

Town Board Resolution:

RESOLUTION NO. - : Resolution Urging Amending the Constitution of the United States with Respect to Corporate Personhood and Political Speech

WHEREAS, the founding documents of the United States, including the Constitution as adopted and amended, refer to the people in enumerating the rights of citizens, and do not refer to corporations, unions and associations; and

WHEREAS, those rights, such as the right to bear arms, freedom of religion, and freedom of assembly, could only have pertained to human beings; and

WHEREAS, corporations, unions and associations are artificial entities created by governments, and as creatures of the state, are subservient to their creators; and

WHEREAS, corporations, unions and associations do not vote in elections, that right having been reserved to citizens; and

WHEREAS, free and fair elections, and the right of all people to speak and be heard, are bedrock principles of a democratic form of government; and

WHEREAS, the U.S. Supreme Court, in its decision Citizens United v. the Federal Election Commission, extended previous judicial interpretations of corporations, unions and associations as people and the spending of money as speech, allowing unlimited spending to influence elections and public policy; and

WHEREAS, the democratic principle of one person, one vote, is incompatible with the concept of monetary expenditure as speech, given that individuals and corporations, unions and associations possess unequal ability to spend money to influence elections; now therefore be it

RESOLVED, that the Town Board of the Town of Guilderland urges the United States Congress to call for an amendment to the United States Constitution to clearly and unambiguously state that inalienable rights recognized under the Constitution belong to human beings only, not to legal entities such as corporations or unions or political action committees; and that money is not speech, and thus regulating political campaign contributions, and political campaign spending, does not abridge free speech, and thus would allow federal and state governments to limit the spending of artificial entities created by governments and other limited-liability entities with respect to influencing the outcome of political elections;

RESOLVED, further, that political parties, as defined under state constitutions and/or election law, should continue to be allowed to raise and expend money for election purposes, as permitted under the laws of the states;

RESOLVED, further, that a copy of this resolution be sent to the Albany County Legislature, members of the state legislature and New York congressional delegation representing districts in the Town of Guilderland, U.S.Senators Charles Schumer and Kirsten Gillibrand, and the media.