

**RESOLUTION PLACING ADVISORY REFERENDUM
QUESTION ON APRIL 5, 2016 BALLOT**

WHEREAS, on June 3, 2015, City Clerk Lorena Stottler was served with a petition from “*South Central Wisconsin Move to Amend*” requesting that an advisory referendum be placed on the April 5, 2016 ballot; and

WHEREAS, state law provides that a number of electors equal to at least 15% of the votes cast for governor at the last general election may sign and file a petition with the city clerk requesting that a proposed ordinance or resolution, without alteration, either be adopted by the common council or be referred to a vote of the electors; and

WHEREAS, the City Clerk is required to examine the petition within 15 days of receipt of the petition and, after having done so, has found that the required number of signatures has been submitted and the petition is in proper form.

NOW, THEREFORE, BE IT RESOLVED that the City Council directs the City Clerk to place the following advisory referendum question on the April 5, 2016 Ballot:

***“Shall the City of Beloit adopt a resolution that calls for a Constitutional Amendment declaring that 1) Only human beings – not corporations, unions, nonprofit organizations, or similar associations – are endowed with constitutional rights; and 2) Money is not speech and, therefore, regulating political contributions and spending is not equivalent to limiting political speech under the First Amendment.*”**

A “yes” vote on this resolution would indicate support for a Constitutional Amendment while a “no” vote would indicate opposition to an Amendment.”

BE IT FURTHER RESOLVED that should the referendum pass on April 5, 2016, the City Clerk is directed to comply with state law regarding publication of the resolution.

Adopted this _____ day of _____, 2015.

ATTEST:

Charles M. Haynes
City Council President

Lorena Rae Stottler, CPM/CERA
City Clerk

CITY OF BELOIT

REPORTS AND PRESENTATIONS TO CITY COUNCIL

Topic: Direct Legislation Petition for Proposed Resolution to be referred to the voters in the City of Beloit on April 5, 2016.

Date: July 6, 2015

Presenter(s): Lori Stottler

Department: City Clerk

Overview/Background Information:

On June 3, 2015, Clerk Stottler was served a petition with the names of 1,680 qualified electors from the *South Central Wisconsin Move to Amend* group. The petition requests the Beloit City Council to forward this petition to the voters on the April 5, 2016 ballot in the form of an advisory referendum. The clerk is legally required to certify or deny the petition within 15 days of receiving the petition. Because the Clerk certified the petition as sufficient, the City Council has 30 days to act.

The advisory referendum question if approved would read as follows:

***“Shall the City of Beloit adopt a resolution that calls for a Constitutional Amendment declaring that 1) Only human beings – not corporations, unions, nonprofit organizations, or similar associations – are endowed with constitutional rights; and 2) Money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech under the First Amendment.*”**

Key Issues (maximum of 5):

1. State Statutes allow that a number of electors equal to at least 15% of the votes cast for governor at the last general election in their city may sign and file a petition with the city clerk requesting that an attached proposed ordinance or resolution, without alteration, either be adopted by the common council or be referred to a vote of the electors. There were 9,024 votes cast for governor in the November 2014 general election in the City of Beloit. 15% is equal to 1,354 signatures. This petition included 1,665 valid signatures.
2. As of June 9, 2015, 57 southern Wisconsin communities have passed the resolution either by referendum (35) or council approval (22). A “no” vote by the City Council would automatically send the resolution to the April 5, 2016 ballot. Since the petitioner is requesting that the Council refer the resolution to the April 2016 ballot, the council may proceed to honor that request without debate/voting.
3. Should the referendum pass with the voters on April 5, 2016, the clerk is required by statute to then make publication of the resolution within 10 days. Should the referendum fail, no further action would be required on behalf of the City.

Conformance to Strategic Plan: N/A

Sustainability:

- **Reduce dependence upon fossil fuels** – N/A
- **Reduce dependence on chemicals and other manufacturing substances that accumulate in nature** – N/A
- **Reduce dependence on activities that harm life sustaining eco-systems** – N/A
- **Meet the hierarchy of present and future human needs fairly and efficiently** – N/A

Action required/Recommendation:

The common council shall, without alteration, either pass the resolution or submit it to the electors at the April 5, 2016 election. The petition requests that the council refer the resolution to the April 5, 2016 ballot.

Fiscal Note/Budget Impact: N/A

Attachments:

Proposed Resolution, Report, Certification of Petition

Clerk Certification

I, Lorena Rae Stottler, clerk of the City of Beloit, Rock County, Wisconsin, certify all of the following:

1. On June 3, 2015, a petition of electors of the city was filed with me requesting that there be submitted to the electors of the City of Beloit, Rock County, Wisconsin, the following question:

“Shall the City of Beloit adopt a resolution that calls for a Constitutional Amendment declaring that 1) Only human beings – not corporations, unions, nonprofit organizations, or similar associations – are endowed with constitutional rights; and 2) Money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech under the First Amendment.

A “Yes” vote would indicate support for this resolution supporting a Constitutional Amendment, while a “No” vote would indicate opposition to an Amendment.”

2. Within 15 days after the date stated in paragraph 1, I determined by examination of the petition that it is sufficient;
3. There were 9,024 votes cast for governor in the City of Beloit at the last general election, that 15% of such votes equals 1,354 signatures; and that the petition was signed by 1,680 qualified electors of the city, and 1,665 of signers are sufficient.

Dated this 18th day of June, 2015.



Lorena Rae Stottler, City Clerk