

Stand with Montanans

Corporations Aren't People – Ban Corporate Campaign Spending

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NEWS RELEASE

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Montanans File Initiative to Clarify that Corporations Are Not People and Money is Not Speech

Supporters Want State's Delegation to Fight for a U.S. Constitutional Amendment

(HELENA, Mont.) – Montanans who want to stop corporate money from corrupting elections today filed ballot initiative language with the Montana Secretary of State that would adopt a new state policy spelling out that corporations are not human beings with constitutional rights. The initiative also would prohibit corporations from contributing to candidate and ballot issue campaigns. And it includes language calling on the state's congressional delegation to work to pass an amendment to the U.S. Constitution to nullify a recent landmark U.S. Supreme Court ruling known as *Citizens United v. FEC*.

“Corporations are not people,” said C.B. Pearson, a long-time Montana campaign reform advocate representing Common Cause Montana. “They do not breathe, they do not have children, they do not die fighting in wars for our country, and they do not vote in elections. We need to act to get their money out of our elections.”

Pearson said the move to pass a citizen initiative is both a response to the current threat to Montana’s century-old Corrupt Practices Act, which prohibits corporate spending in Montana elections, as well as the larger problems of big money in campaigns and the Supreme Court’s *Citizens United* decision.

Montana’s Corrupt Practices Act came under fire after the U.S. Supreme Court in 2010 issued its now famous ruling in *Citizens United v. FEC*. In that case, the U.S. Supreme Court ruled that corporations have a First Amendment-protected free speech right to spend unlimited corporate money in our elections. That decision has been condemned by many and has led to a new national movement for reform.

Following the *Citizens United* ruling, American Tradition Partnership (then Western Tradition Partnership) sued the state of Montana, claiming that Montana’s law was unconstitutional. On December 30, 2011, the Montana Supreme Court issued a ruling upholding the century-old law. On February 17, 2012, the U.S. Supreme Court issued a stay of that ruling and will soon decide whether to hear the case.

The proposed initiative would establish state policy requiring anyone holding an elected or appointed office to prohibit “whenever they can and by all means possible” corporations from making contributions to, or expenditures on, the campaigns of candidates or ballot issues. The individuals and groups joining in the ballot initiative effort are calling the effort, *Stand with Montanans: Corporations Aren’t People – Ban Corporate Campaign Spending*.

“Montanans decided 100 years ago to keep corporate money out of candidate campaigns,” said Verner Bertelsen, former Montana Secretary of State. “Montana experienced firsthand abusive, corrupt corporations trying to run the business of this state, and yet now the U.S.

Supreme Court seems to be inviting those practices not only into Montana, but into the nation as a whole.”

Because of the state’s Corrupt Practices Act, Bertelsen added, average Montanans could meaningfully involve themselves in state and local elections, volunteering for and contributing to campaigns as they were able. Supporters of the initiative say that unlimited corporate money spent in support of or opposition to a candidate or ballot initiative will drown out the voices of average citizens.

Independent business owners also spoke out to uphold Montana's corporate spending ban, both individually and working with the American Independent Business Alliance.

“Small businesses increasingly recognize they lose out when large corporations are permitted to translate their wealth into political power that yields tax loopholes, subsidies, and other preferential treatment,” said Jeff Milchen, co-director of the Bozeman-based American Independent Business Alliance. “And that doesn’t seem right, given that small businesses – not major corporations – comprise nearly 98 percent of the Montana’s private sector employers and provide nearly 70 percent of the jobs.”

The proposed initiative provides directives that the people of Montana regard money as property, not speech; the people of Montana regard the rights under the U.S. Constitution as rights of human beings, not corporations; the immense aggregation of wealth that is accumulated by corporations using advantages provided by the government to be corrosive and distorting when used to advance the political interests of corporations; there should be a level playing field in campaign spending that allows all individuals, regardless of wealth, to express their views to one another and their government; and, a level playing field in campaign spending includes limits on overall campaign expenditures and limits on large contributions to, or expenditures for the benefit of, any campaign by any source, including corporations, individuals, or political committees.

In a specific directive, the proposed initiative states that Montana’s congressional delegation must propose and work to pass a joint resolution offering an amendment to the U.S. Constitution nullifying the constitutional interpretation set out in *Citizens United*, establishing that corporations are not human beings with constitutional rights, and establishing that campaign contributions by corporations, whether to candidates or ballot issues, may be prohibited by a political body at any level of government.

“The Framers designed our Constitution to protect people, not corporations. We need a constitutional amendment to overturn the U.S. Supreme Court’s ruling in *Citizens United v. FEC* and to restore democracy to the people,” said John Bonifaz, co-founder and director of Free Speech for People.

Stand with Montanans: Corporations Aren’t People – Ban Corporate Campaign Spending is supported by:

Common Cause Montana & Common Cause
Free Speech for People

More information is available at www.StandWithMontanans.org, on Facebook at www.facebook.com/StandWithMontanans, on Twitter, @STANDwMONTANANS, and by calling (406) 356-NOV6 (6686).

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