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4 **A RESOLUTION**

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6 Providing for an advisory referendum on whether the U.S. Constitution should be
7 amended to establish that only human beings, not corporations, are entitled to
8 Constitutional rights, and money is not speech, and therefore regulating political
9 contributions and spending is not equivalent to limiting political speech

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11 WHEREAS, the United States Constitution acknowledges the rights that every
12 person deserves, and it guarantees those rights to the people of the United States of
13 America; and

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15 WHEREAS, in delineating the rights of every person, the Framers did not state
16 that any of the rights of persons are also rights of corporations, nor do the U.S.
17 Constitution and its amendments use the word "corporation" even once; and

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19 WHEREAS, acceptance by the courts of the doctrines of corporate personhood
20 and the equivalence of money and speech has enabled corporations to spend money in
21 much greater amounts than the vast majority of living human beings, to influence
22 political and governmental decisions and the results of elections; and

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24 WHEREAS, by enabling candidates and their supporters to raise unprecedented
25 amounts of corporate money, the *Citizens United v. Federal Election Commission*
26 decision of 2010, in effect, requires constant fundraising by candidates, diverting their
27 attention away from the interests and needs of people they would represent; and

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29 WHEREAS, the *Citizens United* decision has allowed and will allow
30 unprecedented amounts of money contributed by corporations and other wealthy
31 donors to influence the American political process, posing a direct threat to our
32 democracy and feeding a growing movement toward a plutocracy by influencing
33 candidate selection, election results, votes by public officials, and policy decisions while
34 diluting the power of individuals as active, voting citizens; and

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36 WHEREAS, the survival needs and profit-making agendas of large corporations
37 are often in fundamental conflict with the essential needs and rights of living human
38 beings; and

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40 WHEREAS, when accorded the rights of human persons, large corporations and
41 other wealthy groups have greatly exceeded less affluent human persons in political
42 influence, resulting in elections, laws, and government policies that enable the
43 corporations to carry on activities detrimental to the wellbeing of human persons; and

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45 WHEREAS, votes and surveys taken since the *Citizens United* decision have
46 demonstrated that a large majority of U.S. citizens oppose the doctrines of corporate

47 personhood and the equivalence of money and speech and the consequences of those
48 doctrines; and

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50 WHEREAS, the people of the United States have previously used the
51 constitutional amendment process to correct those egregiously wrong decisions of the
52 United States Supreme Court that undermine our democracy; and

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54 WHEREAS, an advisory, non-binding referendum would allow Milwaukee County
55 residents to express their opinion on whether the U.S. Constitution should be amended
56 to establish that only human beings, not corporations, are entitled to Constitutional
57 rights, and money is not speech, and therefore regulating political contributions and
58 spending is not equivalent to limiting political speech; and

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60 WHEREAS, a County-wide advisory referendum to ascertain the will of the
61 people can only be authorized by the Milwaukee County Board of Supervisors; now,
62 therefore,

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64 BE IT RESOLVED by the County Board of Supervisors of Milwaukee County,
65 Wisconsin, as follows:

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67 Section 1. Referendum Election. The County Clerk is hereby directed to call an
68 advisory referendum election to be held in the County at the regularly scheduled
69 election to be held on November 6, 2012, for the purpose of submitting to the qualified
70 electors of the County the proposition of whether an amendment to the United States
71 Constitution that would continue to guarantee Constitutional rights to individual, living
72 persons but not to corporations and would allow governments to regulate political
73 contributions should proceed. The referendum shall be held, noticed and conducted
74 following the procedures set forth in Section 59.52(25) of the Wisconsin Statutes.

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76 Section 2. Official Referendum Ballot Form. The ballot to be used at the
77 referendum election shall be prepared in accordance with the provisions of Sections
78 5.64(2) and 7.08(1)(a) of the Wisconsin Statutes. The ballot shall be substantially in the
79 form attached hereto as Exhibit A.

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81 ; and

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83 BE IT FURTHER RESOLVED, that the Comptroller is authorized and directed to
84 transfer the \$25,000 in funding needed to facilitate the placing of a County-wide
85 advisory referendum on the Fall 2012 ballot, from the Appropriation for Contingencies
86 (Org. 1945) to the Election Commission (Org. 3010).

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EXHIBIT A

OFFICIAL REFERENDUM BALLOT

November 6, 2012

NOTICE TO ELECTORS: THIS BALLOT MAY BE INVALID UNLESS INITIALED BY TWO (2) ELECTION INSPECTORS. IF CAST AS AN ABSENTEE BALLOT, THE BALLOT MUST BEAR THE INITIALS OF THE MUNICIPAL CLERK OR DEPUTY CLERK.

If you desire to vote on the question, make a cross (X) in the square beneath the question after "YES" if in favor of the question or make a cross (X) in the square after "NO" if opposed to the question.

ADVISORY REFERENDUM

Shall the U.S. Constitution be amended to establish the following:

1. Only human beings, not corporations, are entitled to Constitutional rights, and
2. Money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech.

YES

NO
