



City of Greenville, North Carolina

Meeting Date: 9/10/2012
Time: 6:00 PM

Title of Item: Resolution requesting an amendment to the United States Constitution to clarify that corporations are not people and financial contributions are not speech

Explanation: Mr. Jake Gellar-Goad, Eastern Organizer of Democracy North Carolina, contacted City Council Members and staff and requested that this item be placed on the City Council agenda for consideration by Council. Two Council Members asked the City Manager to include the item on the agenda.

Fiscal Note: No fiscal impact to the City

Recommendation: Consider the resolution requesting an amendment to the United States Constitution to clarify that corporations are not people and financial contributions are not speech

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[Resolution_Requesting_Constitutional_Amendment_re_Corporations_and_Money_935488](#)

RESOLUTION NO. _____
RESOLUTION REQUESTING AN AMENDMENT TO THE UNITED STATES CONSTITUTION
TO CLARIFY THAT CORPORATIONS ARE NOT PEOPLE AND FINANCIAL
CONTRIBUTIONS ARE NOT SPEECH

Whereas, the US Constitution and Declaration of Independence guarantee the fundamental right of We The People to self-government; and

Whereas, corporations are rightfully subservient to human beings and governments as legal creations that may amass wealth, shield their officers and owners from liability, and simultaneously exist in perpetuity in many nations; and

Whereas, labor unions are legal associations of individual members but they may also amass wealth from multiple sources into their treasuries; and

Whereas, the US Supreme Court, in a 5-to-4 decision called *Citizens United v. the Federal Election Commission*, declared that spending in elections is a form of free speech protected by the First Amendment and that corporations and unions have a First Amendment right to spend unlimited amounts of money from their treasurers to sway the outcome of elections; and

Whereas, the *Citizens United* decision has allowed large donors, corporations, unions and conduit associations to increase their influence, while often remaining anonymous, and has made candidates even more dependent on special-interests and private money suppliers; and

Whereas, equating political spending with free speech and awarding corporations and unions the same rights as human beings are decisions that undermine the fundamental right of self-government in our Constitution;

Therefore, be it resolved, that the City Council of the City of Greenville, North Carolina, calls upon federal and state lawmakers to defend democracy from the corrupting effects of undue financial influence by increasing disclosure of political money, providing candidates with the option of qualifying for voter authorized public funding, and amending the United States Constitution to establish that:

1. Only human beings are endowed with protected constitutional rights, and
2. Money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech.

Adopted this the 10th day of September, 2012.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk