

Legislative #

120122

RESOLUTION NO. 120122

A Resolution of the City Commission of the City of Gainesville, Florida, supporting an amendment to the US Constitution to establish that only human beings, not corporations, are endowed with constitutional rights and that money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech; providing an effective date.

Whereas, government of, by, and for the people has long been a cherished American value, and;

Whereas, the fundamental and inalienable right to self-govern, and thereby secure rights to life, liberty, property, and the pursuit of happiness is guaranteed to the people in the US Constitution and the Declaration of Independence, and;

Whereas, free and fair elections are essential to democracy and effective self-governance, and;

Whereas, people are rightfully recognized as human beings whose essential needs include clean air, clean water, safe and secure food, and;

Whereas, corporations are entirely human-made legal fictions created by express permission of the people and our government, and;

Whereas, corporations are not mentioned in the Constitution, and the people have never granted constitutional rights to corporations, nor have the people decreed that corporations have authority that exceeds the authority of the people of the United States, and;

Whereas, corporations are not and have never been human beings, and therefore are rightfully subservient to human beings and governments as our legal creations, and;

Whereas, the *Citizens United v. the Federal Election Commission* Supreme Court decision that rolled back the legal limits on corporate spending in the electoral process creates an

unequal playing field and allows unlimited corporate spending to influence elections, candidate selection, policy decisions and sway votes, and forces elected officials to divert their attention from the peoples' business, and;

Whereas, regulating political contributions and spending is not equivalent to limiting political speech, since money is not the equivalent of speech, and;

Whereas, people and local governments across the nation are joining to call for an amendment to the US Constitution to establish that corporations are not people and money is not speech;

NOW THEREFORE BE IT RESOLVED that the City of Gainesville, Florida supports an amendment to the Constitution to establish that only human beings, not corporations, are endowed with constitutional rights and that money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech; and

BE IT FURTHER RESOLVED that the Clerk of the Commission of the City of Gainesville is directed to forward a copy of this Resolution to the Alachua County Board of County Commissioners with a request that the County Commission place this issue on an Alachua County election ballot as a non-binding referendum; and

BE IT FURTHER RESOLVED that the Clerk of the Commission of the City of Gainesville is directed to forward a copy of this Resolution to the Alachua County State Legislative Delegation and the Federal Legislative Delegation with a request that they support a

Federal Constitutional amendment consistent with this Resolution.

PASSED AND ADOPTED this _____ day of _____, 2013.

Craig Lowe, Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:

Kurt Lannon, Clerk of the Commission

Nicolle M. Shalley, City Attorney