

1. Discussion Objective:

Work Session Date: May 6, 2013

Discuss the subject of Corporate Personhood and determine if the Town wishes to adopt a position and policy statement regarding this subject.

2. Submitter of Information:

- ☒ Council
☐ Town Staff
☐ Town Attorney

3. Estimated Time for this item:

5. Background: A resident of the Town, Suzanne Zeimer, submitted information about her concerns regarding Corporate Personhood and it was discussed by the Town Council and placed on the Agenda Management list. This workshop was set aside for the Council to discuss the subject and determine if it wishes to establish a position on it.

The documentation included with this agenda item is the information as provided by Ms. Zeimer.

It appears the aim of those opposing Corporate Personhood is to insure that corporations are not covered by the same constitutional rights as people.

Town Manager	Town Attorney	Finance Director	Public Works Director	Community Development Director	Parks & Recreation Director	Town Clerk
						

TOWN OF
FORT MYERS BEACH

Nov. 16, 2012

NOV 16 2012

RECEIVED BY



Dear Jo,

Attached is our local group's information card.

I've included a flyer and attached card for your fellow Council Members.

Most Resolutions tailor the wording to the local situation and consensus. Earlier, I left some examples with you. Attached is a simple Resolution from the City of Key West, passed and adopted March 20, 2012.

I've also included an "Amend Resolution" from Sarasota.

I've made copies of the News Release, Nov. 7th, 2012 about National election results and the Move to Amend's positions and information about its organization.

I'd be happy to make a presentation at anytime. We are here now until mid-May, 2013 — Thank the heavens!

Yours truly,
Suzanne Ziemer

239-463-9020

suzanneziemer@gmail.com

COPIED TO:
COUNCIL MEMBERS
TOWN ATTORNEY
TOWN MANAGER
TOWN CLERK

A CORPORATION IS NOT A PERSON
MONEY IS NOT SPEECH
www.MoveToAmend.org

NOV 16 2012

RECEIVED BY
Section 1:

That the Key West City Commission hereby calls on our fellow elected leaders 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.

Section 2: That the City Commission of the City of Key West calls on other communities, residents and jurisdictions to join with us in this action by passing similar Resolutions.

Section 3: That the City Commission further resolved that the City of Key West 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.

Section 4: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held
this 20 day of March, 2012.

Authenticated by the Presiding Officer and Clerk of the
Commission on 21 day of March, 2012.

Filed with the Clerk on March 21, 2012.



CRAIG CATES, MAYOR

ATTEST:



CHERYL SMITH, CITY CLERK

A CORPORATION IS NOT A PERSON
MONEY IS NOT SPEECH
www.MoveToAmend.org

Sample
Sarasota Alliance
4 Fair Elections
9/15/11

Move to Amend Resolution

RESOLVED, the Sarasota Alliance for Fair Elections stands with the Move to Amend campaign and communities across the country to defend democracy from the corrupting effects of undue corporate power by amending the United States Constitution to establish that:

1. Only human beings, not corporations, are endowed with constitutional rights, and
2. Money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech.

BE IT FURTHER RESOLVED, that the Sarasota Alliance for Fair Elections hereby joins with other organizations statewide to instruct our state and federal representatives to enact resolutions and legislation to advance this effort.

Resolution Approved: September 15, 2011

MOTION: Donna Cubit-Swoyer

SECOND: Susette Bryan

AYES: Susette Bryan, Donna Cubit-Swoyer, Elaine Foster, Kindra Muntz,

Joel Morrison

NAYS: None

Donna Cubit-Swoyer, Secretary,
Sarasota Alliance for Fair Elections
www.keepdemocracysafe.org
September 16, 2011

Move to Amend Wins Big at the Ballot Box: Americans Fed Up with Big Money and Undue Corporate Influence

From Massachusetts to Oregon, Colorado to Illinois and Wisconsin, and Ohio to California, citizens throughout the country voted overwhelmingly Tuesday for their legislators to pass a constitutional amendment to overturn the U.S. Supreme Court's *Citizens United v. Federal Election Commission* ruling and declare that only human beings – not corporations – are entitled to constitutional rights and that money is not speech and campaign spending can be regulated.

Residents in over 150 cities had the opportunity to vote on measures calling for an end to the doctrines of corporate constitutional rights and money as free speech, and in every single town the vote was supportive. Often by an overwhelming margin.

