

CITY OF NEWTON
IN BOARD OF ALDERMEN
PROGRAMS AND SERVICES COMMITTEE AGENDA

WEDNESDAY JUNE 20, 2012

7:45 PM Room 222

Chairman's Note: The Chair has put the naming rights discussion item and creation of the revolving account on the agenda but expects to hear from the Newton School Department, School Committee, Newton Schools Foundation and the Executive Department on how they would like to proceed given the recent opinion from the Inspector General's office regarding the status of their contractual relationship with each other. The Chair has elected not to put the proposal to create a city-wide naming rights ordinance on the agenda for the June 20th meeting. Ald. Baker will not be present for that meeting. She expects to have a discussion on that item at the July meeting. The Chair respectfully requests Committee members to please bring their calendars to the meeting so we can plan our schedule for July and August.

ITEMS SCHEDULED FOR DISCUSSION:

#205-11 ALD. SANGIOLO, GENTILE, HARNEY, LINSKY requesting a discussion with the School Committee regarding a proposal to enter into contractual relationships with the Newton Schools Foundation to sell naming rights on behalf of the Newton Public Schools. [06/22/2011 @ 8:32AM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#39-12 HIS HONOR THE MAYOR requesting authorization to establish a revolving account with an annual expenditure limit of \$2,000,000 for the purpose of receiving funds collected by the Newton Schools Foundation in connection with the sale of naming rights for Newton Public School buildings and facilities and to be distributed for the sole purpose of public school education technology and curriculum purposes. [01/30/12 @ 4:18 PM]

#165-12 HIS HONOR THE MAYOR submitting (1) the report prepared by Kopelman & Paige PC, the consultant engaged to review the city's election procedures, and (2) proposing that Charter Sections 2-1(b) and 4-1(b) be amended to establish a particular date by which nomination papers are made available. [05/25/2012 @ 1:35PM]

The location of this meeting is handicap accessible and reasonable accommodations will be provided to persons requiring assistance. If you have a special accommodation need, contact the Newton ADA Coordinator Trisha Guditz at 617-796-1156 or tguditz@newtonma.gov or via TDD/TTY at (617) 796-1089 at least two days in advance of the meeting.

- #145-12 ALD JOHNSON requesting a review by the Solicitor's office as to what constitutes "reorganization" per our City Charter. [05/16/12 @ 10:24PM]
- #122-12 ALD. HESS-MAHAN proposing a RESOLUTION calling on the United States Congress to pass and send to the states for ratification a constitutional amendment to restore the First Amendment and fair elections to the people by clarifying (1) that corporations are not entitled to the Constitutional rights of human beings, and, (2) that the U.S. Congress and the states may place reasonable limits on both political contributions and political spending.
- #84-12(2) PROGRAMS AND SERVICES COMMITTEE proposing a resolution to allow the Board of Aldermen to provide guidance to the Licensing Commission on petitions submitted in response to the possible acceptance of G.L. c. 138 §33B, which would allow the selling of alcohol to commence at 10:00am on Sunday mornings. [04-11-12 @ 9:30PM]

REFERRED TO PROG. & SERV AND PUBLIC FACILITIES COMMITTEES

- #36-12 ALD. CROSSLEY & FULLER requesting Home Rule legislation or an ordinance to require inspections of private sewer lines and storm water drainage connections prior to settling a change in property ownership, to assure that private sewer lines are functioning properly and that there are no illegal storm water connections to the city sewer mains.
- A) Sewer lines found to be compromised or of inferior construction would have to be repaired or replaced as a condition of sale;
- B) Illegal connections would have to be removed, corrected, and re-inspected in accordance with current city ordinances and codes, as a condition of sale. [01/24/12 @ 8:07 AM]

ITEMS NOT YET SCHEDULED FOR DISCUSSION:

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #184-12 HIS HONOR THE MAYOR requesting the establishment of four revolving accounts for both FY12 and FY13 as follows:
- | <u>Account Title</u> | <u>Effective Date</u> | <u>Spending Limit</u> |
|-----------------------------------|-----------------------|-----------------------|
| High School Student Activity | 07/01/11 | \$350,000 |
| Middle School Student Activity | 07/01/11 | \$100,000 |
| High School Drama | 07/01/11 | \$100,000 |
| All City Band, Chorus & Orchestra | 07/11/11 | \$100,000 |
- These accounts will be used for the deposit of revenue to offset costs associated with student activities, high school drama and All City Music. [06/11/12 @5:51 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE

COMMITTEES

- #185-12 ALD. BAKER, BLAZAR, SANGIOLO, LINSKY & ALBRIGHT requesting that the Board of Aldermen adopt a RESOLUTION to His Honor the Mayor asking that, when the Mayor seeks future Board approval for bonding the cost of additional capital facilities or equipment for the schools, he include in that funding request, as well as in the city-wide Capital Improvement Plan, the estimated costs needed for funding the capital technology needs of the Newton Schools, including the appropriate portions of the estimated project costs of the School Committee's three-year district-wide technology plan not anticipated to be funded by the Information Technology Department budget; the anticipated technology grants from Boston College for the elementary schools; and/or estimated revenue from the E-rate Technology Reimbursement Program. [06/11/12 @ 11:23 PM]

REFERRED TO PROG & SERV, PUB. FACIL & FINANCE COMMITTEES

- #170-12 ALD. SANGIOLO, BAKER, BLAZAR , JOHNSON, and YATES requesting the creation of an ordinance to govern the naming of public assets of the City, including the interior and exterior features of public buildings, lands, and water bodies of the City, as well as any public facilities and equipment associated with them, all to serve the best interests of the City and to insure a worthy and enduring legacy for the City's physical facilities and spaces, including appropriately honoring historic events, people, and places. [05/29/12 @ 1:34 PM]
- #164-12 ALD. YATES requesting a discussion with the Executive Secretary of the Election Commission and other appropriate officials on how to use City Hall grounds and various other locations around the city to inform Newton voters about the unusual Thursday date of the September primary. [05/24/12 @ 1:41PM]
- #144-12 ALD. HESS-MAHAN proposing to repeal the time restrictions for filing special permit applications/site plan reviews for Major Projects during July and August in Article X Section 5 of the Rules and Orders of the Board of Aldermen.
- #68-12 ALD. YATES, MERRILL asking that the Executive Department develop a detailed plan for the storage of the veterans archives currently housed in the War Memorial that allows for proper access to the records by veterans, their families, and historians, both amateur and professional. [03-05-12 @ 9:40 PM]
- #68-12(2) ALD. YATES requesting that a detailed inventory of the more than 100 photographs, paintings, drawings and other images of the Civil War, World War I, World War II in the office section of the War Memorial Hall

be prepared and a plan be developed for their public display in whole or in part before or during the city's observance of the 150th anniversary of the Civil War through 2015 and the centennial of World War I from 2014-2015. [03/23/12 @ 1:43PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #67-12 ALD. ALBRIGHT seeking a discussion with the Executive Department regarding a plan and timeline for funding an archivist/records manager position for the city to oversee the preservation, cataloguing, and organization of the city archives; provide guidance and assistance to city departments that are maintaining their own archives in order to ensure that records are preserved, accessible, and maintained; and, plan for future storage needs as the collection continues to expand. [03-12-12 @ 10:28 AM]
- #207-08(2) PROGRAMS & SERVICES COMMITTEE requesting discussion with the Executive Department and various City Department heads regarding use of debt exclusions to address city needs. [03-14-11 @ 10:26AM]

REFERRED TO PROG & SERV, PUB. FACIL. AND FINANCE COMMITTEES

- #312-10 ALD. LENNON, LAPPIN, SCHNIPPER, SANGIOLO requesting a discussion with the School Committee on its plans to address space needs in the Newton public schools. [10-27-10 @ 11:07 AM]
FINANCE VOTED NO ACTION NECESSARY on 10/12/11 PUBLIC FACILITIES VOTED NO ACTION NECESSARY on 11/18/11

REFERRED TO PROG & SERV AND PUBLIC FACILITIES COMMITTEES

- #245-10 ALD. SCHNIPPER requesting discussion with National Grid regarding the possible damage to trees as a result of gas leaks. [09/01/10 4:00 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

- #273-08 ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor requesting that the Executive and Human Resources Departments develop a comprehensive human capital strategy for the city to include: performance management, talent development, succession planning, and compensation. [07/17/08 @ 9:53 AM]
FINANCE VOTED NO ACTION NECESSARY on 3/8/10
- #298-09 ALD. MANSFIELD proposing Home Rule Legislation to amend **Article 2, Section 2-1(c) Composition; Eligibility; Election and Term** of the Newton Charter to establish four-year terms for Aldermen-at-Large with the provision for one Aldermen-at-Large to be elected from each ward at each biennial municipal election. [09-29-09 @ 6:45 PM]

REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES

#270-08 ALD. JOHNSON proposing a RESOLUTION to His Honor the Mayor requesting that he work with the Board of Aldermen, School Department, and School Committee in order to determine the most effective and efficient way to organize the Information Technology Departments.
[07/17/08 @ 9:53 AM]

FINANCE VOTED NO ACTION NECESSARY ON 3/8/10

REFERRED TO PROG. & SERV., PUB.FAC. AND FINANCE COMMITTEES

#89-08 ALD. PARKER requesting the following:

- A) review of the maintenance practices for buildings, parks and other properties owned by the City (including School Department facilities and grounds)
- B) development of a comprehensive maintenance plan that includes regular schedules for preventive maintenance for each specific site or facility
- C) a RESOLUTION requesting that implementation of said maintenance plan be funded using operating budget funds.

