loudly express such corporations' political  
30 agenda and to convince the citizens of this country that the citizen's role  
31 is that of consumer, rather than a sovereign citizen with rights and  
32 responsibilities within our democracy, and this forces citizens to toil to  
33 discern the truth behind headlines and election campaigning; and

34 WHEREAS, Article V of the United States constitution empowers and  
35 obligates the people and states of the United States of America to use the

1 constitutional amendment process to correct those egregiously wrong  
2 decisions of the United States Supreme Court that go to the heart of our  
3 democracy and republican form of self-government; and

4 WHEREAS, The United States Supreme Court is misguided in  
5 principle, and wrong on the law, because in a democracy the people rule:  
6 Now, therefore,

7 *Be it resolved by the Senate of the State of Kansas, the House of*  
8 *Representatives concurring therein:* That congress is hereby urged to  
9 immediately transmit to the several states for ratification an amendment  
10 to the United States constitution that would effectively overturn the  
11 holding in Citizens United v. Federal Election Commission thereby  
12 returning our democracy, our elections and our communities to the  
13 people, and thus reclaiming our sovereign right to self-governance; and

14 *Be it further resolved:* That the Secretary of the Senate shall send an  
15 enrolled copy of this resolution to each member of the Kansas  
16 Congressional Delegation.