In Eau Claire, WI the vote was 71% in favor of a measure stating, "Should the US Constitution be amended to establish that regulating political contributions and spending is not equivalent to limiting freedom of speech, by stating that only human beings, not corporations, unions, or PACs, are entitled to constitutional rights?"

In largely conservative Pueblo, Colorado, where the city newspaper came out against the measure, residents still voted 65% in favor of Move to Amend's resolution, placed on the ballot by County Commissioners. Move to Amend volunteers in Massachusetts collected signatures to place the constitutional amendment question before one third of the population of their state. The "MA Democracy Amendment Question" passed by 79%.

Voters in Mendocino County, CA where volunteers collected signatures to become the first California county to place a Move to Amend citizen's initiative on the ballot, explicitly voted to "stand with the Move to Amend campaign" by a 73% margin. Move to Amend resolutions also passed in several towns in Illinois and Ohio and Oregon, all by similar landslide margins.

* Montana voters approved a state-wide resolution by 75%.

Non-partisan action in a dominated Republican State.

Another organization -- Common Cause -- put forward several measures calling for simply overturning *Citizens United* and granting Congress authority to regulate campaign spending. These measures also passed by a wide margin. In the state of Colorado, the Common Cause measure passed by 64% and in San Francisco approval was 80% and 72% in Richmond, CA. The group's measure in Chicago passed by 74%. Common Cause was also an active member of the MA Democracy Amendment Coalition.

Move to Amend's position is that the Constitutional amendment must go beyond simply overturning *Citizens United*, "There is no reason for us to shy away from a true and lasting solution, rather than just band-aids," stated Kaitlin Sopoci-Belknap, a member of the Move to Amend National Leadership Team. "In every single community where Americans have had the opportunity to call for a Constitutional amendment to outlaw corporate personhood, they have seized it and voted yes overwhelmingly. Tuesday's results show that the Movement to Amend has nearly universal approval. Americans are fed up with large corporations wielding undue influence over our elections and our legal system. *Citizens United* is not the cause, it is a symptom and Americans want to see that case overturned not by simply going back to the politics of 2009 before the case, but rather by removing big money and special interests from the process entirely."

Move to Amend is a national coalition of hundreds of organizations and nearly 250,000 people. The organization also boasts over 150 local affiliates across the country. The Resolve to Amend Campaign goal was to have 50 cities vote on the group's resolution.

2012 GRASSROOTS

DEMOCRACY

We, the People of the United States of America, reject the Supreme Court's Citizen's United ruling and move to amend our Constitution to firmly establish that money is not speech and that human beings, not corporations, are entitled to constitutional rights.



Englewood, OR Apr 20-22
Los Angeles, CA May 11-13
Denver, CO Nov 9-11
Gainesville, FL Dec 14-16

END CORPORATE PERSONHOOD!
GET MONEY OUT OF POLITICS!

Speakers, workshop schedule, and registration info:

www.MoveToAmend.org/2012-Convergences

END CORPORATE RULE. LEGALIZE DEMOCRACY.

MOVE TO AMEND

MOVE TO AMEND

28TH AMENDMENT TO THE US CONSTITUTION

Section 1 [A corporation is not a person and can be regulated]

The rights protected by the Constitution of the United States are the rights of natural persons only.

Artificial entities, such as corporations, limited liability companies, and other entities, established by the laws of any State, the United States, or any foreign state shall have no rights under this Constitution and are subject to regulation by the People, through Federal, State, or local law.

The privileges of artificial entities shall be determined by the People, through Federal, State, or local law, and shall not be construed to be inherent or inalienable.

Section 2 [Money is not speech and can be regulated]

Federal, State and local government shall regulate, limit, or prohibit contributions and expenditures, including a candidate's own contributions and expenditures, for the purpose of influencing in any way the election of any candidate for public office or any ballot measure.

Federal, State and local government shall require that any permissible contributions and expenditures be publicly disclosed.

The judiciary shall not construe the spending of money to influence elections to be speech under the First Amendment.

Section 3

Nothing contained in this amendment shall be construed to abridge the freedom of the press.

JOIN THE CAMPAIGN! LEARN MORE AT WWW.MOVETOAMEND.ORG