

SJR

13

<TARGET><BILL>SJR 13</BILL><SUBJECT>SJR
13</SUBJECT><COMM>SJUD27</COMM></TARGET>

ALASKA STATE LEGISLATURE

Session

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Chair

State Affairs Committee

Co-chair

Joint Armed Services Committee

Vice Chair

Resources Committee
Judiciary Committee

Member

Administrative Regulation Review

SENATOR BILL WIELECHOWSKI

Resolution Relating to Limiting Campaign Expenditures SPONSOR STATEMENT

"A democracy cannot function effectively when its constituent members believe laws are being bought and sold."
– US Supreme Court Justice John Paul Stevens

Many Americans recognize that the ability of large contributions from corporations, wealthy individuals and organizations to political candidates harms the ability of citizens to have a voice in their own government. Prior to the landmark United States Supreme Court ruling of *Citizens United v. Federal Election Commission*, 130 S. Ct. 876 (2010), unlimited independent expenditures from corporations and unions was prohibited. Now, corporations and unions can make unlimited independent expenditures supporting or opposing a candidate for public office. This directly goes against the American idea of one person one vote, when one corporation can spend more than thousands.

This decision only made the cynicism most Americans feel about politics stronger. If people feel as if their vote does not matter, then voter participation will continue to decline.

The massive amount of money in politics following this decision is exploding the expense of campaigns, making it difficult for new or unknown candidates to enter a race. More and more, the money spent by corporations and unions is going to negative attacks ads that often misinform voters rather than promote productive discussion. Allowing unlimited campaign donations by corporations and unions takes the focus for candidates away from individual voters to those whose money can afford to sway hundreds of votes.

Unless the United States Supreme Court reverses these rulings, the only way to reverse the harmful effects of these decisions is to amend the Constitution of the United States. This resolution calls upon the Alaska State Legislature to urge the United States Congress and the President of the United States to work across party lines and propose a constitutional amendment to prohibit corporations, wealthy individuals and unions from making unlimited independent expenditure.

I ask that you support this resolution to support the democratic process and ensure that everyone has an equal voice in government.

27-LS1270M
Bullard
1/31/12

SENATE JOINT RESOLUTION NO.
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY SENATORS WIELECHOWSKI, French, Ellis, Egan, Paskvan

Introduced:

Referred:

A RESOLUTION

1 **Urging the United States Congress and the President of the United States to work to**
2 **amend the Constitution of the United States to prohibit corporations, unions, and**
3 **individuals from making unlimited independent expenditures supporting or opposing**
4 **candidates for public office.**

5 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 **WHEREAS** a vast majority of Americans recognize that the influence of large
7 contributions by corporations, wealthy individuals, and organizations harms the ability of
8 average citizens to have a voice in their own government; and

9 **WHEREAS** the narrow five to four decision of the United States Supreme Court in
10 *Citizens United v. Federal Election Commission*, 130 S. Ct. 876 (2010), allows corporations
11 and unions to make unlimited independent expenditures supporting or opposing a candidate
12 for public office; and

13 **WHEREAS** unlimited independent expenditures from corporations and unions were
14 prohibited until the ruling of the United States Supreme Court in *Citizens United v. Federal*
15 *Election Commission*; and

1 **WHEREAS** much of the hundreds of millions of dollars being spent by corporations
2 and unions since the ruling of the United States Supreme Court in Citizens United v. Federal
3 Election Commission is going to negative ads, which often misinform voters rather than lead
4 to a productive discussion of the states' and nation's most important issues; and

5 **WHEREAS**, unless the United States Supreme Court reverses its ruling, the only way
6 to reverse the harmful effects of the Citizens United ruling is to amend the Constitution of the
7 United States; and

8 **WHEREAS**, while not addressed by the United States Supreme Court's ruling in
9 Citizens United, unlimited independent expenditures made by individuals also distort the
10 political process and ability of all American citizens to have an equal voice in government;

11 **BE IT RESOLVED** that the Alaska State Legislature urges the United States
12 Congress and the President of the United States to work across party lines to propose a
13 constitutional amendment to prohibit corporations, unions, and individuals from making
14 unlimited independent expenditures.