[02/13/08 @ 12:07 PM]

FINANCE VOTED NO ACTION NECESSARY ON 3/8/10

PUBLIC FACILITIES NO ACTION NECESSARY ON 11/3/10

REFERRED TO PROG & SERV. AND PUB. FACIL. COMMITTEES

#99-11 ALD. ALBRIGHT, JOHNSON, DANBERG requesting that the Department of Public Works coordinate data on the impact of the snow removal ordinance from the Departments of Public Works, Parks & Recreation, Executive and Senior Services into a monthly report for the winters 2012 and 2013, which will be sent to the Public Facilities Committee that includes the following data: (1) the number of people requesting exemptions; (2) the number of exemptions awarded; (3) the number of warning letters sent; (4) the ability of the City to maintain the same standard regarding treating the surface to preserve safe passage; and (5) cost of the implementation of the program.

PUBLIC FACILITIES COMMITTEE APPROVED 4-0 on 10/5/2011

Respectfully Submitted,

Amy Sangiolo, Chairman

#165-12



City of Newton, Massachusetts
Office of the Mayor

Telephone
(617) 796-1100
Facsimile
(617) 796-1113
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(617) 796-1089

SETTI D. WARREN
MAYOR

E-mail
swaren@newtonma.gov

May 25, 2012

Board of Election Commissioners
City of Newton

Board of Aldermen
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

RECEIVED
Newton City Clerk
2012 MAY 25 PM 1:35
DAVID A. OLSON, CMC
Newton, MA 02459

Dear Honorable Board Members:

As you know, the City engaged the services of an outside consultant to review certain elections procedures, particularly the availability of nomination papers and residence requirements. I am happy to report that the final investigative findings are complete and are attached for reference.

In light of the findings contained in the report, I am recommending the following:

- Change to Charter Sections 2-1(b) and 4-1(b) to establish a particular date by which nomination papers are made available.
- Preparation of a candidate's guidebook similar to that prepared by the Secretary of the Commonwealth to provide guidance regarding candidacy.
- Issuance of a press release informing residents of offices to be elected, the availability of nomination papers and an election calendar.
- Comprehensive indexing of materials provided to poll workers so they can readily answer questions posed at polls.
- Consistent training of poll workers, wardens, clerks and inspectors to ensure all polling places use same procedures.

I look forward to your input on these important issues.

Very truly yours,

Setti D. Warren
Mayor

Attachment

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE

#165-12



City of Newton, Massachusetts
Office of the Mayor

Telephone
(617) 796-1100
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(617) 796-1113
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(617) 796-1089

SETTI D. WARREN
MAYOR

E-mail
swwarren@newtonma.gov

May 25, 2012

Board of Election Commissioners
City of Newton

Board of Aldermen
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

RECEIVED
Newton City Clerk
2012 MAY 25 PM 1:35
David A. Olson, CMO
Newton, MA 02459

Dear Honorable Board Members:

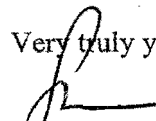
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Very truly yours,


Setti D. Warren
Mayor

Attachment

1000 Commonwealth Avenue Newton, Massachusetts 02459

www.newtonma.gov



DEDICATED TO COMMUNITY EXCELLENCE



KOPELMAN AND PAIGE, P.C.
The Leader in Municipal Law

101 Arch Street
Boston, MA 02110
T: 617.556.0007
F: 617.654.1735
www.k-plaw.com

April 5, 2012

Honorable Setti D. Warren
Mayor
Newton City Hall
1000 Commonwealth Ave
Newton Centre, MA 02459

RECEIVED
Newton City Clerk
MAY 25 PM 1:35
David A. Olson, CMC
Newton, MA 02459
Lauren F. Goldberg
lgoldberg@k-plaw.com

Re: Review of Election Procedures – Availability of Nomination Papers and Related Matters

Dear Mr. Mayor:

You have requested that I review election procedures in the City, with a particular focus on the issue of the relationship between the availability of nomination papers and residency requirements. Although this issue was brought into greater focus because of the race for School Committee, the same process is used for the election of Alderman. In addition, I was asked to review the conduct of elections generally.

In this regard, I met separately with the City Solicitor and the Executive Director of the Election Commission, and also spoke with a poll worker. The Executive Director showed me the election-related equipment and materials, and provided me with copies of election materials distributed to poll workers. We spoke generally about the manner in which elections are conducted in the City, as well as about particular election-related issues such as the process for reporting election results on election night, selection and training of poll workers, street listing processes, and community outreach on election-related matters. Below I will provide specific advice concerning the Charter and its implementation in the context of issuance of nomination papers and residency issues, as well as general advice concerning other matters based upon my impressions from discussions with the various parties.

Nomination Papers and Residency

1. Residency Requirement in Charter

Section 2-1(b) of the Charter provides, in relevant part:

Eligibility—Only voters shall be eligible to hold the office of alderman. A candidate for the office of alderman shall be a resident of the ward from which he seeks election as of the date that the election commission makes available blank forms for the nomination of candidates for office. In order to hold the office of alderman, a candidate shall have continuously been a resident of the ward from which he is elected from the date that the election commission made the blank forms available until and including the first day of the term for which he is

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elect. A member of the Board of Aldermen shall, notwithstanding his removal from one ward of the City to another, continue to serve and to perform his official duties during his term of office. The removal from residency within the City shall create a vacancy in such office. [emphasis added].

As noted above, similar language is used in Section 4-1(b) with respect to election of School Committee members.

By way of background, I understand that significant controversy arose as a result of a candidate for School Committee formally changing his address after the issuance of such papers. Objections were filed and the Election Commission concluded that the candidate was eligible for election regardless of the address change. Without repeating the history of that matter, suffice it to say that this position was the subject of a lengthy court battle, and ultimately the candidate's name did appear on the ballot. Part of the controversy, although not necessarily at the hearing before the Election Commission or in the law suit, involved claims the Executive Director knew of the potential address change and provided incorrect advice concerning the same, and/or failed to explain the potential legal implications of such a change. The Executive Director acknowledges having discussions with the candidate concerning this issue, but the details of the conversation(s) will not be able to be proven with specificity. In any event, the matter was resolved by the court, and at this point, in my opinion, the best approach is to ensure that such a result does not reoccur.

In my opinion, there will always be the potential for controversy based upon the residency requirements in the current version of the Charter for three reasons. The first is that the Charter provision establishing eligibility for election is based upon a date within the sole discretion of the Board of Election Commissioners' office. The second is that residency must be continued for a period of time (i.e., until the person is sworn into office) moving forward after the date of filing. The third is that the concept of residency is amorphous and subject to interpretation.

Of course, if the Charter were amended to remove the durational residency requirement, it would simplify the issue significantly. However, such a change in government structure is obviously significant and would implicate important policy decisions too substantial to account for in this review. Assuming that the City's intent is simply to reduce the risk associated with the current system, in my opinion, an important step would be to establish a particular date by which nomination papers are made available. Although I do not find the current language to be ambiguous or confusing, there is no question that the date for issuance of nomination papers is discretionary in nature. If a candidate is unsure about the date on which they must be a "resident" in a particular ward in order to run for office from that ward, then it is difficult to appropriately plan a campaign strategy. To the extent that the nomination process can be simplified for candidates, such a result is optimal.

KOPELMAN AND PAIGE, P.C.

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There are three options to amend the Charter to improve predictability and consistency in this regard, in my opinion. First, the Charter could be amended to establish a particular date by which a candidate must reside in the ward from which they seek election. For example, "Nomination papers shall be available on the first Wednesday in March." Another option would be to relate the date on which residency must be established to an existing statutory deadline, such as the date nomination papers must be filed with the Board of Registrars (49 days prior to the date of the City preliminary). The third option would be to provide for the date on which nomination papers are made available to be set by ordinance at least one year prior to the date of the election, with an exception for years in which districts are redrawn.

As a caveat, however, I note that any of the Charter-revision scenarios described above do not necessarily resolve the question as to what actually constitutes "residency" in any particular instance. As you know, residency for voting purposes is not defined by state law or regulation, and is instead a concept identified through a series of cases. See, e.g., Hershkoff v. Board of Registrars, 366 Mass. 570 (1974). Based upon this case law, a person's "residency for voting purposes" may only be determined by review of objective and subjective factors. While adopting a definition of residency would be a significant undertaking beyond the scope of this review, development of such a definition may be a worthwhile undertaking for the future.

A less ambitious, but nevertheless important, step might be to amend the Charter to specify that residency for purposes of the Charter means that the candidate must be registered to vote at the address from which they seek election from the time period beginning on the initial date established under the Charter through the first day of the term to which they were elected. This clarification would, in my opinion, reduce the likelihood that someone would risk moving from the address at which they were registered during the period between that date and the date of the election, as such action would create an impression that they were no longer properly registered at their previous address. As you know, voter registration is a strong indicator of a person's residence, and, at a minimum, the voter must take seriously the decision as to where they should be registered. In fact, there are criminal penalties for providing false information to election commissioners or attempting to vote in a place where an individual is not properly registered. See G.L. c.56, §§8 and 26.

