



RESOLUTION NO. 2016-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, STATING THE CITY COUNCIL'S SUPPORT FOR INITIATIVE 735, WHICH WOULD URGE THE WASHINGTON STATE CONGRESSIONAL DELEGATION TO PROPOSE A FEDERAL CONSTITUTIONAL AMENDMENT CLARIFYING THAT CONSTITUTIONAL RIGHTS BELONG ONLY TO INDIVIDUALS AND CONSTITUTIONALLY PROTECTED SPEECH EXCLUDES THE SPENDING OF MONEY.

WHEREAS, in *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010), the United States Supreme Court construed the spending of money, including the spending of money by corporations, unions and other special interest groups, in elections as protected free speech under the First Amendment of the Constitution of the United States, and held that the First Amendment prohibits the government from restricting independent political expenditures by corporations and unions, among others; and

WHEREAS, the Lynnwood City Council finds that these United States Supreme Court decisions have eroded the authority of government to regulate campaign contributions and expenditures; and

WHEREAS, the Lynnwood City Council finds that these decisions could adversely affect fair election campaigning for federal, state and local elections, including those for the Lynnwood City Council and other ballot issues impacting Lynnwood; and

WHEREAS, the Lynnwood City Council finds that the prompt disclosure of all political contributions and expenditures in a manner accessible to voters prior to elections is in the best interests of holding free and fair elections; and

WHEREAS, Initiative 735, an Act relating to the influence of corporations and money in our political system, seeks to add Washington to the growing list of states calling for an amendment to the United States Constitutional Amendment to overturn the U.S. Supreme Court's decision in *Citizens United*; and

WHEREAS, initiative 735 would request that the Washington State congressional delegation propose an amendment to the federal Constitution, clarifying that: (1) the rights

1 listed and acknowledged in the United States Constitution are the rights of individual human
2 beings only; (2) the judiciary shall not construe the spending of money to be free speech under
3 the First Amendment to the United States Constitution; (3) federal, state and local governments
4 shall be fully empowered to regulate political contributions and expenditures to ensure that no
5 person or artificial legal entity gains undue influence over government and the political process;
6 and (4) all political contributions and expenditures shall be disclosed promptly and in a manner
7 accessible to voters prior to elections.

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9 WHEREAS, Initiative 735 was filed with the Secretary of State's Office by citizens of
10 Washington State, and the Secretary of State determined that Initiative 735 was signed by a
11 sufficient number of persons and on January 26, 2016 forwarded the Initiative to the State
12 legislature for the 2016 legislative session; and

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14 WHEREAS, the 2016 legislative session closed without the legislature adopting or taking
15 action on Initiative 735; and

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17 WHEREAS, therefore, the Secretary of State is placing Initiative 735 on the November 8,
18 2016 election ballot, with a ballot title that states:

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20 Initiative Measure No. 735 concerns a proposed amendment to the federal
21 constitution.

22 This measure would urge the Washington state congressional delegation to
23 propose a federal constitutional amendment that constitutional rights belong only
24 to individuals, not corporations, and constitutionally-protected free speech
25 excludes the spending of money.

26 Should this measure be enacted into law? Yes [] No []

27 WHEREAS, pursuant to RCW 42.17A.555, the City Council may express collective support
28 for a ballot proposition; and

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30 WHEREAS, as required by RCW 42.17A.555, the notice of the City Council meeting on
31 August 8, 2016 included the title and number of the Initiative 735 ballot proposition and invited
32 members of the public to comment on the Initiative 735 ballot proposition; and

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34 WHEREAS, at the August 8, 2016 City Council meeting, the City Council held a public
35 hearing and received public comment on this resolution and the Initiative 735 ballot
36 proposition, and afforded all persons wishing to speak the equal opportunity to express
37 opposing views; and

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39 WHEREAS, having considered Initiative 735, the Lynnwood City Council wishes to
40 express its collective support for Initiative 735;

1 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF**
2 **LYNNWOOD, THAT:**

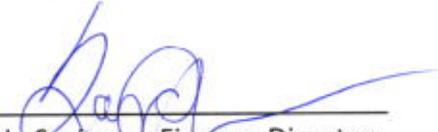
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4 Section 1. The Lynnwood City Council supports Initiative 735, an Act relating to the
5 influence of corporations and money in our political system, and the Initiative 735 Ballot
6 Proposition described above, which would urge the Washington state congressional delegation
7 to propose a federal constitutional amendment that constitutional rights belong only to
8 individuals, not corporations, and constitutionally-protected free speech excludes the spending
9 of money.

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11 RESOLVED this 8th day of August, 2016.

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14 CITY OF LYNNWOOD

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18 Nicola Smith, Mayor
19 For Mayor per DSA

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21 ATTEST/AUTHENTICATED:

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25 Sonja Springer, Finance Director

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43 Passed by the City Council: 08/08/2016
44 Resolution Number: 2016-17