

2013 DRAFTING REQUEST

Senate Joint Resolution

Received: 1/14/2014 Received By: **smiller**
Wanted: **As time permits** Same as LRB: **-1457**
For: **Dave Hansen (608) 266-5670** By/Representing: **John Wagnitz**
May Contact: Drafter: **smiller**
Subject: **Legislature - miscellaneous res.** Addl. Drafters:
Extra Copies:

Submit via email: **YES**
Requester's email: **Sen.Hansen@legis.wisconsin.gov**
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Advisory Referendum on Citizens United

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	smiller 1/14/2014	kfollett 1/14/2014	rschluet 1/14/2014	_____	srose 1/14/2014	mbarman 2/6/2014	

FE Sent For:

<END>

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/1 smiller

1/15
1/14


1/14

FE Sent For:

<END>

Miller, Steve

From: Wagnitz, John
Sent: Tuesday, January 14, 2014 10:29 AM
To: Miller, Steve
Subject: FW: Co-Sponsorship of LRB-1457/5 - Advisory referendum on an amendment to the U.S. Constitution

Hi Steve,

Could you please draft a senate version of AJR-50 for Senator Hansen?

Thank you,

John Wagnitz
Office of State Senator Dave Hansen
106 South, State Capitol
phone: (608) 266-5670

LRB-1457/5

SRM:kjf:ph

2013 - 2014 LEGISLATURE

2013 ASSEMBLY JOINT RESOLUTION 50

August 27, 2013 - Introduced by Representatives C. TAYLOR, SHANKLAND, ZAMARRIPA, BERCEAU, BEWLEY, DOYLE, GENRICH, GOYKE, HESSELBEIN, HINTZ, HULSEY, JOHNSON, JORGENSEN, KAHL, KESSLER, KOLSTE, MILROY, OHNSTAD, PASCH, POPE, SARGENT, SINICKI, WACHS, WRIGHT and YOUNG, cosponsored by Senators HANSEN, CARPENTER, HARRIS, LASSA, LEHMAN, MILLER, RISSER, SCHULTZ, L. TAYLOR, VINEHOUT and WIRCH. Referred to Committee on Government Operations and State Licensing.

Pg1Ln1 Relating to: an advisory referendum on an amendment to the U.S. Constitution.

Analysis by the Legislative Reference Bureau

In the case of Citizens United v. F.E.C., the U.S. Supreme Court ruled that corporations are "persons" for the purpose of political speech, thus allowing corporations to make unlimited expenditures in political campaigns. The U.S. Constitution grants Congress the power to propose amendments to the Constitution that become effective when ratified by the legislatures of three-fourths of the states. Amendments can have the effect of overturning-in effect repealing-prior decisions of the Supreme Court. This resolution places a question on the November 2014 ballot to ask the people if Congress should propose an amendment to overturn Citizens United v. F.E.C.

Pg1Ln2 Resolved by the assembly, the senate concurring, That the following

Pg1Ln3 question be submitted, for advisory purposes only, to the voters of this state at the
Pg1Ln4 general election to be held in November 2014:

Pg1Ln5 "The U.S. Supreme Court's decisions in Citizens United and related cases allow
Pg1Ln6 unlimited spending to influence local, state, and federal elections. To allow all
Pg1Ln7 Americans to have an equal say in our democracy, shall Wisconsin's congressional

Pg2Ln1 delegation support, and the Wisconsin legislature ratify, an amendment to the U.S.
Pg2Ln2 Constitution stating:
Pg2Ln3 1. Only human beings-not corporations, unions, nonprofit organizations, or
Pg2Ln4 similar associations-are endowed with constitutional rights, and
Pg2Ln5 2. Money is not speech, and therefore limiting political contributions and
Pg2Ln6 spending is not equivalent to restricting political speech?"
Pg2Ln7 (END)
AJR51

From: Sen.Hansen
Sent: Tuesday, January 07, 2014 2:08 PM
To: *Legislative Assembly Democrats; *Legislative Assembly Republicans; *Legislative Senate Democrats; *Legislative Senate Republicans
Subject: RE: Co-Sponsorship of LRB-1457/5 - Advisory referendum on an amendment to the U.S. Constitution

Senator Hansen will be introducing the Senate companion to this resolution. All coauthors will be added to the Senate resolution unless you specify otherwise. Please reply to this e-mail only if you do not want to be listed on the Senate joint resolution or if you are not listed on Assembly Joint Resolution 50 and would like to be added to the Senate joint resolution.

AJR50
Assembly Joint Resolution 50

Relating to: an advisory referendum on an amendment to the U.S. Constitution.

