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(ITEM) A resolution by Supervisors Weishan, Jr., Broderick, Johnson, Jr., and Rainey providing for an advisory referendum on the November 4, 2014, election ballot on whether the United States Constitution should be amended to establish that only human beings, not corporations, are entitled to constitutional rights, money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech, by recommending adoption of the following:

A RESOLUTION

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

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

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

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

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

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

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

45 WHEREAS, in July 2012, the County Board of Supervisors adopted File No. 12-544
46 (vote 14-4) to provide such an advisory referendum for the Fall 2012 election, but it was
47 subsequently vetoed by the County Executive; and

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49 WHEREAS, the County Executive's veto was sustained by the County Board on
50 September 6, 2012 (vote to override failed 10-7); and

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

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

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61 BE IT RESOLVED, by the County Board of Supervisors of Milwaukee County,
62 Wisconsin, as follows:

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64 Section 1. Referendum Election. The County Clerk is hereby directed to call an
65 advisory referendum election to be held in the County at the regularly scheduled election
66 to be held on November 4, 2014, for the purpose of submitting to the qualified electors of
67 the County the proposition of whether an amendment to the United States Constitution that
68 would continue to guarantee constitutional rights to individual, living persons but not to
69 corporations and would allow governments to regulate political contributions should
70 proceed. The referendum shall be held, noticed, and conducted following the procedures
71 set forth in Section 59.52(25) of the Wisconsin Statutes.

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73 Section 2. Official Referendum Ballot Form. The ballot to be used at the
74 referendum election shall be prepared in accordance with the provisions of Sections
75 5.64(2) and 7.08(1)(a) of the Wisconsin Statutes. The ballot shall be substantially in the
76 form attached hereto as Exhibit A.

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EXHIBIT A

OFFICIAL REFERENDUM BALLOT

November 4, 2014

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 United States 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