

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

1 A RESOLUTION concerning

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

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

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

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

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

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

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

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

1 of constitutionally protected speech; and

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

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

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

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

18 BE IT FURTHER RESOLVED that the Clerk of the Council shall forward a copy of this
19 Resolution to each member of the Maryland Congressional Delegation, the Honorable Governor
20 of Maryland, the Honorable President of the Maryland State Senate, the Honorable Speaker of
21 the Maryland House of Delegates, and the Honorable Chairs of the Prince George's County
22 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