

ARTICLE 10. Voted that the Town of Swampscott approve the following resolution to call upon the United States Congress to pass and send to the states for ratification a constitutional amendment to overturn the Supreme Court's decision in Citizen's United v. Federal Elections Commission and to restore democracy to the people.

In a 5-4 ruling in the Citizens United v. Federal Election Commission, the Supreme Court held for the first time that corporations, both for-profit and not-for-profit, and unions have a First Amendment right to spend unlimited amounts from their treasuries to support or oppose candidates for elected office. Prohibitions on corporate political donations, according to the court, violate the First Amendment-guaranteed free speech rights of corporations. This ruling essentially established that according to the meaning and intent of the First Amendment, corporations should be treated as natural persons and that money equals free speech. While special interest money was always a concern in elections, corporations-including foreign corporations-may now intervene directly in elections, taking power away from voters.

Resolution

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 is guaranteed in the US Constitution, 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; Whereas, corporations are not and have never been human beings, and therefore are rightfully subservient to human beings and governments as our legal creations;

Whereas, the recent Citizens United v. the Federal Election Commission Supreme Court decision that rolled back the legal limits on corporate spending in the electoral process creates an unequal playing field for We the People and allows unlimited corporate spending to influence elections, candidate selection, and policy decisions; Whereas, free and fair elections are essential to democracy and effective self-governance;

Therefore be it resolved that it is the sense of the Town of Swampscott, in Town Meeting assembled, that the

Constitution of the United States ought to be amended to effect that, corporations are not people and do not have the same constitutional rights as human beings, the people have the right to regulate corporations, corporations are prohibited from making campaign contributions, and Congress and states shall have the power to set reasonable limits on election spending.

Be it further resolved that the Town of Swampscott, Massachusetts calls on other communities and jurisdictions to join with us in this action by passing similar Resolutions.

Sponsored by Richard Frenkel, et al

ARTICLE 10
Majority Vote in Favor
5/7/12 ATM