15 **COPIES** of this resolution shall be sent to the Honorable Barack Obama, President of
16 the United States; the Honorable Lisa Murkowski and the Honorable Mark Begich, U.S.
17 Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska
18 delegation in Congress; all other members of the 112th United States Congress; and the
19 presiding officers of the legislatures of each of the other 49 states.

27-LS1270\A
Bullard
1/24/12

SENATE JOINT RESOLUTION NO.
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY SENATOR WIELECHOWSKI

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Referred:

A RESOLUTION

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15 delegation in Congress; all other members of the 112th United States Congress; and the
16 presiding officers of the legislatures of each of the other 49 states.

FISCAL NOTE

STATE OF ALASKA
2012 LEGISLATIVE SESSION

Bill Version SJR 13
Fiscal Note Number 1
(S) Publish Date _____

Identifier (file name) _____ Dept. Affected _____
Title SJR 13 AMEND U.S. CONST RE: CAMPAIGN MONEY Appropriation _____
Allocation _____
Sponsor SENATOR WIELECHOWSKI
Requester (S) Judiciary OMB Component Number _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	FY13 Appropriation Requested	Included in Governor's FY13 Request	Out-Year Cost Estimates				
			FY14	FY15	FY16	FY17	FY18
OPERATING EXPENDITURES	FY13	FY13	FY14	FY15	FY16	FY17	FY18
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants, Benefits							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE		(Thousands of Dollars)					
1002	Federal Receipts						
1003	GF Match						
1004	GF						
1005	GF/Prgm (DGF)						
1037	GF/MH (UGF)						
1178	temp code (UGF)						
TOTAL		0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS							
Full-time							
Part-time							
Temporary							

CHANGE IN REVENUES							

Estimated SUPPLEMENTAL (FY12) operating costs _____ (separate supplemental appropriation required;
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY13) costs _____ (separate capital appropriation required;
(discuss reasons and fund source(s) in analysis section)

Why this fiscal note differs from previous version (if initial version, please note as such)

Prepared by Cindy Smith, Senate Judiciary Committee
Division _____
Approved by /s/ Senator French, Chair

Phone 465-3892
Date/Time 2/17/12 12:00 AM
Date _____

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SENATOR BILL WIELECHOWSKI

MEMORANDUM

DATE: 8 February 2012
TO: Senator Hollis French
Attn: Cindy Smith
FROM: Senator Bill Wielechowski
SUBJ: Hearing request for SJR13

Hi Cindy,

I am writing to request a hearing in the Senate Judiciary Committee for SJR13. SJR13 would resolve the Alaska State Legislature to urge the U.S. Congress and President to move to amend the Constitution of the United States to ban unlimited corporate, individual, and union expenditures supporting or opposing candidates for public office.

This resolution acknowledges the Citizens United ruling by the U.S. Supreme Court in 2010 and moves to restore integrity to political campaigns by keeping unchecked amounts of money out.

Included with this letter you will find:

1. Sponsor statement.
2. Current version of SJR13 and one previous version.
3. Back up material from the Center for Responsive Politics.
4. An Anchorage Daily News editorial in support of SJR13.

My legislative aide Thomas Presley is assigned to this legislation. His direct line is 465-6252. Thank you for your consideration of this request.

Sincerely,

Handwritten signature of Bill Wielechowski in cursive.

Senator Bill Wielechowski
Prime Sponsor

House State Affairs Committee

RE: House Joint Resolution 33

I am here today to represent Juneau's chapter of Move to Amend. Move to Amend has chapters all around the state in Anchorage, Kenai, Juneau, Prince of Wales, and Sitka as well as chapters around the Nation. Move to Amend's mission is to amend the US Constitution to limit the amount corporations can spend in our elections.

Right now, we live in a political climate where we are bombarded by endless commercials and advertisements either supporting one candidate or smearing another. After the Citizens United decision nearly \$4 billion was spent during the 2010 Congressional Election. And, according to the Center for Responsive Politics, "in the Congressional races of 2010, the candidate who spent the most money won 85% of the House seats and 83% of the Senate." Citizen's United has given the politicians with the most corporate support an upper hand in our elections.