Of course, ultimately, the burden is on the candidate to take action to protect their nomination from challenge. Fulfillment of this obligation may manifest itself through the collection of signatures well in excess of that needed to nominate them for election. For a candidate seeking election to the Board of Alderman or School Committee, another way to protect their nomination would be to schedule any possible relocation of residence, whether temporary or permanent, for a time frame entirely outside the period regulated by the Charter.

Honorable Setti D. Warren
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Role of Board of Election Commissioners and Executive Director

1. Elections

The statutory role of the Board of Election Commissioners includes overseeing the creation of voter registration lists, determining who is eligible to vote, overseeing the application for and distribution of absentee ballots, administering elections, and undertaking additional election-related activities. In practice, much of this responsibility is delegated to the Executive Director. The Board of Election Commissioners and Executive Director, however, are not statutorily authorized to provide advice to candidates or persons seeking to be candidates concerning the legal implications for matters such as registering to vote, changing political parties, filing a change of address, completing nomination papers or initiative petitions, etc. In fact, the Board of Election Commissioners might be called upon to sit in a quasi-judicial capacity if a challenge is brought with respect to nomination papers or a ballot question petition. Therefore, while the Board and Executive Director are aware of and administer state and local laws and regulations concerning elections, provision of legal advice to private individuals concerning the application of such laws in any particular instance is fraught with potential liability and conflict. Ultimately, however, the Election Commission and Executive Director should not provide guidance on a case by case basis as applied to specific factual scenarios, in my opinion, and any private individual seeking such advice should be advised to consult with a private attorney.

Such a limitation can, admittedly, feel restrictive both to the Board and Director, and also to candidates or other persons seeking information from the Commission. Of course, the Board may adopt general guidance concerning best practices for matters such as timely filing of nomination papers or other petitions, and provide such guidance in response to general requests for information. In light of the recent election-related challenges facing the City, I recommend that consideration be given to preparing a candidate's guidebook, similar to that prepared by the Secretary of the Commonwealth entitled, "Don't Just Stand There - Run", and that the Election Commission issue a press release to be distributed to local papers informing all City residents of the offices to be elected and availability of nomination papers and election calendar. It may also be worthwhile to contact local voters groups and party committees in advance of the availability of nomination papers to ensure that the press release and other materials can also be provided to them. This outreach may also have the additional benefit of increasing voter registration or identifying additional persons interested in serving as poll workers.

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2. Supervision and Support of Department

In a city as large as Newton, it appears somewhat unusual, in my opinion, for an employee of the City to be answerable in large part to a volunteer board. It may therefore be appropriate to review the relationship between the Board of Election Commissioners, the Executive branch, and the Executive Director to determine whether there may be mutual benefits to having the Executive Director placed more clearly under the day-to-day supervision of the Executive branch so as to ensure consistency with City personnel and operating practices and to provide the Executive Director with such additional support and supervision as might be needed. Review of these issues would involve the Charter, Ordinances, and any special acts that might be applicable. Note that while the Department needs to operate somewhat independently with respect to its statutory responsibilities, it is possible that further integration of the Department with respect to operations may allow for improved provision of departmental services.

3. Organization of Election Materials and Election Practices

When in City Hall, I viewed the election-related materials and was impressed with the manner in which they were maintained and arranged, including storage of printer packs, maintenance of election equipment, style, labeling and storage of ballot transfer cases. Additionally, as described, the election-day procedures were consistent with law, and, particularly in light of the size of the City, well organized.

In addition, I reviewed the materials provided to poll workers, and find the materials contain a significant amount of substantive information. In my further opinion, the information could be organized in a more accessible manner, so that wardens and clerks could more easily locate answers to questions at the polls. For example, a table of contents and/or index could be prepared, and tabs could be inserted to allow a warden or clerk to turn quickly to a particular section of the materials.

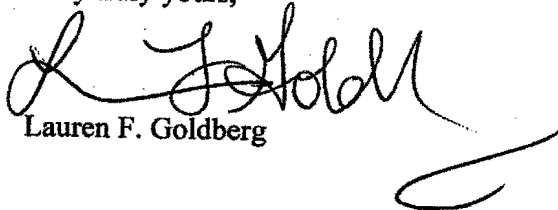
I understand that the City mandates training for wardens and clerks. Such training is essential, in my opinion, to ensuring that mistakes are avoided on election day. To that end, I recommend that any mandatory training involve a review of the entire training manual. This "top to bottom" review process allows those familiar with the process to refresh their recollections with respect thereto and also ensures that they are not doing things at the polls just because that was how they were done in the past. Obviously, newer poll workers will benefit from the discussion of the issues, and from the questions and stories told by those with more experience. I recommend further that all inspectors be provided with access to training materials (either through the mail or on-line) to ensure that they are also familiar with the full range of laws and regulatory requirements applicable to the conduct of elections. Such inspectors could be offered the opportunity to participate in the warden and clerk training, even if they cannot be required to attend due to limited funds for such purposes.

KOPELMAN AND PAIGE, P.C.

Honorable Setti D. Warren
Mayor
April 5, 2012
Page 6

Please let me know if I can be of any further assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "L. F. Goldberg", with a long, sweeping flourish extending to the right.

Lauren F. Goldberg

LFG/bp
443091/NEWT/0001

DRAFT

___-12

CITY OF NEWTON
IN BOARD OF ALDERMEN
_____, 2012

BE IT RESOLVED:

WHEREAS, the U.S. Bill of Rights provides certain inalienable rights to natural persons, and

WHEREAS, corporations are not mentioned in the U.S. Constitution, and

WHEREAS, corporations are legal entities created solely by state action, their entitlement, if any, to certain rights should be more narrowly defined than the rights afforded natural persons under the U.S. Constitution, and

WHEREAS, the decision to regulate corporate financial campaign contributions is one that historically Congress and the states have been constitutionally allowed to address, and

WHEREAS, in 1907, Congress enacted the Tillman Act prohibiting corporate financial contributions to federal election campaigns for public office, and

WHEREAS, in 2010, the U.S. Supreme Court in *Citizens United v. Federal Election Commission*, 130 S.Ct. 876 (U.S. 2010), ruled that Congress and the states lacked the constitutional right to ban independent corporate expenditures to political campaigns for public office, and

WHEREAS, the U.S. Supreme Court in the *Citizens* decision relied on its previously issued opinion in the 1976 case *Buckley v. Valeo*, 424 U.S. 1 (U.S. 1976), in which it equated the spending of money for electing candidates to public office as speech, and

WHEREAS, the *Citizens* decision has allowed for the creation of super political action committees in election campaigns for public office that allow for unregulated campaign expenditures in unprecedented amounts, and

WHEREAS, as a result of the *Citizens* decision, Congress and the state legislatures were denied any legal authority to regulate independent corporate political expenditures, and

19 WHEREAS, THE UNITED STATES SUPREME COURT'S RULING IN CITIZENS
20 UNITED V. FEC PRESENTS A SERIOUS AND DIRECT THREAT TO OUR DEMOCRACY;

21 WHEREAS, THE PEOPLE OF THE UNITED STATES HAVE PREVIOUSLY USED
22 THE CONSTITUTIONAL AMENDMENT PROCESS TO CORRECT THOSE
23 EGREGIOUSLY WRONG DECISIONS OF THE UNITED STATES SUPREME COURT
24 THAT GO TO THE HEART OF OUR DEMOCRACY AND SELF-GOVERNMENT;

25 NOW BE IT RESOLVED THAT THE COMMONWEALTH OF MASSACHUSETTS
26 HEREBY CALLS UPON THE UNITED STATES CONGRESS TO PASS AND SEND TO
27 THE STATES FOR RATIFICATION A CONSTITUTIONAL AMENDMENT TO RESTORE
28 THE FIRST AMENDMENT AND FAIR ELECTIONS TO THE PEOPLE.



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PRIVACY POLICY

Citizens United v. FEC Constitutional Remedies: List of local, state and federal resolution efforts

Citizens United v. FEC Constitutional Remedies: List of local, state and federal resolution efforts Updated 4/17/2012

Federal Resolutions

112TH CONGRESS

Senate Resolutions

S.J.Res. 29, introduced on November 1, 2011 by **Senators Tom Udall (D-NM), Michael Bennet (D-CO), Tom Harkin (D-IA), Dick Durbin (D-IL), Sheldon Whitehouse (D-RI), Jeff Merkley (D-OR), and Mark Begich (D-AK)**, proposes an amendment to the Constitution of the United States to reverse the Supreme Court's decision on the *Citizens United v. FEC*.

S.J. Res. 33, introduced on December 8th, 2011 by **Senator Bernie Sanders**, proposes an amendment to the Constitution of the United States to expressly exclude for-profit corporations from the rights given to natural persons by the Constitution of the United States, prohibit corporate spending in all elections, and affirm the authority of Congress and the States to regulate corporations and to regulate and set limits on all election contributions and expenditures.

S.J. Res. 35, introduced on January 24th, 2012, by **Senator Max Baucus and Senator Jon Tester**, proposes an amendment to the Constitution of the United States authorizing Congress and states to regulate to raising and spending of corporate and labor funds in support of or in opposition to candidates running for federal and states offices.

House Resolutions

H.J. Res. 8, introduced on January 5, 2011 **Rep. Marcy Kaptur**, proposes an amendment to the Constitution of the United States relating to limitations on the amounts of contributions and expenditures that may be made in connection with campaigns for election to public office.

H.J. Res. 72, introduced on July 13, 2011 by **Rep. Kurt Schrader**, proposes an amendment to the Constitution of the United States affirming the power of Congress and the States to regulate contribution of funds to candidates and the expenditure of funds intended to influence the outcome of elections.

