

FILED
OFFICE OF THE CITY CLERK
OAKLAND

11 DEC -8 PM 4:10

OAKLAND CITY COUNCIL

RESOLUTION No. 83662 C.M.S.

Introduced by Council President Larry Reid
And City Attorney Barbara J. Parker

RESOLUTION (1) DECLARING THE CITY OF OAKLAND'S OPPOSITION TO THE UNITED STATES SUPREME COURT'S DECISION IN *CITIZENS UNITED V. FEDERAL ELECTION COMMISSION* WHICH ROLLED BACK RESTRICTIONS ON CORPORATE SPENDING IN THE ELECTORAL PROCESS, RULING THAT CORPORATE CAMPAIGN SPENDING IS CONSTITUTIONALLY PROTECTED SPEECH AND (2) SUPPORTING A CONSTITUTIONAL AMENDMENT TO OVERTURN *CITIZENS UNITED*

WHEREAS, free and fair elections are essential to democracy and effective self-governance; and

WHEREAS, in *Citizens United v. the Federal Elections Commission*, the United States Supreme Court rolled back federal restrictions on corporate spending in the electoral process, allowing unlimited corporate spending to influence elections, candidate selection and policy decisions; and

WHEREAS, the *Citizens United* decision granted corporations unprecedented influence in democratic elections while permitting them to hide their involvement, thereby threatening the voices of the electorate and the foundation of democracy; and

WHEREAS, the *Citizens United* decision may supersede state and local efforts to regulate corporate activity in their campaign finance laws; and

WHEREAS, corporations have used the "rights" bestowed upon them by the courts to overturn democratically enacted laws that were passed at municipal, state and federal levels to curb corporate abuse, thereby impairing local governments' ability to protect their citizens against corporate harms to the environment, to health, to workers, to independent businesses, to local and regional economies; and

WHEREAS, members of both houses of the United States Congress have introduced proposed amendments to the United States Constitution that would overturn the decision in *Citizens United*, and limit corporate influence over federal, state and local elections; now therefore be it

RESOLVED: that the City of Oakland hereby declares its opposition to the United States Supreme Court's decision in *Citizens United v. the Federal Elections Commission*; and be it

FURTHER RESOLVED: that the City of Oakland calls on Congress to approve an amendment to the United States Constitution that would overturn the decision in *Citizens United* and limit corporate influence over federal, state and local elections; and be it

FURTHER RESOLVED: that the City of Oakland directs its federal lobbyist to advocate for legislation to overturn *Citizens United*; and be it

FURTHER RESOLVED that the City of Oakland calls on other communities and jurisdictions to join in this action by passing similar resolutions.

DEC 20 2011

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2011

PASSED BY THE FOLLOWING VOTE:

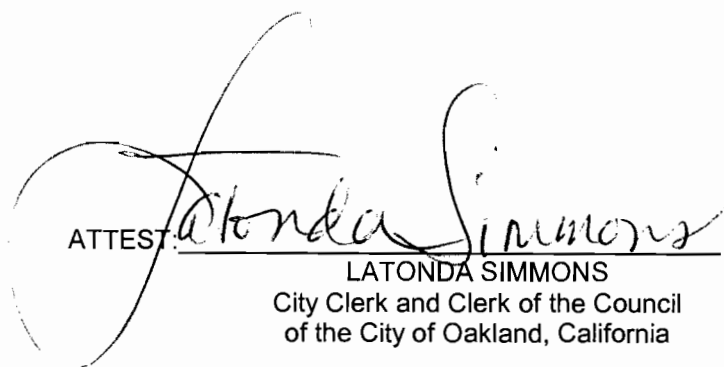
AYES- BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL,
SCHAAF and PRESIDENT REID - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST


LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California