

RESOLUTION NO. 12-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU SUPPORTING A CONSTITUTIONAL AMENDMENT OR LEGISLATIVE ACTIONS RESTRICTING CORPORATE SPENDING IN THE ELECTORAL PROCESS AND ENSURING THAT ONLY HUMAN BEINGS, NOT CORPORATIONS, HAVE CONSTITUTIONALLY-PROTECTED FREE SPEECH

The City Council of the City of Malibu does hereby find, order and resolve as follows:

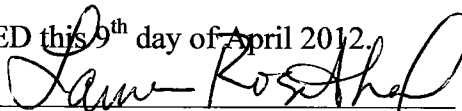
SECTION 1. Recitals.

- A. The U.S. Supreme Court's 5-4 ruling in Citizens United v. the Federal Election Commission rolled back legal restrictions on corporate spending in the electoral process, allowing unlimited corporate spending to influence elections, candidate selection and policy decisions, thereby threatening the voices of "We the People" and the very foundation of our democracy.
- B. Corporations are not mentioned in the Constitution, and the People have never granted constitutional rights to corporations, nor have the People decreed that corporations have authority that exceeds the authority of "We the People."
- C. U.S. Supreme Court Justice Hugo Black, in a 1938 opinion, stated, "I do not believe the word 'person' in the Fourteenth Amendment includes corporations."
- D. Money affects the quality and quantity of speech and is NOT, in itself, speech, and allowing corporations with great wealth to use it as speech effectively drowns out the protected free speech of the People in our diverse society.
- E. The citizens' decision supersedes state and local efforts to regulate corporate activity in their elections.

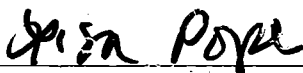
SECTION 2. The City Council of the City of Malibu supports a Constitutional Amendment or legislative actions ensuring that only human beings, not corporations, are endowed with constitutional rights and that money is not speech and, therefore, the expenditure of corporate money to influence the electoral process is no longer a form of constitutionally-protected speech.

SECTION 3. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

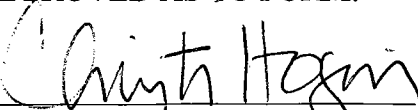
PASSED, APPROVED, and ADOPTED this 9th day of April 2012.


LAURA ROSENTHAL, Mayor

ATTEST:



LISA POPE, City Clerk
(seal)

APPROVED AS TO FORM:


CHRISTI HUGIN, City Attorney

I CERTIFY THAT THE FOREGOING RESOLUTION NO. 12-10 was passed and adopted by the City Council of the City of Malibu at the regular meeting thereof held on the 9th day of April, 2012, by the following vote:

AYES: 5 Councilmembers: Conley Ulich, Sibert, Wagner, La Monte, Rosenthal
NOES: 0
ABSTAIN: 0
ABSENT: 0



LISA POPE, City Clerk
(seal)