

RESOLUTION NO. 06-2013 OF THE CITY OF LAKE WORTH, FLORIDA, CALLING ON THE UNITED STATES CONGRESS TO PROPOSE AND SEND TO THE STATES FOR RATIFICATION A CONSTITUTIONAL AMENDMENT TO OVERTURN CITIZENS UNITED V. FEDERAL ELECTIONS COMMISSION AND RESTORE CONSTITUTIONAL RIGHT AND FAIR ELECTIONS TO THE PEOPLE; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, In 2010 the United States Supreme Court issued its decision in *Citizens United v. Federal Election Commission*, holding that independent spending on elections by corporations and other groups could not be limited by government regulations; and

WHEREAS, in reaching its decision, a majority of the Supreme Court, relying on prior decisions, interpreted the First Amendment of the Constitution to afford corporations the same free speech protections as natural persons; and

WHEREAS, in his eloquent dissent, Justice John Paul Stevens rightly recognized that "corporations have no consciences, no beliefs, no feelings, no thoughts, no desires. Corporations help structure and facilitate the activities of human beings, to be sure, and their 'personhood' often serves as a useful legal fiction. But they are not themselves members of 'We the People' by whom and for whom our Constitution was established"; and

WHEREAS, the Court's decision in *Citizens United* severely hampers the ability of federal, state and local governments to enact reasonable campaign finance reforms and regulations regarding corporate political activity; and

WHEREAS, corporations should not be afforded the entirety of protections or "rights" of natural persons, such that the expenditure of corporate money to influence the electoral process is a form of constitutionally protected speech; and

WHEREAS, corporations are legally required to put profits for shareholders ahead of concerns for the greatest good of society, while individual shareholders as natural persons balance their narrow self-interest and broader public interest when making political decisions; and

WHEREAS, the opinion of the four dissenting justices in *Citizens United* noted that corporations have special advantages not enjoyed by natural persons, such as limited liability, perpetual life, and favorable treatment of the accumulation and distribution of assets; and

WHEREAS, addressing both the *Citizens United* decision and corporate personhood is necessary; and

WHEREAS, across the nation hundreds of communities and civic organizations, including the U.S. Conference of Mayors (June, 2012) have adopted resolutions calling for reversal by one means or another of the *Citizens United v. FEC* decision,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, that:

Section 1. That the City Commission of the City of Lake Worth call upon the United States Congress to pass appropriate corrective legislation, clarifying that the rights offered in the Constitution are the rights of natural persons and are not extended to corporations; and

Section 2. That the City Commission of the City of Lake Worth also call upon the United States Congress to propose and send to the states for ratification a Constitutional amendment to overturn the *Citizens United v. Federal Elections Commission* decision; and

Section 3. That the City Commission direct the City Manager to send this resolution as notification to the appropriate parties upon approval; and

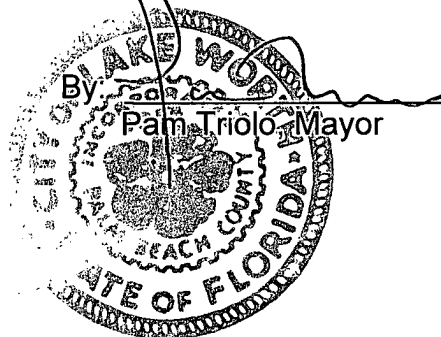
Section 4. That this resolution shall become effective upon passage.

The passage of this Resolution was moved by Commissioner Amoroso, seconded by Commissioner McVoy, and upon being put to a vote, the vote was as follows:

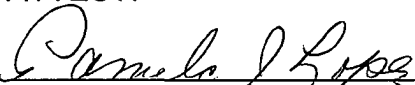
Mayor Pam Triolo	ABSENT
Vice Mayor Scott Maxwell	AYE
Commissioner Christopher McVoy	AYE
Commissioner Andy Amoroso	AYE
Commissioner John Szerdi	AYE

The Vice Mayor thereupon declared this Resolution duly passed and adopted on this 15<sup>th</sup> day of January, 2013.

LAKE WORTH CITY COMMISSION



ATTEST:

  
Pamela J. Lopez, City Clerk