The US Government was designed to be "of the people, for the people, and by the people" and the election process is fundamental for achieving that goal. Not only can anyone vote, but anyone can run for office. But right now, the playing field is not even. Anyone can run, but without campaign finance limitations, not everyone has an equal opportunity to win. By allowing unlimited campaign contributions, the political system has essentially been rigged against hardworking Americans who can't afford to compete with for-profit corporations, unions, special interest groups, and wealthy individuals.

By passing this resolution, Alaska would be asserting itself as a state whose Representatives support fair campaigns and are dedicated to faithfully representing the average American.

Thank you for your time.

Kokayi Nosakhere

Kendu Swearing

Randi Spray

Styfu

Joseph Bull

W. T. M. Danah

W. T. M. Danah

W. T. M. Danah

Cindy Smith

From: Thomas Presley
Sent: Friday, February 17, 2012 1:00 PM
To: Cindy Smith
Subject: SJR 13 testifiers

Hi Cindy,

Again, apologies for the short notice. Here are our testifiers for SJR 13 today.

In person:

Christina Mounce from Movetoamend.org Juneau chapter.

Offnets:

Mark Hayes from Public Citizen

Thomas Presley
Office of Senator Bill Wielechowski
907.465.6252



(e.g. Donors, Politicians, Corporations and more)



Outside Spending

Campaign contributions and lobbying expenditures are not the only ways that money is used influence public policy decisions.

Thus far, outside groups (parties, super PACs, corporations, unions, other groups, etc.) have spent **\$55,573,113** during the 2012 election cycle to run ads, make phone calls, distribute literature and engage in other activities to sway the electorate about candidates and issues.

Organizations not directly affiliated with political parties accounted for **\$51,794,091** of that amount, of which **\$45,012,210** was spent by **305** super PACs.

A January 2010 Supreme Court decision (*Citizens United v. Federal Election Commission*) now permits corporations and unions to make such expenditures from their treasuries directly and through other organizations. The decision allows such activity to take place without complete or immediate disclosure of who funds such communications, preventing voters from understanding who is truly behind many political messages.

[Read more...](#)

Select a cycle: 2012

Top Groups Making Outside Expenditures in 2012 Elections, Excluding Party Committees

Organization	Total	View*	Independent Expenditures	Elec Comm	Comm Costs	Super PAC	527s [†]	501c
Restore Our Future	\$17,534,037	C	\$17,534,037	\$0	\$0	x		
Winning Our Future	\$8,838,997	C	\$8,838,997	\$0	\$0	x		
Make Us Great Again	\$3,959,824	C	\$3,959,824	\$0	\$0	x		
Endorse Liberty	\$3,347,176	C	\$3,347,176	\$0	\$0	x		
Our Destiny PAC	\$2,453,204	C	\$2,453,204	\$0	\$0	x		
Red, White & Blue	\$1,954,534	C	\$1,954,534	\$0	\$0	x		
Ending Spending	\$1,742,479	C	\$0	\$1,742,479	\$0	x		x
House Majority PAC	\$1,612,169	L	\$1,612,169	\$0	\$0	x		
Senate Conservatives Fund	\$1,084,555	C	\$1,084,555	\$0	\$0			
American Crossroads	\$1,064,223	C	\$1,064,223	\$0	\$0	x		

[VIEW ALL GROUPS](#)

* C = Conservative, L = Liberal

[†] Indicates that this organization has a 527 committee registered with the IRS. The committee's 527 spending outside of electioneering communications is NOT included in these totals. [Read more about 527s.](#)

Top 2012 Races Attracting Outside Spending, Excluding Party Committees

Race	Total	For Dems	Against Dems	For Repubs	Against Repubs
President	\$43,528,889	\$32,657	\$1,461,187	\$19,987,916	\$22,018,847
New York District 26	\$1,519,007	\$173,341	\$313,449	\$68,917	\$863,300
Texas Senate	\$1,103,173	\$0	\$0	\$634,413	\$468,760
Nebraska Senate	\$717,409	\$408,345	\$742	\$310,322	\$0
Oregon District 1	\$664,485	\$57,334	\$0	\$13,051	\$594,100
Nevada District 2	\$296,139	\$0	\$188,952	\$104,937	\$2,250
New York District 9	\$270,442	\$0	\$68,555	\$39,231	\$182,658
Iowa District 3	\$208,664	\$0	\$0	\$0	\$208,664
Utah Senate	\$186,539	\$0	\$0	\$51,351	\$135,188
Massachusetts Senate	\$168,017	\$10,017	\$0	\$0	\$158,000

