

HR 7 – AS INTRODUCED

2013 SESSION

13-0636
03/09

HOUSE RESOLUTION **7**

A RESOLUTION urging the New Hampshire congressional delegation to sponsor and support a constitutional amendment to re-establish the authority of the states and Congress to regulate campaign spending by entities created by law.

SPONSORS: Rep. Pastor, Graf 12; Rep. Cushing, Rock 21; Rep. Higgins, Graf 12;
Sen. Pierce, Dist 5; Sen. Fuller Clark, Dist 21

COMMITTEE: State-Federal Relations and Veterans Affairs

ANALYSIS

This resolution urges the New Hampshire congressional delegation to sponsor and support a constitutional amendment to re-establish the authority of the states and Congress to regulate campaign spending by entities created by law.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

A RESOLUTION urging the New Hampshire congressional delegation to sponsor and support a constitutional amendment to re-establish the authority of the states and Congress to regulate campaign spending by entities created by law.

1 Whereas, the authors of the First Amendment to the United States Constitution designed it to
2 protect the free speech rights of people, not corporations or other entities created by law; and

3 Whereas, the sovereign right of the people to govern and hold free elections being essential to a
4 free democracy, the right of the people to cast an educated ballot shall not be abridged; and

5 Whereas, because only natural persons can vote and seek election to office, they hold an interest
6 that is superior to that of entities created by law in the maintenance and vitality of our democracy;
7 and

8 Whereas, the United States Supreme Court’s ruling in Citizens United v. Federal Elections
9 Commission overturned longstanding precedent prohibiting corporations from spending their general
10 treasury funds in our elections; and

11 Whereas, in the wake of the Citizens United decision, the United States Court of Appeals for the
12 District of Columbia Circuit in SpeechNow.org v. Federal Elections Commission enabled the creation
13 of entities authorized to accept and spend unlimited amounts of money for the purpose of influencing
14 the outcome of elections and ballot measures; and

15 Whereas, the rulings in Citizens United v. Federal Elections Commission and SpeechNow.org v.
16 Federal Elections Commission have unleashed a torrent of money into our political process that
17 presents a serious and direct threat to our democracy by drowning out the voices of ordinary citizens;
18 and

19 Whereas, the people of the United States have previously used the constitutional amendment
20 process to correct egregiously wrong decisions on the part of the United States Supreme Court and
21 other federal courts that threaten our democracy and self-government; and

22 Whereas, there is growing awareness in Congress of the urgent need to address the harm to our
23 representative democracy of the Citizens United v. Federal Elections Commission and the
24 SpeechNow.org v. Federal Elections Commission decisions via amendment to the U.S. Constitution;
25 now, therefore, be it

26 Resolved by the House of Representatives:

27 That the New Hampshire house of representatives hereby urges the New Hampshire
28 congressional delegation to sponsor and support an amendment to the United States Constitution to
29 re-establish the authority of the states and Congress to regulate campaign spending by entities
30 created by law, in the following form:

31 “Nothing in this constitution shall be construed to limit the authority of Congress or the States to

HR 7 – AS INTRODUCED
- Page 2 -

1 regulate the spending and activities of any entity created by law, with regard to any campaign for
2 election to public office,. Nothing contained in this article shall be construed to abridge the freedom
3 of the press;” and

4 That copies of this resolution be transmitted by the house clerk to each member of the
5 New Hampshire congressional delegation.