

Resolution No. 2012-008 N.C.S.  
of the City of Petaluma, California

**URGING CONGRESS TO PROPOSE A CONSTITUTIONAL AMENDMENT  
REGARDING CORPORATE PERSONHOOD TO  
LIMIT POLITICAL SPENDING BY CORPORATIONS**

**WHEREAS**, historically corporations were created as artificial entities subordinate to our democracy, yet the U.S. Supreme Court has granted corporations personhood status, free speech and other protections guaranteed to living humans by the Bill of Rights and the 14th Amendment, and the Petaluma City Council considers it to be its right and duty to assert that corporations are not natural persons with human rights; and,

**WHEREAS**, the U.S. Supreme Court's 2010 ruling in *Citizens United v. Federal Election Commission* further threatens our democracy by rolling back limits on corporate spending in electoral campaigns, allowing vast amounts of corporate money to drown out the voices of individual human beings; and,

**WHEREAS**, Justice Stevens, writing in dissent in *Citizens United*, stated: “. . . corporations have no consciences, no beliefs, no feelings, no thoughts, no desires. 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**, a Washington Post-ABC News poll found that 80% of Americans oppose the Court's January 21, 2010 ruling in *Citizens United*; and,

**WHEREAS**, U.S. Senate Judiciary Committee Chair Patrick Leahy stated that the ruling “will allow major corporations – who should have law written to control their effect on America – to instead control America”; former Senator Warren Rudman wrote, “Supreme Court opinion notwithstanding, corporations are not defined as people under the Constitution, and free speech can hardly be called free when only the rich are heard”; and Senator Chris Dodd pointed out that “money is not speech.” that “corporations are not people” and that “a constitutional amendment is necessary to fully restore the trust and voice of the American people”; and,

**WHEREAS**, United States Supreme Court Justice Stevens observed in *Nixon v. Shrink Missouri Government PAC* (2000) that “money is property, it is not speech,” and,

**WHEREAS**, when freedom to speak is equated with freedom to spend money, millions of people who have less money are disenfranchised, thus denying their full rights to free speech.

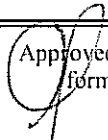
**NOW, THEREFORE, BE IT RESOLVED**, that it is the position of the City Council of the City of Petaluma that corporations should not receive the same constitutional rights as natural persons, and that because money is not speech, limits on political spending will promote the goals of the First Amendment by ensuring that all citizens, regardless of wealth, have an equal opportunity to have their political opinions heard.

**BE IT FURTHER RESOLVED** that the Petaluma City Council respectfully urges California's Congressional delegation to prioritize Congressional proposal of an amendment to the United States Constitution that contains both of these principles so that the States may ratify it.

**BE IT FINALLY RESOLVED** that the Petaluma City Council directs the City Manager to send this resolution to the City's California Congressional Delegation and State legislative delegates, post it on the City of Petaluma's web site, and send it to all local media outlets.

Under the power and authority conferred upon this Council by the Charter of said City.

**REFERENCE:** I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a Regular meeting on the 9<sup>th</sup> day of January, 2012, by the following vote:

Approved as to  
form:  
  
\_\_\_\_\_  
City Attorney


**AYES:** Albertson, Barrett, Mayor Glass, Healy, Kearney, Vice Mayor Renée

**NOES:** Harris

**ABSENT:** None

**ABSTAIN:** None

**ATTEST:**   
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Mayor