AJR50 Text

08-27-13. A. Introduced by Representatives C. Taylor, Shankland, Zamarripa, Berceau, Bewley, Doyle, Genrich, Goyke, Hesselbein, Hintz, Hulsey, Johnson, Jorgensen, Kahl, Kessler, Kolste, Milroy, Ohnstad, Pasch, Pope, Sargent, Sinicki, Wachs, Wright and Young; cosponsored by Senators Hansen, Carpenter, Harris, Lassa, Lehman, Miller, Risser, Schultz, L. Taylor, Vinehout and Wirch 296
08-27-13. A. Read and referred to Committee on Government Operations and State Licensing 296
10-14-13. A. Representative Clark added as a coauthor 351
10-17-13. A. Withdrawn from committee on Government Operations and State Licensing and referred to committee on State Affairs and Government Operations pursuant to Assembly Resolution 19 368
10-30-13. A. Representative Bernard Schaber added as a coauthor

From: Rep.Taylor
Sent: Thursday, July 11, 2013 12:06 PM
To: *Legislative Assembly Democrats; *Legislative Assembly Republicans; *Legislative Senate Democrats; *Legislative Senate Republicans
Subject: Co-Sponsorship of LRB-1457/5 - Advisory referendum on an amendment to the U.S. Constitution

TO: All Legislators
FROM: Representative Chris Taylor & Senator Dave Hansen
DATE: July 10, 2013
RE: Co-Sponsorship of LRB-1457/5 - **Advisory referendum on an amendment to the U.S. Constitution**
DEADLINE: Monday, July 22 by 5pm.

The 2010 United States Supreme Court decision in *Citizens United v. FEC* overturned 100 years of precedent by legalizing unlimited corporate involvement in elections. This ruling now allows corporations to be treated like “persons” in campaigns, thus giving more power to large, faceless entities, and undermining Wisconsin’s proud progressive tradition of open and honest government.

Thanks in large part to *Citizens United* opening the floodgates to unlimited spending, the last election cycle cost \$5.2 billion, much of which came in massive, untraceable donations from a few billionaires and giant corporations. In Wisconsin’s House and Senate races, \$32 million was spent by outside interest groups, and nearly 36 percent of that total was completely untraceable.

The vast majority of Americans oppose the *Citizens United* ruling. A recent GfK America study showed that 83 percent of Americans — including 81 percent of Republicans, 78 percent of Independents and 85 percent of Democrats — want limits on the amount of money corporations, unions and other organizations can spend to influence elections. Over 18,000 Wisconsinites have signed a petition calling for a citizen’s vote on putting Wisconsin on record against *Citizens United*. Twenty-six organizations from around the state have formed a coalition calling for a statewide referendum.

The passage of LRB-1457/5 would create an advisory referendum that would appear on the November 2014 ballot. The referendum would give the public the opportunity to share their opinion on this issue with their elected officials. If the proposed ballot initiative passes, Wisconsin would join 11 states that have already gone on record for a constitutional amendment to limit election spending.

This bill provides the following question would be submitted, for advisory purposes only, to the voters of this state at the general election to be held in November 2014:

“The U.S. Supreme Court’s decisions in *Citizens United* and related cases allow unlimited spending to influence local, state, and federal elections. To allow all Americans to have an equal say in our democracy, shall Wisconsin’s congressional delegation support, and the Wisconsin legislature ratify, an amendment to the U.S. Constitution stating:

1. Only human beings—not corporations, unions, nonprofit organizations, or similar associations—are endowed with constitutional rights, and
2. Money is not speech, and therefore limiting political contributions and spending is not equivalent to restricting political speech.”



HRB-145705
SRM:kjfpb

SENATE

SRM: jf 3970/1

2013 ASSEMBLY JOINT RESOLUTION 50

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Refer

1 **Relating to:** an advisory referendum on an amendment to the U.S. Constitution.

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3 question be submitted, for advisory purposes only, to the voters of this state at the
4 general election to be held in November 2014:

5 "The U.S. Supreme Court's decisions in *Citizens United* and related cases allow
6 unlimited spending to influence local, state, and federal elections. To allow all
7 Americans to have an equal say in our democracy, shall Wisconsin's congressional

1 delegation support, and the Wisconsin legislature ratify, an amendment to the U.S.

2 Constitution stating:

3 1. Only human beings—not corporations, unions, nonprofit organizations, or
4 similar associations—are endowed with constitutional rights, and

5 2. Money is not speech, and therefore limiting political contributions and
6 spending is not equivalent to restricting political speech?”

7 (END)

Barman, Mike

From: Wagnitz, John
Sent: Thursday, February 06, 2014 11:33 AM
To: LRB.Legal
Subject: Draft Review: LRB -3970/1 Topic: Advisory Referendum on Citizens United

Please Jacket LRB -3970/1 for the SENATE.