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GOVERNOR BROWN ALLOWS THE OVERTURN *CITIZENS UNITED* ACT TO BECOME LAW

SACRAMENTO, CA: California Governor Edmund G. Brown announced that SB 254, authored by Senators Ben Allen (D-Santa Monica) and Mark Leno (D-San Francisco) -- The *Overturn Citizens United Act* -- will become law without his signature. SB 254 places a voter instruction on the November ballot that asks Californians if their representatives should "use all of their constitutional authority...to overturn *Citizens United v. FEC* and other applicable judicial precedents."

"*Citizens United* is but one of the many U.S. Supreme Court rulings that have made effective campaign finance reform more difficult. It rolled back the previous ban on corporate spending in federal elections, opening the door to unlimited corporate funds being spent on influencing elections," said Senator Allen.

"At the core of these decisions is the belief that spending money in an election is a protected form of free speech and those rights extend not only to human beings but to other entities as well, including corporations. I believe most Californians do not share that sentiment and we should give them the opportunity to make their collective voices heard," Senator Allen continued.

"There's a movement in America to restore our democracy with a 28th Amendment to the US Constitution," said Michele Sutter of MOV I, Money Out Voters In. "Today, Governor Brown has put the wind in its sails. We will vote in California to overturn *Citizens United* and the SCOTUS precedents that have allowed money to dictate policy and left the people without a voice. This is a great day for democracy."

"People across the nation are rising up to call for a 28th Amendment to the US Constitution which will end the big money dominance of our elections and the fiction of corporations being treated as people with constitutional rights," said John Bonifaz, the Co-Founder and President of Free Speech For People. "With Governor Jerry Brown's action today on SB 254, the people of California will have their voices heard this November on this critical question of our time. We the people, not corporations and big money interests, shall govern in America."

"We are thrilled that California voters will be able to go on record this fall and formally instruct our representatives to overturn Citizens United and get big money out of politics" said Emily Rusch, Executive Director, CALPIRG. "Extremely wealthy and corporate donors have far too much influence over who is able to run for office and win. And unfortunately, some of our elected officials have yet to support an amendment to get big money out of politics. This measure is the next step on the path to reform."

"Money is not speech, and corporations are not people. Full stop. This is obvious to anyone not on the payroll of an enormous corporate outfit," explained Eddie Kurtz, president and executive director of the California-based Courage Campaign. "As we've seen recently in the People's Report Card of California, Sacramento is drowning in millions of dollars from corporations, leading to more and more legislators voting for the best interest of those corporations, not their constituents. Now is the time to let Californians help lead that movement to overturn Citizens United and formally weigh in on the most vital political issue of our time."

"If our democratic system of representative government is to survive, the deeply damaging *Citizens United* and related rulings must be overturned," said Trent Lange, President of the California Clean Money Campaign. "Billionaires should not have thousands of times more free speech than the average American just because they have so much more money to spend on elections."

"Today California moves closer to reclaiming our democracy and undoing the corrosive impact of *Citizens United*," said Jon Fox, senior democracy campaigner at Friends of the Earth. "It's clear that we must act now to avoid the worst impacts of climate change, and we can't do that while big oil and gas giants like Chevron and Exxon keep pumping money into our politics to block the policies we need to protect the air we breathe, the water we drink, and the safety of our communities."

"As the California Supreme Court has held, Proposition 49 was fully legal and never should have been removed from the ballot" said Nicolas Heidorn, California Common Cause Legislation and Policy Counsel "We are excited that the voters will finally have the opportunity to have their voices heard on this important issue."

"This victory belongs to the people of California, who always retained the right to weigh in on important issues such as excessive corporate influence. The Court's removal of a valid ballot measure at the request of a non-profit corporation is a stark example to the power of "corporate persons" to use constitutional rights to override the democratic process and silence the voices of real people," said Kaitlin Sopoci-Belknap, national director of Move to Amend. "An overwhelming majority of Americans share the sentiment that corporations should not have the same rights as people, and big money in politics should be removed. We call on Californians to join the democracy movement, and make clear that corporations are not people and money is not protected speech."

BACKGROUND

Californians were poised to vote on a similar measure in 2014 when the CA Legislature passed SB 1272, The Overturn Citizens United Act" and that bill became law and qualified for the ballot as Proposition 49.

But Californians did not vote on Prop 49 in 2014. The California Supreme Court ordered Prop 49 removed from the ballot while the Court considered the measure's legitimacy. The California Supreme Court had never before in the history of California removed a ballot measure enacted by the CA Legislature.

In January 2016, the CA Supreme Court ultimately ruled 6 to 1 that Proposition 49 was a legitimate exercise of legislative authority, but neglected to order the measure restored to the November 2016 ballot, as the CA Legislature had requested, insisting instead that the legislature pass a new bill.

In her dissent from her colleagues at the time Prop 49 was removed from the ballot, Chief Justice Tani Cantil-Sakayue cautioned her colleagues against taking the "extraordinary step" that would "disenfranchise voters."

In the October 2015 hearing on the Prop 49 case the Chief Justice responded to the often cited "ballot clutter" argument against the voter instruction measure saying "[W]hat does ballot clutter matter if it leads to substantive law?"

Substantive law is exactly what California's last voter instruction measure led to. It was 1892 and the question posed to the electorate concerned the direct election of Senators. Californians passed that voter instruction and 21 years later the 17th Amendment to the US Constitution was ratified.

To arrange interviews, please contact Edward Erikson at Edward.Erikson@gmail.com or call 202-420-9947

Money Out Voters In is a nonpartisan, grassroots organization dedicated to putting the American people in charge of our own government. <http://www.moneyoutvotersin.org/>

Free Speech For People is a national non-partisan campaign pressing for a Constitutional amendment to reclaim our democracy. Learn more at: <http://freespeechforpeople.org/>

The People's Email Network is the server resource that mobilized the hundreds of thousands of constituent faxes supporting SB 254. <https://www.utalk.us>

Courage Campaign fights for a more progressive California and country. It is powered by more than 900,000 online member activists. Learn more at: <https://www.couragecampaign.org/>

California Common Cause is a non-profit, non-partisan, grassroots advocacy organization that works to strengthen public participation and ensure that public officials and public institutions are accountable and responsive to citizens. <http://www.commoncause.org/states/california/>

California Clean Money Campaign is a non-profit, non-partisan, organization dedicated to achieving an open and accountable government that is responsive to the needs of all Californians. <http://www.caclean.org/>

The California Public Interest Research Group, CALPIRG, is a statewide consumer group that stands up to powerful interests whenever they threaten our health and safety, our financial security, or our right to fully participate in our democratic society. <http://www.calpirg.org/>

Friends of the Earth strives for a more healthy and just world. To accomplish our mission, Friends of the Earth is working at the nexus of environmental protection, economic policy and social justice to fundamentally transform the way our countries and the world value people and the environment through landmark environmental laws, precedent-setting legal victories and groundbreaking reforms of regulatory, corporate and financial institution policies.

<http://www.foe.org/>

Move to Amend is a coalition of hundreds of organizations and hundreds of thousands of individuals committed to social and economic justice, ending corporate rule, and building a vibrant democracy that is genuinely accountable to the people, not corporate interests.

<https://movetoamend.org/>