

RESOLUTION NO. 2013-098

A RESOLUTION RESCINDING RESOLUTION 2013-081 AND DIRECTING THE SUBMISSION OF A REFERENDUM TO THE ELECTORS AT THE APRIL, 2014 ELECTION RELATING TO CONSTITUTIONAL RIGHTS OF CORPORATIONS AND OTHER LEGAL ENTITIES.

WHEREAS, the 2010 U.S. Supreme Court ruling, *Citizens United v. FEC*, held that corporations are “persons” for the purpose of political speech, and that investment in a political campaign is a form a political speech;

WHEREAS, the Supreme Court's decisions in *Citizens United* and related cases allow unlimited spending to influence local, state, and federal elections; and

WHEREAS, various citizens and groups of citizens and residents of DeForest and the DeForest Area have requested that the following advisory referenda to be placed on the ballot for the 2014 spring election; and

WHEREAS, the Village Board has determined that providing citizens of the Village with an opportunity to express their opinions regarding the following advisory referendum questions is in the public interest; and

NOW, THEREFORE, BE IT RESOLVED that the following advisory referendum questions shall be placed on ballot in the Village of DeForest at the 2014 spring election:

Question 1: “Should state and federal officials representing the residents of the Village of DeForest support and take the steps necessary to begin the process of amending the United States Constitution to state that: Only human beings—not corporations, unions, non-profits, or similar associations—are endowed with constitutional rights?”

Yes _____ No _____

Explanation of Referendum Question 1: A “yes” vote on this referendum would instruct your state and federal representatives that you want them to begin the process to change the United States Constitution to only provide constitutional rights to individual human beings, not business organizations, corporations, unions, non-profits, and other similar associations, entities or groups. A “no” vote means that you do not want your state and federal representatives and legislators to initiate or support a constitutional amendment to provide that only individual human beings have constitutional rights.

Question 2: “Should state and federal officials representing the residents of the Village of DeForest support and take the steps necessary to begin the process of amending the United States Constitution to state that: Money is not speech, and therefore, regulating political contributions and spending is not equivalent to limiting political speech?”

Yes _____ No _____

Explanation of Referendum Question 2: A “yes” vote on this referendum would instruct your state and federal representatives that you want them to begin the process to change the United States Constitution to prevent political financial contributions from being protected as speech, by providing that the use of money is different from speech. A “no” vote means that you do not want your state and federal representatives and legislators to initiate or support a constitutional amendment to provide that the use of money is a different type of activity than speech.

BE IT FURTHER RESOLVED that the Village Clerk shall take all necessary steps to implement this resolution.

BE IT FURTHER RESOLVED that the Clerk shall communicate the results of such referenda to the following: the Governor of the State of Wisconsin, all representatives in the Wisconsin Assembly and Senate whose districts include any part of the Village, and all members of Congress whose districts include any part of the Village of DeForest.

Adopted at a regular meeting of the Village Board this 3rd day of December, 2013.

Judd Blau, Village President

ATTEST: _____
LuAnn Leggett, Village Clerk

Vote: _____ Date Adopted: _____