

Proposed Anti-Corruption Resolution for the Town of Chapel Hill, State of North Carolina

Language adapted from anticorruptionact.org materials, including provision summaries and constitutionality doc.

Resolution to establish as a position of THE TOWN OF CHAPEL HILL, County of Orange, State of North Carolina,

- that tough, new anti-- corruption laws for politicians, lobbyists, and outside groups such as Super PACs are necessary in order to protect and promote the First Amendment free speech rights of all citizens, regardless of wealth, and to restore ordinary Americans as the most important stakeholders in government instead of major donors.

WHEREAS, limits on contributions to political candidates are justified by the need to reduce corruption and the appearance of corruption, as outlined in *Buckley v. Valeo* (1976);

WHEREAS, contributions to candidates, and political spending on their behalf, from lobbyists and SuperPACs present a special risk of corruption; and,

WHEREAS, the United States Supreme Court held that restrictions on official actions taken by legislators in situations in which there may be conflicts of interest do not constitute restrictions on the First Amendment free speech rights of legislators; *Nevada Commission on Ethics v. Carrigan* (2011); and,

WHEREAS, closing the “revolving door”, where elected representatives and senior staff sell off their legislative power for high-- paying jobs, is important to ensure that government employees are not “influenced in the performance of public duties by the thought of later reaping a benefit

from a private individual.” *Brown v. District of Columbia Board of Zoning*, 413 A.2d 1276, 1282 (D.C. App. 1980); and,

WHEREAS, full transparency of all political money is necessary for the growth of an educated and informed electorate; and,

WHEREAS, with nearly \$6.8 billion spent in the 2016 federal elections alone, including a record \$1.1 billion raised by Super PACs with nearly 20 percent of that figure contributed by 10 individual donors and couples; and with a record-breaking \$28 million of outside spending on 2016 state-level races in North Carolina; politicians are dependent on a tiny percentage of the population to fundraise their campaigns while ordinary voters have less and less influence; and,

WHEREAS, federal agencies such as the Federal Election Commission routinely fail to enforce the anti-- corruption rules that already exist;

NOW, THEREFORE, BE IT RESOLVED that it is the position of THE TOWN OF CHAPEL HILL, County of Orange, State of North Carolina, that tough, new anti-- corruption laws must be passed by the North Carolina General Assembly and Congress as well as including legislation to prohibit politicians from taking campaign money from industries they regulate; increase transparency for campaign funding; stop elected representatives and senior staff from negotiating jobs while in office and bar them from all lobbying activity for five years once they leave; empower all voters through a \$100 tax rebate to contribute to the candidates they support; and strengthen federal agencies, House and Senate ethics committees, and the North Carolina State Ethics Commission to enforce the rules against politicians and special interests that break campaign finance law.

BE IT FURTHER RESOLVED that THE TOWN OF CHAPEL HILL hereby supports efforts to pass its own anti-- corruption legislation, and respectfully urges the North Carolina Congressional delegation to support and introduce anti-corruption legislation to the House and Senate addressing the issues herein described.