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MARCH 6, 2012 ANNUAL CITY MEETING--  
ADVISORY REFERENDUM URGING CONGRESS TO  
PROPOSE AN AMENDMENT TO THE CONSTITUTION FOR  
THE STATES' CONSIDERATION PROVIDING THAT  
CORPORATIONS ARE NOT PERSONS UNDER THE LAWS OF  
THE UNITED STATES OR ITS JURISDICTIONAL SUBDIVISIONS

In the year Two Thousand Eleven.....

Resolved by the City Council of the City of Burlington, as follows:

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

WHEREAS, individual citizens are rightfully recognized by the United States and Vermont Constitutions as human beings who actually vote in elections; and

WHEREAS, corporations are legal entities that governments create and can exist in perpetuity and simultaneously in many nations; and

WHEREAS, corporations do not vote in elections and should not be categorized as persons for purposes related to elections for public office; and

WHEREAS, corporations are not mentioned in the United States Constitution as adopted, nor have Congress and the states recognized corporations as legal persons in any subsequent federal constitutional amendment; and

WHEREAS, Citizens United v. the Federal Election Commission, 130 S.Ct. 876 (2010), has created a new and unequal playing field between human beings and corporations with respect to campaign financing, negating over a century of precedent prohibiting corporate contributions to federal election campaigns dating to the Tillman Act of 1907; and

WHEREAS, the Citizens decision has forced candidates for political office to divert attention from the interests and needs of their human constituents in order to raise sufficient campaign funds for election; and

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44

45 WHEREAS, corporations are not and have never been human beings and, therefore, are  
46 rightfully subservient to human beings and the governments that are their creators; and

47 WHEREAS, the profits and institutional survival of large corporations are often in direct  
48 conflict with the essential needs and rights of human beings; and

49 WHEREAS, large corporations have used their so-called rights to successfully seek the  
50 judicial reversal of democratically enacted laws passed at the municipal, state, and federal levels  
51 aimed at curbing corporate abuse; and

52 WHEREAS, these judicial decisions have rendered democratically elected governments  
53 ineffective in protecting their citizens against corporate harm to the environment, health,  
54 workers, independent business, and local and regional economies; and

55 WHEREAS, the only way to reverse this intolerable societal reality is to amend the  
56 United States Constitution to define persons as human beings and not corporations;

57 NOW, THEREFORE, BE IT RESOLVED that the Burlington City Council urges  
58 Congress to propose an amendment to the United States Constitution for the states' consideration  
59 which provides that corporations are not persons and that money is not free speech; and

60 BE IT FURTHER RESOLVED that the Burlington Clerk/Treasurer's Office be directed  
61 to send a copy of this resolution to the Vermont Congressional Delegation and the leadership of  
62 the Vermont State House and Senate; and

63 BE IT FURTHER RESOLVED that the following advisory question be placed upon the  
64 ballot of the Annual City Meeting to be held March 6, 2012 as follows:  
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70 CONSTITUTION FOR THE STATES'  
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73 LAWS OF THE UNITED STATES OR ITS  
74 JURISDICTIONAL SUBDIVISIONS  
75

76 “Shall the People of the City of Burlington urge the Vermont Congressional Delegation  
77 and the United States Congress to propose a United States Constitutional amendment for the  
78 States' consideration which provides that money is not speech, that corporations are not persons  
79 under the United States Constitution, that the General Assembly of the State of Vermont pass a  
80 similar resolution, and that the City of Burlington send its resolution to Vermont State and  
81 Federal representatives within thirty days of passage of this measure?”

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85 lb/emb/c: Resolutions 2012/Advisory Referendum--Corporations not considered Persons under the Law (3-6-12 Annual City  
86 Meeting)  
87 12-13-11