H.J. Res. 78, introduced on September 12, 2011 by **Rep. Donna Edwards**, proposes an amendment to the Constitution of the United States to clarify the authority of Congress and the States to regulate the expenditure of funds for political activity by corporations.

H.J. Res. 82, introduced on October 14, 2011 by **Rep. Ted Deutch**, proposes an amendment to the Constitution of the United States authorizing regulation of any expenditure in connection with an election.

H.J. Res. 86, introduced on November 4, 2011 by **Rep. Betty Sutton**, proposes an amendment to the Constitution of the United States to reverse the Supreme Court's decision on the *Citizens United v. FEC*.

H.J. Res. 88, introduced on November 15, 2011 by **Rep. Jim McGovern**, proposes an amendment that would overturn the Supreme Court ruling on *Citizens United v. FEC* and to make clear that corporations are not people.

H.J. Res. 90, introduced on November 18, 2011 by **Rep. Ted Deutch**, proposes an amendment to the Constitution of the United States to expressly exclude for-profit corporations from the rights given to natural persons by the Constitution of the United States, prohibit corporate spending in all elections, and affirm the authority of Congress and the States to regulate corporations and to regulate and set limits on all election contributions and expenditures.

H.J. Res. 92, introduced on December 6, 2011 by **Rep. Keith Ellison**, proposes an amendment to the Constitution of the United States relating to the authority of Congress and the States to regulate the disbursement of funds for political activity by for-profit corporations and other for-profit business organizations.

H.J. Res. 97, introduced on December 20th, 2011 by **Rep. John Yarmuth and Rep. Walter Jones**, proposes an amendment to the Constitution of the United States declaring that spending on elections does not qualify as protected speech under the First Amendment, giving Congress the authority to create a public financing system as the sole source of funding for federal elections, and designating a national holiday for the purpose of voting.

H.J. Res. 100, introduced on January 18th, 2012 by **Rep. Dennis Kucinich**, proposes an amendment to the Constitution of the United States declaring that elections should be publicly funded, and that Congress and the states have the right regulate independent expenditures.

111TH CONGRESS

Senate Resolutions

S.J. Res. 28, introduced on February 24, 2010 by **Senators Chris Dodd (D-CT), Tom Udall (D-NM), Michael Bennet (D-C), Arlen Specter (D-PA)**, proposes an amendment to the Constitution of the United States affirming the power of Congress to regulate financing of federal elections and the power of states to regulate financing of state elections.

S.J. Res. 36, introduced on July 27, 2010 by **Senator Max Baucus**, proposes an amendment to the Constitution of the United States relative to authorizing regulation of contributions to candidates for State public office and Federal office by corporations and labor organizations, and expenditures by corporate entities and labor organizations in support of, or opposition to such candidates.

House Resolutions

H.J. Res. 68, introduced on January 21, 2010 by **Rep. Leonard Boswell**, proposes an amendment to the Constitution of the United States prohibiting corporations and labor organizations from using their operating funds to pay for political ads.

H.J. Res. 74, introduced on February 2, 2010 by **Rep. Donna Edwards**, proposes an amendment to the Constitution of the United States permitting Congress and the States to regulate the expenditure of funds by corporations engaging in political speech.

H.J. Res. 82, introduced on April 14, 2010 by **Rep. Paul W. Hodes**, proposes the "Doris 'Granny D' Haddock Amendment of 2010" to the Constitution of the United States regarding the authority of Congress and the States to regulate the spending and activities of corporations with regard to political campaigns and campaigns for election for public office.

H.J. Res. 84, introduced on May 13, 2010 by **Rep. Kurt Schrader**, proposes an amendment to the Constitution of the United States giving Congress power to regulate campaign contributions for Federal elections.

State and Local Resolutions

ALASKA

State Resolutions

HJR 33, **introduced** by Representatives Gara, Tuck, Holmes, Miller, Gardner, Kawaski, Kertula, and Petersen on February 2, 2012, proposes that Congress and the President work to pass a constitutional amendment that would limit the ability of corporations, unions and wealthy individuals from making limitless independent expenditures to influence the outcome of elections. Currently awaiting passage in Alaska's House of Representatives.

SJR 13, introduced by Senator Dyson, **passed in the Senate** on March 21, 2012 in a 12-7-1 vote and is **currently awaiting passage in the House**. It proposes that Congress and the President work to pass a constitutional amendment that would limit the ability of corporations, unions and wealthy individuals from making limitless independent expenditures to influence the outcome of elections.

ARIZONA

State Resolutions

HCR 2049, **introduced** by State Rep. McCune Davis on February 1, 2012, provides support for the introduction of a 2012 ballot initiative that would call upon Congress to pass a constitutional amendment to overturn the Citizens United decision and related cases.

CALIFORNIA

State Resolutions

AJR 3, **introduced** on January 23, 2010 by Assemblyman Pedro Nava (D-35), expresses disagreement with the Citizens United ruling, and calls upon Congress to pass a constitutional amendment to address the issue.

AJR 22, introduced on March 20, 2012 by Assemblyman Weikowski, **passed in the California State Assembly** and is currently being **proposed in the California State Senate**. It proposes that Congress pass a constitutional amendment to overturn the *Citizens United* decision.

Local Resolutions Passed

On April 25th, 2000, the municipality of Point Arena passed a resolution rejecting corporate personhood, which declared, "Interference in the democratic process by corporations frequently usurps the rights of citizens to govern."

On May 19, 2004, the city of Arcata passed Resolution No. 034-51, the Corporate Personhood Resolution, declaring corporate personhood illegitimate and undemocratic. It attempts to prevent corporations from challenging Arcata town laws that restrict corporations.

On February 10, 2010, the Humboldt County Democratic Central Committee passed the Resolution to Legalize Democracy and Abolish Corporate Personhood in response to the Citizens United v. FEC ruling. The resolution calls for an amendment to the US Constitution to abolish corporate personhood.

On March 1, 2010, Richmond City Council votes unanimously to support a resolution calling for a constitutional amendment to abolish corporate personhood.

On April 1, 2010, the Berkeley City Council passed a resolution calling for "amending the United States and California Constitutions to declare that corporations are not entitled to the protections or "rights" of human beings and to declare that the expenditure of corporate money is not a form of constitutionally protected speech."

On December 1, 2010, students at UC Santa Barbara passed a resolution against corporate personhood through their student government.

On March 28, 2011, the Fort Bragg (CA) City Council passed a resolution calling for a constitutional amendment to ban corporate personhood. All of the council members present voted for it; one member was absent.

On April 1, 2011, AFSCME Local 1684 in Eureka passed a resolution condemning the Supreme Court's ruling on Citizens United and proposing a constitutional amendment to reverse the decision.

On April 12, 2011, the Central Labor Council of Humboldt and Del Norte adopted the Move to Amend Model Resolution.

On April 22, 2011, the Associated Students of HSU passed a resolution supporting the Move to Amend campaign and calling for a constitutional amendment to abolish corporate personhood. The resolution was proposed by a group of students working with Democracy Unlimited.

On July 21, 2011, the South Robertson Neighborhood Council (SORONC) passed a non-binding resolution to amend the Constitution to state clearly and unequivocally that human beings, not corporations, are entitled to constitutional rights and that money should not be equated with speech.

On August 15, 2011, the Ojai Valley Democratic Club endorsed a resolution supporting a Constitutional amendment ending corporate personhood.

On Tuesday October 18, 2011, the Marina City Council passed a resolution calling for a constitutional amendment in response to the Citizens United vs Federal Election Commission case.

On December 1, 2011, the Wellstone Progressive Democrats of Sacramento passed a resolution that calls for a constitutional amendment that abolishes corporate personhood. They also agreed to send a letter with the endorsed resolution to the California State Democratic Central Committee asking the California Democratic Party to endorse the resolution.

On December 6, 2011, Los Angeles City unanimously endorsed a resolution to end personhood rights of corporations and allows Federal, State, and Local governments to regulate campaign finance.

On December 20th, 2011, the city council of Oakland, California unanimously passed a resolution in support of a constitutional amendment to reverse the *Citizens United* decision.

On January 11th, 2012, the town council of Fairfax California approved a resolution in favor of abolishing corporate personhood with the intent of restoring the democratic process to the people.

On January 17, 2012, West Hollywood passed a resolution condemning the Supreme Court's decision on *Citizens United* and supporting a constitutional amendment to overturn the ruling.

On January 24, 2012, the city of Santa Cruz approved a resolution that calls for a constitutional amendment to overturn the Supreme Court's decision on *Citizens United*.

On January 25, 2012, the city of Petaluma passed a resolution in a 6-1 decision that called for a reversal of the *Citizens United* decision.

On January 31, 2012, the city of San Francisco passed a resolution condemning the Supreme Court's ruling on *Citizens United* and supporting a constitutional amendment to reverse the decision.

On February 6, 2012, the Albany City Council has passed a municipal government resolution that calls for a constitutional amendment to overturn the Supreme Court's decision on *Citizens United* and clarifies that corporations are not people.

On February 21, 2012, the city council of Davis voted unanimously on a resolution in support of Assembly Joint Resolution 22, a bill in the California legislature that calls on Congress to pass an amendment to overturn the *Citizens United* decision.

On March of 2012, the city of Point Arena unanimously passed a resolution supporting their previous resolution in 2000, which called for the abolition of corporate personhood.

