

#3

5239

4-24-21
 HR 4/21
 (Do Not Write Above This Line)

A RESOLUTION BY
 COUNCILMEMBER
 MICHAEL JULIAN BOND
Cleta Henson

A RESOLUTION ON BEHALF OF
 THE CITY OF ATLANTA
 EXPRESSING ITS SUPPORT FOR A
 28TH AMENDMENT TO
 CONSTITUTION OF THE UNITED
 STATES OF AMERICA,
 CLARIFYING THE AUTHORITY OF
 THE U. S. CONGRESS TO LIMIT
 POLITICAL CAMPAIGN
 CONTRIBUTIONS; AND FOR
 OTHER PURPOSES

As Amended

ADOPTED BY
 SEP 15 2014
COUNCIL

CONSENT REFER
 REGULAR REPORT REFER
 ADVERTISE & REFER
 1st ADOPT 2nd READ & REFER
 PERSONAL PAPER REFER

Date Referred *9/2/14*
 Referred To: *Finance Excc*
 Date Referred
 Referred To:
 Date Referred
 Referred To:

First Reading

Committee <i>Finance Excc</i>	Committee
Date <i>9/2/14</i>	Date
Chair <i>[Signature]</i>	Chair
Action <input checked="" type="checkbox"/> Fav, Adv, Hold (see rev. side) <input type="checkbox"/> Other <i>As Amended</i>	Action Fav, Adv, Hold (see rev. side) Other
Members <i>[Signatures]</i>	Members
Refer To	Refer To

Committee	Committee
Date	Date
Chair	Chair
Action Fav, Adv, Hold (see rev. side) Other	Action Fav, Adv, Hold (see rev. side) Other
Members	Members
Refer To	Refer To

FINAL COUNCIL ACTION

2nd 1st & 2nd 3rd
 Readings
 Consent V Vote RC Voice

CERTIFIED

CERTIFIED

SEP 15 2014
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED

SEP 15 2014
Florida Virginia Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

SEP 24 2014
 WITHOUT SIGNATURE
 BY OPERATION OF LAW

A RESOLUTION BY COUNCILMEMBERS MICHAEL J. BOND, CLETA WINSLOW, IVORY L. YOUNG, JR., FELICIA A. MOORE AND NATALYN ARCHIBONG AS AMENDED BY THE FINANCE/EXECUTIVE COMMITTEE, ON BEHALF OF THE CITY OF ATLANTA, EXPRESSING ITS SUPPORT FOR A 28TH AMENDMENT TO CONSTITUTION OF THE UNITED STATES OF AMERICA, CLARIFYING THE AUTHORITY OF THE U.S. CONGRESS TO LIMIT POLITICAL CAMPAIGN CONTRIBUTIONS; AND FOR OTHER PURPOSES.

WHEREAS, the Supreme Court of the U.S. has recently issued two controversial decisions striking down efforts of U.S. Congress to rein in disproportionate spending in political campaigns by corporations and wealthy individuals;

WHEREAS, on January 21, 2010, the Supreme Court, in a 5-4 ruling, in Citizens United v. the Federal Election Commission, struck down a provision of the 2002 Bipartisan Campaign Reform Act ("McCain-Feingold Act");

WHEREAS, the provision at issue had prohibited corporations and unions from using their general treasury to fund "electioneering communications" (broadcast advertisements mentioning a candidate) within 30 days before a primary or 60 days before a general election;

WHEREAS, the result of the decision has been to allow unlimited corporate and union spending to influence elections, candidate selection, and policy decisions, through the advent of SuperPACs, thereby threatening the voices of "We the People" and the very foundation of our democracy;

WHEREAS, on May 05, 2014, the Supreme Court, in another 5-4 ruling, McCutcheon v. the Federal Election Commission, struck down Section 441 of the Federal Election Campaign Act,

WHEREAS, Section 441 had set biennial aggregate campaign finance limits, where an individual could only give a limited total amount of money to any and all federal candidates, national political parties, or political action committees;

WHEREAS, in the ruling, the majority held that the restrictions did not further the government's interest in preventing quid pro quo corruption or the appearance of such corruption, while at the same time seriously restricted participation in the democratic process, and thus were invalid under the First Amendment;

WHEREAS, the flood of corporate money into elections in the U.S. has undermined the ability of average citizens to compete in the marketplace of ideas;

WHEREAS, in the wake of these two rulings, the result is that those with more money essentially have more free speech than those with less money;

WHEREAS, it is necessary to amend the Constitution of the U.S. to clarify that Congress has the authority to limit campaign contributions and that doing so is a compelling government interest;

WHEREAS, the organization Move to Amend has been working with municipalities and states across the country to sponsor resolutions and other legislation in support of a constitutional amendment;

WHEREAS, 330 cities have passed Citizens Initiatives; seven cities have passed Initiative Referrals; and 276 municipal governments have passed resolutions in support of a constitutional amendment, including Savannah, Georgia, which did so on March 21, 2013;

WHEREAS, the General Assemblies of Delaware, Illinois, and Vermont have passed resolutions asking Congress to adopt a constitutional amendment;

WHEREAS, the citizens of the State of Montana passed a voter initiative in support of a constitutional amendment;

WHEREAS, Senate Joint Resolution 19. "A joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections," has been introduced by U.S. Sen. Tom Udall (D-NM), and has 48 co-sponsors, including almost every Democratic Senator and two independents;

WHEREAS the Senate Judiciary Committee favorably reported the resolution on July 10, 2014;

NOW THEREFORE, BE IT RESOLVED, THAT THE CITY OF ATLANTA EXPRESSES ITS SUPPORT FOR AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO CLARIFY THAT U.S. CONGRESS HAS THE AUTHORITY TO SET CAMPAIGN FINANCE LIMITS; THAT CORPORATIONS ARE NOT PEOPLE; AND THAT MONEY IS NOT SPEECH, WITH THE TEXT AS FOLLOWS:

AMENDMENT

Section 1

Congress shall have power to regulate the raising and spending of money and in kind equivalents with respect to Federal elections, including through setting limits on (1) The amount of contributions to candidates for nomination for election to, or for election to, Federal office; and (2) The amount of expenditures that may be made by, in support of, or in opposition to such candidates.

Section 2.

A State shall have power to regulate the raising and spending of money and in kind equivalents with respect to State elections, including through setting limits on

(1) The amount of contributions to candidates for nomination for election to, or for election to, State office; and

(2) The amount of expenditures that may be made by, in support of, or in opposition to Such candidates.

Section 3.

Congress shall have power to implement and enforce this article by appropriate legislation.

NOW THEREFORE, BE IT FURTHER RESOLVED, that the municipal clerk of the city of Atlanta is hereby directed to transmit a copy of this resolution to the clerks of the U.S. House of Representatives and the U. S. Senate, respectively, to all members of the Georgia Delegation of the U.S. House and Senate and to the move to amend organization.

NOW THEREFORE, BE IT FINALLY RESOLVED, that all resolutions and parts of resolutions in conflict herewith are hereby repealed to the extent of said conflict, and for other purposes.

A true copy


Municipal Clerk

ADOPTED as amended by the Atlanta City Council
APPROVED as per City Charter Section 2-403

SEP 15, 2014
SEP 24, 2014

RCS# 631
9/15/14
3:20 PM

Atlanta City Council

14-R-4121

EXPRESSING SUPPORT FOR THE 28 AMENDMENT
TO THE CONSTITUTION;LIMIT CAMPAIGN CONTR
ADOPT AS AMNDED

YEAS: 12
NAYS: 2
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	NV Bond
Y Hall	Y Wan	Y Martin	Y Norwood
Y Young	N Shook	Y Bottoms	Y Dickens
Y Winslow	N Adrean	Y Sheperd	NV Mitchell

14-R-4121