



ITEM NO.: 13a
MEETING DATE: September 19, 2012

AGENDA SUMMARY REPORT

SUBJECT: A RESOLUTION SUPPORTING THE "CITIZENS ADVISORY MEASURE TO END CORPORATE RULE AND DEFEND DEMOCRACY," ON THE NOVEMBER 2012 BALLOT IN MENDOCINO COUNTY

This resolution would encourage local voters to cast ballots in favor of the initiative. We believe, on the basis of national and local experience, that the health of our democracy depends on drastic reduction of the influence of money on elections, and that this ballot measure is one step in the right direction.

The larger context. A Constitutional amendment is one of several worthy options for addressing the problem. With regard to a Constitutional amendment, the history of such amendments makes it clear that ratification is not an overnight process, and that Constitutional amendments are by design difficult to achieve. There are compelling reasons to limit the definition of personhood in the American legal system, but until an amendment is ratified and enforcement legislation is in place, we will continue to struggle with campaign financing. More limited and short-term change has been effectively addressed through such measures as Maine's Clean Elections Act, which provides for public funding for political races. California's DISCLOSE Act, AB 1648, is an attempt to achieve change through full reporting of contributions in political races. (A similar bill presently before the US Congress would seem to have no chance of passage under current conditions.) Concerned citizens can decide for themselves how to allocate their energy and resources, but all should support the ballot initiative with their votes.

Money and local politics. In this County we have successfully defeated efforts by large corporations to influence local ballot measures. We have seen, at the state level, the defeat of Proposition 22 in the June election, which would have put a tax on cigarettes; public opinion was heavily in favor of the measure before the voting, but a 47 million dollar advertising blitz funded by Atria Philip Morris and Reynolds American Inc. (tobacco) ultimately led to a voter rejection of the measure.

The Citizens United decision. "Corporate personhood" commonly refers to Supreme Court rulings that a corporation, a fictional "person" for legal purposes, has the same inherent Constitutional rights as a human being. The most recent example is the ruling in the Citizens United vs. Fair Elections Commission case of

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Recommended Action(s): Adopt Resolution Supporting The "Citizens Advisory Measure To End Corporate Rule And Defend Democracy," On The November 2012 Ballot In Mendocino County

Alternative Council Option(s): Do Not Adopt Resolution

Citizens advised:

Requested by:

Prepared by: Benj Thomas, Councilmember

Coordinated with: Phil Baldwin, Councilmember

Attachments: Resolution

Approved:


Jane Chambers, City Manager

January 2010 in which the Court held that campaign contributions constitute free speech and cannot be regulated, thus overturning the McCain-Feingold campaign finance law. That ruling has proved to be highly controversial and has spurred a number of calls to reverse it by amending the Constitution.

Reform measures in our county. On July 24, the Mendocino County Board of Supervisors voted unanimously to place a "Citizens Advisory Measure to End Corporate Rule and Defend Democracy" on the November 2012 ballot for Mendocino County. The measure asks voters if their elected representatives should be instructed to enact resolutions and legislation calling for an amendment to the United States Constitution to establish that only human beings and not corporations are endowed with constitutional rights, leading to further results that money does not constitute speech and political spending can be regulated. The Board of Supervisors action was sponsored by Fifth District Supervisor Dan Hamburg.

Beginning in March and finishing in June, about 80 volunteers collected 5,661 signatures from county voters to put the measure on the ballot. Elections official County Clerk Sue Ranochak certified the group had collected enough valid signatures to qualify the measure for the ballot.

So, in our opinion, this measure is not only needed for the health of our democracy, but it also reflects the opinions and values of a clear majority of County voters. We ask that the City Council unanimously vote to endorse the ballot measure.

Fiscal Impact:

☐ Budgeted FY 12/13 ☐ New Appropriation ☒ Not Applicable ☐ Budget Amendment Required

RESOLUTION NO. 2012-

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UKIAH ENDORSING THE CITIZENS
ADVISORY MEASURE TO END CROPORATE RULE AND DEFEND DEMOCRACY**

Whereas the Mendocino County Board of Supervisors, in a unanimous vote, has placed on the November 2012 ballot a Citizens Advisory Measure to End Corporate Rule and Defend Democracy, and

Whereas, the Council believes that campaign financing is a troublesome question, which the City has addressed through a policy of voluntary campaign spending limits, and

Whereas, the Ukiah City Council is in agreement with the arguments put forth in favor of this measure,

NOW THEREFORE BE IT RESOLVED that, the Ukiah City Council endorses the Citizens Advisory Measure to End Corporate Rule and Defend Democracy, and urges voters in our community to give their approval to the measure.

PASSED AND ADOPTED on September 19, 2012 by the following Roll Call Vote:

Ayes:

Noes:

Abstain:

Absent:

Mary Anne Landis, Mayor

ATTEST:

Linda C. Brown, City Clerk