



Office of the Chicago City
Clerk



R2012-650

Office of the City Clerk

City Council Document Tracking Sheet

Meeting Date:

6/27/2012

Sponsor(s):

Moore, Joseph A. (49)
Moreno, Proco Joe (1)
Fioretti, Bob (2)
Dowell, Pat (3)
Burns, William D. (4)
Hairston, Leslie A. (5)
Sawyer, Roderick T. (6)
Harris, Michelle A. (8)
Beale, Anthony (9)
Pope, John (10)
Burke, Edward M. (14)
Lane, Lona (18)
O'Shea, Matthew J. (19)
Cochran, Willie (20)
Brookins, Howard (21)
Munoz, Ricardo (22)
Zalewski, Michael R. (23)
Chandler, Michael D. (24)
Solis, Daniel (25)
Maldonado, Roberto (26)
Burnett, Walter (27)
Ervin, Jason C. (28)
Graham, Deborah L. (29)
Waguespack, Scott (32)
Austin, Carrie M. (34)
Colón, Rey (35)
Sposato, Nicholas (36)
Mitts, Emma (37)
Cullerton, Timothy M. (38)
Laurino, Margaret (39)
O'Connor, Patrick J. (40)
O'Connor, Mary (41)
Reilly, Brendan (42)
Smith, Michele (43)
Arena, John (45)
Cappleman, James (46)
Pawar, Ameya (47)
Osterman, Harry (48)

Type:

Resolution

Title:

Call for United States Congress to ratify a Constitutional amendment to overturn "Citizens United v. Federal Elections Commission" and restore Constitutional rights and fair

Comission" and restore Constitutional rights and fair
elections
Committee on Human Relations

Committee(s) Assignment:

**RESOLUTION CALLING UPON THE UNITED STATES CONGRESS TO PROPOSE
AND SEND TO THE STATES FOR RATIFICATION A CONSTITUTIONAL
AMENDMENT TO OVERTURN *CITIZENS UNITED v. FEDERAL ELECTIONS
COMMISSION* AND RESTORE CONSTITUTIONAL RIGHTS AND FAIR ELECTIONS
TO THE PEOPLE**

WHEREAS, The free speech protections set forth in the First Amendment to the United States Constitution are fundamental to our democracy; and

WHEREAS, In adopting the First Amendment, our nation's founders intended to protect the free speech rights of people, not corporations; and

WHEREAS, Corporations are not people but, instead, are artificial entities created by the laws of states and nations; and

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

WHEREAS, Campaign finance laws, including limits on campaign contributions, are key tools to combating political corruption; and

WHEREAS, For the past three decades, a divided United States Supreme Court has transformed the First Amendment into a powerful tool for corporations seeking to evade and invalidate democratically enacted reforms; and

WHEREAS, This corporate misuse of the First Amendment and the United States Constitution reached an extreme conclusion in the Supreme Court's ruling in *Citizens United v. Federal Elections Commission*, 130 S.Ct. 876 (2010); and

WHEREAS, Justice John Paul Stevens, writing on behalf of the four dissenting justices in *Citizens United*, noted that "corporations help structure and facilitate the activities of human beings, to be sure, and their 'personhood' often serves as a useful legal fiction. But they are not themselves members of 'We the People' by whom and for whom our Constitution was established;" and

WHEREAS, Justice Stevens further observed in his dissent that corporations have special advantages not enjoyed by natural persons, such as limited liability, perpetual life, and favorable treatment of the accumulation and distribution of assets, that allow them to spend prodigious sums on campaign messages that have little or no correlation with the beliefs held by natural persons; and

WHEREAS, Over thirty-five years earlier, the Supreme Court in *Buckley v. Valeo* held that government cannot constitutionally limit the amount of money that individuals can spend to influence the electoral process; and

WHEREAS, The Supreme Court's rulings in *Citizens United* and *Buckley* have posed a serious and direct threat to our democracy by unleashing a torrent of corporate and personal money in our political process unmatched by any campaign expenditures in United States history; and

WHEREAS, Restricting the ability of Congress and the States to impose legal limits on political contributions and spending allows corporations and wealthy individuals to unduly influence elections, candidate selection, and policy decisions, and drowns the voices of ordinary citizens; and

WHEREAS, The general public and political leaders in our nation have long recognized that the interests of corporations do not always correspond with the public interest and, therefore, the political influence of corporations should be limited; and

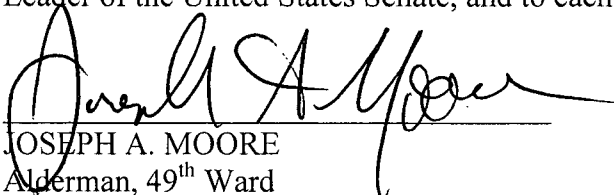
WHEREAS, Article V of the United States Constitution empowers and obligates the people and States of the United States of America to use the Constitutional amendment process to correct those egregiously wrong decisions of the United States Supreme Court that go to the heart of our democracy and republican form of self-government; now, therefore,

