

Date: 11-2-11  
Submitted in IGR Committee  
Council File No: 11-0002-S123  
Item No.: 1  
Deputy: M ESPINOSA

Amendments to CF 11-0002-S123  
Changes are highlighted in yellow.

RESOLUTION

WHEREAS, any official position of the City of Los Angeles with respect to legislation, rules, regulations or policies proposed to or pending before a local, state or federal governmental body or agency must have first been adopted in the form of a Resolution by the City Council with the concurrence of the Mayor; and

WHEREAS, 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; and

WHEREAS, corporations are not mentioned in the Constitution, and The People have never granted constitutional rights to corporations, nor have We decreed that Corporations have authority that exceeds the authority of "We The People";

WHEREAS, 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"; and

WHEREAS, 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;

WHEREAS, the Citizens decision supersedes state and local efforts to regulate corporate activity in their elections;

NOW THEREFORE, BE IT RESOLVED, with the concurrence of the Mayor, that by the adoption of this Motion, the City of Los Angeles hereby includes in its 2011-2012 Federal and State Legislative Programs SUPPORT for a Constitutional Amendment and other legislative actions ensuring that only human beings, not corporations, are endowed with constitutional rights and that money is not speech, and therefore regulating the expenditure of corporate money to influence the electoral process is no longer a form of constitutionally protected speech.