On March 1, 2012, the Democratic Central Committee of Marin passed a resolution calling for a constitutional amendment to overturn the Supreme Court's ruling on *Citizens United*.

On March 6, 2012, the Berkeley City Council unanimously passed their second resolution calling upon Congress to amend the Constitution to overturn *Citizens United* in support of Assembly Bill AJR 22 and to 'stand with communities across the country who are engaged in the movement.

On March 13, 2012, the Ojai City Council passed a resolution that supports a constitutional amendment to overturn the Supreme Court's ruling on *Citizens United*.

On March 14, 2012, Nevada City's City Council passed a resolution supporting a constitutional amendment stating that corporations should not receive the same constitutional rights as natural persons and that money is not speech.

On March 19, 2012, the Los Altos Hills City Council approved a resolution that condemns the Supreme Court's ruling on *Citizens United* and calls for a constitutional amendment to reverse the decision.

On March 20, 2012, the city council of Mountain View passed a resolution in favor of abolishing corporate personhood, and encouraging Congress to pass a constitutional amendment that would overturn the *Citizens United* decision.

On April 17th, 2012, the city council of Chico passed a resolution calling on Congress to pass a constitutional amendment to overturn the *Citizens United* decision. The resolution provides that corporations should not have the constitutional right to spend money in elections, and that money should not be equated to speech.

COLORADO

Local Resolutions Passed

On April 5, 2011, the Arapahoe County Democratic Central committee approved a resolution in support of the Move to Amend constitutional amendment campaign.

On April 13, 2011, the Boulder Democratic Party passed the Urging Support of a Constitutional Amendment Abolishing Corporate Personhood resolution supporting an anti-corporate personhood amendment.

On September 12, 2011, the Jamestown Board of Trustees unanimously passed a resolution calling for an amendment to the U.S. Constitution to establish that only human beings, not corporations, are entitled to constitutional rights and that the First Amendment does not protect unlimited political spending as free speech.

On November 1, 2011, voters in Boulder City passed a ballot measure calling for an amendment to the US Constitution that would state that corporations are not people and reject the legal status of money as free speech.

On January 3, 2012, the Commissioners of Pueblo County, Colorado unanimously passed a resolution in favor of overturning the *Citizens United* decision, and calling for the end of corporate personhood.

FLORIDA

State Resolutions

SM 1576 – the People's Rights Amendment – **introduced** by Sen. Braynon on January 5th 2012, proposes that Congress pass a constitutional amendment that would overturn the *Citizens United* decision.

HM 1275 – the People's Rights Amendment – **introduced** by Rep. Williams on January 5th 2012, proposes that Congress pass a constitutional amendment that would overturn the *Citizens United* decision.

Local Resolutions Passed

On September 15, 2011, the Sarasota Alliance for Fair Elections (SAFE) has passed a resolution stating that SAFE stands with the Move to Amend campaign and communities across the country to defend democracy from the corrupting effects of undue corporate power by amending the United States Constitution.

On October 1, 2011, the Coalition of Concerned Patriots of Bradenton passed a resolution standing with the Move to Amend campaign, and calling for constitutional remedies to counter corporate influence.

On October 4, 2011, the South Miami City Commission passed a resolution calling for a constitutional amendment to end corporate personhood.

On October 14, 2011, the Fruitland Park chapter of Pax Christi passed a resolution in support of a constitutional amendment and the Move to Amend campaign.

On October 20, 2011, the Social Justice Committee of the Universalist Unitarian Church in Venice approved a resolution that condemns the Supreme Court's decision on *Citizens United* and supports a constitutional amendment to reverse the ruling.

On October 27, 2011, the Palm Beach County of Progressive Democrats passed a resolution calling for an amendment to end corporate personhood and reject the notion that money is speech.

On November 14, 2011, citizens in Orlando passed a resolution calling for a constitutional amendment to overturn the decision in the *Citizens United* case. Furthermore, the resolution rejected the notion that 'money is speech.'

On December 1, 2011, the Southwest Florida Coalition for Peace and Justice passed a resolution supporting a

constitutional amendment to reverse the Supreme Court's decision on Citizens United.

On March 15, 2012, the Tampa Bay City council unanimously passed a resolution calling for Congress to amend the Constitution to rectify the Supreme Court's interpretation of corporate rights and corporate engagement in the electoral process.

On March 19, 2012, the Key West City Commission passed a resolution condemning the Citizens United decision, stating that corporations should not have the same rights as people.

HAWAII

State Resolutions

SCR225, **introduced** on March 10, 2010 by Senator Gary L. Hooser (D-7), expresses disagreement with the *Citizens United* ruling and calls on the US Congress to pass a constitutional amendment barring the use of "person" when defining "corporate entity."

SR116, **introduced** on March 10, 2010 by Senator Gary L. Hooser (D-7), expresses disagreement with the *Citizens United* ruling and calls on the US Congress to pass a constitutional amendment barring the use of "person" when defining "corporate entity."

HCR282 HD1, introduced on March 10, 2010 by Rep. Bob Herkes (D-5) – **passed both the House and Senate** and was adopted on April 28th, 2010, expresses disagreement with the *Citizens United* ruling and calls on the US Congress to propose an amendment to the Constitution of the United States to permit Congress and States to regulate expenditure of funds by corporations engaging in political speech.

HR204, **introduced** on March 10, 2010, also by Rep. Bob Herkes (D-5), expresses disagreement with the *Citizens United* ruling and calls on the US Congress to pass a constitutional amendment barring the use of "person" when defining "corporate entity."

HB36, **introduced** on January 20, 2011 by Rep. Karl Rhoads (D-28), proposes a state constitutional amendment to provide that freedom of speech applies only to natural persons.

HCR 51 – a joint measure – was **introduced** on February 11, 2011 by Rep. Roy Takumi (D-36), proposing that the United States Congress pass a constitutional amendment that provides that corporations are not persons under the laws of the U.S. or any of its jurisdictional subdivisions.

HR 44 – a house measure – **passed in the House** on April 14, 2011. The bill was introduced by Rep. Roy Takumi (D-36). Proposes that the United States Congress pass a constitutional amendment that provides that corporations are not persons under the laws of the U.S. or any of its jurisdictional subdivisions.

IDAHO

State Resolutions

HJM012, **introduced** on February 24, 2010 in the House State Affairs Committee, expresses disagreement with the *Citizens United* ruling and calls on the US Congress to take action through legislation or a constitutional amendment.

IOWA

State Resolutions

SR 113, introduced by State Senator Jeff Danielson, **passed in the Senate** by a 7-4 vote on March 12, 2012. The resolution expresses disagreement with the current interpretation of corporate rights and the Citizens United decision, and calls for Congress to enact appropriate legislation to regulate and restrict corporate spending in elections.

KENTUCKY

State Resolutions

HR 14, **introduced** by Representative Rollins on the January 4, 2011 General Assembly regular session, calls upon Congress to amend the Constitution to prevent corporate control of elections.

MAINE

Local Resolutions Passed

On January 18, 2012, the city council of Portland, Maine, passed a resolution in support of a constitutional amendment that would provide that corporations are not people.

On March 26, 2012, the Bangor City Council passed in a 5-3 vote a resolution calling for a constitutional amendment to overturn the Citizens United decision and stating that corporations are not entitled to the same rights of natural persons.

MARYLAND

State Resolutions

On January 19, 2012, State Senator Jamie Raskin introduced a letter to the Maryland General Assembly. It sharply disagrees with the Supreme Court's decision on *Citizens United* and calls for a constitutional amendment to be sent to each state for ratification to overturn the ruling. **The majority of members in the House of Delegates and State Senate**

have signed this letter in agreement.

Local Resolutions Passed

On January 23, 2012, the Greenbelt City Council passed a resolution that supported a Maryland General Assembly Letter to Congress calling for a constitutional amendment to overturn *Citizens United*.

On January 24, 2012, the College Park City Council passed a resolution that supported a National General Assembly Letter to Congress calling for a constitutional amendment to overturn *Citizens United* and clarify that corporations are not people protected by the First Amendment.

On February 21, 2012, the Prince George's County Council passed a resolution expressing support for a Maryland General Assembly Letter to Congress calling for a reversal of the Citizens United decision and to restore fair elections and democratic sovereignty to the people.

On March 6, 2012, the Mt. Rainier City Council unanimously passed a resolution supporting a Maryland General Assembly Letter to Congress that calls for campaign financing and spending by corporations should be limited and not protected under the First Amendment. It seeks to create a constitutional amendment to overturn the Citizens United decision.

MASSACHUSETTS

State Resolutions

SD 772, introduced by State Senator Jamie Eldridge on January 21, 2011, the Free Speech for People resolution calling for the United States Congress to pass and send the states for ratification a constitutional amendment to restore the First Amendment and fair elections for the people. Currently being heard by the Joint Committee on the Judiciary.

City/Local Resolutions

In April of 2011, the town of Yarmouth passed a resolution in a town hall meeting demanding a constitutional amendment to dismantle corporate personhood.

On April 4, 2011, Provincetown passed resolution calling on the United States Congress to pass and send to the states for ratification a constitutional amendment to restore the First Amendment and fair elections to the people, and calling on the Massachusetts General Court to pass resolutions requesting those actions.

On April 24, 2011, the town of Leverett passed Move to Amend's model resolution at a townhall meeting.

On April 26, 2011, the town of Turo passed a resolution calling on the United States Congress to pass and send to the states for ratification a constitutional amendment to restore the First Amendment and fair elections to the people.

