

RESOLUTION NO.: 2016- 007
INTRODUCED BY: Mayor Berger and Council Members
Brown, Anderson, Gary, Grant, Kelso-Perez,
Saunders, Tinker

AN EMERGENCY RESOLUTION STRONGLY URGING THE UNITED STATES CONGRESS TO PASS AND SEND TO THE STATES FOR RATIFICATION A CONSTITUTIONAL AMENDMENT TO REVERSE THE DECISION OF THE UNITED STATES SUPREME COURT IN *CITIZENS UNITED v. FEDERAL ELECTIONS COMMISSION* IN WHICH CORPORATIONS WERE DECLARED TO HAVE THE CONSTITUTIONAL PROTECTIONS AND/OR RIGHTS OF NATURAL PERSONS.

WHEREAS, government of, by, and for the people is a cherished American value and the rights of natural persons to secure rights to life, liberty, property and the pursuit of happiness is guaranteed in the United States Constitution and is eloquently set out in the Declaration of Independence; and

WHEREAS, free and fair elections are essential to democracy and effective self-governance and natural persons are rightly recognized as human beings to whom the protections of the U.S. Constitution apply; and

WHEREAS, despite the fact that corporations are entirely human-made legal fictions created by express permission of natural persons and our government, the U.S. Supreme Court has decreed that corporations are "persons" who possess constitutional rights which enable them to supersede the rights of natural born persons; and

WHEREAS, corporations can exist in perpetuity, can exist simultaneously in many nations at once, need only profit for survival, can ignore the national interest in pursuit of those profits, and exist only through the legal charter permitted by the government established as and for natural born persons; and

WHEREAS, the illegitimate judicial bestowal of civil and political rights upon corporations usurps basic human and constitutional rights bestowed upon human persons, and also empowers corporations to sue municipal and state governments for adopting laws that violate so-called "corporate rights" even when those laws serve to protect and defend the rights of human persons and communities; and

WHEREAS, large corporations' profits and survival are often in direct conflict with the essential needs and rights of human beings and corporations are not human beings and, therefore, are rightfully subservient to human beings and governments as our legal creations; and

WHEREAS, the U.S. Supreme Court decision in *Citizens United v. the Federal Elections Commission*, rolled back the legal limits on spending in the electoral process which creates an unequal playing field and allows unlimited spending by wealthy individuals, corporations and other entities to influence elections, candidate selection, policy decisions and sway votes, and forces elected officials to divert their attention from the business of serving natural born persons of even vote against the interest of their

human constituents, in order to ensure competitive campaign funds for their own elections and re-elections; and

WHEREAS, in order to reverse the surrender to corporate power sanctioned by the United States Supreme Court, it is necessary for the natural born persons of the United States of America to petition their government to Amend the Constitution of the United States to abolish corporate personhood and the doctrine that "money is speech."

NOW, THEREFORE, Be It Resolved by the Council of the City of Bedford Heights, State of Ohio, that:

Section 1: The City of Bedford Heights hereby calls on all elected officials to join the tens of thousands of citizens, grassroots organizations and local governments across the country in the "Move to Amend" campaign to call for Amendment to the Constitution to abolish Corporate Personhood and the doctrine of "Money as Speech" and return our democracy, our elections, our communities to America's human persons and to thus claim our sovereign right to self-governance.

Section 2: The City of Bedford Heights calls on other communities and jurisdictions to join with us in this action by passing similar Resolutions urging action by the United States Congress to pass to the states for ratification a constitutional amendment to reverse the U.S. Supreme Court decision in *Citizens United v. Federal Elections Commission*.

Section 3: The Clerk of Council is hereby directed to forward copies of this Resolution to the "Move to Amend" Ohio Network, to House Representative Fudge, as well as U.S. Senators Brown and Portman.

Section 4: This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare and for the further reason that the City of Bedford Heights immediately make known its opposition to the *Citizens United v. Federal Elections Commission* case and, therefore, shall take effect and be in force immediately upon its passage and approval by the Mayor provided it receives at least five affirmative votes of the members of Council; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: JANUARY 5, 2016

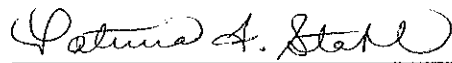
APPROVED: JANUARY 5, 2016

EFFECTIVE: JANUARY 5, 2016

PUBLISHED: JANUARY 14, 2016


Fletcher D. Berger, Mayor

ATTEST:


Patricia F. Stahl, Clerk of Council