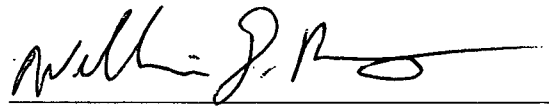
BE IT RESOLVED, that we, the Mayor and the members of the City Council of the City of Chicago respectfully but emphatically disagree with the majority opinion and decision of the United States Supreme Court in *Citizens United v. Federal Elections Commission*; and

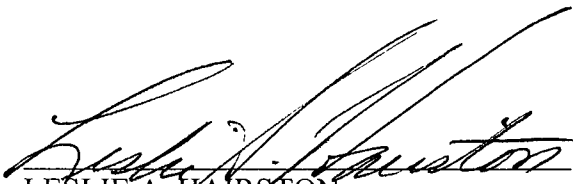
BE IT FURTHER RESOLVED, That we, the Mayor and the members of the Chicago City Council of the City of Chicago, call upon the United States Congress to propose and send to the states for ratification a Constitutional amendment to overturn *Citizens United v. Federal Elections Commission*; and


BE IT FURTHER RESOLVED, That such a Constitutional amendment should make clear that the rights protected by the Constitution are the rights of natural persons and do not extend to corporations; that corporations are subject to regulation by the people through the legislative process so long as the regulations are consistent with the powers of Congress and the States and do not limit freedom of the press; and that Congress and the States shall have the power to regulate and set limits on all election contributions and expenditures, including political contributions and expenditures from individuals and corporations; and

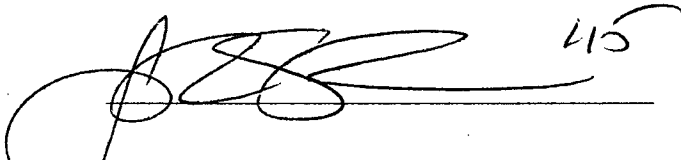
BE IT FURTHER RESOLVED, that a suitable copy of this resolution be prepared and submitted to the Speaker of the United States House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the United States Senate, the Minority Leader of the United States Senate, and to each member of the Illinois Congressional delegation.


JOSEPH A. MOORE
Alderman, 49th Ward

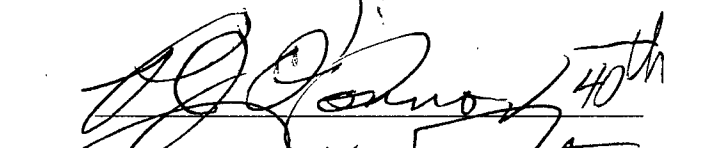


WILLIAM BURNS
Alderman, 4th Ward

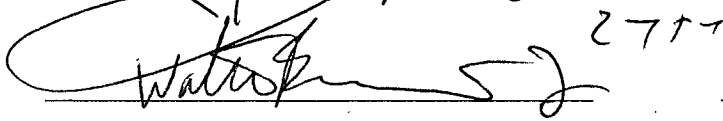

LESLIE A. HAIRSTON
Alderman, 5th Ward

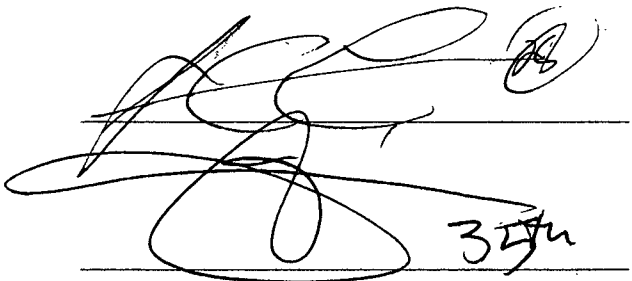

MICHELE SMITH
Alderman, 43rd Ward

 415
Mary O'Connor 41

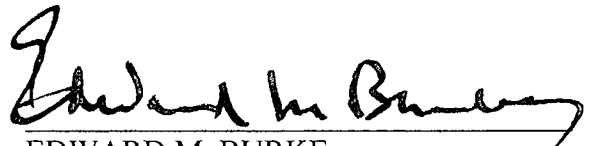
Emma Mitts 37


 40th
 - 2nd

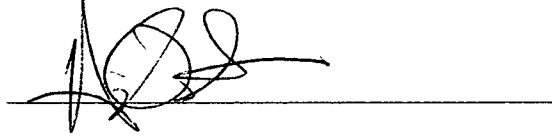
 27th

 31st

Scott Waguerpool


EDWARD M. BURKE
Alderman, 14th Ward


AMEYA PAWAR
Alderman, 47th Ward



Kimberly M. Geller 38

Monte

Michael Sparto 36th
Joe Moore 1ST

Pat Howell, 3rd

Robert M. Miller 26

Carrie M. Austin 34

 22

Mary Ann 19

Allie Bachman 20

~~Walter Smith~~ 21

Mary Ann 23

Walter Smith 24

Harold Smith 25

Robert J. Smith 26

Michelle A. Smith 27

Roll A 5-6

B 42

Anthony Allbrook 9th

John A. Pope 10th

Tommy Lane 18th

James Upper 44