On April 26, 2011, the town of Wellfleet passed a resolution calling on the United States Congress to pass and send to the states for ratification a constitutional amendment to restore the First Amendment and fair elections to the people.

In May of 2011, Lanesborough citizens passed a resolution that supports the overturning of the Citizens United decision, stating that the Supreme Court's findings were wrong and clarifying that corporations are not people.

On May 2, 2011, the town of Great Barrington passed a resolution calling upon the United States Congress to pass and send to the states for ratification a constitutional amendment that Congress and the states will regulate the use of funds for political speech by any corporate entity.

On May 3, 2011, the town of Brewster passed a resolution calling for the Congress to pass and send to the states for ratification a constitutional amendment to restore the First Amendment and fair elections to the people.

On May 3, 2011, the town of Dennis passed a resolution calling on the United States Congress to pass and send to the states for ratification a constitutional amendment to restore the First Amendment and fair elections to the people.

On May 8, 2011, the town of Orleans passed a resolution calling on the United States Congress to pass and send to the states for ratification a constitutional amendment to restore the First Amendment and fair elections to the people.

On May 9, 2011, the town of Chatham passed a resolution calling on the United States Congress to pass and send to the states for ratification a constitutional amendment to restore the First Amendment and fair elections to the people.

On May 12, 2011, Williamstown passed a resolution calling on the United States Congress to pass and send to the states for ratification a constitutional amendment to restore the First Amendment and fair elections to the people.

On December 1, 2011, Psychologists for Social Responsibility in Brookline approved a resolution that condemns the Supreme Court's decision on Citizens United and calls for a constitutional amendment to reverse the ruling.

On February 14, 2012, a town hall meeting in Lynn passed a resolution that condemns the Supreme Court's ruling on *Citizens United* and supports a constitutional amendment to reverse the decision.

On March 24, 2012, a town hall meeting in Lincoln passed a resolution that supports a constitutional amendment to overturn the Supreme Court's ruling on *Citizens United*.

On March 27, 2012, the Newburyport Town Council passed a resolution that supports a constitutional amendment to

overturn the Supreme Court's decision on *Citizens United* .

MICHIGAN

Local Resolutions Passed

On December 1, 2011, the Dickinson County Democratic Party passed a resolution that condemns the Supreme Court's ruling on *Citizens United* and calls for a constitutional amendment to overturn the decision.

MINNESOTA

State Resolutions

HF0914, **introduced** on March 7, 2011 to the Minnesota State Legislature, provides that corporations are not natural persons and proposes a constitutional amendment to overturn the Supreme Court's ruling on *Citizens United*.

SF683, **introduced** on March 9, 2011 to the Minnesota State Senate, condemns the Supreme Court's decision on *Citizens United* and calls for a constitutional amendment to reverse the ruling.

Local Resolutions Passed

On August 9, 2011, the Minnesota Coalition of Peacemakers passed a resolution seeking to abolish corporate personhood by an amendment to the U.S. Constitution.

In October of 2011, the Minnesota Retiree Council of the AFL-CIO passed a resolution to support Move to Amend.

On December 13th, 2011, the city council of Duluth, Minnesota passed a resolution in opposition to the *Citizens United* decision and the legal definition of corporate personhood.

MISSISSIPPI

Local Resolutions Passed

On December 13, 2011, citizens in Jackson passed a resolution supporting a constitutional amendment to overturn the *Citizens United* decision and clarifying that corporations are not people protected by the First Amendment.

MONTANA

State Resolutions

HJ 10, **introduced** by Representative Hill on February 2, 2011, proposes that Congress pass a constitutional amendment to overturn the *Citizens United* decision.

Local Resolutions Passed

On August 23, 2011, the Missoula City Council voted to place a referendum on the 2011 ballot that urges federal and state lawmakers to amend the U.S. Constitution to clearly state "that corporations are not human beings and do not have the same rights as citizens." On November 8, 2011, Missoula voters approved a local ballot referendum urging Congress to propose a constitutional amendment that clearly states that corporations are not people and do not have the same rights as citizens by a three to one margin.

NEW HAMPSHIRE

State Resolutions

In May 2004, the Democratic Party of New Hampshire, **passed** a resolution declaring that "Corporations shall not be considered "persons" protected by the Constitution of the United States or by the Constitutions of the states that so declare; and the rights of individual, natural persons shall be privileged over any and all rights that have been extended to artificial entities."

HCR 1, **introduced** by Rep. Weed and Rep. Car on January 5th, 2011, proposes that Congress pass a constitutional amendment that provides that constitutional rights such as free speech apply to living persons, and not to corporations, for the purpose of electioneering, among others.

HR 8, **introduced** by Rep. Pierce and Rep. Richardson on January 6th, 2011, proposes that Congress pass a constitutional amendment that would limit corporate spending in elections, and thus overturn the *Citizens United* ruling.

Local Resolutions Passed

On March 14, 2012, citizens in a Bradford Town Hall Meeting voted to pass a resolution condemning the *Citizens United* decision and calling for a constitutional amendment to overturn the Supreme Court's ruling.

NEW JERSEY

State Resolutions

AR 64 **passed the New Jersey State Assembly** in a 53-16-9 vote on March 15, 2012. This resolution expresses strong opposition to the recent United States Supreme Court decision in *Citizens United v. Federal Elections Commission* concerning corporation campaign spending and calls upon the United States Congress to propose an amendment to the United States Constitution.

NEW MEXICO

State Resolutions

Joint Memorial 36, **introduced** on February 11, 2011 by Rep. Mimi Stewart (D-21), failed by one vote on the House floor. It expresses strong opposition to the Supreme Court's decision in Citizens United v. Federal Election Commission and call upon the United States congress to propose and send to the states for ratification an amendment to the United States constitution to restore free speech and fair elections to the people of the United States.

HM4, introduced by Representative Stewart, **passed** in a 38-29 vote in the House on January 30, 2012. SM3, introduced by Senator Fischmann, **passed** in a 20-9 vote in the Senate on February 7, 2012. On February 11, 2012, **the New Mexico joint legislature passed** a resolution calling for Congress to propose a constitutional amendment to overturn the Citizens United decision, becoming the second state in the union to do so.

Local Resolutions Passed

On January 11, 2012, citizens in Santa Fe passed a resolution calling for a constitutional amendment to overturn the Citizens United decision and clarify that corporations are not people.

On February 25, 2012, the Taos City Council passed a resolution condemning the Supreme Court's decision on Citizens United and supporting a constitutional amendment to overturn the ruling.

NEW YORK**State Resolutions**

K01016, introduced by Assemblyman James Brennan on March 7, 2012, **passed the New York State Assembly's Law Election Committee, awaiting a floor vote**, provides that the US Congress to send the states a constitutional amendment to overturn the Citizens United case, which would enable corporate spending in elections.

Local Resolutions Passed

In February of 2011, the Essex County Democratic Committee voted to approve a constitutional amendment that would establish money is not speech and that people, not corporations, are people with constitutional rights.

In March of 2011, the Progressive Coalition of Northern New York approved the Move to Amend resolution.

On December 6, 2011, the Albany Common Council passed a resolution stating that "Corporations are not People".

On January 4th, 2012, the city council of New York City passed a resolution "supporting an amendment to the Constitution to provide that corporations are not entitled to the entirety of protections or 'rights' of natural persons."

On January 11, 2012, citizens in Buffalo passed a local resolution calling for a constitutional amendment to overturn the Citizens United decision and clarify that corporations are not natural persons.

On February 1, 2012, the Common Council of Ithaca, NY voted 8-1 in favor of a resolution calling on Congress to pass an amendment to end corporate personhood.

On February 13, 2012, the town board of Danby voted unanimously for a resolution calling on Congress to pass an amendment to end corporate personhood.

On March 1, 2012, the city of Troy passed a resolution calling for a constitutional amendment to overturn the Citizens United decision and clarifying that corporations are not people.

NORTH CAROLINA**Local Resolutions Passed**

On April 1, 2011, The Alamance County Democrats passed a resolution at their democratic convention, calling for a Constitutional amendment to abolish corporate personhood.

On January 9, 2012, the Chapel Hill Town Council passed the Move to Amend Resolution stating that corporations are not people and that money is not speech.

On January 17, 2012, the Carrboro Board of Alderman unanimously passed a resolution in to clarify that "corporations are not people and money is not speech."

On February 14, 2012, citizens in Asheville passed a local resolution calling for the reversal of the Citizens United decision, stating that corporations are not people protected by the First Amendment.

On April 2, 2012, the Franklin Board of Alderman passed a resolution calling upon the North Carolina General Assembly to petition Congress for a constitutional amendment that would overturn the Supreme Court's ruling on Citizens United.

OHIO**Local Resolutions Passed**

On February 6, 2012, the city council of Athens unanimously passed a resolution rejecting the Citizens United decision and calling for an amendment to redefine corporate constitutional rights.

On February 23, 2012, the Oberlin City Council unanimously approved a resolution calling upon the US Congress and Ohio legislature to create a constitutional amendment that would reverse the Citizens United decision and reinstates that free speech is a right of persons, not corporations.

OKLAHOMA

State Resolutions

On May 17, 2003, the Oklahoma Democratic Party, at their state convention, **approved** a resolution opposing corporate personhood.

