

File No. 120025

Committee Item No. _____

Board Item No. 37

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Board of Supervisors Meeting

Date January 24, 2012

Cmte Board

- | | | |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Hearing |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Ethics Form 126 |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Correspondence |

OTHER

(Use back side if additional space is needed)

<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	_____

Completed by: Andrea Ausberry Date January 18, 2012

Completed by: _____ Date _____

*An asterisked item represents the cover sheet to a document that exceeds 25 pages. The complete document is in the file.

1 [Opposing the United States Supreme Court's Decision in Citizens United and Supporting
2 Related United States Constitutional Amendment]

3
4 **Resolution opposing the United States Supreme Court's interpretation of the**
5 **Constitution in *Citizens United* regarding the rights of corporations and supporting an**
6 **amendment to the Constitution to provide that corporations are not entitled to the**
7 **entirety of protections of natural persons.**

8 WHEREAS, Free and fair elections are the foundation of American democracy; and

9
10 WHEREAS, In *Citizens United v. Federal Election Commission*, the Supreme Court
11 held that independent spending on elections by corporations and other groups could not be
12 limited by government regulations, a decision that allows for unlimited corporate spending in
13 elections; and

14 WHEREAS, In reaching its decision in *Citizens United*, the Supreme Court interpreted
15 the First Amendment of the Constitution to afford corporations the same free speech
16 protections as natural persons; and

17
18 WHEREAS, The *Citizens United* decision has proven to be one of the Court's most
19 controversial decisions and supersedes state and local efforts to regulate corporate activity in
20 their campaign finance laws; and

21 WHEREAS, In his eloquent dissent, Justice John Paul Stevens stated that
22 "[c]orporations have no consciences, no beliefs, no feelings, no thoughts, no desires.
23 Corporations help structure and facilitate the activities of human beings, to be sure, and their
24 'personhood' often serves as a useful legal fiction. But they are not themselves members of
25

1 'We the People' by whom and for whom our Constitution was established"; and

2 WHEREAS, Members of Congress are seeking to amend the Constitution in order to
3 reverse the *Citizens United* decision and establish that corporations are not entitled to the
4 entirety of protections of natural persons; and

5 WHEREAS, Several dozen municipalities, including New York City, Los Angeles, and
6 Oakland, have successfully passed resolutions opposing the Supreme Court's interpretation
7 of the Constitution in *Citizens United* and supporting Constitutional amendments; and

8 WHEREAS, The City and County of San Francisco has a long history of demonstrating
9 support for ensuring free and fair elections, such as with its public campaign finance policy, as
10 well as other ethics and electoral reforms; now, therefore, be it

11
12 RESOLVED, That the San Francisco Board of Supervisors hereby declares its
13 opposition to the Supreme Court's interpretation of the Constitution in *Citizens United*
14 regarding the rights of corporations; and be it

15
16 FURTHER RESOLVED, That the San Francisco Board of Supervisors joins other cities
17 in calling on Congress to begin the process of amending the Constitution to provide that
18 corporations are not entitled to the entirety of protections or "rights" of natural persons,
19 specifically so that the expenditure of corporate money to influence the electoral process is no
20 longer a form of constitutionally protected speech.

INTRODUCTION FORM

By a member of the Board of Supervisors or the Mayor

Time Stamp or
Meeting Date

I hereby submit the following item for introduction:

- 1. For reference to Committee: _____
An ordinance, resolution, motion, or charter amendment
- 2. Request for next printed agenda without reference to Committee
- 3. Request for Committee hearing on a subject matter
- 4. Request for letter beginning "Supervisor _____ inquires..."
- 5. City Attorney request
- 6. Call file from Committee
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File Nos.
- 9. Request for Closed Session
- 10. Board to Sit as A Committee of the Whole
- 11. Question(s) submitted for Mayoral Appearance before the BOS on _____

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Ethics Commission
- Building Inspection Commission
- Youth Commission
- Planning Commission

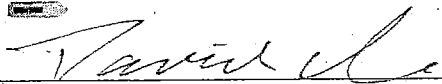
Note: For the Imperative Agenda (a resolution not on the printed agenda), use a different form.]

Sponsor(s): Supervisor David Chiu

Subject: Resolution opposing the US Supreme Court's Decision in Citizens United and supporting related US Constitutional amendment.

The text is listed below or attached:

Signature of Sponsoring Supervisor: _____



For Clerk's Use Only: