



**RESOLUTION NO. 38596**

1 BY REQUEST OF COUNCIL MEMBERS FEY, MELLO, WALKER, AND  
2 WOODARDS

3 A RESOLUTION supporting an amendment to the United States Constitution to  
4 regulate corporate political spending and campaign financing.

5 WHEREAS, in a 2010 decision by the U.S. Supreme Court, *Citizens*  
6 *United v. the Federal Election Commission*, the Supreme Court overturned some  
7 provisions of the federal Campaigning Reform Act enacted in 2002, and ruled that  
8 corporate entities have the same rights as persons to unrestricted spending on  
9 political speech, and  
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11 WHEREAS, in reaching its decision, a majority of the Supreme Court  
12 interpreted the First Amendment of the Constitution to afford corporations the  
13 same free speech protections as natural persons, and  
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15 WHEREAS the Court's decision in effect allows unlimited corporate  
16 spending to influence federal campaigns, elections, lawmaking, and public policy  
17 decisions, and  
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19 WHEREAS, in the two years since the ruling, there has been tremendous  
20 growth in contributions and spending by super political action committees for  
21 media advertisements and related independent electioneering activities, and  
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23 WHEREAS the Court's decision in the matter of *Citizens United v. the*  
24 *Federal Election Commission* severely restricts the ability of federal, state, and  
25 local governments to enact reasonable campaign finance reforms and regulations  
26 regarding corporate political activity, and



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WHEREAS several proposed amendments to the Constitution have recently been introduced in Congress that would allow governments to regulate the raising and spending of money by corporations to influence elections, and

WHEREAS the people of the United States have previously used the constitutional amendment process to correct decisions of the U.S. Supreme Court that are deemed to be egregious or wrongly decided or significantly out-of-step with the prevailing values of the populace; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the City of Tacoma calls on the Washington State Legislature and the United States Congress to initiate steps to amend the United States Constitution with provisions that clearly state that:

(1) Corporations are not human beings, and only human beings are endowed with Constitutional rights.

(2) Contributions and expenditures for political purposes are not constitutionally-protected speech, and that, therefore, regulating political contributions and spending is not equivalent to limiting political speech.



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(3) Congress and the states shall have the power to regulate contributions and expenditures for campaigns and ballot measures, and to require public disclosure of the sources of such contributions and expenditures.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

  
\_\_\_\_\_  
City Attorney





REQUEST FOR RECEIVED

ORDINANCE RESOLUTION

Request #:

13428

Ord./Res. #:

38596

DEC 11 2012

CITY CLERK'S OFFICE

1. DATE: December 11, 2012

2. SPONSORED BY: COUNCIL MEMBER(S) Council Member Jake Fey, Council Member Ryan Mello, Council Member Lauren Walker and Council Member Victoria Woodards

<p>3a. REQUESTING DEPARTMENT/DIVISION/PROGRAM Legislative</p> <p>3b. "DO PASS" FROM [Committee Name] <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> To Committee as information only <input type="checkbox"/> Did not go before a Committee</p> <p>3c. DID THIS ITEM GO BEFORE THE PUBLIC UTILITY BOARD? <input type="checkbox"/> Yes, on [Date] <input checked="" type="checkbox"/> Not required</p>	<p>4a. CONTACT (for questions): Cindy DeGrosse</p>	<p>PHONE: 594-7848</p>
	<p>4b. Person Presenting: Council Member Lauren Walker</p>	<p>PHONE: 594-7848</p>
	<p>4c. ATTORNEY: Elizabeth Pauli</p>	<p>PHONE: 591-5627</p>
<p>Department Director/Utility Division</p>	<p>Budget Officer/Finance Director</p>	<p>City Manager/Director Utilities</p>

5. REQUESTED COUNCIL DATE: December 18, 2012

(If a specific council meeting date is required, explain why; i.e., grant application deadline, contract expiration date, required contract execution date, public notice or hearing required, etc.)

6. SUMMARY AGENDA TITLE: (A concise sentence, as it will appear on the Council agenda.)

A resolution supporting an amendment to the United States Constitution to regulate corporate political spending and campaign financing.

7. BACKGROUND INFORMATION/GENERAL DISCUSSION: (Why is this request necessary? Are there legal requirements? What are the viable alternatives? Who has been involved in the process?)

In a 2010 decision by the U.S. Supreme Court, Citizens United v. the Federal Election Commission, the Supreme Court overturned some provisions of the federal Campaigning Reform Act enacted in 2002, and ruled that corporate entities have the same rights as persons to unrestricted spending on political speech. The Court's decision in effect allows unlimited corporate spending to influence federal campaigns, elections, lawmaking, and public policy decisions. Several proposed amendments to the Constitution have recently been introduced in Congress that would allow governments to regulate the raising and spending of money by corporations to influence elections.

The City of Tacoma calls on the Washington State Legislature and the United States Congress to initiate steps to amend the United States Constitution with provisions that clearly state that:

Corporations are not human beings, and only human beings are endowed with Constitutional rights.

Contributions and expenditures for political purposes are not constitutionally-protected speech, and that, therefore, regulating political contributions and spending is not equivalent to limiting political speech.

REQUEST (CONT)

CITY CLERK USE ONLY

Request #:	13428
Ord/Res #:	38596

Congress and the states shall have the power to regulate contributions and expenditures for campaigns and ballot measures, and to require public disclosure of the sources of such contributions and expenditures.

(1)

8. LIST ALL MATERIAL AVAILABLE AS BACKUP INFORMATION FOR THE REQUEST AND INDICATE WHERE FILED:

Source Documents/Backup Material	Location of Document
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9. WHICH OF THE CITY'S STRATEGIC GOALS DOES THIS ITEM SUPPORT? (CHECK THE GOAL THAT BEST APPLIES)

- A.  A SAFE, CLEAN AND ATTRACTIVE COMMUNITY
- B.  A DIVERSE, PRODUCTIVE AND SUSTAINABLE ECONOMY
- C.  A HIGH-PERFORMING, OPEN AND ENGAGED GOVERNMENT

10. IF THIS CONTRACT IS FOR AN AMOUNT OF \$200,000 OR LESS, EXPLAIN WHY IT NEEDS LEGISLATIVE APPROVAL:

11. FINANCIAL IMPACT:  EXPENDITURE  REVENUE

- A.  NO IMPACT (NO FISCAL NOTE)
- B.  YES, OVER \$100,000, Fiscal Note Attached
- C.  YES, UNDER \$100,000, (NO FISCAL NOTE)  
Provide funding source information below:

FUNDING SOURCE: (Enter amount of funding from each source)

Fund Number & Name:	State \$	City \$	Other \$	Total Amount
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If an expenditure, is it budgeted?  Yes  No Where? Cost Center:  
Acct #: