

RESOLUTION NO. 2016 - 10

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

A RESOLUTION IN SUPPORT OF THE MOVE TO AMEND CAMPAIGN AND DECLARING AN EMERGENCY

WHEREAS, the government of, by and for the people has long been a cherished American value, and We the People's fundamental and inalienable right to self-govern and thereby secure right to life, liberty, property and the pursuit of happiness as guaranteed in the U.S. Constitution and the Declaration of Independence; and

WHEREAS, free and fair elections are essential to democracy and effective self-governance; and

WHEREAS, persons are rightfully recognized as human beings whose essential needs include clean air, clean water, safe and secure food; and

WHEREAS, corporations are entirely human-made legal fictions created by the express permission of We The People and our government; and

WHEREAS, corporations can exist in perpetuity, can exist simultaneously in many nations at once, need only profit for survival and exist solely through the legal charter imposed by the government of We The People; and

WHEREAS, in addition to these advantages, the great wealth of large corporations allows them to wield coercive force of law to overpower human beings and communities, thus denying We The People's exercise of our Constitutional rights; and

WHEREAS, corporations are not mentioned in the Constitution and We The People have never granted constitutional rights to corporations, nor have we decreed that corporations have authority that exceeds the authority of We The People of the United States; and

WHEREAS, interpretation of the U. S. Constitution by appointed Supreme Court Justices to include corporations in the term "persons" has long denied We The People's exercise of self-governance by endowing corporations with Constitutional protections intended for We The People; and

WHEREAS, the illegitimate judicial bestowal of civil and political rights upon corporations usurps basis human and Constitutional rights guaranteed to human persons and also empowers corporation to sue municipal and state governments for adopting laws that violate "corporate rights", even when those laws serve to protect and defend the rights of human persons and communities; and

WHEREAS, corporations are not, and have never been, human beings and therefore are rightfully subservient to human beings and governments as our legal creations; and

WHEREAS, large corporations' profits and survival are often in direct conflict with the essential needs and rights of human beings; and

WHEREAS, the recent *Citizens United v. The Federal Election Commission* Supreme Court Decision that rolled back the legal limits on spending in the electoral process creates an unequal playing field and allows unlimited spending by wealthy individuals, corporation and other entities to influence elections, candidate selection, policy decisions and sways votes and forces elected officials to divert their attention from The Peoples business or even vote against the interests of their human constituents in order to ensure competitive campaign funds for their own reelection; and

WHEREAS, the judicial interpretation to construe spending money in political campaigns as speech is contrary of the notion of one person, one vote and allows those with the most money to have an unfair advantage in a political system that should be about ensuring that all citizens have equal access to the political process and to influencing the outcome of elections; and

WHEREAS, money is property not speech; and

WHEREAS, large corporations own most of America's mass media and use that media to express loudly their political agenda and to convince Americans that their primary role is that of consumers rather than sovereign citizens with rights and responsibilities within our democracy and this forces citizens to toil to discern the truth behind headlines and election campaigning; and

WHEREAS, tens of thousands of people and municipalities across the nation are joining with the Move To Amend campaign to call for an amendment to the U. S. Constitution to abolish corporate personhood and the doctrine of money as speech.

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio that:

SECTION 1. The Village of Oakwood calls upon our 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 an Amendment to the Constitution to abolish corporate personhood and the doctrine of money as speech and return our democracy, our elections and our communities to America's human persons and to claim our sovereign right to self-governance.

SECTION 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants

of the Village, therefore, provided it receives two-thirds ($\frac{2}{3}$) of the vote of all members of Council elected thereto, said Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: March 15. 2016

Debra L. Hladky
Debra L. Hladky, Clerk of Council

Johnnie A. Warren
Johnnie A. Warren, President of Council

Presented to the
Mayor March 16. 2016

Approved: Gary V. Gottschalk
Gary V. Gottschalk, Mayor

CERTIFICATION

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Resolution No. 2016 - 10 was duly and regularly passed by this Council at the meeting held on the 15 day of March 2016.

Debra L. Hladky
Debra L. Hladky

POSTING CERTIFICATE

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Resolution No. 2016 -10 was duly posted on the 16 day of March, 2016, and will remain posted for a period of fifteen (15) days thereafter in the Council Chambers and in not less than five (5) of the most public places in the municipality as determined by the Council of the said Village.

