



RESOLUTION

URGING HAWAII'S CONGRESSIONAL DELEGATION TO CONSIDER THAT ANY EFFORTS TO LIMIT CAMPAIGN CONTRIBUTIONS AND SPENDING ON THE PART OF CORPORATIONS SHOULD ALSO ADDRESS LABOR UNIONS.

WHEREAS, in the U.S. Supreme Court's recent decision in *Citizens United v. Federal Election Commission* (2010), the court held that corporations have the same First Amendment rights as people to engage in independent election-related speech; and

WHEREAS, numerous groups and bodies throughout the country have criticized the decision for what are perceived to be potentially far-reaching and negative impacts on democracy; and

WHEREAS, on September 12, 2012, the Council adopted Resolution 12-207, CD1, which stated, in part, that "corporations should not receive the same constitutional rights as natural persons and that because money is not speech, limits on political spending will promote the goals of the First Amendment by ensuring that all citizens, regardless of wealth, have an opportunity to have their political views heard"; and

WHEREAS, critics of the *Citizens United* decision claim that the decision would afford corporations greater influence over the outcomes of elections; and

WHEREAS, however, legal commentators have noted that the *Citizens United* decision also applies to labor unions; and

WHEREAS, Chief Justice Robert's concurring opinion states explicitly that the *Citizens United* majority opinion applies to both unions and corporations and neither the majority opinion nor the other opinions dispute Chief Justice Robert's statement; and

WHEREAS, according to the National Conference of State Legislatures, the court's ruling that the federal government may not prohibit direct corporate or union spending on candidates' elections affected laws in 24 states that prohibit or restrict corporate and/or union spending on candidate elections; and

WHEREAS, legal commentators have stated that the *Citizens United* decision means that labor unions, like corporations, will be free to spend money from their general treasuries on independent advocacy for or against particular candidates, allowing unions to spend more money on elections, with resulting increases in political influence; now, therefore,



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BE IT RESOLVED by the Council of the City and County of Honolulu that Hawaii's congressional delegation is urged to consider that any efforts to limit campaign contributions and spending on the part of corporations should also address labor unions; and

BE IT FINALLY RESOLVED that copies of this Resolution be transmitted to United States Senator Daniel K. Inouye, United States Senator Daniel K. Akaka, United States Representative Mazie Hirono, and United States Representative Colleen Hanabusa.

INTRODUCED BY:

TOM BERG

DATE OF INTRODUCTION:

SEP 21 2012
Honolulu, Hawaii

Councilmembers