

**AGENDA BILL**

**Beaverton City Council  
Beaverton, Oregon**


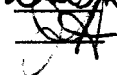
**SUBJECT:** A Resolution of the City Council of Beaverton, Oregon, Recommending an Amendment to the United States Constitution that Establishes that Statutory Entities Do Not Have Constitutional Rights and that Legislatures May Regulate Money that is Raised and Spent for Political Purposes

**FOR AGENDA OF:** 04/02/13 **BILL NO:** 13080

**Mayor's Approval:** 

**DEPARTMENT OF ORIGIN:** Mayor

**DATE SUBMITTED:** 03/27/13

**CLEARANCES:** City Attorney   
CAO 

**PROCEEDING:** ACTION ITEM

**EXHIBITS:** 1. Resolution  
2. March 19, 2013, Memo from Councilor San Soucie

**BUDGET IMPACT**

EXPENDITURE REQUIRED \$0	AMOUNT BUDGETED \$0	APPROPRIATION REQUIRED \$0
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**RECOMMENDED ACTION:**

City Council deliberates on the attached proposed resolution requesting an amendment to the United States Constitution.

**INFORMATION FOR CONSIDERATION:**

At the Council meeting of March 19, 2013, Councilor San Soucie requested that the attached resolution be placed on a future Council agenda. There was Council consensus to consider the resolution at its April 2, 2013, meeting.

RESOLUTION NO. 4169

**A RESOLUTION OF THE CITY COUNCIL OF BEAVERTON, OREGON, RECOMMENDING AN AMENDMENT TO THE UNITED STATES CONSTITUTION THAT ESTABLISHES THAT ~~STATUTORY ENTITIES DO NOT HAVE CONSTITUTIONAL RIGHTS AND THAT LEGISLATURES MAY REGULATE MONEY THAT IS RAISED AND SPENT FOR POLITICAL PURPOSES~~**

**WHEREAS**, the United States Constitution does not mention corporations and is intended to guarantee rights for human beings only; and

**WHEREAS**, corporations, limited liability companies and partnerships, associations and other entities established under and granted privileges by local, state and federal laws make important contributions to our society, but are not to be equated with individual persons ~~or granted constitutional rights~~; and

**WHEREAS**, money is property and not speech, and the Congress of the United States, state legislatures and local legislative bodies should have the authority to regulate political contributions and expenditures; and

**WHEREAS**, based on the American value of fair play, leveling the playing field and ensuring that all citizens, regardless of wealth, have an opportunity to have their political views heard, there is a valid rationale for regulating political spending; and

**WHEREAS**, Article V of the United States Constitution provides for amendments to the Constitution, a process that has occurred 27 times, including seven constitutional amendments that may be reasonably interpreted as overturning decisions of the Supreme Court of the United States; and

**WHEREAS**, constitutional amendments should be proposed without a timeline for their adoption;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BEAVERTON, OREGON:**

1. The Congress of the United States of America is respectfully urged to propose and send to the states for ratification an amendment to the United States Constitution, consistent with the findings outlined in this resolution, that establishes ~~that statutory entities do not have constitutional rights and~~ that legislatures may regulate money that is raised and spent for political purposes.
2. The City Council respectfully urges our state and federal representatives to support and actively pursue ratification of said amendment.

Adopted by the Council this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Approved by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

ATTEST:

APPROVED:

\_\_\_\_\_  
Catherine Jansen, City Recorder

\_\_\_\_\_  
Denny Doyle, Mayor

**A Resolution Proposed for City Council Consideration**

Presented by Councilor Marc San Soucie, March 19, 2013

The attached proposed resolution is offered for consideration by the Beaverton City Council, preferably at the next business meeting of the City Council.

Various versions of resolutions expressing related concerns and making related recommendations have been presented and discussed with members of the City Council over the last several months. This resolution is based primarily on the text of House Joint Memorial 6, introduced to the Oregon State Legislature for the 2013 session. HJM 6 has been referred by the Speaker to the House Rules committee for consideration.

All of the "Whereas" clauses are copied verbatim from the legislature's document. Item 1 of the "Be It resolved" section is copied near-verbatim from the legislature's document, changing only the word "memorial" to "resolution". The introductory paragraph and item 2 of the "Be It Resolved" section are new to this version of the resolution.

Should the City Council consider and adopt this resolution, I would anticipate that copies would be sent to the President of the United States, to the Senate Majority Leader and the Speaker of the House of Representatives, to each member of the Oregon Congressional Delegation, and to members of Oregon's State Legislature.

3-19-13  
Submitted by Coun. San Soucie  
for CC discussion under  
Council New Business.

CC Consensus → Schedule  
for Meeting of 04-02-13