Debra L. Hladky
Debra L. Hladky



Council Resolution and Citizen Initiative Campaigns

[as of 11/10/15]

Resolutions passed

Athens, 2012
Oberlin, 2012
Barberton, 2012
Fremont, 2012
Lakewood, 2014
South Euclid, 2014
Dayton, 2015
Canton, 2015
Oxford, 2015
Lorain, 2015

Ballot initiatives passed

Brecksville, 2012 (52%)
Newburgh Heights 2012 (73%)
Defiance 2013 (67%)
Cleveland Heights 2013 (78%)
Chagrin Falls, 2014 (66%)
Mentor, 2014 (70%)
Kent, 2015 (64%)

Citizen initiative campaigns on ballot

Toledo, Spring 2016

Active/pending 2016 citizen initiative campaigns

Cleveland
Newark
Shaker Heights
South Euclid

Prospective resolution or initiative communities

Parma Hts.
Bedford
Highland Hts.
Cambridge
Wooster
Youngstown
Lyndhurst
Tallmadge
Stow
Berea
Parma

Resolution / Initiative Language

To call on Congress to pass an amendment to the U.S. Constitution declaring that:

✓ Only human beings, not corporations, are legal persons with Constitutional rights, and

✓ Money is not equivalent to speech, and therefore regulating political contributions and spending does not equate to limiting political speech.

Additional provision in Ballot Initiatives

✓ An annual or biennial city-sponsored public hearing on the impact of corporate personhood and money as speech on the community and its citizens.

**Contact: ohio@movetoamend.org
330-928-2301**

Move to Amend Model City Council Resolutions/Ballot Initiatives

Whereas, government of, by, and for the people has long been a cherished American value, and We The People's fundamental and inalienable right to self-govern, and thereby secure rights to life, liberty, property, and the pursuit of happiness is guaranteed in the US Constitution and the Declaration of Independence, and;

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

Whereas, persons are rightfully recognized as human beings whose essential needs include clean air, clean water, safe and secure food, and;

Whereas, corporations are entirely human-made legal fictions created by express permission of We The People and our government, and;

Whereas, corporations can exist in perpetuity, can exist simultaneously in many nations at once, need only profit for survival, and exist solely through the legal charter imposed by the government of We The People, and;

Whereas, in addition to these advantages, the great wealth of large corporations allows them to wield coercive force of law to overpower human beings and communities, thus denying We The People's exercise of our Constitutional rights, and;

Whereas, corporations are not mentioned in the Constitution, and The People have never granted constitutional rights to corporations, nor have We decreed that corporations have authority that exceeds the authority of We The People of the United States, and;

Whereas, interpretation of the US Constitution by appointed Supreme Court justices to include corporations in the term 'persons' has long denied We The Peoples' exercise of self-governance by endowing corporations with Constitutional protections intended for We The People, and;

Whereas, the illegitimate judicial bestowal of civil and political rights upon corporations usurps basic human and Constitutional rights guaranteed to human persons, and also empowers corporations to sue municipal and state governments for adopting laws that violate 'corporate rights' even when those laws serve to protect and defend the rights of human persons and communities, and;

Whereas, corporations are not and have never been human beings, and therefore are rightfully subservient to human beings and governments as our legal creations, and;

Whereas, large corporations' profits and survival are often in direct conflict with the essential needs and rights of human beings, and;

Whereas, the recent Citizens United v. the Federal Election Commission Supreme Court decision that rolled back the legal limits on spending in the electoral process 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 Peoples' business, or even vote against the interest of their human constituents, in order to ensure competitive

campaign funds for their own re-election, and;

Whereas, the judicial interpretation to construe spending money in political campaigns as speech is contrary of the notion of one person, one vote and allows those with the most money to have an unfair advantage in a political system that should be about ensuring that all citizens have equal access to the political process and to influencing the outcome of elections, and;

Whereas, money is property, not speech, and;

Whereas, large corporations own most of America's mass media and use that media as a megaphone to express loudly their political agenda and to convince Americans that their primary role is that of consumers, rather than sovereign citizens with rights and responsibilities within our democracy, and this forces citizens to toil to discern the truth behind headlines and election campaigning, and;

Whereas, tens of thousands of people and municipalities across the nation are joining with the Move to Amend campaign to call for an Amendment to the US Constitution to Abolish Corporate Personhood and the doctrine of Money as Speech;

Therefore be it resolved that (the City of, County of, etc. or organization) _____ hereby calls on our (legislators, elected officials, mayor, commissioners, etc.) _____ 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 an 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.

Be it further resolved that the State of (City of, County of, etc.) _____ calls on other communities and jurisdictions to join with us in this action by passing similar Resolutions. Be it further resolved that the State of (City of, County of, etc.) _____ supports education to increase public awareness of the threats to our democracy posed by Corporate Personhood, and encourages lively discussion to build understanding and consensus to take appropriate community and municipal actions to democratically respond to these threats.

DATE: _____