

RESOLUTION  
ROCK COUNTY BOARD OF SUPERVISORS

Richard Bostwick  
INITIATED BY

County Board Staff Committee  
SUBMITTED BY



Randy Terronez  
DRAFTED BY

June 8, 2016  
DATE DRAFTED

**OPPOSING CITIZENS UNITED COURT RULING**

1 **WHEREAS**, the State of Wisconsin has a tradition of open government and non-partisan local elections,  
2 as well as campaign finance rules that have managed and mitigated the influence of money on those  
3 elections; and,  
4

5 **WHEREAS**, the County has an interest in maintaining that tradition and the resident driven elections it  
6 allows; and,  
7

8 **WHEREAS**, on January 10, 2010, in Citizens United v. Federal Election Commission, the Supreme  
9 Court overturned a century of precedent by ruling that corporate spending on elections cannot be limited  
10 under the First Amendment; and,  
11

12 **WHEREAS**, granting constitutional rights to corporations and unions is counter to the purpose of our  
13 democracy and has wide-ranging impacts upon our economy and society; and,  
14

15 **WHEREAS**, granting constitutional rights to corporations favors large corporations over small ones, and  
16 favors all corporations and all wealthy interests over citizens who cannot afford the corporate rights of  
17 limited liability, legal protections, and tax deductions; and,  
18

19 **WHEREAS**, the constitutional right to speak freely should not be determined by the available finances of  
20 the speaker or their power and status in society; and,  
21

22 **WHEREAS**, corporate money is property, not speech. A house or a car does not have constitutionally  
23 protected speech. Money is just another form of property. Property is constitutionally protected.  
24 Property's right to free speech is not; and,  
25

26 **WHEREAS**, such ruling gives corporations and the wealthy undue political influence; and,  
27

28 **WHEREAS**, democracy can only properly function when human beings have equal representation and  
29 access to their elected officials; and,  
30

31 **WHEREAS**, countless municipalities nationwide and 75 Wisconsin communities including the Cities of  
32 Beloit and Janesville have overwhelmingly passed referenda signaling broad support for reversing the  
33 Citizens United court ruling.  
34

35 **NOW, THEREFORE, BE IT RESOLVED**, that the Rock County Board of Supervisors authorizes the  
36 following advisory referendum to be placed on the November 8, 2016 ballot:  
37

38 **"Shall the County of Rock, adopt the following resolution?**

39  
40 **Resolved**, that "We the People" of the County of Rock, Wisconsin, seek to reclaim democracy from the  
41 expansion of corporate personhood rights and the corrupting influence of unregulated political  
42 contributions and spending. We stand with communities across the country to support passage of an  
43 amendment to the United States Constitution stating:  
44

45 **1. Only human beings are endowed with constitutional rights — not corporations, unions, nonprofits**  
46 **or other artificial entities, and**  
47

48 **2. Money is not speech, and therefore regulating political contributions and spending is not**  
49 **equivalent to limiting speech.**

OPPOSING CITIZENS UNITED COURT RULING

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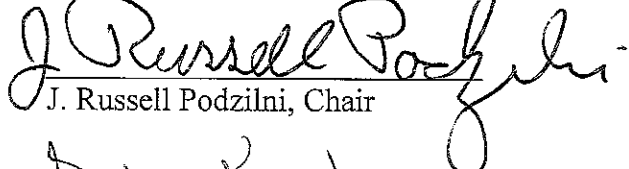
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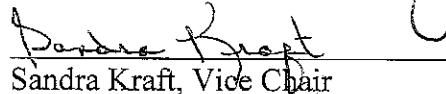
- Yes
- No

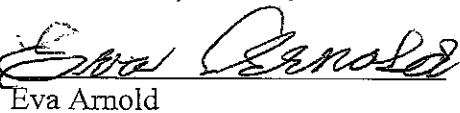
**BE IT FURTHER RESOLVED** that following the referendum, the County Clerk is directed to forward a copy of this resolution and the referendum results to our state and federal representatives instructing them to enact resolutions and legislation to advance this effort.

Respectfully submitted,

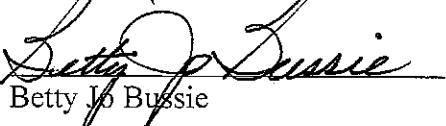
COUNTY BOARD STAFF COMMITTEE

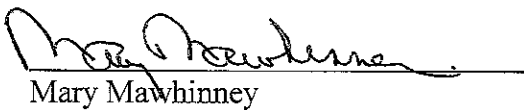
  
 J. Russell Podzilni, Chair

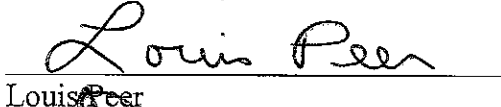
  
 Sandra Kraft, Vice Chair

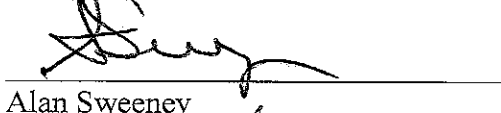
  
 Eva Arnold

  
 Henry Brill

  
 Betty Jo Bussie

  
 Mary Mawhinney

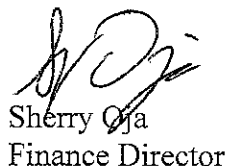
  
 Louis Peer

  
 Alan Sweeney

  
 Terry Thomas

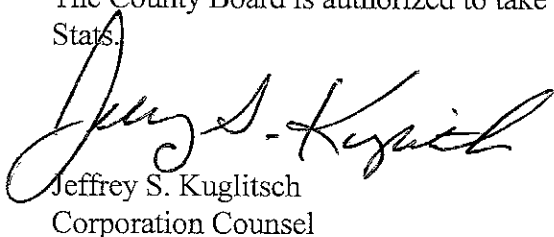
FISCAL NOTE:

Minimal fiscal impact to the County related to ballot printing costs.

  
 Sherry Oja  
 Finance Director

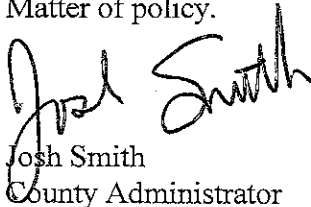
LEGAL NOTE:

The County Board is authorized to take this action pursuant to secs. 59.01, 59.51 and 59.52(25), Wis. Stats.

  
 Jeffrey S. Kuglitsch  
 Corporation Counsel

ADMINISTRATIVE NOTE:

Matter of policy.

  
 Josh Smith  
 County Administrator