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Committees:

- Finance – *Ranking Minority Member*
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- Judiciary

Michael J. Skindell
State Senator
23rd District

Before the Senate Transportation, Commerce and Workforce Committee
Senate Resolution 37 – Urging Passage of Constitutional Amendment to Reverse *Citizens United*
Ruling and to Diminish the Role of Money in Our Electoral System
Sponsor Testimony by Senator Michael J. Skindell
November 28, 2018

Chairman LaRose, Vice Chair Kunze, Ranking Member Schiavoni and members of the Senate Transportation, Commerce and Workforce Committee, I appreciate the opportunity to provide sponsor testimony on Senate Resolution 37, which calls on all legislators at the state and federal level as well as all other communities and jurisdictions to support an amendment to the United States Constitution that would abolish corporate personhood and the legal doctrine of money being equated with political speech. This is in response to the United States Supreme Court decision of *Citizens United v. Federal Elections Commission*, 130 S.Ct. 876, 558 U.S. 310 (2010), which equated spending to political speech and struck down the legal limits on spending in the electoral process. *Citizens United* greatly increased the role of money in politics. The decision basically gave corporations the same political speech rights as individuals, essentially taking away all corporate restrictions on campaign finance and spending in elections.

That U.S. Supreme Court decision has created an unprecedented role of money in politics and has established an alarming imbalance in the playing field for ordinary citizens to participate in the political process. This decision has led to the rise of Super PACs, an unprecedented political influence of corporations and wealthy individuals and a distortion of the political and legislative agenda in this country.

According to Richard L. Hasen, a campaign finance expert at the University of California-Irvine, outside spending by groups hit approximately \$88 million in 2012 by July of that election cycle, compared to about \$37.5 million in 2008¹. In a 2014 study by the Brennan Center for Justice, it was found that spending by outside groups--- primarily Super PACs--- reached \$486 million for US Senate races alone that year. The same study also found that Super PACs spent approximately \$1

¹ Bia, Matt, "How Much Has *Citizens United* Changed the Political Game?". *The New York Times Magazine*. July 17, 2012.

billion in the past three election cycles since the US Supreme Court decision was handed down; nearly 60% of which, or more than \$600 million, was spent by just 195 people and their spouses².

This disturbing trend of substantial increases of the role of money in politics distorts our political system. It corrupts our governmental system, drowns out voices of the electorate who cannot give these huge donations and makes our electorate more cynical. We can improve our democratic system by minimizing the role of money in politics. The passage of this resolution will be a good start.

Chairman LaRose, Vice Chair Kunze, Ranking Member Schiavoni and members of the Senate Transportation, Commerce and Workforce Committee, thank you for your consideration of Senate Resolution 37. I would be happy to answer any of your questions at this time.

² Childress, Sarah, "Report: After *Citizens United*, Outside Spending Doubles". *Frontline*. January 14, 2015.