



AGENDA BILL 2012-04-23-04

Subject: Resolution 2012-07, Supporting a Constitutional Amendment to Overturn the United States Supreme Court ruling in Citizens United v. Federal Elections Commission

For Council: April 23, 2012

Land Use Case Number: N/A

Public Hearing

Required:

Optional:

City Manager's Initials: CJ

Attachments:

1. Resolution 2012-07

Initiated by:

- City Council

Budget Impact:

- N/A

Sustainability Considerations:

- N/A

Policy Question(s) for Council Consideration:

- Does the City Council wish to support the concept of a Constitutional amendment to overturn the Supreme Court's ruling in Citizens United v. Federal Elections Commission

Summary:

In the subject ruling, the Supreme Court decided that corporations need to be treated the same individuals when considering the opportunity to contribute to elections.

Staff Recommendation:

This item has been prepared at the direction of the Council. If the Council agrees with the resolution, the Council should move to adopt Resolution 2012-07.

**RESOLUTION NO. 2012-07
WEST LINN, OREGON**

A RESOLUTION OF THE CITY OF WEST LINN SUPPORTING A CONSTITUTIONAL AMENDMENT TO OVERTURN THE UNITED STATES SUPREME COURT RULING IN *CITIZENS UNITED V. FEDERAL ELECTIONS COMMISSION*

WHEREAS, in *Citizens United v. the Federal Elections Commission* in 2010, the United States Supreme Court rolled back the legal limits on corporate spending in the electoral process, thereby creating an unequal playing field and allowing unlimited corporate spending to influence elections; and

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

WHEREAS, given modern media and the costs of election politics, unlimited spending in election politics without appropriate regulation greatly enhances the chances of misuse of the electoral process to the detriment of citizens of ordinary means, full and fair debate and fair elections; and

WHEREAS, persons are rightfully recognized as human beings while corporations are entirely human founded; and

WHEREAS, interpretation of the United States Constitution by the Supreme Court to include corporations in the term 'persons' impacts the peoples' exercise of self-governance by endowing corporations with Constitutional protections intended for natural persons;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST LINN:

Section 1: The City Council calls on our State and Federal officials to take measures to overturn *Citizens United v. Federal Election Commission* via constitutional amendment so that ordinary citizens will have a greater opportunity to participate in meaningful ways in fair elections and not be overwhelmed by corporate spending.

Section 2: The City Council directs the City Manager to send copies of this resolution to our State and Federal elected representatives.

Section 3: This Resolution shall become effective immediately.

PASSED BY THE WEST LINN CITY COUNCIL THIS 23RD DAY OF APRIL, 2012.

JOHN KOVASH, MAYOR

ATTEST:

KATHY MOLLUSKY, CITY RECORDER

APPROVED TO FORM:

CITY ATTORNEY