OREGON

State Resolutions

HJM 9, **introduced** by Representative Phil Barnhart on January 10, 2011, provides that Congress to pass a constitutional amendment that would "restore the First Amendment and fair elections to the people."

Local Resolutions Passed

On June 23, 2011, the Democratic Party of Douglas County, Oregon voted to pass a resolution opposing Corporate Personhood and in support of the Move to Amend organization.

On January, 12, 2012, the Portland City Council voted unanimously in favor of a resolution put for by Mayor Sam Adams, which declared that money is not speech and corporations are not people.

On February 6, 2012, the Corvallis City Council passed a resolution that condemned the Supreme Court's ruling on Citizens United and proposed a constitutional amendment to overturn the decision.

On February 7, 2012, the Klamath County Democratic Central Committee passed a resolution that supports a constitutional amendment to overturn the Supreme Court's decision on Citizens United and clarifies that corporations are not people protected by the First Amendment.

On February 15th, 2012, the city council of Eugene, Oregon passed a resolution encouraging Congress to pass an amendment to the Constitution that would overturn the Citizens United decision.

PENNSYLVANIA

State Resolutions

HR 653 **introduced** on March 9, 2010 by Rep. Steve Santarsiero (D-31), expresses disagreement with the *Citizens United* ruling and calls on the US Congress to call a constitutional convention.

Senate Resolution 264, **will be introduced** shortly by Senator Jim Ferlo, who announced his intention to do so on March 9, 2012. The bill calls to support the nationwide effort to amend the US Constitution to overturn the *Citizens United* ruling.

Local Resolutions Passed

On January 1, 2010, the Lehman City Council passed a resolution condemning the Supreme Court's decision on *Citizens United* and supporting a constitutional amendment to reverse the ruling.

On December 30, 2011, the Pittsburgh City Council passed a resolution calling for a constitutional amendment to abolish corporate personhood and return our elections back to the American people.

On February 14, 2012, the town of Lancaster passed a resolution calling for a constitutional amendment to overturn the *Citizens United* decision.

RHODE ISLAND

State Resolutions

H 6156, **introduced** on May 18, 2010 by Rep. Thomas Winfield, proposes that Congress pass a constitutional amendment to overturn the *Citizens United* decision.

H 8186, **introduced** on May 27, 2010 by Rep. David Segel (D-2), applies to the Congress of the United States to call a constitutional convention.

H7899 was **introduced** on March 6, 2012 by Speaker of the House Gordon Fox and is currently held in committee for further examination as of April 3, 2012. S2656 was **introduced** on March 1, 2012 by State Senate President Teresa Paiva-Weed and was recommended for passage on March 6. These companion resolutions call for Congress to send the states a constitutional amendment providing the *Citizens United* decision to be overturned and allowing the states to regulate and restrict political expenditures by corporations and wealthy individuals in elections.

SOUTH DAKOTA

State Resolutions

HCR 1018 **introduced** on March 2010, by Rep. Ed Iron Cloud (D-27) and Sen. Jim Bradford (R-27), failed on a 24-43 vote on the day after it was introduced. The resolution urged the Congress and the States to propose a constitutional amendment that would reverse *Citizen's United V. FEC* decision.

VERMONT**State Resolutions**

JRS11, introduced January 21, 2011 by Senator Virginia Lyons (D-Chittendon), and passed in the Senate on April 12, 2012 urges the United States Congress to propose an amendment to the United States Constitution, which provides that corporations are not persons under the laws of the United States or any of its jurisdictional subdivisions.

Local Resolutions Passed

On February 28, 2011, the town of Lincoln approved a resolution to end corporate personhood in their community.

On March 6, 2012, in Albany, citizens voted in favor of a ballot that supports a constitutional amendment to overturn the *Citizens United* decision and clarify that corporations are not people.

On March 6, 2012, at a town hall meeting in Barnet, citizens passed a resolution condemning the Supreme Court's ruling on *Citizens United* and called for a constitutional amendment to reverse the decision.

On March 6, 2012, in Bolton, citizens nearly unanimously voted to pass a resolution calling for a constitutional amendment to overturn the *Citizens United* decision and clarify that corporations are not people.

On March 6, 2012, citizens at a town hall meeting in Brattleboro passed a resolution that condemns the *Citizens United* decision and supports a constitutional amendment to reverse the Supreme Court ruling.

On March 6, 2012, in Brandon, citizens voted to pass a resolution calling for campaign finance reform and urging both the Vermont and US Congresses to support the same resolution. It supports a constitutional amendment to overturn the *Citizens United* decision.

On March 6, 2012, a town hall meeting in Bristol voted to support a resolution that calls for a constitutional amendment to reverse the Supreme Court's decision on *Citizens United* and clarify that corporations are not people protected by the First Amendment.

On March 6, 2012, citizens in Burlington passed a resolution that calls for a constitutional amendment to overturn the *Citizens United* decision and clarify that corporations are not people.

On March 6, 2012, in Calais, citizens at a town hall meeting voted to pass a resolution that condemns the Supreme Court's decision on *Citizens United* and supports a constitutional amendment to reverse the ruling.

On March 6, 2012, a town hall meeting in Charlotte voted in favor of a resolution that calls for a constitutional amendment to overturn the *Citizens United* decision and clarify that corporations are not people.

On March 6, 2012, citizens in Chester passed a resolution that supports a constitutional amendment to reverse the Supreme Court's decision on *Citizens United*.

On March 6, 2012, in Chittenden, citizens at a town hall meeting voted in favor of a resolution that condemns the Supreme Court's decision on *Citizens United* and supports a constitutional amendment to overturn the ruling.

On March 6, 2012, a town hall meeting in Craftsbury voted to pass a resolution supporting a constitutional amendment that would overturn the *Citizens United* decision and clarify that corporations are not people.

On March 6, 2012, citizens in a town hall meeting in East Montpelier passed a resolution that condemns the Supreme Court's rulings on *Citizens United* and calls for a constitutional amendment to reverse the ruling.

On March 6, 2012, in Fayston, citizens passed a resolution that favors a constitutional amendment to overturn the *Citizens United* decision and clarify that corporations are not people protected by the First Amendment.

On March 6, 2012, a town hall meeting in Fletcher voted in favor of a resolution that supports a constitutional amendment to reverse the Supreme Court's decision on *Citizens United*.

On March 6, 2012, citizens at a town hall meeting in Granville voted to pass a resolution that condemns the Supreme Court's rulings on *Citizens United* and supports a constitutional amendment to reverse the decision.

On March 6, 2012, in Greensboro, citizens passed a resolution calling for a constitutional amendment to overturn the *Citizens United* decision and clarify that corporations are not people protected by the First Amendment.

On March 6, 2012, citizens in Hardwick unanimously voted in favor of a resolution that calls for a constitutional amendment to reverse the Supreme Court's decision on *Citizens United*.

On March 6, 2012, a town hall meeting in Hartford voted to pass a resolution that condemns the Supreme Court's decision on *Citizens United* and supports a constitutional amendment to reverse the ruling.

On March 6, 2012, in Hartland, citizens passed a resolution calling for a constitutional amendment to overturn the *Citizens United* decision and clarify that corporations are not people.

On March 6, 2012, citizens at a town hall meeting in Hinesburg voted in favor of a resolution that condemns the Supreme Court's ruling on *Citizens United* and supports a constitutional amendment to overturn the decision.

On March 6, 2012, a town hall meeting in Jericho voted to pass a resolution supporting a constitutional amendment to overturn the *Citizens United* decision and clarify that corporations are not people protected by the First Amendment.

On March 6, 2012, citizens at a town hall meeting in Marlboro voted in favor of a resolution that supports a constitutional amendment to reverse the *Citizens United* decision and clarifies that corporations are not people.

On March 6, 2012, in Marshfield, citizens passed a resolution that condemns the Supreme Court's decision on *Citizens United* and supports a constitutional amendment that reverses the ruling.

On March 6, 2012, a town hall meeting in Middletown Springs voted in favor of a resolution that supports a constitutional amendment to reverse the Supreme Court's decision on *Citizens United* and clarifies that corporations are not people protected by the First Amendment.

On March 6, 2012, citizens at a town hall meeting in Monkton voted to pass a resolution calling for a reversal of the Supreme Court's decision on *Citizens United*.

On March 6, 2012, in Montgomery, a town hall meeting passed a resolution that condemns the Supreme Court's decision on *Citizens United* and favors a constitutional amendment to reverse the ruling.

On March 6, 2012, a town hall meeting in Montpelier voted in favor of a resolution that supports a constitutional amendment to overturn the *Citizens United* decision and clarifies that corporations are not people.

On March 6, 2012, citizens in Moretown voted to pass a resolution that favors a constitutional amendment to reverse the Supreme Court's ruling on *Citizens United*.

On March 6, 2012, in Mt. Holly, citizens at a town hall meeting passed a resolution that condemns the Supreme Court's decision on *Citizens United* and supports a constitutional amendment to reverse the ruling.

On March 6, 2012, a town hall meeting in Newbury voted in favor of a resolution that calls for a constitutional amendment to overturn the *Citizens United* decision and clarify that corporations are not people protected by the First Amendment.

On March 6, 2012, citizens at a town hall meeting in Newfane voted to pass a resolution that condemns the Supreme Court's ruling on *Citizens United* and favors a constitutional amendment to reverse the decision.

On March 6, 2012, in Norwich, citizens passed a resolution that supports a constitutional amendment to reverse the *Citizens United* decision and clarify that corporations are not people.

