



Legislation Text

File #: 120122, Version: 2

Proposed Constitutional Amendment "Move to Amend" (B)

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.

This item was brought forward by Mayor-Commissioner Pro Tem Lauren Poe during Commission Comment on June 21, 2012. The City Commission approved a referral of this issue to the Audit, Finance and Legislative Committee for discussion. On September 20, 2012, a representative from a group of Alachua County citizens asked the City Commission to consider placing a non-binding referendum related to this issue on the March 2013 City of Gainesville Ballot.

"Move to Amend" is a citizen group dedicated to amending the U.S. Constitution in response to the Supreme Court's ruling in Citizens United v. Federal Election Commission. Move to amend believes that money is not speech, and that human beings, not corporations, are persons entitled to constitutional rights." (<<http://movetoamend.org>>)

During October 2012, the Audit, Finance and Legislative Committee discussed this referral, received input from several citizens supporting the placement of a non-binding referendum on the March 2013 City of Gainesville ballot and received input from the City Attorney regarding legal issues related to placing such a referendum on the ballot. As a result, the Committee recommended to the City Commission that the attorney draft a resolution, rather than a referendum.

On November 15, 2012, the City Commission directed the City Attorney to draft a Resolution similar to the Move to Amend model resolution with the inclusion of two additional provisions: 1) forwarding the Resolution to the County Commission and requesting the County Commission to place this issue on the next County election ballot as a non-binding referendum; and 2) forwarding the Resolution to the City's State and Federal Legislative Delegation requesting their support of a Federal Constitutional Amendment consistent with the Resolution.

The City Commission adopt the proposed Resolution.