



REPORT/RECOMMENDATION

To: MAYOR AND COUNCIL	Agenda Item <u>Item No. VIII. C.</u>
From: Lisa Schaefer	<input checked="" type="checkbox"/> Action
Human Resources Director	<input type="checkbox"/> Discussion
Date: September 19, 2012	<input type="checkbox"/> Information
Subject: Resolution No. 2012-114 Expressing Support For A United States Constitutional Amendment To Regulate Corporate Political Spending And Campaign Financing	

ACTION REQUESTED:

Adopt the attached proposed Resolution Expressing Support for a United States Constitutional Amendment to Regulate Corporate Political Spending and Campaign Financing.

INFORMATION/BACKGROUND:

In April, the Edina Human Rights and Relations Commission (EHRRC) received a letter from a resident related to corporate political spending and “Super Pacs”.

The EHRRC has researched the issue and has decided this is an important human rights issue because it provides corporations with the same First Amendment rights as people, and therefore limits the influence of individual citizens in elections. At the August 28, 2012 meeting, The EHRRC endorsed the following statement of support for a US constitutional amendment to regulate corporate political spending and campaign financing, and requests the Council adopts the proposed resolution.

Other cities that have passed similar resolutions include Duluth MN, New York City, Los Angeles, Oakland, Boulder, Missoula, and Monroe Maine.

ATTACHMENT:

Resolution #2012-114

RESOLUTION NO. 2012-114
EXPRESSING SUPPORT FOR A UNITED STATES
CONSTITUTIONAL AMENDMENT TO REGULATE
CORPORATE POLITICAL SPENDING AND CAMPAIGN FINANCING

WHEREAS, in 2010 the United States Supreme Court ruled in *Citizens United v Federal Election Commission* that corporate entities have the same free speech rights as natural persons; and

WHEREAS, the Supreme Court 's decision in *Citizens United* defined independent expenditures as a form of free speech and ruled that corporate entities have the same rights as natural persons to unrestricted spending on political speech; and

WHEREAS, corporations are not people but artificial entities bound by the laws of this country, this state, and this city; and

WHEREAS, the Court's decision has the effect of permitting unlimited corporate spending to influence elections, campaigns, and public policy decisions; and

WHEREAS, the Supreme Court 's decision, which overturned some provisions of the federal Campaign Reform Act enacted in 2002, greatly encumbers the ability of federal, state, and local governments like Edina to enact and enforce reasonable campaign finance regulations regarding corporate political activity; and

WHEREAS, the citizens of Edina deserve fair elections without corporations influencing Edina voters; and

WHEREAS, since the Supreme Court's decision, there has been a significant growth in contributions and spending by Super PAC's for media messaging and independent electioneering activities; and

WHEREAS, government should require that permissible contributions and expenditures be publicly disclosed; and

WHEREAS, several proposed amendments to the constitution have been introduced in Congress that would allow federal, state and local governments to regulate the raising and expending of money by corporations to influence elections and public policy decisions including the ability to impact elections and government activities within the City of Edina; and

WHEREAS, the people of the United States have on several occasions used the constitution amendment process to correct decisions of the United States Supreme Court that are widely deemed to be egregious or wrongly decided or significantly out-of-step with the prevailing values of the populace.

NOW, THEREFORE, BE IT RESOLVED by The City Council of The City of Edina:
That the United States Congress begin the process of amending the United States Constitution with provisions that clearly state that:

1. Corporations are not natural persons, and only natural persons are endowed Constitutional rights.
2. Congress and the States shall have the power to regulate contributions and expenditures for elections and campaigns and to require public disclosure of the sources of the contributions and expenditures.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to members of the Minnesota Congressional Delegation.

ADOPTED this 19th day of September, 2012.

Attest: _____
Debra A. Mangen, City Clerk

James B. Hovland, Mayor

STATE OF MINNESOTA)
COUNTY OF HENNEPIN)SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular Meeting of September 19, 2012, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this ____ day of _____, 20__.

City Clerk