On March 6, 2012, a town hall meeting in Peru voted to pass a resolution that condemns the Supreme Court's decision on *Citizens United* and favors a constitutional amendment that would overturn the ruling.

On March 6, 2012, citizens in Plainfield voted in favor of a resolution that calls for a constitutional amendment to reverse the Supreme Court's ruling on *Citizens United* and clarifies that corporations are not people protected by the First Amendment.

On March 6, 2012, at a town hall meeting in Putney, on two ballots, citizens unanimously passed a resolution that condemns the Supreme Court's decision on *Citizens United* and favors a constitutional amendment to overturn the ruling.

On March 6, 2012, in Randolph, citizens at a town hall meeting voted to pass a resolution that supports a constitutional amendment to overturn the *Citizens United* decision.

On March 6, 2012, a town hall meeting in Richmond voted in favor of a resolution that condemns the *Citizens United* decision and calls for a constitutional amendment to reverse the Supreme Court's ruling.

On March 6, 2012, at a town hall meeting in Ripton, citizens unanimously passed a resolution that supports a constitutional amendment to overturn the Supreme Court's ruling on *Citizens United* and clarifies that corporations are not people.

On March 6, 2012, in Rochester, citizens voted to pass a resolution that condemns the Supreme Court's ruling on *Citizens United* and favors a constitutional amendment to reverse the decision.

On March 6, 2012, citizens at a town hall meeting in Roxbury voted in favor of a resolution that supports a constitutional amendment to reverse the Supreme Court's decision on *Citizens United*.

On March 6, 2012, a town hall meeting in Rutland City passed a resolution that favors a constitutional amendment to overturn the *Citizens United* decision and clarifies that corporations are not people protected by the First Amendment.

On March 6, 2012, in Rutland Town, citizens voted to pass a resolution condemning the Supreme Court's ruling on *Citizens United* and support a constitutional amendment to reverse the decision.

On March 6, 2012, citizens in Sharon voted in favor of a resolution that supports a constitutional amendment to reverse the Supreme Court's decision on *Citizens United*.

On March 6, 2012, a town hall meeting in Shelburne passed a resolution that favors a constitutional amendment to

overturn the Supreme Court's ruling on *Citizens United* and clarifies that corporations are not people.

On March 6, 2012, citizens at a town hall meeting in Shrewsbury voted to pass a resolution that condemns the Supreme Court's decision on *Citizens United* and favors a constitutional amendment to overturn the ruling.

On March 6, 2012, in South Burlington, citizens voted in favor of a resolution that supports a constitutional amendment to reverse the Supreme Court's ruling on *Citizens United*.

On March 6, 2012, a town hall meeting in Starksboro passed a resolution that favors a constitutional amendment to overturn the *Citizens United* decision and clarifies that corporations are not people protected by the First Amendment.

On March 6, 2012, citizens in Sudbury unanimously voted in favor of a resolution that condemns the Supreme Court's ruling on *Citizens United* and supports a constitutional amendment to reverse the decision.

On March 6, 2012, in Thetford Center, citizens at a town hall meeting voted to pass a resolution that favors a constitutional amendment to overturn the *Citizens United* decision and clarify that corporations are not people.

On March 6, 2012, a town hall meeting in Tunbridge passed a resolution that condemns the Supreme Court's decision on *Citizens United* and supports a constitutional amendment to reverse the ruling.

On March 6, 2012, citizens at a town hall meeting in Underhill voted in favor of a resolution that supports a constitutional amendment to overturn the *Citizens United* decision.

On March 6, 2012, in Waitsfield, citizens passed a resolution that favors a constitutional amendment to reverse the Supreme Court's ruling on *Citizens United* and clarifies that corporations are not people protected by the First Amendment.

On March 6, 2012, at a town hall meeting in Walden, citizens voted to pass a resolution that condemns the Supreme Court's decision on *Citizens United* and favors a constitutional amendment to overturn the ruling.

On March 6, 2012, citizens in Waltham voted in favor of a resolution that supports a constitutional amendment to overturn the Supreme Court's ruling on *Citizens United*.

On March 6, 2012, a town hall meeting in Warren passed a resolution that condemns the Supreme Court's ruling on *Citizens United* and favors a constitutional amendment to reverse the decision.

On March 6, 2012, in West Haven, citizens voted to pass a resolution supporting a constitutional amendment to reverse the *Citizens United* decision and clarifying that corporations are not people.

On March 6, 2012, at a town hall meeting in Williamstown, citizens voted in favor of a resolution that supports a constitutional amendment to overturn the Supreme Court's decision on *Citizens United*.

On March 6, 2012, citizens in Williston passed a resolution that condemns the Supreme Court's ruling on *Citizens United* and favors a constitutional amendment to reverse the decision.

On March 6, 2012, in Windsor, citizens at a town hall meeting voted to pass a resolution that supports a constitutional amendment to reverse the *Citizens United* decision and clarifies that corporations are not people protected by the First Amendment.

On March 6, 2012, a town hall meeting in Winooski voted in favor of a resolution that supports a constitutional amendment to overturn the Supreme Court's decision on *Citizens United*.

On March 6, 2012, citizens in Woodbury passed a resolution that condemns the Supreme Court's ruling on *Citizens United* and favors a constitutional amendment to reverse the decision.

On March 6, 2012, at a town hall meeting in Woodstock, citizens supported a resolution that calls for a constitutional amendment to reverse the Supreme Court's decision on *Citizens United* and clarifies that corporations are not people.

On March 6, 2012, in Worcester, citizens voted to pass a resolution that supports a constitutional amendment to overturn the Supreme Court's ruling on *Citizens United*.

VIRGINIA

State Resolutions

On December 11, 2011, the Democratic Party of Virginia ratified a resolution against the *Citizens United* ruling, which provides "that corporations are not entitled to the same rights in our elections as people" and that "the Supreme Court's ruling in *Citizens United* was incorrectly decided."

WASHINGTON

State Resolutions

SJM 8027, **introduced** on February 4, 2010 by Senator Ken Jacobsen (D-46), expresses disagreement with the *Citizens United* ruling and calls on the US Congress to pass a constitutional amendment.

SJM 8007, **introduced** on February 16, 2011 by State Senator Adam Kline, requests a constitutional amendment

declaring that corporations are not persons under U.S. law.

On April 30, 2011, the Washington State Democratic Party **passed** a resolution entitled "Amending the U.S. Constitution to Reserve Constitutional Rights for People, not Corporations." The resolution calls on the state legislature to pass a joint resolution urging Congress "to pass and send to the states for ratification a constitutional amendment to establish that a corporation shall not be considered a person eligible for rights accorded to human beings under the U.S. Constitution." The resolution goes on to say that the amendment should stipulate that "the use of money to influence elections or the acts of public officials shall not be considered a protected form of speech."

Local Resolutions Passed

On December 1, 2011, the Jefferson County Democratic Party passed a resolution supporting a constitutional amendment to reverse the Supreme Court's ruling on *Citizens United*.

On March 5, 2012, the Port Townsend City Council unanimously passed a Municipal Government resolution that condemns the Supreme Court's ruling on *Citizens United* and supports a constitutional amendment to overturn the ruling.

WEST VIRGINIA

Local Resolutions

On January 12, 2012, the Martinsburg City Council adopted a resolution calling for a constitutional amendment to reverse the Supreme Court's ruling on *Citizens United* and clarifying that corporations are not people.

On January 26, 2012, the Jefferson County Commission passed a resolution that condemns the Supreme Court's decision on *Citizens United* and supports a constitutional amendment to reverse the ruling.

On March 5, 2012, Charles Town passed a resolution calling on the US Congress to amend the constitution to state that only living persons are endowed with constitutional rights and that money is not the same as free speech.

On April 3, 2012, the Saint Albans City Council unanimously passed a resolution that condemns the Supreme Court's decision on *Citizens United* and presses for a constitutional amendment to overturn the ruling.

WISCONSIN

State Resolutions

On March 6, 2011, the Democratic Party of Wisconsin **adopted** a resolution in support of a constitutional amendment overturning the *Citizens United V.FEC* case.

On February 9th, 2012, Representatives Mark Pocan and Chris Taylor **introduced** legislation (yet to be numbered) that provides that Congress amend the Constitution to overturn the *Citizens United* decision and related cases.

Local Resolutions Passed

On March 28, 2011, the Milwaukee County Democrats passed a resolution that calls for amending the U.S. Constitution to make clear that corporations are not persons and that money is not speech.

In April of 2011, 84% of voters in Madison, WI approved a resolution containing the following:

"Shall the City of Madison adopt the following resolution: RESOLVED, the City of Madison, Wisconsin, calls for reclaiming democracy from the corrupting effects of undue corporate influence by amending the United States Constitution to establish that:

1. Only human beings, not corporations, are entitled to constitutional rights, and
2. Money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech."

On April 1, 2011, American Federation of State, County, and Municipal Employees (AFSCME) 40 passed a resolution advocating for a constitutional amendment to oppose corporate personhood, and to declare that money is not speech.

On April 3, 2012, voters in West Allis passed a ballot resolution that rejects the Supreme Court's decision on *Citizens United* and calls for a constitutional amendment to reverse the ruling.

On April 5, 2011, Dane County voters approved the following resolution by 78%:

"Should the US Constitution be amended to establish that regulating political contributions and spending is not equivalent to limiting freedom of speech, by stating that only human beings, not corporations, are entitled to constitutional rights?"

SOURCES:

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