

RESOLUTION NUMBER XXXX

A RESOLUTION PROPOSED BY THE MISSOULA CITY COUNCIL TO PLACE A REFERENDUM ON THE NOVEMBER 8, 2011 BALLOT FOR APPROVAL OR DISAPPROVAL BY THE VOTERS OF THE CITY OF MISSOULA. THIS REFERENDUM IS A NON-BINDING STATEMENT OF POLICY BY THE CITIZENS OF MISSOULA ON THE UNITED STATES SUPREME COURT DECISION *CITIZENS UNITED V. THE FEDERAL ELECTION COMMISSION* FINDING THAT CORPORATIONS ARE HUMAN BEINGS UNDER THE FIRST AMENDMENT. THE INTENT OF THE REFERENDUM IS TO INFLUENCE THE MONTANA STATE LEGISLATURE AND UNITED STATES CONGRESS TO AMEND THE UNITED STATES CONSTITUTION TO EXPLICITLY STATE THAT CORPORATIONS ARE NOT HUMAN BEINGS.

WHEREAS, government of, by, and for the people has long been a fundamental American value, and We The People's fundamental and inalienable right to self-govern, and thereby secure rights to life, liberty, property, and the pursuit of happiness is guaranteed in the United States Constitution and the Declaration of Independence, and;

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

WHEREAS, persons are rightfully recognized as human beings whose essential needs include clean air, clean water, safe and secure food, and;

WHEREAS, corporations are entirely human-made legal fictions created by express permission of We The People and our government, and;

WHEREAS, corporations can exist in perpetuity, can exist simultaneously in many nations at once, need only profit for survival, and exist solely through the legal charter imposed by the government of We the People, and;

WHEREAS, in addition to these advantages, the great wealth of large corporations allows them to wield coercive force of law to overpower human beings and communities, thus denying We The People's exercise of our Constitutional rights, 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, and;

WHEREAS, interpretation of the Constitution by appointed Supreme Court justices to include corporations in the terms 'persons' has denied We The People's exercise of self-governance by endowing corporations with Constitutional protections intended for We The People, and;

WHEREAS, the judicial bestowal of civil and political rights upon corporations usurps basic human and Constitutional rights guaranteed to human persons, and also empowers corporations to sue municipal and state governments for adopting laws that violate 'corporate rights' even when those laws serve to protect and defend the rights of human persons and communities, and;

WHEREAS, corporations are not and have never been human beings, and therefore are rightfully subservient to human beings and governments as our legal creations, and;

WHEREAS, large corporations' profits and survival are often in direct conflict with the essential

needs and rights of human beings, and;

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 and allows unlimited corporate spending to influence elections, candidate selection, policy decisions and sway votes, and forces elected officials to divert their attention from The Peoples' business, or even vote against the interest of their human constituents, in order to raise competitive campaign funds for their own re-election, and;

WHEREAS, large corporations own most of America's mass media and use that media as a megaphone to express loudly their political agenda and to convince Americans that their primary role is that of consumers, rather than sovereign citizens with rights and responsibilities within our democracy, and this forces citizens to toil to discern the truth behind headlines and election campaigning, and;

WHEREAS, tens of thousands of people and municipalities across the nation are joining together to call for an Amendment to the United States Constitution to Abolish Corporate Personhood;

NOW, THEREFORE BE IT RESOLVED that the Missoula City Council places the following referendum language on the November 8, 2011, general election ballot for the approval or disapproval of the voters of the City of Missoula:

Ballot statement:

The citizens of Missoula, Montana, hereby urge the Montana State Legislature and United States Congress to amend the United States Constitution to clearly state that corporations are not human beings and do not have the same rights as citizens.

FOR urging our state and federal elected officials to amend the United States Constitution to state that corporations are not human beings.

AGAINST urging our state and federal elected officials to amend the United States Constitution to explicitly state that corporations are not human beings.

BE IT FURTHER RESOLVED, that, should it pass by a majority vote on November 8, 2011, a copy of this Referendum of non-binding statement on behalf of Citizens of Missoula be forwarded immediately to United States President Barack Obama, Senator Max Baucus, Senator Jon Tester, Representative Dennis Rehberg, and all members of the Montana State House and Senate.

PASSED AND ADOPTED this day of August, 2011.

ATTEST:

APPROVED:

Martha L. Rehbein
City Clerk

John Engen
Mayor

(SEAL)