

RESOLUTION NO. 2018-01R

Resolution calling upon the United States Congress to propose and send to the States for ratification a Constitutional Amendment to restore constitutional rights and fair elections to the people.

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

WHEREAS, Campaign finance laws, including limits on campaign contributions, are key tools to combating political corruption; and

WHEREAS, The Supreme Court ruling in Citizens United v. Federal Elections Commission, 130 S.Ct. 876 (2010) and related cases overturned campaign finance laws and other democratically enacted laws by finding that spending money to influence elections is protected by the Free Speech Clause of the First Amendment, and that corporations have many of the same constitutional rights as people; and

WHEREAS, Justice John Paul Stevens, writing on behalf of the four dissenting justices in Citizens United, noted that "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, Restricting the ability of Congress and the States to impose legal limits on political contributions and spending allows corporations and wealthy individuals to unduly influence elections, candidate selection, and policy decisions, and drowns the voices of ordinary citizens; and

WHEREAS, Article V of the United States Constitution empowers and obligates the people and States of the United States of America to use the Constitutional amendment process to correct those egregiously wrong decisions of the United States Supreme Court that go to the heart of our democracy and republican form of self-government; now, therefore,

BE IT RESOLVED, That we, the members of the Town of Havana, Florida, Town Council, call upon the United States Congress to propose and send to the States for ratification a Constitutional Amendment to make clear that Congress and the States shall have the power to regulate and set limits on all election contributions and expenditures; and the rights protected by the Constitution are the rights of natural persons; that corporations are subject to sound regulation by the people through the


legislative process so long as the regulations are consistent with the powers of Congress and the States and do not limit freedom of the press; and

BE IT FURTHER RESOLVED, that a suitable copy of this resolution by prepared and submitted to the Speaker of the United States House of Representatives, the Minority Leader of the House of Representatives, the Majority Leader of the United States Senate, the Minority Leader of the United States Senate, and to each member of the Florida Congressional delegation.



Vernell Ross, Mayor

ATTEST:



Shelia A. Evans, Town Clerk