

RESOLUTION _____
RESOLUTION OF SUPPORT FOR THE CALL TO AMEND THE
CONSTITUTION

Whereas, free and fair elections are essential to democracy and effective self-government, and

Whereas, the free speech rights of all natural persons must be protected so that diverse views will be heard regardless of the wealth, standing or position of the speaker, and

Whereas, corporations are granted special advantages such as limited liability, perpetual life and favorable treatment of the accumulation and distribution of assets that are not available to natural born citizens.

Whereas, prior to 2010, federal law had prohibited corporations and unions from using their general treasury funds to make independent expenditures that expressly advocate the election or defeat of a candidate through any form of media in connection with certain federal elections. Corporations were allowed to participate in the political process by establishing separate segregated funds (known as political action committees), funded by donations from stockholders, employees or members of unions,

Whereas, these restrictions based on corporate identity were upheld by the United States Supreme Court in *Austin vs. Michigan Chamber of Commerce* (1990), when the Court recognized a compelling governmental interest in preventing “the corrosive and distorting effects of immense aggregations of wealth that are accumulated with the help of the corporate form and that have little or no correlation to the public’s support for the corporation’s political ideas.”

Whereas, in 2010 the Supreme Court in *Citizens United vs. The Federal Election Commission* reversed the decision in *Austin*, ruling that no sufficient governmental interest justifies limits on the political speech of nonprofit or for-profit corporations. As a result, limits on the expenditure of corporate general funds that expressly advocate for the election or defeat of a candidate, were found to be unconstitutional, and

Whereas, the decision in *Citizens United* and the massive investment in recent elections by corporate interests has sparked a grassroots effort, embodied in the Move to Amend campaign, which calls for an amendment to the United States Constitution to state that the rights protected by the Constitution are the rights of natural persons only and that Government shall have the power to regulate, limit, or prohibit contributions and expenditures for the purpose of influencing elections and that all levels of government shall require that all permissible contributions and expenditures be publicly disclosed.

Now, therefore, be it resolved that the Johnson County Board of Supervisors hereby supports the call for an amendment to the Constitution to ensure that corporations are not deemed to have the same Constitutional rights as do natural persons and allowing

government to place reasonable limits on the political activities of artificial entities such as for-profit and not for profit corporations.

It was moved by _____ and seconded by _____ the Resolution be adopted this _____ day of _____, 2015.

Roll Call

Carberry _____ Harney _____ Neuzil _____ Rettig _____ Sullivan _____

ATTEST:

Pat Harney, Chairperson
Board of Supervisors

Travis Weipert, Auditor
Johnson County, Iowa