

Introduced by:	Cox, Johnson
Date:	01/21/20
Action:	Adopted
Vote:	6 Yes, 2 No, 1 Absent

**KENAI PENINSULA BOROUGH
RESOLUTION 2020-008**

**A RESOLUTION SUPPORTING AND CALLING FOR AN AMENDMENT TO THE
CONSTITUTION OF THE UNITED STATES TO ADDRESS ISSUES THAT
RESULTED FROM COURT DECISIONS SUCH AS THE UNITED STATES SUPREME
COURT'S DECISION IN *CITIZENS UNITED* v. *FEDERAL ELECTION COMMISSION***

WHEREAS, the heart of democracy is the right of human beings to govern themselves, and the United States is the first and foremost democracy since the days of ancient Greece; and

WHEREAS, the founding documents of the United States, the Declaration of Independence and the Constitution, recognize that human beings have certain inalienable rights; and

WHEREAS, the Declaration of Independence and the United States Constitution do not mention or grant any rights to corporations or to any artificial entities other than the United States of America and its constituent States; and

WHEREAS, corporations and other artificial entities are not and never have been human beings, and are only entitled to the legal powers and protections that the People grant to them; and

WHEREAS, recent judicial decisions, including the United States Supreme Court decision in *Citizens United v. Federal Election Commission*, 130 S.Ct. 876, 558 U.S. 310 (2010), have held that corporations and other artificial entities are "persons" under the United States Constitution with a constitutional right to spend as much money as they wish on political speech, thereby greatly expanding the power of corporations and other artificial entities to influence elections and otherwise undermine the power of the People to govern themselves; and

WHEREAS, when freedom of speech is equated with freedom to spend money, the free speech of the majority of the People may be overwhelmed by the messages of the few who are able to spend millions of dollars to influence the political process; and

WHEREAS, we the People are supreme, and have the power to overrule the Supreme Court through a constitutional amendment; and

WHEREAS, over 800 municipalities and local governments, and 20 state governments, have already passed resolutions calling for an amendment to the United States Constitution to address the types of issues identified above; and

WHEREAS, in the state of Alaska; the Homer City Council, the City and Borough Assembly of Sitka and the Anchorage Municipal Assembly have already passed resolutions calling for an amendment to the United States Constitution to address the types of issues identified above;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. The assembly supports, and calls for, an amendment to the United States Constitution establishing the following principles:


- A. The United States Constitution does not create, grant, or protect any constitutional rights of corporations or other artificial entities; and
- B. That the United States government has the right to enact statutes and regulations governing the expenditure of money to influence elections and political decision making, to the end that all voices and opinions of the People can be expressed and heard; and

SECTION 2. That copies of this resolution shall be provided to the Kenai Peninsula Borough delegation to the Alaska Legislature, to Alaska's delegation to the United States Congress, and to each Kenai Peninsula Borough municipality.

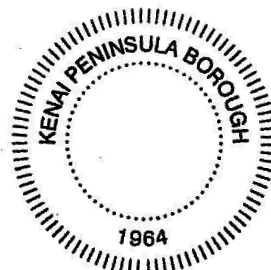
SECTION 3. This resolution shall take effect immediately upon adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 21ST DAY OF JANUARY, 2020.

ATTEST:


Johni Blankenship, MMC, Borough Clerk


Kelly Cooper, Assembly President



Yes: Carpenter, Cox, Dunne, Hibbert, Johnson, Cooper

No: Bjorkman, Blakeley

Absent: Smalley