

RESOLUTION NO. 13-083

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS CALLING FOR AMENDMENT TO THE UNITED STATES CONSTITUTION TO ESTABLISH THAT 1) ONLY HUMAN BEINGS AND NOT CORPORATIONS ARE ENDOWED WITH CONSTITUTIONAL RIGHTS, AND 2) THAT MONEY DOES NOT CONSTITUTE SPEECH AND THEREFORE POLITICAL CONTRIBUTIONS CAN BE REGULATED

WHEREAS, freedom of speech and other rights enumerated in the United States Constitution and Bill of Rights are fundamental to our democracy, as are fair and free elections; and

WHEREAS, a series of United States Supreme Court decisions have held that corporations are entitled to certain constitutional rights enjoyed by natural persons, including the right to free speech; that the use of money to influence elections is the equivalent of speech; and that expenditure of money related to political speech can not be limited based on the speaker's corporate identity; and

WHEREAS, citizen volunteers in Mendocino County collected sufficient valid signatures to place the following question, known as Measure F, on the November 6, 2012 ballot: *Should the elected representatives of Mendocino County be instructed to enact resolutions calling for amendment to the United States Constitution to establish that 1) only human beings and not corporations are endowed with constitutional rights, and 2) that money does not constitute speech and therefore political contributions can be regulated?*; and

WHEREAS, Measure F was approved by the citizens of Mendocino County on a vote of 24,492 (74.71%) to 8,289 (25.29%) as certified by the Mendocino County elections office; and

WHEREAS, House Joint Resolution No. 29 was introduced on February 14, 2013, proposing an amendment to the Constitution of the United State providing that the rights protected by the Constitution are the rights of natural persons only and do not extend to corporations and other artificial entities; and that the expenditure of money to influence elections is not constitutionally protected speech and that political contributions may be regulated.

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors hereby calls for the United States Constitution to be amended to establish 1) that only human beings and not corporations are endowed with constitutional rights, and 2) that money does not constitute speech and therefore political contributions can be regulated.

BE IT FURTHER RESOLVED that the Mendocino County Board of Supervisors encourages Congress' consideration of House Joint Resolution No. 29.

The foregoing Resolution introduced by Supervisor McCowen, seconded by Supervisor Brown, and carried this 27th day of August, 2013, by the following vote:

AYES: Supervisors Brown, McCowen, Pinches, Gjerde, and Hamburg
NOES: None
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

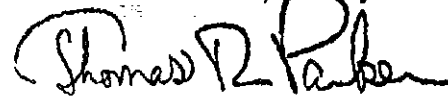
ATTEST: CARMEL J. ANGELO
Clerk of the Board


Deputy


DAN HAMBURG, Chair
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

APPROVED AS TO FORM:
THOMAS R. PARKER, County Counsel


Deputy

BY: CARMEL J. ANGELO
Clerk of the Board


Deputy