

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION EXPRESSING THE CITY OF NORTH LITTLE ROCK'S SUPPORT OF THE "MOVE TO AMEND" CAMPAIGN CALLING FOR AN AMENDMENT TO THE UNITED STATES CONSTITUTION TO ABOLISH CORPORATE PERSONHOOD, ENSURING THAT ONLY HUMAN BEINGS HAVE CONSTITUTIONALLY PROTECTED FREE SPEECH RIGHTS; AND FOR OTHER PURPOSES.**

WHEREAS, the U.S. Supreme Court has asserted, by a 5-4 ruling in the case of *Citizens United v. Federal Election Commission*, that corporations have the same free speech rights as human beings; and

WHEREAS, citizen human beings of the United States have been, and should continue to be, valued more and enjoy greater inalienable and constitutional free speech rights than corporations, business associations or unions; and

WHEREAS, while money is not "speech" in itself, it does affect the quality and quantity of speech, allowing artificial entities with great wealth to use it as speech thereby effectively drowning out the protected free speech of the people in our diverse society; and

WHEREAS, Arkansas Attorney General Dustin McDaniel has joined other attorneys general in asking the U.S. Supreme Court to reconsider its 2010 decision that eliminated federal restrictions on independent political spending by corporations (see Exhibit "A" attached hereto); and

WHEREAS, political contributions by corporations or other entities should be constitutionally regulated as to their use in political campaigns attempting to influence political decisions or votes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That the City Council of the City of North Little Rock, Arkansas hereby expresses its support of the national "Move to Amend" campaign calling for an amendment to the United States Constitution ensuring that only human beings, not corporations or other associations, have constitutionally protected free speech rights and rejecting the premise that money is "speech".

SECTION 2: That the North Little Rock City Council hereby requests that Arkansas legislators on State and Federal levels also support an appropriate United

States Constitutional Amendment to ensure that the First Amendment's Free Speech rights protect real people, rather than corporations, associations, unions or other entities.

SECTION 3: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

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\_\_\_\_\_  
Mayor Patrick H. Hays

SPONSOR:

ATTEST:

*Patrick H. Hays*  
\_\_\_\_\_  
Mayor Patrick H. Hays

\_\_\_\_\_  
Diane Whitbey, City Clerk

APPROVED AS TO FORM:

*C. Jason Carter*  
\_\_\_\_\_  
C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

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| FILED <u>11:36</u> A.M. _____ P.M.   |
| By <u>C. Jason Carter</u>  |
| DATE <u>8-7-12</u>   |
| <b>Diane Whitbey, City Clerk and Collector<br/>North Little Rock, Arkansas</b> |
| RECEIVED BY <u><i>Diane Whitbey</i></u>  |



**Monday, May 21, 2012**

**MCDANIEL ASKS SUPREME COURT TO RECONSIDER CAMPAIGN FINANCE  
DECISION**

LITTLE ROCK - Attorney General Dustin McDaniel and 22 other attorneys general today asked the U.S. Supreme Court to reconsider a 2010 decision that eliminated federal restrictions on independent political spending by corporations.

In an amicus brief, McDaniel said the decision in the Citizens United case should be revisited by the Court. The states shared with the Court concerns that unrestricted independent campaign expenditures may distort political races, promote corruption or require corporate shareholders to fund political communication that they oppose.

"The Citizens United decision opened the door for corporations and labor unions to secretly spend as much as they want, whenever they want, on political issues," McDaniel said. "I believe in reasonable contribution limits with transparent reporting requirements so that the people can know who is financing candidates and issues. The Citizens United case has destroyed those concepts."

The amicus brief was submitted in a Montana case that involves whether Citizens United should pertain to state and local elections. In an order issued earlier this year related to the Montana case, Justice Ruth Bader Ginsburg wrote that the experience in Montana and elsewhere makes it "exceedingly difficult" to argue that independent corporate expenditures "do not give rise to corruption or the appearance of corruption."

In the brief, the attorneys general argue that, under Citizens United, there is a higher risk that "nonresident corporations with discrete and well-defined interests will dominate campaign spending in state and local election contests," if applied to states.

The case is American Tradition Partnership Inc. v. Bullock, 11-1179.