[VIEW ALL RACES](#)

[Why don't the numbers add up?](#)

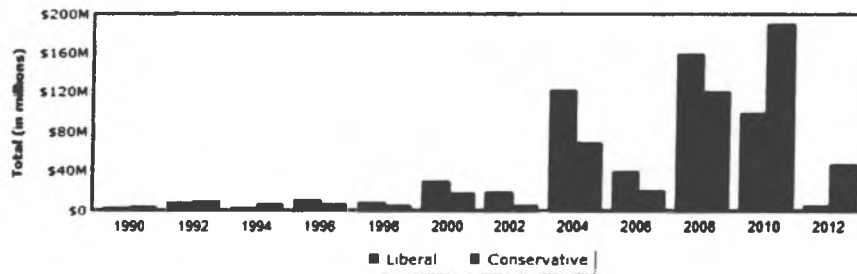
Top 2012 Candidates Attracting Outside Expenditures, Excluding Party Committees

Candidate	Race	Total	For Dem	Against Dem	For Repub	Against Repub	Results
Gingrich, Newt (R)	PRES	\$19,805,570	\$0	\$0	\$3,317,794	\$16,487,776	
Romney, Mitt (R)	PRES	\$8,912,582	\$0	\$0	\$3,913,502	\$4,999,080	
Perry, Rick (R)	PRES	\$3,964,824	\$0	\$0	\$3,964,824	\$0	
Paul, Ron (R)	PRES	\$3,857,090	\$0	\$0	\$3,724,100	\$132,990	
Santorum, Rick (R)	PRES	\$2,511,525	\$0	\$0	\$2,112,524	\$399,001	
Huntsman, Jon (R)	PRES	\$2,453,454	\$0	\$0	\$2,453,454	\$0	
Obama, Barack (D)	PRES	\$1,522,126	\$32,657	\$1,461,167	\$0	\$0	
Corwin, Jane (R)	NY28	\$649,611	\$0	\$0	\$68,917	\$480,694	
Cruz, Ted (R)	TXS2	\$634,413	\$0	\$0	\$634,413	\$0	
Cornilles, Robert (R)	OR01	\$807,151	\$0	\$0	\$13,051	\$594,100	

[VIEW ALL CANDIDATES](#)

GROUP FILTER: **Excluding Party Committees** | All Groups

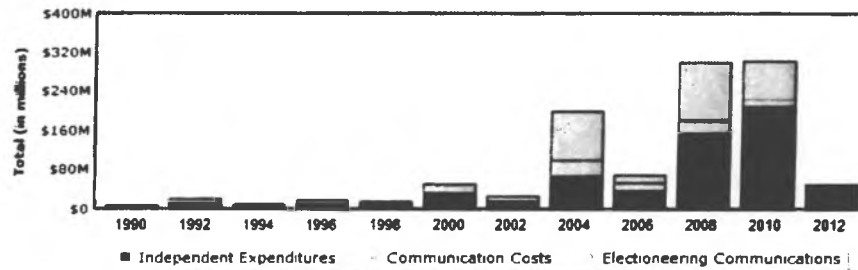
Total Liberal vs. Conservative Outside Spending, Excluding Party Committees



Total Outside Spending by Election Cycle, Excluding Party Committees

See: [entire cycle](#) | [Year-to-date](#)

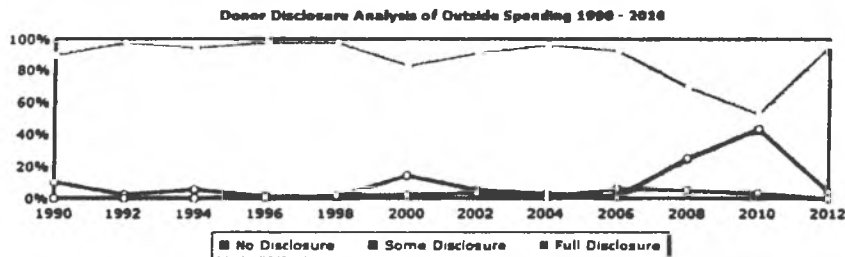
Download:



