

6

RESOLUTION NO. _____

A Resolution calling for a United States Constitutional Amendment redefining the word "person" as the word is used in the U.S. Constitution so as to exclude legal entities from its definition.

WHEREAS, government of, by, and for the people has long been a cherished American value and self governance is a fundamental and inalienable right that is necessary to secure life, liberty and the pursuit of happiness; and

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

WHEREAS, our representative form of government was intended to provide representation for the people and not for legal entities ("Corporations"); and

WHEREAS, Corporations are entirely man-made and created by express permission of the people representing their government; and

WHEREAS, Corporations can exist in perpetuity, can exist simultaneously in many nations at once, and exist solely through the legal charter imposed by the government of the people; and

WHEREAS, in addition to these advantages, the great wealth of large Corporations allows those small groups of people who control those large Corporations to wield disproportionate force of law which has, at times, overpower human beings and their communities, thus denied individual American people a proportional representation in their government and adversely affected the exercise of their Constitutional rights; and

WHEREAS, Corporations are not mentioned in the Constitution, and the people have never specifically granted constitutional rights to Corporations; and

WHEREAS, interpretation of the U.S. Constitution by the United States Supreme Court to include Corporations in the term 'persons' has endowed Corporations with Constitutional protections only intended to protect the people of the United States; and

WHEREAS, the judicial bestowal of certain civil and political rights upon Corporations has empowered Corporations to sue municipal and state governments for adopting laws that violate 'Corporate Constitutional rights' even when those laws serve to protect and defend the rights of human persons and communities; and

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

WHEREAS, the recent Supreme Court decision in the case of *Citizens United v. Federal Election Commission*, 558 U.S. 08-205 (2010), has rolled back the legal limits on Corporate spending in the electoral process and it has created an unequal playing field and

1 allows unlimited Corporate spending to influence elections, candidate selection, policy
2 decisions and sway votes of elected officials against the interest of their human
3 constituents, in order to ensure competitive campaign funds for their own re-election.
4

5 **WHEREAS**, people and municipalities across the nation are calling for an
6 amendment to the U.S. Constitution to abolish "Corporate Personhood".
7

8 **NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY**
9 **COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA, THAT:**
10

11 **Section 1.** The City of South Miami hereby calls on its federal Representatives
12 and Senators and its State Representatives and Senators to join the citizens, grassroots
13 organizations and local governments across the county in the campaign to call for an
14 amendment to the United States Constitution to define the word "person" as a human
15 being and return our democracy, our elections, our communities back to the people of
16 America and to thus reclaim our sovereign right to self-governance.
17

18 **Section 2.** The City of South Miami calls on other communities and
19 jurisdictions to pass similar resolutions and join with us in this action.
20

21 **Section 3.** The City of South Miami supports education to increase public
22 awareness of the threats to our democracy posed by granting constitutional rights to
23 Corporations, and encourages lively discussion to build understanding and consensus to
24 take appropriate community and municipal actions to democratically respond to these
25 threats.
26

27 **Section 4.** This resolution shall take effect immediately upon adoption.
28

29 PASSED AND ADOPTED this ____ day of _____, 2011.
30

31 ATTEST:

APPROVED:

32
33 _____
34 CITY CLERK

MAYOR

35
36 READ AND APPROVED AS TO FORM:
37 LANGUAGE, LEGALITY AND
38 EXECUTION THEREOF

COMMISSION VOTE:
Mayor Stoddard:
Vice Mayor Newman:
Commissioner Beasley:
Commissioner Palmer:
Commissioner Harris:

39
40 _____
41 CITY ATTORNEY
42