COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2012 Legislative Session

 Resolution No. CR-7-2012

Proposed by Council Member Lehman

Introduced by Council Members Lehman, Franklin, Olson, Davis, Patterson and Toles

Co-Sponsors

Date of Introduction February 21, 2012

RESOLUTION

A RESOLUTION concerning

United States Constitutional Amendment to reverse Citizens United v. Federal Election Commission

For the purpose of expressing the Council’s support of the letter from the Members of the Maryland General Assembly to the Unites States Congress to pass and send to the states for ratification a constitutional amendment to reverse Citizens United v. Federal Election Commission and restore constitutional rights and fair elections to the people.

WHEREAS, in a 5-to-4 ruling, the Unites States Supreme Court in Citizens United v. Federal Election Commission, invalidated two provisions of the Federal Election Campaign Act (FECA) finding that they were unconstitutional under the First Amendment; and

WHEREAS, the decision struck down the long-standing prohibition on corporations using their general treasury funds to make independent expenditures and prohibiting corporations from using their general treasury funds for electioneering communications; and

WHEREAS, as a result of the Court’s ruling, federal campaign finance law no longer restricts corporate use of general treasury funds to make independent expenditures for any communication expressly advocating election or defeat of a candidate; and

WHEREAS, the protections afforded by the First Amendment to the United States Constitution to the people of our nation are fundamental to our democracy; and

WHEREAS, the First Amendment to the United States Constitution was designed to protect the free speech rights of people, not corporations; and

WHEREAS, corporations should not be afforded the entirety of protections or “rights” of people, such that the expenditure of corporate money to influence the electoral process is a form
of constitutionally protected speech; and

WHEREAS, the Court’s ruling in *Citizens United* severely hampers the ability of federal,
state and local governments to enact reasonable campaign finance reforms and regulations
regarding corporate political activity; and

WHEREAS, Article V of the United States Constitution empowers the people and the states
of the United States of America to use the constitutional amendment process to protect
republican self-government; and

WHEREAS, the Members of the Maryland General Assembly have sent a letter to the
United States Congress stating their disagreement with the majority decision in *Citizens United*
and calling upon the United States Congress to propose and send to the states for ratification as
soon as practicable a constitutional amendment to reverse this decision and restore fair elections
and democratic sovereignty to the states and to the people.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's
County, Maryland, that the Council supports the letter from the Members of the Maryland
General Assembly to the United States Congress to propose and send to the states for ratification
a constitutional amendment to reverse *Citizens United v. Federal Election Commission* and
restore fair elections and democratic sovereignty to the states and to the people; and

BE IT FURTHER RESOLVED that the Clerk of the Council shall forward a copy of this
Resolution to each member of the Maryland Congressional Delegation, the Honorable Governor
of Maryland, the Honorable President of the Maryland State Senate, the Honorable Speaker of
the Maryland House of Delegates, and the Honorable Chairs of the Prince George’s County
Senate and House Delegations of the Maryland General Assembly.
Adopted this 21st day of February, 2012.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

BY: _________________________________
Andrea C. Harrison
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council