Cycle	Total	Independent Expenditures	Electioneering Communications	Communication Costs
2012	\$51,794,091	\$49,804,457	\$1,918,698	\$70,936
2010	\$304,679,091	\$210,912,167	\$79,958,557	\$13,808,367
2008	\$301,679,929	\$158,841,894	\$119,256,138	\$25,581,897
2006	\$68,852,502	\$37,394,569	\$15,152,328	\$16,305,587
2004	\$200,102,202	\$68,716,443	\$100,218,129	\$31,167,630
2002	\$27,289,285	\$18,588,844	N/A	\$10,700,441
2000	\$50,796,592	\$33,034,631	N/A	\$17,761,961
1998	\$15,191,107	\$10,268,937	N/A	\$4,924,170
1996	\$17,884,043	\$10,167,742	N/A	\$7,716,301
1994	\$9,538,844	\$5,219,215	N/A	\$4,319,629
1992	\$19,635,123	\$10,947,342	N/A	\$8,687,781
1990	\$7,213,219	\$5,850,524	N/A	\$1,562,695

[Show/hide 1990-2004 cycles](#)

Outside Spending by Disclosure, Excluding Party Committees



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Count Cash & Make Change.

Our View: Leash the PAC spending beast

Alaska lawmakers right to call for limits on super PAC spending

It's only a resolution but it's a good one.

Sen. Bill Wielechowski has introduced a resolution in the Alaska Senate calling on Congress and the president to back a constitutional amendment that would ban unlimited contributions to third-party groups to support or oppose political candidates.

Rep. Les Gara has introduced a similar resolution in the House. Such an amendment requires a two-thirds vote of Congress and the support of three-fourths of the states. That's a long climb.

And it's an iffy proposition in the Alaska Legislature as well.

It's still a stand worth taking.

In 2010, the Alaska Legislature was swift to respond to the Supreme Court decision that granted personal free speech rights to corporations, unions and other organizations, essentially equating money with speech and allowing unlimited contributions to independent groups fighting for or against a candidate.

The court's decision was a classic example of abstract exercise and legal logic without regard to the reality of our political system.

The practical exercise of free speech in 21st century American political campaigns costs money. Lots of money. Giving corporations and unions free rein to spend as much as they can gives the well-heeled few an overwhelming advantage in electoral campaigns.

The restrictions are a joke. Corporate giving is restrained in that there can be no coordination with a candidate's campaign. Fact is, there doesn't need to be any direct contact to coordinate a campaign, for one side to skew a campaign, for one side to dominate the media and the message. And who believes there won't be contact? As fig leaves go, this one doesn't cover anything.

Had the Supreme Court set out to encourage corporate influence over the U.S. electoral process, they couldn't have done much better than their January 2010 ruling.

Obviously, political self-interest comes into play here. There was bipartisan support for disclosure in 2010, but limiting super PACs (PAC meaning political action committee) may help Democrats more than Republicans. So Alaska Republicans may hesitate to sign on. If Democrats gained by the court ruling, they might be the ones hesitating.

No one should hesitate. Alaska has had workable campaign contribution rules that allowed everyone -- corporations, unions, other organizations and individuals -- to support candidates and causes but within

limits that didn't allow moneyed interests too disproportionate an influence. Money still mattered but not enough to drown individual voices and arguments on the merits.

Equating money with speech has the practical effect of muting some speech while vastly amplifying other speech. And it's not an independent exercise of citizens' rights. It's a ticket for special interests to dominate campaigns and serve themselves.

Alaskans across the political spectrum should stand against that.

Special interests should have their shot; the founders counted on that. They just shouldn't have a bottomless ammo box.

BOTTOM LINE: Resolution against unlimited campaign spending is the right stand.

Read more here: <http://www.adn.com/2012/02/01/2295354/our-view-leash-the-pac-spending.html#storylink=cpy>