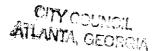
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COUNCILMEMBER MICHAEL JULIAN BOND	Thola Pate	Date	CERTIFIED
Cleta Henslon	Chair	Chair	
A RESOLUTION ON BEHALF OF THE CITY OF ATLANTA EXPRESSING ITS SUPPORT FOR A	Action (Fay, Adv, Hold (see rev. side)	Action Fav, Adv, Hold (see rev. side) Other	NERTIFIEN
28TH AMENDMENT TO CONSTITUTION OF THE UNITED STATES OF AMERICA,	ystah Grebyh	Members	SEP 1 5 2014
CLARIFYING THE AUTHORITY OF THE U. S. CONGRESS TO LIMIT POLITICAL CAMPAIGN	Carly Sonoth		ATLANTA CITY COUNCIL PRESIDENT
CONTRIBUTIONS; AND FOR OTHER PURPOSES	- Marie		0 = -
ADOPTED BY	Refer To	Refer To	MERTIFIED
SEP 1 5 2014	Committee	Committee	∏ SSP 1 5 2011
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CONSENT REFER	<u>Chair</u>	Chair	MUNICIPAL CLERK
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☐ ADVERTISE & REFER☐ 1st ADOPT 2nd READ & REFER☐	Other	Other	MAYOR'S ACTION
PERSONAL PAPER REFER	Members	Members	A Walter on the working
Date Referred 9/2/14		,	APPROVED
Referred To: CHinarae Excc			SEP 2 4 2014
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A RESOLUTION BY COUNCILMEMBERS MICHAEL J. BOND, CLETA WINSLOW, IVORY L. YOUNG, JR., FELICIA A. MOORE AND NATALYN ARCHIBONG AS AMENDED BY THE FINANCE/EXECUTIVE COMMITTEE, ON BEHALF OF THE CITY OF ATLANTA, EXPRESSING ITS SUPPORT FOR A 28TH AMENDMENT TO CONSTITUTION OF THE UNITED STATES OF AMERICA, CLARIFYING THE AUTHORITY OF THE U.S. CONGRESS TO LIMIT POLITICAL CAMPAIGN CONTRIBUTIONS; AND FOR OTHER PURPOSES.

WHEREAS, the Supreme Court of the U.S. has recently issued two controversial decisions striking down efforts of U.S. Congress to rein in disproportionate spending in political campaigns by corporations and wealthy individuals;

WHEREAS, on January 21, 2010, the Supreme Court, in a 5-4 ruling, in Citizens United v. the Federal Election Commission, struck down a provision of the 2002 Bipartisan Campaign Reform Act ("McCain-Feingold Act");

WHEREAS, the provision at issue had prohibited corporations and unions from using their general treasury to fund "electioneering communications" (broadcast advertisements mentioning a candidate) within 30 days before a primary or 60 days before a general election;

WHEREAS, the result of the decision has been to allow unlimited corporate and union spending to influence elections, candidate selection, and policy decisions, through the advent of SuperPACs, thereby threatening the voices of "We the People" and the very foundation of our democracy;

WHEREAS, on May 05, 2014, the Supreme Court, in another 5-4 ruling, McCutcheon v. the Federal Election Commission, struck down Section 441 of the Federal Election Campaign Act,

WHEREAS, Section 441 had set biennial aggregate campaign finance limits, where an individual could only give a limited total amount of money to any and all federal candidates, national political parties, or political action committees;

WHEREAS, in the ruling, the majority held that the restrictions did not further the government's interest in preventing quid pro quo corruption or the appearance of such corruption, while at the same time seriously restricted participation in the democratic process, and thus were invalid under the First Amendment;

WHEREAS, the flood of corporate money into elections in the U.S. has undermined the ability of average citizens to compete in the marketplace of ideas;

WHEREAS, in the wake of these two rulings, the result is that those with more money essentially have more free speech than those with less money;

WHEREAS, it is necessary to amend the Constitution of the U.S. to clarify that Congress has the authority to limit campaign contributions and that doing so is a compelling government interest;

WHEREAS, the organization Move to Amend has been working with municipalities and states across the country to sponsor resolutions and other legislation in support of a constitutional amendment;

WHEREAS, 330 cities have passed Citizens Initiatives; seven cities have passed Initiative Referrals; and 276 municipal governments have passed resolutions in support of a constitutional amendment, including Savannah, Georgia, which did so on March 21, 2013;

WHEREAS, the General Assemblies of Delaware, Illinois, and Vermont have passed resolutions asking Congress to adopt a constitutional amendment;

WHEREAS, the citizens of the State of Montana passed a voter initiative in support of a constitutional amendment:

WHEREAS, Senate Joint Resolution 19. "A joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections," has been introduced by U.S. Sen. Tom Udall (D-NM), and has 48 co-sponsors, including almost every Democratic Senator and two independents;

WHEREAS the Senate Judiciary Committee favorably reported the resolution on July 10, 2014;

NOW THEREFORE, BE IT RESOLVED, THAT THE CITY OF ATLANTA EXPRESSES ITS SUPPORT FOR AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO CLARIFY THAT U.S. CONGRESS HAS THE AUTHORITY TO SET CAMPAIGN FINANCE LIMITS; THAT CORPORATIONS ARE NOT PEOPLE; AND THAT MONEY IS NOT SPEECH, WITH THE TEXT AS FOLLOWS:

AMENDMENT

Section 1

Congress shall have power to regulate the raising and spending of money and in kind equivalents with respect to Federal elections, including through setting limits on (1) The amount of contributions to candidates for nomination for election to, or for election to, Federal office; and (2) The amount of expenditures that may be made by, in support of, or in opposition to such candidates.

Section 2.

A State shall have power to regulate the raising and spending of money and in kind equivalents with respect to State elections, including through setting limits on

- (1) The amount of contributions to candidates for nomination for election to, or for election to, State office; and
- (2) The amount of expenditures that may be made by, in support of, or in opposition to Such candidates.

Section 3.

Congress shall have power to implement and enforce this article by appropriate legislation.

NOW THEREFORE, BE IT FURTHER RESOLVED, that the municipal clerk of the city of Atlanta is hereby directed to transmit a copy of this resolution to the clerks of the U.S. House of Representatives and the U.S. Senate, respectively, to all members of the Georgia Delegation of the U.S. House and Senate and to the move to amend organization.

NOW THEREFORE, BE IT FINALLY RESOLVED, that all resolutions and parts of resolutions in conflict herewith are hearby reapealed to the extent of said conflict, and for other purposes.

Ronda Dauphin Johnson Municipal Clerk ADOPTED as amended by the Atlanta City Council
APPROVED as per City Charter Section 2-403

SEP 15, 2014 SEP 24, 2014

RCS# 631 9/15/14 3:20 PM

Atlanta City Council

14-R-4121 EXPRESSING SUPPORT FOR THE 28 AMENDMENT TO THE CONSTITUTION; LIMIT CAMPAIGN CONTR ADOPT AS AMNDED

YEAS: 12
NAYS: 2
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y	Smith	Y	Archibong	Y	Moore	NV	Bond
Y	Hall	Y	Wan	Y	Martin	Y	Norwood
Y	Young	N	Shook	Y	Bottoms	Y	Dickens
Y	Winslow	N	Adrean	Y	Sheperd	NV	Mitchell